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11 **UNITED STATES DISTRICT COURT**  
 12 **CENTRAL DISTRICT OF CALIFORNIA**

11 SECURITIES AND EXCHANGE  
 12 COMMISSION, ,  
 13 Plaintiff,  
 14 vs.  
 15 WESTMOORE MANAGEMENT,  
 16 LLC; WESTMOORE INVESTMENT,  
 17 LP.; WESTMOORE CAPITAL  
 18 MANAGEMENT, INC.;  
 19 WESTMOORE CAPITAL, LLC; and  
 20 MATTHEW R. JENNINGS, ,  
 21 Defendants.

Case No. 8:10-cv-00849-AG (MLGx)

**ORDER APPROVING REQUESTS  
 FOR APPROVAL OF  
 PROFESSIONAL FEES AND  
 EXPENSES ON AN INTERIM  
 BASIS**

Date: October 5, 2015  
 Time: 10:00 a.m.  
 Place: Courtroom 10D  
 411 West Fourth Street  
 Santa Ana, California

22 On October 5, 2015, the Court heard and considered the following requests for  
 23 approval of professional fees and expenses on an interim basis (collectively the  
 24 “Requests”):

25 1. Third Application of David A. Gill, Receiver, for Approval of  
 26 Professional Fees and Expenses (*docket entry no. 204*);

27 2. Third Application of Danning, Gill, Diamond & Kollitz, LLP, for  
 28 Approval of Professional Fees and Expenses (*docket entry no. 205*);

1           3.       Third Application of PCG Consultants for Approval of Fees and Costs  
2 Incurred as Forensic Analyst, Investigator and Expert Witness (*docket entry no. 206*);  
3 and

4           4.       Second Application of Crowe Horwath LLP for Approval of Fees and  
5 Expenses Incurred as Accountants to David A. Gill, Receiver (*docket entry no. 207*).

6           The Honorable Andrew J. Guilford, United States District Court Judge,  
7 presided at the hearing. John N. Tedford, IV, of Danning, Gill, Diamond & Kollitz,  
8 LLP, appeared on behalf of receiver David A. Gill (the “Receiver”) and Danning,  
9 Gill, Diamond & Kollitz, LLP (“DGDK”); Max P. Liphart appeared telephonically  
10 on behalf of PCG Consultants (“PCG”); Heather U. Guerena of Duane Morris LLP  
11 appeared telephonically on behalf of True Capital Management LLC; and there were  
12 no other appearances.

13           The Court having considered the Requests, having heard the statements of  
14 counsel at the hearing, for good cause appearing, it is

15           **ORDERED THAT:**

16           1.       The Requests are approved.

17           2.       The fees and expenses of the Receiver for services rendered from  
18 October 1, 2013, through April 30, 2015, are allowed, on an interim basis, in the  
19 amounts of \$91,530.50 and \$2,065.54, respectively. The Receiver is authorized to  
20 pay such amounts at this time, on an interim basis.

21           3.       The fees and expenses of DGDK for services rendered from October 1,  
22 2013, through April 30, 2015, are allowed, on an interim basis, in the amounts of  
23 \$433,139.00 and \$9,239.81, respectively. The Receiver is authorized to pay up to  
24 80% of such fees and 100% of such expenses, for an aggregate payment of  
25 \$355,751.01 at this time, on an interim basis.

26           4.       The fees and expenses of PCG for services rendered from October 7,  
27 2013, through April 30, 2015, are allowed, on an interim basis, in the amounts of  
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1 \$344,384.75 and \$356.00, respectively. The Receiver is authorized to pay such  
2 amounts at this time, on an interim basis.

3 5. The fees and expenses of Crowe for services rendered from October 1,  
4 2013, through July 20, 2015, are allowed, on an interim basis, in the amounts of  
5 \$12,728.50 and \$98.16, respectively. The Receiver is authorized to pay such  
6 amounts at this time, on an interim basis.

7 6. If the Receiver's cash on hand is insufficient to pay the above allowed  
8 amounts in full, the Receiver is authorized to pay allowed expenses in full, and then  
9 is authorized to pay allowed fees on a *pro rata* basis. When calculating such a *pro*  
10 *rata* payment, the Receiver shall take into account all previously allowed fees for  
11 which payment has been authorized to ensure an equal proportional distribution to all  
12 professionals for which fees have been allowed and for which payment has been  
13 authorized.



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15 DATED: October 14, 2015

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16 ANDREW J. GUILFORD  
17 UNITED STATES DISTRICT JUDGE  
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