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13 Attorneys for Receiver
 14 STEPHEN J. DONELL

15 UNITED STATES DISTRICT COURT
 16 CENTRAL DISTRICT OF CALIFORNIA

17 SECURITIES AND EXCHANGE
 18 COMMISSION,

19 Plaintiff,

20 v.

21 ROBERT YANG, et al.
 22 Defendants,

23 AND

24 YANROB'S MEDICAL, INC., et al.
 25 Relief Defendants,

Case No. 5:15-cv-02387-SVW (KKx)

NOTICE OF MOTION AND
 MOTION OF RECEIVER, STEPHEN
 J. DONELL, FOR AUTHORITY TO
 ABANDON A CONTRACT

[Memorandum of Points and Authorities;
 Declaration of Stephen J. Donell; and
 [Proposed] Order submitted concurrently
 herewith]

Date: June 27, 2016
 Time: 1:30 p.m.
 Ctrm: 6
 Judge: Stephen V. Wilson

26 **TO ALL PARTIES, THEIR COUNSEL OF RECORD:**

27 **PLEASE TAKE NOTICE THAT** on June 27, 2016, in Courtroom 6 of the
 28 above-captioned Court, located at 312 North Spring Street, 2nd Floor, Los Angeles
 California 90012-4701, Stephen J. Donell (the "Receiver"), the Court-appointed
 Receiver for Defendants Suncor Fontana, LLC, Suncor Hesperia, LLC, Suncor Care
 Lynwood, LLC, and their respective subsidiaries and affiliates (collectively, the
 "Receivership Entities"), will and hereby does move this Court for an order granting
 him the authority to abandon a contract to sell the property located at 11202 Opal

1 Ave., Mentone, California ("Mentone Property"), which he has concluded is an asset
2 of the estate of the Receivership Entities (the "Motion").

3 By this Motion, the Receiver requests that the Court enter an order,
4 authorizing him to:

- 5 • Abandon that certain Real Estate Purchase and Sale Agreement, dated
6 June 2015, executed by and between relief defendant Suncor Care, Inc.
7 and RL Communities, Inc. ("RL"), relating to the Mentone Property;
- 8 • Abandon that certain First Amendment to Real Estate Purchase and
9 Sale Agreement, which was executed on or about September 18, 2015
10 by the parties to the PSA, relating to the Mentone Property;
- 11 • Abandon any other contractual obligations the Receiver has or may
12 have to consummate the sale of the Mentone Property to RL.

13 This Motion is made pursuant to the general principles of the law governing
14 federal equity receiverships, Article V of the Court's December 11, 2015
15 "Preliminary Injunction, Order Appointing Receiver, Freezing Assets, and Providing
16 for Other Ancillary Relief (the "Appointment Order"), including subdivisions (A),
17 (C), (D)(4)(a)&(e), and (K)(3) thereof, Federal Rules of Civil Procedure, Rule 66,
18 and United States District Court, Central District of California, Civil Local Rule 66-
19 7(d), on the grounds that this Court enjoys broad equitable powers in connection
20 with the administration of the instant receivership, and that the Receiver's request is
21 designed to preserve and conserve limited receivership assets, and ensure the
22 efficient and timely administration of the estate of the Receivership Entities.

23 This motion is made following the conference of counsel pursuant to Civil
24 Local Rule 7-3 which took place on May 19, 2016, via emails transmitted to the
25 Securities and Exchange Commission ("Commission") and to counsel for the
26 defendants in this action, and on May 25, 2016 via further follow-up
27 communications with the Commission relating to the initial meet and confer
28

1 correspondence. Counsel for the defendants in this action did not respond to the
2 filing counsel's attempt to meet and confer.

3 This Motion is based on this Notice of Motion and Motion, the concurrently
4 submitted Memorandum of Points and Authorities, the concurrently submitted
5 Declaration of Stephen J. Donell, and any argument or evidence presented to the
6 Court at any hearing on this Motion.

7
8 Dated: May 27, 2016

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP
DAVID R. ZARO
JOSHUA A. DEL CASTILLO
KENYON HARBISON

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11 By: /s/ Joshua A. del Castillo

JOSHUA A. DEL CASTILLO
Attorneys for Receiver
STEPHEN J. DONELL

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PROPOSED ORDER

Proposed Order

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

ROBERT YANG, et al.
Defendants,

AND

YANROB'S MEDICAL, INC., et al.
Relief Defendants,.

Case No. 5:15-cv-02387-SVW (KKx)

[PROPOSED] ORDER AUTHORIZING
THE RECEIVER, STEPHEN J.
DONELL, TO ABANDON A
CONTRACT FOR SALE OF REAL
PROPERTY

[Notice of Motion and Motion;
Memorandum of Points and Authorities;
and Declaration of Stephen J. Donell
submitted concurrently herewith]

Date: June 27, 2016
Time: 1:30 p.m.
Ctrm: 6
Judge: Stephen V. Wilson

1 The Motion of Receiver, Stephen J. Donell (the "Receiver") for Order
2 authorizing him to abandon a contract for sale of real property (the "Motion") came
3 for hearing before the above-entitled Court on June 27, 2016. Having reviewed and
4 considered the Motion, and good cause appearing therefor, this Court orders as
5 follows:

- 6 1. The Motion is GRANTED, in its entirety;
- 7 2. The Court AUTHORIZES the Receiver to abandon that certain Real
8 Estate Purchase and Sale Agreement, dated in June 2015, entered into by and
9 between RL Communities, Inc., a California corporation, and Suncor Care, Inc., a
10 California corporation, including all obligations contained therein;
- 11 3. The Court AUTHORIZES the Receiver to abandon that certain First
12 Amendment to Real Estate Purchase Agreement, effective as of September 18,
13 2015, entered into by and between RL Communities, Inc., a California corporation,
14 and Suncor Care, Inc., a California corporation, including all obligations contained
15 therein;
- 16 4. The Court AUTHORIZES the Receiver to abandon any other
17 contractual rights or documents that may exist, requiring Suncor Care, Inc. and/or
18 the Receiver to seek entitlement for, seek re-zoning for, seek annexation for, or to
19 convey to RL Communities, Inc., that certain land consisting of 17.6 acres,
20 Assessor's Parcel Number 0299-111-02/0299-111-08, and commonly known as the
21 "27 Lot Redland Mentone Site."

22
23 IT IS SO ORDERED.

24
25 Dated: _____

26 _____
27 Stephen V. Wilson
28 Judge, United States District Court

1 **PROOF OF SERVICE**

2 *Securities and Exchange Commission v. Robert Yang, Suncor Fontana, et al.*
3 USDC, Central District of California – Case No. 5:15-cv-02387-SVW (KKx)

4 I am employed in the County of Los Angeles, State of California. I am over
5 the age of 18 and not a party to the within action. My business address is 515
6 S. Figueroa Street, 9th Floor, Los Angeles, California 90071-3398.

7 A true and correct copy of the foregoing document(s) described below will be
8 served in the manner indicated below:

9 **NOTICE OF MOTION AND MOTION OF RECEIVER, STEPHEN J.
10 DONELL, FOR AUTHORITY TO ABANDON A CONTRACT**

11 1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC**
12 **FILING ("NEF")** – the above-described document will be served by the Court
13 via NEF. On **May 27, 2016**, I reviewed the CM/ECF Mailing Info For A Case
14 for this case and determined that the following person(s) are on the Electronic
15 Mail Notice List to receive NEF transmission at the email address(es) indicated
16 below:

- 17 • **Zachary T. Carlyle**
18 carlylez@sec.gov,kasperg@sec.gov,karpeli@sec.gov,
19 blomgrene@sec.gov,pinkstonm@sec.gov,NesvigN@sec.gov
- 20 • **Stephen J. Donell**
21 jdelcastillo@allenmatkins.com
- 22 • **Mark T. Hiraide**
23 mhiraide@hiraidelaw.com,kju@phlcorplaw.com,
24 hitabashi@phlcorplaw.com,eganous@phlcorplaw.com
- 25 • **Leslie J. Hughes**
26 hughesLJ@sec.gov,kasperg@sec.gov,pinkstonm@sec.gov,
27 nesvign@sec.gov
- 28 • **George D. Straggas**
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- **David J. Van Havermaat**
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- **Joshua Andrew del Castillo**
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- **David R Zaro**
dzaro@allenmatkins.com

2. **SERVED BY U.S. MAIL OR OVERNIGHT MAIL (indicate method for each person or entity served)**: On _____, I served the following person(s) and/or entity(ies) in this case by placing a true and correct copy thereof in a sealed envelope(s) addressed as indicated below. I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice it is deposited with the U.S. postal service on that same day in the ordinary course of business. I am aware that on motion for party served, service is presumed invalid if postal cancellation date or postage meter date is more than 1 (one) day after date of deposit for mailing in affidavit.

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 **May 27, 2016** at Los Angeles, California.

s/ Martha Díaz

Martha Diaz