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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

EMILIO FRANCISCO; PDC CAPITAL  
GROUP, LLC; CAFFE PRIMO  
INTERNATIONAL, INC.; SAL  
ASSISTED LIVING, LP; SAL  
CARMICHAEL, LP; SAL CITRUS  
HEIGHTS, LP; SAL KERN  
CANYON, LP; SAL PHOENIX, LP;  
SAL WESTGATE, LP;  
SUMMERPLACE AT SARASOTA, LP;  
SUMMERPLACE AT  
CLEARWATER, LP; SUMMERPLACE  
AT CORRELL PALMS, LP;  
TRC TUCSON, LP; CLEAR  
CURRENTS WEST, LP; CAFFE  
PRIMO MANAGEMENT, LP; CAFFE  
PRIMO MANAGEMENT 102, LP; et al.,

Defendants.

Case No. 8:16-cv-02257-CJC-DFM

**[PROPOSED] ORDER GRANTING  
RECEIVER'S MOTION:  
(1) APPROVING CLAIM FORMS;  
(2) SETTING CLAIMS BAR DATE;  
AND (3) ESTABLISHING  
SUMMARY CLAIMS  
PROCEDURES**

Date: May 21, 2018  
Time: 1:30 p.m.  
Ctrm: 9B, 9th Floor  
Judge: Hon. Cormac J. Carney

The Motion for an Order: (1) approving the proposed claim form for claims against the Receivership Entities other than claims of EB-5 investors on their EB-5 investments; (2) setting a claims bar date for the submission of claims; and (3) establishing summary procedures for the resolution of disputed claims (the "Motion"), of Thomas A. Seaman ("Receiver"), the Court appointed permanent

1 receiver for the Receivership Entities<sup>1</sup> (collectively, the "Receivership Entities"),  
2 came on for hearing on May 21, 2018. Appearances were as noted on the record.

3 The Court having received and read the Motion, including the Receiver's  
4 supporting declaration and objections filed herein, and being so advised in the matter  
5 and finding good cause, orders as follows:

6 **IT IS ORDERED:**

- 7 1. The Motion is granted in its entirety
- 8 2. **Claim Form:** The Claim Form and Instructions attached as Exhibit B  
9 to the Motion is hereby approved.
- 10 3. **Claims Bar Date:** The Receiver is authorized to establish a claims Bar  
11 Date to be at least 60 days from the date of the Receiver's first publication of notice  
12 following receipt of the Court's order approving the claims process. Any and all  
13 claims not submitted or deemed submitted by the claims Bar Date will be barred.  
14 The Receiver will file a Notice of Bar Date reflecting the last day for claimants to  
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17 <sup>1</sup> As used herein, "Receivership Entities" refers to the following specifically named entities:  
18 PDC Capital Group, LLC; Caffe Primo International, Inc.; SAL Assisted Living, LP; SAL  
19 Carmichael, LP; SAL Citrus Heights, LP; SAL Kern Canyon, LP; SAL Phoenix, LP; SAL  
20 Westgate, LP; Summerplace at Sarasota, LP; Summerplace at Clearwater, LP; Summerplace at  
21 Correll Palms, LP; TRC Tucson, LP; Clear Currents West, LP; Caffe Primo Management, LP;  
22 Caffe Primo Management 102, LP through Caffe Primo Management 108, LP (collectively,  
23 "**Named Entities**"); and their subsidiaries and affiliates Summerplace Management, LLC;  
24 PDC Partners Management, Inc.; FDC Partners Management, Inc.; KPF Capital, LLC;  
25 FDC Capital Partners, LLC; MSL US Fund I, LLC; MPoint Land & Development, Inc.;  
26 Woodcrest Construction Management, Inc.; Professional Loading Service, LLLP; WDC Capital  
27 Group, LLC; WDC Capital Partners, LLC; KPF Investment Management, Inc.; Meridian  
28 Summerplace at Snug Harbor, LLC; Meridian Summerplace at Snug Harbor, LP; Summerplace  
at Correll Palms, LLC; Summerplace at Correll Palms, LP; Summerplace at Winter  
Haven, LLC; Summerplace at Winter Haven, LP; Summerplace at Sun City, LLC;  
Summerplace at Sun City, LP; Meridian at Sun City, LLC; Summerplace at Orlando-  
Summerfield, LLC; Summerplace at Orlando-Summerfield, LP; Summerplace at  
Kissimmee, LLC; Summerplace at Kissimmee, LP; Summerplace at Merced, LLC;  
Summerplace at Merced, LP; SAL-PDC, LLC; SLALMC, LLC ("SLALMC"); SAL Lincoln  
Village, IL; Lincoln Village IL, LLC; Lincoln Village IL, LP; Lincoln Village SNF, LLC;  
Lincoln Village SNF, LP; FCM Development Group, LLC; ADC Capital Group, LLC; NCDC  
Capital Partners, LLC; Summerplace at Bonney Lake MC, LLC; Summerplace at Bonney  
Lake MC, LP; Summerplace Management, LLC; Summerplace Development, LLC; Defiance  
Charters, LLC; and Red Sunshine Holdings, Ltd. (collectively, "**Affiliated Entities**").

1 submit their Claim Form to the Receiver within three (3) business days following the  
2 first publication of the Notice of Bar Date.

3 4. **EB-5 Investor Notice of Claim Amount:** The Receiver is authorized  
4 to address the claims of EB-5 Investors as described in the Motion, including but not  
5 limited to, the transmittal of the "Notice Letter Regarding Investor Claim" (the  
6 "Investor Letter"), attached as Exhibit A to the Motion.

7 5. **Notice:** The proposed transmittal of the notice to investors and  
8 claimants via email, posting to the website and via publication of the form of notice  
9 reflected in Exhibit C, attached to the Motion, is reasonable and adequate under the  
10 facts and circumstances of this case.

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12 Dated: \_\_\_\_\_

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Honorable Cormac J. Carney  
United States District Court Judge

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