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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NATIONSTAR MORTGAGE LLC,
Plaintiff,
v.
PATRICK JOSEPH SORIA, et al.,
Defendants.

Case No. 2:18-cv-03041 DSF (RAOx)

**ORDER APPROVING FINAL
REPORT AND ACCOUNTING;
FINAL REQUEST FOR APPROVAL
AND PAYMENT OF RECEIVER’S
AND PROFESSIONAL’S FEES AND
COSTS FROM FEBRUARY 1, 2020
THROUGH CLOSING; FOR
APPROVAL OF PROPOSED
DISTRIBUTIONS; AND FOR
DISCHARGE AND EXONERATION
OF BOND AND RELATED RELIEF¹**

The Court, having read and considered the Motion for Order Approving Final Report and Accounting; Final Request for Approval and Payment of Receiver’s and Professional’s Fees and Costs From February 1, 2020 Through Closing; for Approval of Proposed Distributions; and for Discharge and Exoneration of Bond and Related Relief (“Wind Up Motion”) brought by Permanent Receiver Robb Evans & Associates LLC (“Receiver”) and all pleadings and evidence filed in support thereof, and opposition to the Wind Up Motion, if any, and good cause

¹ The Court deems this matter appropriate for decision without oral argument. See Fed. R. Civ. P. 78; Local Rule 7-15. The hearing set for February 22, 2021 is removed from the Court’s calendar.

1 appearing therefore, it is ORDERED that:

2 1. The Wind Up Motion and all relief sought therein is granted in its
3 entirety;

4 2. Without limiting the generality of the foregoing:

5 A. The Receiver's final report, attached as Section II to the
6 Memorandum of Points and Authorities in the Wind Up Motion, and the Receiver's
7 final accounting, which is attached to the supporting Declaration of Brick Kane as
8 Exhibit 1, are hereby approved in their entirety;

9 B. The Receiver's wind up of the receivership estate is authorized
10 and approved;

11 C. All actions and activities taken by or on behalf of the Receiver
12 and all proposed actions to be taken, and all payments made by the Receiver and all
13 proposed payments to be made in connection with the administration of the
14 receivership estate are hereby approved and confirmed;

15 D. The Court hereby approves and authorizes for payment the fees
16 of the Receiver's members, senior staff and professionals, and reimbursement of
17 costs, comprised of (a) Receiver's fees, including the Receiver's members and
18 senior staff, of \$9,287.50 and Receiver's costs of \$10,257.66 (which includes
19 \$9,885.50 for the Receiver's outside accountant Baker Tilly US, LLP ("Baker
20 Tilly") which prepares tax returns), for a total of \$19,545.16 for the period from
21 February 1, 2020 through November 30, 2020, plus estimated Receiver's fees of
22 \$5,695.00 and costs of \$8,100 (which includes an estimated \$7,950.00 for Baker
23 Tilly), for the period from December 1, 2020 through closing of the estate, **for a**
24 **total of \$33,340.16**; and (b) Receiver's counsel Barnes & Thornburg LLP's
25 ("Barnes & Thornburg") fees of \$47,133.70 and costs of \$2,183.02, for a total of
26 \$49,316.72 for the period from February 1, 2020 through November 30, 2020, plus
27 estimated legal fees of \$15,000.00 and costs of \$2,000.00, for the period from
28 December 1, 2020 through closing of the estate, **for a total of \$66,136.72**, subject

1 to amounts incurred above the estimated amounts to be paid only with the approval
2 of the plaintiff Nationstar Mortgage LLC (“Nationstar”) and without further Court
3 order;

4 E. To the extent funds are available after payment of the
5 administrative expenses set out in the preceding paragraph, the Receiver is
6 authorized to pay the claims of the taxing authorities which accrued prior to the
7 inception of the receivership estate, including the Internal Revenue Service, the
8 California Franchise Tax Board and the California Department of Tax and Fee
9 Administration, in the aggregate amount of \$95,311.19, with the Internal Revenue
10 Service having priority of payment over the other taxing authorities;

11 F. The Receiver is authorized to distribute the remaining monetary
12 assets of the receivership estate held by the Receiver, presently estimated to be
13 \$23,391.67, after the payment of administrative expenses and tax claims as set forth
14 in the preceding paragraphs, to Nationstar, in partial satisfaction of the Revised
15 Stipulated Judgment (Doc. 615);

16 G. The Receiver is authorized to dispose, by way of charitable
17 donation or otherwise, and abandon all non-monetary assets of the receivership
18 estate held by the Receiver and which the Receiver determines is of *de minimis*,
19 insubstantial and/or no value to the receivership estate, including clothing of Patrick
20 Soria (“Soria”);

21 H. The Receiver is authorized to destroy all records of the
22 Receivership Defendants, as defined in the Wind Up Motion, in the Receiver’s
23 possession, custody or control within 30 days after entry of this Order, unless a
24 government agency issues a subpoena for such records, in which case the Receiver
25 is authorized to turn over the records to the government agency which issued the
26 subpoena;

27 I. After entry of this Order, the Receiver is authorized to continue
28 to enforce collection of all sums due to be paid for title clearance services provided

1 by the Receiver prior to entry of this Order pursuant to the Order re Cost Sharing
2 for Title Clearance Through the Receivership (Doc. 335) and the Court retains
3 jurisdiction with respect to such enforcement efforts;

4 J. Effective upon the completion of the administration of the
5 receivership estate and the distribution of the remaining funds in the Receiver's
6 possession and custody as set forth above, (a) neither the Receiver nor any agent,
7 employee, member, officer, independent contractor, attorney, accountant or
8 representative of the Receiver shall have any liability to any person or entity for any
9 action taken or not taken in connection with carrying out the Receiver's
10 administration of the receivership estate, and the exercise of any powers, duties and
11 responsibilities in connection therewith; and (b) the Receiver, its agents, employees,
12 members, officers, independent contractors, attorneys, accountants and
13 representatives are discharged, released from all claims and liabilities arising out of
14 and/or pertaining to the receivership, and relieved of all duties and responsibilities
15 pertaining to the receivership;


16 K. The bond posted by the Receiver in this case shall be exonerated
17 effective upon completion of the administration of the receivership estate and
18 distribution of the remaining funds in the Receiver's possession and custody to
19 Nationstar; and

20 L. Notice of this Motion is hereby deemed to be sufficient under
21 Local Rule 66-7 based on the service of this Motion on all parties and by service of
22 at least the notice of this Motion by regular mail or e-mail on certain potential and
23 known creditors of the estate including those who have sought title clearance
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1 services from the Receiver, but not on the thousands of other potential consumers,
2 lenders, loan servicers, title insurers and other third parties who may have been
3 defrauded by the Receivership Defendants.
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6 IT IS SO ORDERED.

7 DATED: February 18, 2021

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10 Honorable Dale S. Fischer
11 UNITED STATES DISTRICT JUDGE
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