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12	UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA	
13		
14		
	SECURITIES AND EXCHANGE	Case No. 8:10-cv-00849 AG (MLGx)
15	COMMISSION	DECEIVED'S NOTICE OF INTENT
16	Plaintiffs,	RECEIVER'S NOTICE OF INTENT TO COMPROMISE LITIGATION
17	r familitis,	
18	vs.	[Per order entered December 5, 2011,
		no hearing required unless objection
19	WESTMOORE MANAGEMENT LLC et el	filed]
20	MANAGEMENT, LLC, et al	
21	Defendants.	
22		
23	COMES NOW David A. Gill, the permanent receiver for the Westmoore	
24	entities appointed in the above-captioned case (the "Receiver") and hereby provides	
25	notice pursuant to the Court's Order Granting Receiver's Motion for Order Limiting	
23	nouse pursuant to the Court's Order Granting Receiver's Motion for Order Limiting	

Meeting and Notice Requirements in Local Rules 7-3 and 66-7, Establishing

Procedures Re: the Sale of Real and Personal Property and Approval of Settlements

(the "Procedural Order") that the Receiver has reached a settlement and compromise

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of any and all claims between the Receiver and Buck Blessing and W2 Investments, LLC (f/k/a Waters Winery, LLC) (the "Settling Parties").1

The general terms of the settlement are that the Settling Parties will pay an aggregate of \$100,000.00 to the Receiver. Of this amount, the Receivership Estate will receive a net amount of \$54,900.10.

In accordance with the terms of the Court-approved retention agreement of special litigation counsel Castillo Snyder P.C., from the payment received at closing of the settlement, the Receiver will reimburse Joaquin de Teresa, who funded Castillo Snyder's initial investigation of claims being asserted by the Receiver against multiple parties, the amount of \$25,000.00.² From the settlement funds the Receiver will also pay \$18,300.03 in fees and reimburse \$1,799.87 in expenses to Castillo Snyder for their work on this matter, in accordance with the Court-approved contingent fee agreement between the Receiver and said law firm.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's Order Granting Receiver's Motion for Order Limiting Meeting and Notice Requirements in Local Rules 7-3 and 66-7, Establishing Procedures Re: the Sale of Real and Personal Property and Approval of Settlements (the "Procedural Order"), the Receiver will post a copy of this Notice available for download on the Receiver's website: www.westmoorereceivership.com. Service of the notice is deemed complete upon the posting of the notice on the website.

¹ The settlement agreement provides that, to the extent reasonably practicable, the agreement and its provisions are confidential. Therefore, for purpose of this publicly filed notice, Westmoore's former professional and its principals are referred to only as the Settling Parties.

² Mr. De Teresa advanced a total of \$50,299.58 to fund the investigation of claims. Mr. De Teresa previously received reimbursement of \$25,000 of such amount from the settlement proceeds paid from a prior settlement. The Receiver's debt to Mr. de Teresa will now be satisfied as a result of the current settlement (Mr. De Teresa has waived the remaining \$299.58 due).

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's Procedural Order, objections to the Receiver's proposed compromise with the Settling Parties must be (a) in writing and (b) filed with the Court and served in accordance with the Court's Local Rules not later than fourteen (14) days from the date on which this notice was filed with the Court or, if later, posted on the Receiver's website.

PLEASE TAKE FURTHER NOTICE that if an objection is timely filed and served, the Receiver may file a reply and notice the matter for hearing. In that event, a separate notice of the hearing will be filed and served.

PLEASE TAKE FURTHER NOTICE that if no objection is timely filed and served, pursuant to the Procedural Order the Receiver will be authorized to proceed with the proposed compromise without further notice or order of the Court.

Dated: February 11, 2014 CASTILLO SNYDER, PC

By: <u>/s/ Edward C. Snyder</u> Edward C. Snyder Counsel for Plaintiff

Dated: February 11, 2014 THE COOPER LAW FIRM, P.C.

By: <u>/s/ Scott Cooper</u>
Scott Cooper
Counsel for Plaintiff

1 **PROOF OF SERVICE** 2 I, the undersigned, an employee of Castillo Snyder, P.C., located at 300 Convent Street, Suite 1020, San Antonio, Texas 78205 declare under penalty of perjury that I am over the age of eighteen 3 (18) and not a party to this matter, action or proceeding. 4 On February 11, 2014 I served the foregoing document, described as "Receiver's Notice of 5 **Intent to Compromise Litigation**" on all interested parties in this action as follows: 6 (BY MAIL) I caused such envelope(s) fully prepaid to be placed in the United States Mail at San Antonio, Texas. I enclosed the document(s) in a sealed envelope or package 7 addressed to the persons at the addresses listed in the Service List and placed the envelope for 8 collection and mailing, following our ordinary business practices. I am "readily familiar" with the firm's practice of collection and processing correspondence or mailing. On the same day that the 9 correspondence is place for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. 10 Parties requesting service by notices by mail: 11 12 Eleanor M. Egan Living Trust ATTN: Eleanor Egan, Trustee 13 1893 Parkview Circle Costa Mesa, CA 92627 14 Phyllis Fredericks 15 3718 Oakview Court 16 Fallbrook, CA 92028 17 [X] (BY ELECTRONIC SERVICE) By causing the foregoing document(s) to be electronically filed using the Courts Electronic Filing System. Participants in the case who are 18 registered CM/ECF users will be served by the CM/ECF system. Participants in this case who are not registered CM/ECF users will be served by mail or by others means permitted by the court 19 rules. 20 (FEDERAL) I declare that I am employed in the office of a member of the Bar of 21 this court at whose direction the service was made. 22 [X](STATE) I declare under penalty of perjury that the foregoing is true and correct. 23 Executed on **February 11, 2014,** at San Antonio, Texas. 24 /s/ Bianca Cantu Bianca Cantu 25 26 27 28