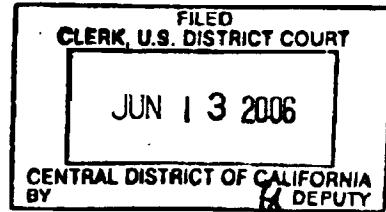


1 GARY OWEN CARIS (SBN 088918)
gcaris@mckennalong.com
2 LESLEY ANNE HAWES (SBN 117101)
lhawes@mckennalong.com
3 MCKENNA LONG & ALDRIDGE LLP
444 South Flower Street, 8th Floor
4 Los Angeles, CA 90071
Telephone: (213) 688-1000
5 Facsimile: (213) 243-6330

Priority
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JS-2/JS-3
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SEARCHED

6 Attorneys for Permanent Receiver,
7 **ROBB EVANS**

LODGED

16 MAY 22 PM 2:11
CLERK, U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES

3

8 **UNITED STATES DISTRICT COURT**

9 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

11 **FEDERAL TRADE COMMISSION,**

CASE NO. CV 02-9270 DSF (AJWx)

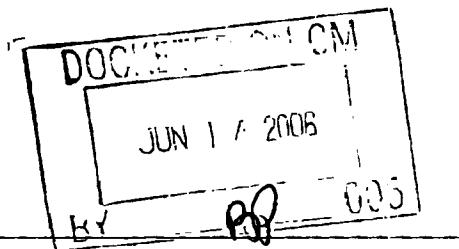
12 Plaintiff,

13 **[PROPOSED] ORDER:**
14 **(1) APPROVING RECEIVER'S**
FINAL REPORT AND ACCOUNTING
AS OF MARCH 31, 2006;
15 **(2) DISCHARGING THE RECEIVER;**
(3) RELIEVING THE RECEIVER OF
ALL DUTIES, LIABILITIES AND
RESPONSIBILITIES;
16 **(4) EXONERATING THE**
RECEIVER'S BOND; AND (5)
17 **GRANTING RELIEF FROM LOCAL**
RULE 66-7 PERTAINING TO
18 **NOTICE TO CERTAIN CREDITORS**

13 v.

14 **TREK ALLIANCE, INC., et al.,**

15 Defendants.



19 DATE: June 12, 2006
20 TIME: 1:30 p.m.
21 PLACE: Courtroom 840
Roybal Federal Building

22 Receiver Robb Evans' Motion for Order: (1) Approving the Receiver's Final
23 Report and Accounting as of March 31, 2006 ("Final Report"); (2) Discharging the
24 Receiver and His Agents, Employees and Representatives; (3) Relieving the
25 Receiver and His Agents, Employees and Representatives of All Duties, Liabilities
26 and Responsibilities; (4) Exonerating the Receiver's Bond; and (5) Granting Relief
27 From Local Rule 66-7 Pertaining to Notice to Certain Creditors ("Motion") came
28 on regularly for hearing on June 12, 2006 at 1:30 p.m. in Courtroom 840 of the

316

1 above-referenced Court, the Honorable Dale S. Fischer, United States District
2 Judge presiding. The Receiver was represented by Gary Owen Caris of McKenna
3 Long & Aldridge LLP and other appearances were made as noted in the record.
4 The Court, having read and considered all papers filed in support of the Motion,
5 including the Receiver's Final Report, having read and considered any opposition
6 filed, having determined that appropriate notice was given as set forth below, and
7 good cause being shown therefore, it is

8 ORDERED that:

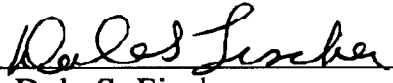
- 9 (1) The Receiver's Final Report and Accounting as of March 31, 2006 is
10 approved;
- 11 (2) The Receiver and his agents, employees and representatives are hereby
12 discharged;
- 13 (3) The Receiver and his agents, employees and representatives are
14 relieved of all duties, liabilities and responsibilities;
- 15 (4) The Receiver's bond is exonerated;
- 16 (5) The Receiver's actions as described in the Final Report are ratified and
17 approved;
- 18 (6) The Receiver is authorized to destroy the books and records of the
19 Receivership Defendants, and any other corporations or businesses
20 under the control of any of the Receivership Defendants if not
21 otherwise claimed by any of the parties within ten days from the date
22 of entry of an order granting this Motion;
- 23 (7) The Receiver is expressly relieved of any obligation to file sales tax
24 reports with any federal, state, county or municipal taxing authority
25 and is expressly relieved from paying all tax claims of any kind or
26 nature whatsoever;
- 27 (8) The Receiver is expressly relieved from paying all pre-receivership
28 claims whatsoever; and

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(9) Notice of the Receiver's Motion, as set forth therein, was appropriate and sufficient, and relief from Local Rule 66-7 is hereby granted as to noticing potential consumer claimants.

SCANNED

Dated: 6-12-06



Hon. Dale S. Fischer
United States District Court Judge

1 **PROOF OF SERVICE BY MAIL**

CANNED

2
3 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

4 I am employed in the aforesaid county, State of California; I am over the age
5 of 18 years and not a party to the within action; my business address is **444 South
6 Flower Street, Los Angeles, California 90071.**

7 On May 19, 2006, I served the **[PROPOSED] ORDER: (1) APPROVING
8 RECEIVER'S FINAL REPORT AND ACCOUNTING AS OF MARCH 31,
9 2006; (2) DISCHARGING THE RECEIVER; (3) RELIEVING THE
10 RECEIVER OF ALL DUTIES, LIABILITIES AND RESPONSIBILITIES;
11 (4) EXONERATING THE RECEIVER'S BOND; AND (5) GRANTING
12 RELIEF FROM LOCAL RULE 66-7 PERTAINING TO NOTICE TO
13 CERTAIN CREDITORS** on the interested parties in this action by placing the
14 true copy/original thereof, enclosed in a sealed envelope, postage prepaid,
15 addressed as follows:

16 **SEE ATTACHED SERVICE LIST.**

17 I am readily familiar with the business practice of my place of employment
18 in respect to the collection and processing of correspondence, pleadings and notices
19 for mailing with United States Postal Service.

20 The foregoing sealed envelope was placed for collection and mailing this
21 date consistent with the ordinary business practice of my place of employment, so
22 that it will be picked up this date with postage thereon fully prepaid at Los Angeles,
23 California, in the ordinary course of such business.

24 (STATE) I declare under penalty of perjury under the laws of the
25 State of California that the foregoing is true and correct.

26 (FEDERAL) I declare under penalty of perjury that the foregoing is true
27 and correct, and that I am employed at the office of a
28 member of the bar of this Court at whose direction the
service was made.

Executed on May 19, 2006 at Los Angeles, California.


Signature

Pamela A. Coates
Print Name

SERVICE LIST

1
2 **Robb Evans & Associates LLC – Trek Alliance, Inc., et al.**
3 R.M. Owens City of Boulder Sales Tax Division
4 Operations Manager, Collections P.O. Box 791
5 INTERNAL REVENUE SERVICE Boulder, CO 80306-0791
6 ACS Support - Stop 8130
7 P.O. Box 145566
8 Cincinnati, OH 45250-5566
9 ABC Distributing, Inc. Accessline Communications
10 P. O. Box 619000 11201 SE 8th Street
11 North Miami, FL 33261-9000 Suite 200
12 Bellevue, WA 98004
13 Adam's Mark Advanta Leasing Services
14 Fourth & Chestnut P. O. Box 41598
15 St. Louis, MO 63102 Philadelphia, PA 19101-1598
16 American Express AT&T Wireless
17 P. O. Box 27057 P. O. Box 78110
18 Greensboro, NC 27425-7057 Phoenix, AZ 85062-8110
19 Authorize.Net Boise Cascade Office Products
20 915 South 500 East File 42256
21 Suite 200 Los Angeles, CA 90074-2256
22 American Fork, UT 84003
23 Buchalter, Nemer, Fields & Younger Burton, Bartlett & Glogovac
24 601 South Figueroa Street 50 West Liberty Street
25 Suite 2400 Suite 650
26 Los Angeles, CA 90017-5704 Reno, NV 89501
27 Calvey Nevada Packaging Caselle Label Company
28 4999 Aircenter Circle 1147 Gator Way
Reno, NV 89502 Sparks, NV 89431
CCH Incorporated CDI Media
P. O. Box 4307 2323 South 3600 West
Carol Stream, IL 60197-4307 Salt Lake City, UT 84119
CP Industries Deluxe Business Checks
560 North 500 West P. O. Box 742572
Salt Lake City, UT 84116 Cincinnati, OH 45274-2572
Department of the Treasury DynaGraphic Printing
Internal Revenue Service 2001 Timber Way
Ogden, UT 84201-0039 Reno, NV 89512
Eschelon Telecom, Inc. Expanets Inc.
36397 Treasury Center Dept #1261
Chicago, IL 60694-6300 Denver, CO 80271-1261
28

SCANNED

PROPOSED ORDER

1 **SERVICE LIST (cont'd)**

2 **Robb Evans & Associates LLC - Trek Alliance, Inc., et al.**

3 FedEx
4 P. O. Box 1140
5 Memphis, TN 38101-1140

FedEx Freight West
Dept CH
P. O. Box 10306
Palatine, IL 60055-0306

6 Floralstuff.com
7 10660 Kinghurst Drive
8 Houston, TX 77099

Foxhollow Herb Farm
180 Harbern Way
Hollister, CA 95023

9 FranklinCovey Co.
10 2200 West Parkway Blvd.
11 Salt Lake City, UT 84119-2099

G. Neil Direct Mail, Inc.
P. O Box 451179
Sunrise, FL 33345-1179

12 Giclee Limited Editions, LLC
13 907 West Moana Lane
14 Reno, NV 89509

Grimes & Reese
1270 South Woodruff Avenue
Idaho Falls, ID 83404-5544

15 HealthTech International, Inc.
16 1198 W. 1130 N.
17 St. George, UT 84770

Henry's Cleaning Service
P. O. Box 9056
Incline Village, NV 89452

18 Ikon Office Solutions
19 P. O. Box 7420
20 Pasadena, CA 91109-7420

Industrial Container & Supply Company
P. O. Box 26668
Salt Lake City, UT 84126-0668

21 Kinko's Inc.
22 P. O. Box 8033
23 Ventura, CA 93002-8033

Kinko's Inc.
P. O. Box 8033
Ventura, CA 93002-8033

24 Labelsmith, Inc.
25 1147 Gator Way
26 Sparks, NV 89431

Law Offices of Howard S. Fredman, Esq.
1875 Century Park East
Suite 2200
Los Angeles, CA 90067-2523

27 Moore North America
28 135 South LaSalle
Dept. 4904
Chicago, IL 60674-4904

Motor Cargo
P. O. Box 2351
Salt Lake City, UT 84110

Michael David Myers, Esq.
Myers & Parker, P.L.L.C.
1809 7th Ave, Suite 700
Seattle, WA 98101

Nevada Association of Employers
P. O. Box 7515
Reno, NV 89510

Nevada Bell
P. O. Box 989045
West Sacramento, CA 95798-9045

North Shore Agency, Inc.
751 Summa Avenue
Westbury, NY 11590

OSI Collection Services, Inc.
P. O. Box 965
Brookfield, WI 53008

Panda Inc.
2695 Mill Street
Reno, NV 89502-2102

SCANNED

PROPOSED ORDER

1 **SERVICE LIST (cont'd)**

2 *Robb Evans & Associates LLC - Trek Alliance, Inc., et al.*

3 Paper Direct
4 P. O. Box 2933
5 Colorado Springs, CO 80901-2933

Paul Brown Hawaii
9200 Mason Avenue
Chatsworth, CA 91311

6 Pechiney Plastic Packagin, Inc.
7 23069 Network Place
8 Chicago, IL 60673-1069

Pitney Bowes
P. O. Box 856390
Louisville, KY 40285-6390

9 Pitney Bowes Credit Corporation
10 P. O. Box 856460
11 Louisville, KY 40285-6460

Qwest
P. O. Box 856169
Louisville, KY 40285-6169

12 Rainbow Printing & Office Supply
13 33159 Camino Capistrano
14 Suite E
15 San Juan Capistrano, CA 92675

Rizzoli Inc. Trash Hauling
250 Arletta Street
Reno, NV 89503-5107

16 Ross Delivery Service, Inc.
17 9600 Comanche Moon Dr.
18 Reno, NV 89521

Sierra Spring Water Company
Dept 262
Denver, CO 80271-0262

19 Sitkoff/O'Neil Accountancy Corp.
20 P. O. Box 6299
21 Tahoe City, CA 96145

Southwest Gas Corporation
P. O. Box 98890
Las Vegas, NV 89150-0101

22 Sprint
23 P. O. Box 930331
24 Atlanta, GA 31193-0331

Taste of Home Books
P. O. Box 5226
Clifton, NJ 07015-5226

25 Terminex International
26 5655 Riggins Court
27 Suite 1
28 Reno, NV 89502

Terry's Village
P. O. Box 2049
Omaha, NE 68103

Thor Incorporated
12820 West 2550 South
Ogden, UT 84401

Transpay, Inc. d/b/a TransPay Processing
74900 Highway 111
Suite 121
Indian Wells, CA 92210

Ultima Networks
P. O. Box 10549
Salinas, CA 93912-7549

United Parcel Service
P. O. Box 894820
Los Angeles, CA 90189-4820

Valley Insurance Company
P. O. Box 1119
Albany, OR 97321-0421

Venus Laboratories
P. O. Box 607
Wood Dale, IL 60191

Voice Text.Com
702 Colorado Street
Suite 2600
Austin, TX 78701

Woodburn & Wedge
6100 Neil Road
Suite 500
Reno, NV 89511

SCANNED

PROPOSED ORDER

1 **SERVICE LIST (cont'd)**

2 **Robb Evans & Associates LLC – Trek Alliance, Inc., et al.**

3 Alabama Department of Revenue
4 Sales, Use & Business Tax Division
5 P. O. Box 327900
6 Montgomery, AL 36132-7900

Alatax
Sales Tax Division
P. O. Box 830725
Birmingham, AL 35283-0725

7 Arizona Department of Revenue
8 P. O. Box 29010
9 Phoenix, AZ 85038-9010

Board of Equalization
P. O. Box 942879
Sacramento, CA 94279-8022

10 City & County of Broomfield
11 Sales Tax Administration
12 P. O. Box 407
13 Broomfield, CO 80038-0407

City and County of Denver
Department of Revenue
P. O. Box 17430
Denver, CO 80217-0430

14 City of Arvada
15 Sales Tax Division
16 P. O. Box 8101
17 Arvada, CO 80001-8101

City of Aurora
Dept. 800
Denver, CO 80291-0800

18 City of Avondale
19 Sales Tax Department
20 114 E. Western Avenue
21 Avondale, AZ 85323-2316

City of Boulder
Department of Finance
P. O. Box 1316
Boulder, CO 80306-1316

22 City of Bremerton
23 Tax and License Division
24 239 Fourth Street
25 Bremerton, WA 98337

City of Brighton
Sales Tax Return
22 So. 4th Avenue
Brighton, CO 80601

26 City of Chandler
27 Sales Tax - Mail Stop 701
28 P. O. Box 15001
Chandler, AZ 85244-5001

City of Colorado Springs
P. O. Box 2408
Colorado Springs, CO 80901

City of Commerce City
Department of Finance
5291 East 60th Avenue
Commerce City, CO 80022-3203

City of Durango
Finance Department
949 E. 2nd Avenue
Durango, CO 813.01

City of Englewood Sales Tax
P. O. Box 2900
Englewood, CO 80150-2900

City of Federal Heights
Sales Tax Return
2380 W. 90th Avenue
Federal Heights, CO 80260

City of Fort Collins
Department of Finance
P. O. Box 580
Fort Collins, CO 80522

City of Glendale
P. O. Box 800
Glendale, AZ 85311-0800

SCANNED

PROPOSED ORDER

1 **SERVICE LIST (cont'd)**

2 **Robb Evans & Associates LLC – Trek Alliance, Inc., et al.**

3 City of Golden
4 911 10th Street
Golden, CO 80401

City of Lafayette --
1290 S. Public Road
Lafayette, CO 80026

5 City of Louisville
6 Sales Tax Division
7 749 Main Street
Louisville, CO 80027

City of Loveland
Sales Tax Administration
P. O. Box 0845
Loveland, CO 80539-0845

8 City of Mesa
9 P. O. Box 16350
Mesa, AZ 85211-6350

City of Phoenix, Arizona
Attn: Privilege License Tax
P. O. Box 29690
Phoenix, AZ 85038-9690

10 City of Prescott
11 Sales Tax Department
12 P. O. Box 2077
Prescott, AZ 86302-2077

City of Pueblo
Pueblo-Finance Dept/Sales Tax
P. O. Box 1427
Pueblo, CO 81002

13 City of Reno
14 Business License Renewals
P. O. Box 7
Reno, NV 89501

City of Rifle
P. O. Box 1908
Rifle, CO 81650

15 City of Scottsdale
16 P. O. Box 1949
Scottsdale, AZ 85252-1949

City of Tacoma
Department of Finance
P. O. Box 11640
Tacoma, WA 98411-6640

17 City of Tempe
18 Tax and License Office
19 P. O. Box 29618
Phoenix, AZ 85038-9618

City of Thornton
Sales Tax Division
Dept. 222
Denver, CO 80291-0222

20 City of Tucson
21 Finance Department
22 255 W. Alameda
Tucson, AZ 85701

City of Woodland Park
Revenue Department
P. O. Box 9045
Woodland Park, CO 80866-9045

23 Commonwealth of Kentucky
24 Revenue Cabinet
P. O. Box 491
Frankfort, KY 40602

Commonwealth of Massachusetts
P. O. Box 7072
Boston, MA 2204

25 Commonwealth of Pennsylvania
26 Bureau of Compliance
27 Dept. 280946
28 Harrisburg, PA 17128-0946

Commonwealth of Virginia
Department of Taxation
Richmond, VA 23282

SCANNED

1 **SERVICE LIST (cont'd)**

2 **Robb Evans & Associates LLC - Trek Alliance, Inc., et al.**

3 Comptroller of Maryland
4 110 Carroll Street
Annapolis, MD 21411-0001

Comptroller of Public Accounts
111 E. 17th Street
Austin, TX 78774-0100

5 Department of Revenue Services
6 State of Connecticut
7 P. O. Box 5030
8 Hartford, CT 06102-5030

Employment Department
P. O. Box 2170
Oregon City, OR 97045-5070

9 Florida Department of Revenue
10 5050 West Tennessee Street
11 Tallahassee, FL 32399-0128

Franchise Tax Board
P. O. Box 942840
Sacramento, CA 94240-0040

12 Georgia Department of Revenue
13 Sales and Use Tax Division
14 P. O. Box 105296
15 Atlanta, GA 30348-5296

Idaho State Tax Commission
P. O. Box 36
Boise, ID 83722-0410

16 Illinois Department of Corrections
17 P. O. Box 518
18 Kewanee, IL 61443-0518

Illinois Department of Revenue
Retailers Occupation Tax
Springfield, IL 62796-0001

19 Indiana Department of Revenue
20 P. O. Box 7218
21 Indianapolis, IN 46207-7218

Internal Revenue Service
Ogden, UT 84201

22 Kansas Department of Revenue
23 Sales & Excise Tax
24 915 SW Harrison Street
25 Topeka, KS 66625-5000

Kentucky Revenue Cabinet
Sales and Use Tax Section
P. O. Box 181, Section 53
Frankfort, KY 40602-0181

26 Louisiana Department of Revenue
27 P. O. Box 201
28 Baton Rouge, LA 70821-0201

Maine Revenue Services
Sales/Excise Tax Division
P. O. Box 1065
Augusta, ME 04332-1065

Michigan Department of Treasury
Dept. 77003
Detroit, MI 48277-0003

Minnesota Department of Revenue
P. O. Box 64447 - REO
Saint Paul, MN 55164-0447

Missouri Department of Revenue
Division of Taxation and Collection
P. O. Box 840
Jefferson City, MO 65105-0840

Nevada Department of Taxation
P. O. Box 98560
Las Vegas, NV 89193-8560

New York State Department
JAF Building
P. O. Box 1207
New York, NY 10116-1207

North Carolina Department of Revenue
P. O. Box 25000
Raleigh, NC 27640-0700

SCANNED

1 **SERVICE LIST (cont'd)**

2 **Robb Evans & Associates LLC - Trek Alliance, Inc., et al.**

3 Office of the Attorney General
4 Ronald R. Del Vento
5 P. O. Box 12548
6 Austin, TX 78711-2548

Office of State Tax Commissioner
State Capitol
600 E. Boulevard Ave. Dept. 127
Bismarck, ND 58505-0553

7 Ohio Department of Taxation
8 P. O. Box 2678
9 Columbus, OH 43216-2678

Oklahoma Tax Division
P. O. Box 26850
Oklahoma City, OK 73126-0850

10 Patricia Berger-County Clerk
11 Lake County
12 P. O. Box 917
13 Leadville, CO 80416

Pennsylvania Department of Revenue
Dept 280420
Harrisburg, PA 17128-0420

14 Pennsylvania Department of Revenue
15 Dept 280406
16 Harrisburg, PA 17128-0406

Rhode Island Division of Taxation
One Capitol Hill
Providence, RI 02908-5812

17 South Dakota State Treasurer
18 Department of Revenue-Remittance Center
19 P. O. Box 5055
20 Sioux Falls, SD 57117-5055

State of Alabama
Department of Revenue
P. O. Box 327710
Montgomery, AL 36132-7710

21 State of Arkansas
22 Revenue Division
23 P. O. Box 1272
24 Little Rock, AR 72203-1272

State of California
Employment Development Dept.
P. O. Box 19009
San Bernardino, CA 92423-9009

25 State of California
26 Franchise Tax Board
27 P. O. Box 419001
28 Rancho Cordova, CA 95741-9001

State of Colorado
Department of Revenue
Denver, CO 80261-0013

State of Hawaii
Department of Taxation
P. O. Box 1425
Honolulu, HI 96806-1425

State of Maine
Maine Revenue Services
P. O. Box 1065
Augusta, ME 04332-1065

State of Missouri
Department of Revenue
P. O. Box 3380
Jefferson City, MO 65105-3380

State of Nevada
Department of Employment Security
500 East Third Street
Carson City, NV 89713-0030

State of Nevada
Secretary of State
202 N. Carson Street
Carson City, NV 89701-4201

State of Ohio
Office of the Attorney General
30 E. Broad Street
Columbus, OH 43215-3400

SCANNED

PROPOSED ORDER

1 **SERVICE LIST (cont'd)**

2 **Robb Evans & Associates LLC – Trek Alliance, Inc., et al.**

3 State of South Carolina
4 SC Department of Revenue
5 P. O. Box 125
6 Columbia, SC 29214

State of Washington
Department of Revenue
P. O. Box 34052
Seattle, WA 98124-1052

7 State of Wyoming
8 Department of Revenue
9 Herschler Building
10 Cheyenne, KY 82002-0110

Tennessee Department of Revenue
Andrew Jackson State Office Bldg.
500 Deaderick Street
Nashville, TN 37242

11 The Town of Erie
12 P. O. Box 750
13 Erie, CO 80516

Town of Breckenridge
Department of Finance
P. O. Box 1237
Breckenridge, CO 80424

14 Treasurer-State of Iowa
15 Iowa Dept. of Revenue and Finance
16 P. O. Box 10412
17 Des Moines, IA 50306-0412

Utah State Tax Commission
Sales Tax
210 N. 1950 W
Salt Lake City, UT 84134-0400

18 Vermont Department of Taxes
19 P. O. Box 588
20 Montpelier, VT 05601-0588

Washoe County Treasurer
P. O. Box 30039
Reno, NV 89520-3039

21 Wisconsin Department of Revenue
22 Box 93389
23 Milwaukee, WI 52393-0389

Wyoming Department of Revenue
Herschler Bldg.
122 West 25th Street
Cheyenne, WY 82002-0110

24 John D. Jacobs, Esq.
25 Federal Trade Commission
26 10877 Wilshire Boulevard, Suite 700
27 Los Angeles, CA 90024

David C. Fix, Esq.
Federal Trade Commission
Division of Marketing Practices
600 Pennsylvania Ave., N.W. – H-238
Washington, D.C. 20580

28 Marilyn E. Kerst, Esq.
Federal Trade Commission
Division of Marketing practices
600 Pennsylvania Ave., N.W. – H-238
Washington, D.C. 20580

Michael Wachtell, Esq.
Jeffrey S. Wruble, Esq.
Buchalter, Nemer, Fields & Younger
601 S. Figueroa Street, Suite 2400
Los Angeles, CA 90017-5704

D.J. Poyfair, Esq.
Bennett L. Cohen, Esq.
Shughart, Thomson & Kilroy, P.C.
1050 17th Street, Suite 2300
Denver, CO 80265

Spencer M. Reese, Esq.
Grimes & Reese
Sixteen 12th Avenue South, Suite 114
Nampa, ID 83651

SCANNED