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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; CAFFE
PRIMO MANAGEMENT 103, LP; CAFFE
PRIMO MANAGEMENT 104, LP; CAFFE
PRIMO MANAGEMENT 105, LP; CAFFE
PRIMO MANAGEMENT 106, LP; CAFFE
PRIMO MANAGEMENT 107, LP; and
CAFFE PRIMO MANAGEMENT 108, LP,

Defendants.

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

**[PROPOSED] ORDER
APPROVING: (1) SALE OF
SUMMERFIELD PROPERTY;
(2) REAL ESTATE
COMMISSION; AND
(3) OVERBID PROCEDURES**

Date: September 10, 2018
Time: 1:30 p.m.
Ctrm: 9B, 9th Floor
Judge: Hon. Cormac J. Carney

1 The Court, having considered the Motion of Receiver, Thomas A. Seaman,
2 for Order Approving: (1) Sale of Summerfield Property; (2) Real Estate
3 Commission; and (3) Overbid Procedures ("Motion"), of Thomas A. Seaman
4 ("Receiver"), the Court-appointed receiver for the Receivership Entities, including
5 any supporting declarations and objections filed therein, and being so advised in the
6 matter and finding good cause, orders as follows:

7 **IT IS ORDERED:**

8 1. The Motion is granted.

9 2. The Receiver is authorized to sell the real property located at and
10 commonly known as 14000 Del Webb Boulevard, Summerfield, Marion County,
11 Florida ("Summerfield Property"), by Thomas A. Seaman, as receiver for the
12 Receivership Entities, to Boyd Contracts, LLC ("Buyer") pursuant to the Purchase
13 and Sale Agreement and Joint Escrow Instructions dated May 22, 2018 ("PSA").

14 3. The purchase price of \$650,000 [or the overbid amount] for the
15 Summerfield Property is confirmed and approved;

16 4. At the closing of the sale, the disputed Claim of Lien recorded by
17 WMB-ROI, Inc. against the Summerfield Property shall be released pursuant to this
18 Order. WMB-ROI, Inc. shall have a lien upon \$168,404.60 of the net sales proceeds
19 subject to a further order of this Court as to the validity, allowance and legitimacy of
20 the lien and the underlying disputed claim of WMB-ROI, Inc..

21 5. The Receiver is immediately authorized to complete the sale
22 transaction, including executing any and all documents, amendments to the PSA,
23 deeds and releases, as may be necessary and appropriate to do so;

24 6. The Receiver is authorized to immediately pay, upon closing of the
25 sale, a commission of 6% of the final purchase price to broker, Marcus Millichap;

26 7. The Court retains jurisdiction to adjudicate any issues arising out of the
27 sale of the Summerfield Property, the PSA and the WMB-ROI, Inc. Claim of Lien;
28 and

1 8. A licensed title insurer may rely upon this Order as authorizing the
2 Receiver to transfer title to the Summerfield Property as stated herein, including but
3 not limited to the transfer of the title free and clear of liens, including the
4 WMB-ROI, Inc. Claim of Lien.

5
6 Dated: _____

Hon. Cormac J. Carney
Judge, United States District Court

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