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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
STIPULATION FOR ORDER
AUTHORIZING ABANDONMENT
AND SALE OF REAL PROPERTY**

Ctrlm: 6
Judge: Hon. Stephen V. Wilson

ORDER

The Court has reviewed and considered the Stipulation for Order Authorizing Abandonment and Sale of Real Property (the "Stipulation") entered into by and between Stephen J. Donell (the "Receiver"), the court-appointed permanent receiver in the above-entitled action; plaintiff Securities and Exchange Commission (the "Commission"); defendants Robert Yang and Claudia Kano ("Defendants"); relief defendant Yanrob's Medical, Inc. ("Yanrob"); GBC International Bank ("GBC Bank"); and DT Investments, LLC ("DT Investments"). Good cause appearing therefor, the Court orders as follows:

1 1. The Stipulation is granted, in its entirety;

2 2. The Receiver is authorized and immediately deemed to have abandoned
3 the real property and improvements located at 406 East Vanderbilt Way, San
4 Bernardino, California 92408, APN 0281-341-23 (the "Yanrob Property").
5 Effective upon the entry of this Order, neither the Receiver, his professionals, nor
6 any of the Receivership Entities shall have any liability arising from or in
7 connection with the Yanrob Property;

8 3. Notwithstanding the abandonment of the Yanrob Property, the Receiver
9 shall retain, on behalf of the Receivership Entities, a claim for repayment against
10 Yanrob for an amount not less than \$1,237,350;

11 4. Yanrob shall make good faith and reasonable efforts to promptly sell
12 the Yanrob Property to DT Investments for an amount of at least \$1.6 million;

13 5. GBC Bank and DT Investments shall have the right to conduct
14 inspections and investigations of the Yanrob Property as detailed in the Stipulation;

15 6. The sales price for the Yanrob Property must be approved, in writing,
16 by GBC Bank, Yanrob, and DT Investments within fifteen (15) days after the entry
17 of this Order. Thereafter, Yanrob and DT Investments shall provide a copy of the
18 purchase agreement for the Yanrob Property to the Commission and the Receiver at
19 the time that DT Investments submits it to GBC Bank in connection with its
20 contemplated purchase of the Yanrob Property, and GBC Bank shall provide a copy
21 of the closing statement listing expenses to set off against the sales price for the
22 Yanrob Property;

23 7. Assuming the requirements of Paragraphs 4 through 6 of this Order are
24 satisfied, the sale of the Yanrob Property by Yanrob to DT Investments shall close
25 within twenty-five (25) days after the entry of this Order;

26 8. In the event that the sale of the Yanrob Property closes as contemplated
27 herein, and the sales price paid for the Yanrob Property is sufficient to fully satisfy
28 the debt owed to GBC Bank and secured by the Yanrob Property (the "GBC Debt"),

1 and clear title, then GBC Bank shall, within five (5) business days after GBC Bank's
2 receipt of the funds from the sale of the Yanrob Property, turn over to the Receiver
3 an amount not less than \$500,000, reflecting the funds on deposit with GBC Bank,
4 derived from the Receivership Entities, but held in the name of Yanrob, and which
5 GBC Bank maintains are additional collateral for its loans secured by the Yanrob
6 Property (the "Proceeds"). In the event that the sales price for the Yanrob Property
7 exceeds the GBC Debt, any excess shall likewise be turned over to the Receiver.

8 9. In the event that the sale of the Yanrob Property is concluded as
9 contemplated herein, but the sales price is not sufficient to fully satisfy the GBC
10 Debt, or to clear title, then GBC Bank shall, within five (5) business days after the
11 conclusion of the sale of the Yanrob Property, turn over to the Receiver not less than
12 \$400,000 of the Proceeds, but may retain an amount from the Proceeds necessary to
13 satisfy the GBC Debt, or clear title, up to \$100,000.

14 10. In the event that the sale of the Yanrob Property is concluded in
15 accordance with the terms of this Order, and effective upon the Parties' completion
16 of their respective obligations as set forth herein, GBC Bank, Yanrob, the
17 Defendants, DT Investments, and their respective successors, affiliates, and assigns
18 shall be deemed, without further order of this Court, to have released the Receiver,
19 his professionals, and the Receivership Entities from any and all claims arising from
20 or in connection with the Yanrob Property and the Proceeds. This release shall
21 include a waiver of Section 1542 of the California Civil Code, which provides as
22 follows:

23 A GENERAL RELEASE DOES NOT EXTEND TO
24 CLAIMS WHICH THE CREDITOR DOES NOT
25 KNOW OR SUSPECT TO EXIST IN HIS OR HER
26 FAVOR AT THE TIME OF EXECUTING THE
27 RELEASE, WHICH IF KNOWN BY HIM OR HER
28

1 MUST HAVE MATERIALLY AFFECTED HIS OR
2 HER SETTLEMENT WITH THE DEBTOR.

3 11. In the event that the sale of the Yanrob Property is concluded in
4 accordance with the terms of this Order, and effective upon the Parties' completion
5 of their respective obligations as set forth herein, the Receiver, his affiliates,
6 successors, and assigns, as well as the Defendants, and Yanrob, and their respective
7 affiliates and assigns, if any, shall be deemed, without further order of this Court to
8 have released GBC Bank and DT Investments from any and all claims arising from
9 or in connection with the Yanrob Property and the Proceeds. This release shall
10 include a waiver by the Receiver of Section 1542 of the California Civil Code,
11 which provides as follows:

12 A GENERAL RELEASE DOES NOT EXTEND TO
13 CLAIMS WHICH THE CREDITOR DOES NOT
14 KNOW OR SUSPECT TO EXIST IN HIS OR HER
15 FAVOR AT THE TIME OF EXECUTING THE
16 RELEASE, WHICH IF KNOWN BY HIM OR HER
17 MUST HAVE MATERIALLY AFFECTED HIS OR
18 HER SETTLEMENT WITH THE DEBTOR.

19
20 **SO ORDERED.**

21
22 Dated: _____

23 Hon. Stephen V. Wilson
24 Judge, United States District Court
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