

ROBB EVANS
Receiver of
D.W. Heath & Associates, Inc.;
PCM Fixed Income Fund I, LLC;
Private Capital Management, Inc.;
Private Collateral Management, Inc.
and the Schlarmann Interests

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Securities and Exchange Commission v. D. W. Heath & Associates Inc., et al.
CASE No. CV-04-02949 JFW (Ex)

**Order Approving and Authorizing Payment of Receiver's and
Professionals' Fees and Expenses**
[September 1, 2007 Through February 29, 2008]

Filed June 4, 2008

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7 ROBB EVANS

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

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11 SECURITIES AND EXCHANGE
12 COMMISSION,

13 Plaintiff,

14 v.

15 D.W. HEATH & ASSOCIATES, INC.,
etc., et al.,

16 Defendants.

CASE NO. CV 04-02949 JFW (Ex)

**ORDER APPROVING AND
AUTHORIZING PAYMENT OF
RECEIVER'S AND
PROFESSIONALS' FEES AND
EXPENSES [SEPTEMBER 1, 2007
THROUGH FEBRUARY 29, 2008]**

DATE: June 2, 2008
TIME: 1:30 p.m.
DEPT.: Courtroom 16

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19 The matter of the Motion for Order Approving and Authorizing Payment of
20 Receiver's and Professionals' Fees and Expenses [September 1, 2007 Through
21 February 29, 2008] ("Motion") filed by Robb Evans as permanent receiver of D.W.
22 Heath & Associates, Inc., Private Capital Management, Inc., Private Collateral
23 Management, Inc. and PCM Fixed Income Fund I, LLC and their subsidiaries and
24 affiliates (collectively, the "Heath Receivership Defendants") and as Receiver over
25 the Schlarman Interests ("Receiver") came on regularly for hearing at the above-
26 referenced date, time and place before the Honorable John F. Walter, United States
27 District Judge presiding. Lesley Anne Hawes of McKenna Long & Aldridge LLP
28 appeared on behalf of the Receiver, Molly B. White appeared on behalf of

1 plaintiff Securities and Exchange Commission; and no other appearances were
2 made. The Court having heard and considered the Motion and the pleadings and
3 papers filed in support of the Motion, the Motion having been duly served in
4 accordance with the Court's prior Limited Notice Order entered March 4, 2005,
5 plaintiff Securities and Exchange Commission having filed its Statement of Non-
6 Opposition Regarding Receiver's Motion for Order Approving and Authorizing
7 Payment of Receiver's and Professionals' Fees and Expenses [September 1, 2007
8 Through February 29, 2008], no opposition having been timely filed or served, and
9 the Court having heard the arguments of counsel, and good cause appearing
10 therefor,

11 IT IS ORDERED that:

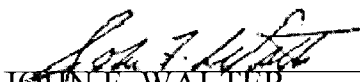
12 1. The Motion and the relief sought therein is granted in its entirety;

13 2. Without limiting the generality of the foregoing, the Court hereby
14 approves and authorizes payment of the fees and expenses of the Receiver, the
15 Receiver's staff, and the Receiver's counsel for the six month period from
16 September 1, 2007 through February 29, 2008 ("Ninth Expense Period"), including
17 payment of (a) the fees of the Receiver, the Receiver's deputies, agents, staff and
18 professionals, in the amount of \$44,688.62, (b) reimbursement of Receiver's
19 expenses in the amount of \$12,807.57, for total Receiver's fees and expenses of
20 \$57,496.16, and (c) payment of the Receiver's legal fees and expenses, including
21 those of outside counsel, of \$60,343.09 incurred during the Ninth Expense Period.

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23 Dated: June 4, 2008

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JOHN F. WALTER
United States District Judge

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