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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 FOR
APPROVAL OF RECEIVER'S
PROPOSED DISTRIBUTION PLAN
AND AUTHORIZATION TO
PROCEED WITH INTERIM
DISTRIBUTION**

Date: September 23, 2019
Time: 1:30 p.m.
Ctmm: 7C, 7th Floor
Judge: Hon. Cormac J. Carney

The Motion For Approval of Receiver's Proposed Distribution Plan and
Authorization to Proceed With Interim Distribution ("Motion"), of Thomas A.
Seaman ("Receiver"), the Court appointed permanent receiver for the Receivership

1 Entities¹ (collectively, the "Receivership Entities"), came on for hearing on
2 September 23, 2019. 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. The Distribution Plan attached as Exhibit A to the Seaman Declaration
9 is approved; and
- 10 3. The Receiver is authorized to implement the Distribution Plan including
11 but not limited to making the proposed interim distribution to those with Allowed
12 Claims.

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Honorable Cormac J. Carney
United States District Court Judge

17 ¹ As used herein, "Receivership Entities" refers to the following specifically named entities:
18 PDC Capital Group, LLC; Caffè 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; Caffè Primo Management, LP;
22 Caffè Primo Management 102, LP through Caffè 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**").

PROOF OF SERVICE

Securities and Exchange Commission v. Emilio Francisco; PDC Capital Group, LLC, et al.,
USDC, Central District of California – Case No. 8:16-cv-02257-CJC-DFM

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 865 S. Figueroa Street, Suite 2800, Los Angeles, California 90017-2543.

On **August 20, 2019**, I caused to be served the document entitled: **[PROPOSED] ORDER GRANTING RECEIVER'S MOTION FOR APPROVAL OF RECEIVER'S PROPOSED DISTRIBUTION PLAN AND AUTHORIZATION TO PROCEED WITH INTERIM DISTRIBUTION AND CLOSING TASKS** on all the parties to this action addressed as stated on the attached service list.

- OFFICE MAIL:** By placing in sealed envelope(s), which I placed for collection and mailing today following ordinary business practices. I am readily familiar with the firm's practice for collection and processing of correspondence for mailing; such correspondence would be deposited with the U.S. Postal Service on the same day in the ordinary course of business.
- OVERNIGHT DELIVERY:** I deposited in a box or other facility regularly maintained by express service carrier, or delivered to a courier or driver authorized by said express service carrier to receive documents, a true copy of the foregoing document(s) in sealed envelope(s) or package(s) designed by the express service carrier, addressed as indicated on the attached service list, with fees for overnight delivery paid or provided for.
- HAND DELIVERY:** I caused to be hand delivered each such envelope to the office of the addressee as stated on the attached service list.
- ELECTRONIC MAIL:** By transmitting the document by electronic mail to the electronic mail address as stated on the attached service list.
- E-FILING:** By causing the document to be electronically filed via the Court's CM/ECF system, which effects electronic service on counsel who are registered with the CM/ECF system.
- FAX:** By transmitting the document by facsimile transmission. The transmission was reported as complete and without error.

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I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on **August 20, 2019** at Los Angeles, California.

/s/ Martha Diaz

Martha Diaz

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SERVICE LIST

Securities and Exchange Commission v. Emilio Francisco; PDC Capital Group, LLC, et al.,
USDC, Central District of California – Case No. 8:16-cv-02257-CJC-DFM

Emilio Francisco
15 Rue Saint Cloud
Newport Beach, CA 92660