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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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11 SECURITIES AND EXCHANGE
COMMISSION,

12 Plaintiff,

13 vs.

14 WESTMOORE MANAGEMENT,
15 LLC; WESTMOORE INVESTMENT,
LP.; WESTMOORE CAPITAL
16 MANAGEMENT, INC.;
WESTMOORE CAPITAL, LLC; and
17 MATTHEW R. JENNINGS,

18 Defendants.
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Case No. 8:10-849-AG (MLGx)

**NOTICE OF HEARING ON FIRST
REPORT OF RECEIVER DAVID A.
GILL**

Date: December 5, 2011
Time: 10:00 a.m.
Place: Courtroom 10D
411 W. Fourth Street
Santa Ana, California

20 **PLEASE TAKE NOTICE** that on December 5, 2011, at 10:00 a.m., or as
21 soon thereafter as the matter may be heard, in Courtroom 10D of the United States
22 District Court for the Central District of California, located at 411 West Fourth
23 Street, Santa Ana, California, a hearing will be held with respect to the *First Report*
24 *of Receiver David A. Gill* (“Report”) filed concurrently herewith. For the reasons
25 stated in the Report, David A. Gill, the receiver (the “Receiver”) for defendants
26 Westmoore Management, LLC, Westmoore Investment, L.P., Westmoore Capital
27 Management, Inc., Westmoore Capital, LLC, and their subsidiaries and entities
28 otherwise majority-owned, managed or controlled, directly or indirectly, by any of

1 them (collectively the “Westmoore Entities”), respectfully requests that the Court
2 waive the requirement of Local Rule 66-7(c) otherwise requiring him to serve notice
3 of the hearing by mail to all parties to the action (who will be served with this notice
4 automatically pursuant to the Court’s CM/ECF system) and to all known creditors.

5 **PLEASE TAKE FURTHER NOTICE** that Local Rule 7-9 requires that, not
6 later than fourteen days before the date designated for the hearing on the motion, any
7 party who wishes to file a response to the Report must file such response with the
8 Court and serve the response upon the Receiver, together with any and all evidence
9 in support thereof.

10
11 DATED: October 21, 2011

DANNING, GILL, DIAMOND &
KOLLITZ, LLP

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15 /s/ John N. Tedford, IV
16 JOHN N. TEDFORD, IV
17 Attorneys for David A. Gill, Receiver
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PROOF OF SERVICE

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 2029 Century Park East, Third Floor, Los Angeles, CA 90067.

On October 21, 2011, I served true copies of the following document(s) described as **NOTICE OF HEARING ON FIRST REPORT OF RECEIVER DAVID A. GILL** on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY CM/ECF NOTICE OF ELECTRONIC FILING: I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on October 21, 2011, at Los Angeles, California.

/s/ John N. Tedford, IV
JOHN N. TEDFORD, IV

1 **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING**

2 (“NEF”): the foregoing document will be served by the court via NEF and hyperlink
3 to the document. On October 21, 2011, I checked the CM/ECF docket for this
4 bankruptcy case or adversary proceeding and determined that the following person(s)
5 are on the Electronic Mail Notice List to receive NEF transmission at the email
6 address(es) indicated below:

7 Edward C. Synder: esnyder@casnlaw.com; frontdesk@casnlaw.com;
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10 cdarmijo@duanemorris.com; PHollenbeck@duanemorris.com

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