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NOTE: CHANGES MADE BY THE COURT

6 Attorneys for THOMAS A. SEAMAN,
7 RECEIVER

8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

10
11 SECURITIES AND EXCHANGE
COMMISSION,

12 Plaintiff,

13 v.

14 LAMBERT VANDER TUIG (a/k/a/
15 LAMBERT VANDER TAG a/k/a
DEAN I. VANDER TAG), THE
16 CAROLINA DEVELOPMENT
COMPANY, INC. (a/k/a THE
17 CAROLINA COMPANY AT
PINEHURST, INC.), AND
18 JONATHAN CARMAN,

19 Defendants.

Case No. SACV06-172AHS(MLGx)

Complaint Filed: February 16, 2006

**ORDER GRANTING RECEIVER'S
EX PARTE APPLICATION FOR
ORDER TO SHORTEN NOTICE
TIME FOR MOTION SEEKING
APPROVAL OF SETTLEMENT
AGREEMENT RE:
FOUNTAINHEAD AND
SCHEDULING HEARING FOR
MARCH 3, 2008 AT 11:00 A.M.**

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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

The Receiver Thomas A. Seaman's ("Receiver") *ex parte* application for an order shortening notice time on the Receiver's Motion for Approval of the Proposed Settlement Agreement between the Receiver on behalf of the receivership estate on the one hand, and Fountainhead Partners IV, LLC, Frank Perna, Jr., and The Fountainhead Company, LLC (the "Fountainhead Parties"), on the other (the "Proposed Settlement Agreement") came before the above-entitled Court, the Honorable Alicemarie H. Stotler, judge presiding.

The Court having read and considered the facts, all the evidence set forth in the papers submitted, and the inferences reasonably deductible therefrom, finds as follows:

IT IS ORDERED, ADJUDGED, AND DECREED THAT:

Good causes exists to grant the Receiver's *ex parte* application. As such, the Receiver's *ex parte* application is granted as follows:

- 1) The Receiver's Motion for Approval of the Proposed Settlement Agreement (the "Motion") shall be heard on shortened notice;
- 2) The hearing for the Receiver's Motion shall be set for **March 3, 2008 at 11:00 a.m.**
- 3) Any opposition(s) to the Receiver's Motion shall be due on or

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1 before **February 29, 2008, at 9:00 a.m.;**

2 4) The Receiver's reply papers shall be filed on or before
3 **February 29, 2008,** at 4:00 p.m.

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5 Dated: February 26, 2008

6 ALICEMARIE H. STOTLER
7 JUDGE ALICEMARIE H. STOTLER
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Respectfully submitted by,

DATED: February 26, 2008

SHEPPARD MULLIN RICHTER & HAMPTON LLP

By //S// NORMA V. GARCIA

NORMA V. GARCIA

Attorneys for the Receiver
THOMAS A. SEAMAN