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7 Attorneys for Receiver  
8 STEPHEN J. DONELL

9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA

11  
12 SECURITIES AND EXCHANGE  
COMMISSION,

13 Plaintiff,

14 v.

15  
16 ROBERT YANG, et al.,

17 Defendants,

18 YANROB'S MEDICAL, INC., et al.,

19 Relief Defendants.  
20

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

**NOTICE OF MOTION AND  
MOTION OF RECEIVER,  
STEPHEN J. DONELL, FOR ORDER  
AUTHORIZING RECEIVER TO  
ABANDON REAL PROPERTY  
LOCATED AT 7227 OLEANDER  
AVENUE, FONTANA, CALIFORNIA  
92336**

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

Date: August 15, 2016  
Time: 1:30 p.m.  
Ctrm: 6  
Judge: Hon. Stephen V. Wilson

22 **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

23 **PLEASE TAKE NOTICE THAT** on August 15, 2016, at 1:30 p.m. or as  
24 soon as this matter may be heard in Courtroom 6 of the above-captioned Court,  
25 located at 312 Spring Street, Los Angeles, California 90012, and in accordance with  
26 this Court's March 8, 2016 Order in Aid of Receivership, Stephen J. Donell (the  
27 "Receiver"), the Court-appointed receiver for Defendants Suncor Fontana, LLC,  
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1 Suncor Hesperia, LLC, Suncor Care Lynwood, LLC, and their respective  
2 subsidiaries and affiliates (collectively, the "Receivership Entities"), will and hereby  
3 does move for an Order from this Court authorizing the Receiver to immediately  
4 abandon the real property located at 7227 Oleander Avenue, Fontana, California  
5 92336 (the "Property"), the legal description of which is set forth on **Exhibit A**  
6 attached to the concurrently submitted Declaration of Stephen J. Donell.

7       As reflected in the accompanying Memorandum of Points and Authorities and  
8 Declaration of Stephen J. Donell, after reviewing all available records relating to the  
9 Property, including as to the Property's market value, salability, and the nature and  
10 amount of outstanding, unsatisfied liens against the Property, the Receiver has  
11 determined, in his reasonable business judgment, that the Property is worth less than  
12 the aggregate amount of all debts secured (or securable) by the Property and cannot  
13 be sold at a price that would yield a net surplus to the estates of the Receivership  
14 Entities. Accordingly, the Property represents a net liability to the Receivership  
15 Entities and is subject to abandonment in accordance with the terms of the Court's  
16 Order in Aid of Receivership.

17       This Motion is based upon this Notice of Motion and Motion, the  
18 concurrently submitted Memorandum of Points and Authorities, and the Declaration  
19 of Stephen J. Donell, as well as all pleadings and papers on file in this action, all  
20 other matters of which the Court may take judicial notice, and such other and further  
21 arguments and evidence as may be presented to the Court in connection with the  
22 above-captioned hearing.

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1           **PLEASE NOTE THAT THIS MOTION IS MADE FOLLOWING THE**  
2 **CONFERENCE OF COUNSEL PURSUANT TO L.R. 7-3, WHICH WAS**  
3 **INITIATED ON JULY 13, 2016.**

4  
5 Dated: July 15, 2016

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

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8 By:           /s/          David R. Zaro          

9           DAVID R. ZARO  
10           Attorneys for Receiver  
11           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,  
  
YANROB'S MEDICAL, INC., et al.,  
  
Relief Defendants.

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

**[PROPOSED] ORDER GRANTING  
MOTION OF RECEIVER,  
STEPHEN J. DONELL, FOR ORDER  
AUTHORIZING RECEIVER TO  
ABANDON REAL PROPERTY  
LOCATED AT**

Date: August 15, 2016  
Time: 1:30 p.m.  
Ctvm: 6  
Judge: Hon. Stephen V. Wilson

**ORDER ON MOTION**

The Motion of Receiver, Stephen J. Donell (the "Receiver"), for Order Authorizing Receiver to Abandon Real Property Located at 7227 Oleander Avenue, Fontana, California 92336 (the "Motion") came for hearing on August 15, 2016 at 1:30 p.m. in the above-entitled Court. Appearances were as noted in the record. The Court having considered the Receiver's Motion and good cause appearing therefor, the Court orders as follows:

1. The Motion is granted, in its entirety;
2. In accordance with the authority previously conferred upon the Receiver in this Court's Order in Aid of Receivership (Dkt. No. 46), the Receiver,

1 on behalf of the entities in receivership in the above-entitled action, is authorized to  
2 and shall be deemed to have abandoned the real property located at 7227 Oleander  
3 Avenue, Fontana, California 92336 (the "Property"), effective on the date this Order  
4 is entered;

5 3. Effective on the date this Order is entered, neither the Receiver, any of  
6 his professionals, nor the entities in receivership in the above-entitled action shall  
7 have any liability arising from or in connection with the Property, and the Receiver  
8 may suspend any security and insurance he has obtained in connection with the  
9 Property;

10 4. Effective on the date this Order is entered, the Property shall no longer  
11 fall under the ambit of this Court's preliminary injunction and asset freeze, as  
12 reflected in the Court's December 11, 2015 Preliminary Injunction, Order  
13 Appointing Receiver, Freezing Assets, and Providing for Other Ancillary Relief  
14 (Dkt. No. 18.); and

15 5. A certified copy of this Order may be recorded against the Property to  
16 reflect the Receiver's abandonment of the Property. Upon recordation of this Order,  
17 secured creditors and other parties with rights in or claims against the Property may  
18 exercise those rights and claims, to the extent permissible by law. Pending the  
19 exercise of any of these rights, including a foreclosure by the senior secured lender,  
20 the Receiver shall have no liability for care, maintenance, or waste at the Property.

21  
22 IT IS SO ORDERED.

23  
24 Dated: \_\_\_\_\_

\_\_\_\_\_  
25 Hon. Stephen V. Wilson  
26 Judge, United States District Court

**PROOF OF SERVICE**

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

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 515 S. Figueroa Street, 9th Floor, Los Angeles, California 90071-3398.

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

**NOTICE OF MOTION AND MOTION OF RECEIVER, STEPHEN J. DONELL, FOR ORDER AUTHORIZING RECEIVER TO ABANDON REAL PROPERTY LOCATED AT 7227 OLEANDER AVENUE, FONTANA, CALIFORNIA 92336**

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

- **Zachary T. Carlyle**  
carlylez@sec.gov,kasperg@sec.gov,karpeli@sec.gov,  
blomgrene@sec.gov,pinkstonm@sec.gov,NesvigN@sec.gov
- **Stephen J. Donell**  
jdelcastillo@allenmatkins.com
- **Mark T. Hiraide**  
mth@msk.com,kjue@phlcorplaw.com,  
hitabashi@phlcorplaw.com,eganous@phlcorplaw.com
- **Leslie J. Hughes**  
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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. Or, I deposited in a box or other facility regularly maintained by FedEx, 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 envelopes or packages designated by the express service carrier, addressed as indicated above on the above-mentioned date, with fees for overnight delivery paid or provided for.

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 **July 15, 2016** at Los Angeles, California.

*s/ Martha Diaz*  
\_\_\_\_\_  
Martha Diaz