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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)

ORDER ON STIPULATION TO
RESOLVE PROOF OF CLAIM OF
CELTIC BANK CORPORATION
AND TO VACATE HEARING
THEREON

Ctrlm: 10A
Judge: Stephen V. Wilson

ORDER

The Stipulation to Resolve Proof of Claim of Celtic Bank Corporation and to Vacate Hearing Thereon (the "Stipulation"), made by and between Stephen J. Donell (the "Receiver"), the Court-appointed receiver in the above-entitled action and creditor Celtic Bank Corporation ("Celtic Bank"), by and through their respective counsel of record, having been considered by this Court and good cause appearing therefore, this Court ORDERS as follows:

1. The Stipulation is approved, in its entirety;

1 2. Within ten (10) days after the entry of this order, the Receiver shall pay
2 to Celtic Bank the amount of \$1,600,000.00 (the "Claim Payment") from the
3 \$2 million previously turned over by Celtic Bank to the Receiver from two certificate of
4 deposit accounts numbered xxxx2962 and xxxx0821 (collectively, the "Accounts")
5 maintained at Celtic Bank, by wire transfer to an account designated by Celtic Bank
6 or via any other payment method reasonably designated by Celtic Bank, in complete
7 satisfaction of Celtic Bank's claim against the Receivership Entities (the "Celtic
8 Bank Claim"). Celtic Bank shall be entitled to retain any interest accrued in
9 connection with the Accounts and not previously turned over to the Receiver;

10 3. The Receiver shall be entitled to and shall retain \$400,000.00 from the
11 \$2 million turned over by Celtic Bank from the Accounts, along with any interest
12 accrued during the period during which the funds were in his possession, which
13 funds shall become immediately and freely available to the estate of the
14 Receivership Entities, upon the payment of the Celtic Claim Payment;

15 4. Upon the Receiver's payment of the Celtic Claim Payment, as provided
16 for herein, and without further order of the Court, Celtic Bank, its agents, attorneys,
17 employees, partners, directors, officers, successors and assigns shall be deemed to
18 have forever, irrevocably and unconditionally released and discharged the Receiver,
19 in his professional and personal capacities, along with his agents, attorneys,
20 employees, partners, directors, officers, successors and assigns, from any and all
21 claims, demands, debts, obligations, liabilities, fees, costs, expenses, rights of
22 action, causes of action, awards and judgments arising from, or in connection with
23 the above-entitled receivership case, the Receivership Entities, the Celtic Bank loans
24 to certain Receivership Entities numbered xxxx9992 and xxxx0079 (collectively,
25 the "Loans"), the real property located at 7227 Oleander Avenue, Fontana,
26 California 92336 (the "Property"), the Accounts, and the Celtic Bank Claim,
27 including a full release under Cal. Civ. Code § 1542, which provides as follows:
28

1 "A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS
2 WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT
3 TO EXIST IN HIS OR HER FAVOR AT THE TIME OF
4 EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM
5 OR HER MUST HAVE MATERIALLY AFFECTED HIS OR
6 HER SETTLEMENT WITH THE DEBTOR."

7 5. Upon the Receiver's payment of the Celtic Claim Payment and his
8 retention of \$400,000.00 of the funds turned over from the Accounts, along with any
9 accrued interest, as provided for herein, and without further order of the Court, the
10 Receiver and his respective agents, attorneys, employees, partners, directors,
11 officers, successors and assigns shall be deemed to have forever, irrevocably and
12 unconditionally released and discharged Celtic Bank, along with its agents,
13 attorneys, employees, partners, directors, officers, successors and assigns, from any
14 and all claims, demands, debts, obligations, liabilities, fees, costs, expenses, rights
15 of action, causes of action, awards and judgments arising from, or in connection
16 with the above-entitled receivership case, the Receivership Entities, the Loans, the
17 Property, the Accounts, and the Celtic Bank Claim, including a full release under
18 Cal. Civ. Code § 1542, which provides as follows:

19 "A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS
20 WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT
21 TO EXIST IN HIS OR HER FAVOR AT THE TIME OF
22 EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM
23 OR HER MUST HAVE MATERIALLY AFFECTED HIS OR
24 HER SETTLEMENT WITH THE DEBTOR."

25 6. Subject to the terms of the Stipulation and its receipt of the Celtic
26 Claim Payment, and while preserving its claims, if any, only against defendant
27 Robert Yang and relief defendant Yanrob's Medical, Inc. in the above-entitled
28 action, arising in connection with the guaranties on its Loans, Celtic Bank shall be

1 deemed to have the Celtic Bank Claim allowed in the amount of \$1,600,000.00, to
2 be paid via the Celtic Claim Payment, and to have withdrawn its objection to the
3 relief requested in the Receiver's Omnibus Motion for Order: (1) Approving
4 Receiver's Recommended Treatment of Claims; and (2) Authorizing Recommended
5 Distribution on Allowed Claims (the "Omnibus Claims Motion") and Specific
6 Objection to Proof of Claim of Celtic Bank (the "Objection to Celtic Bank Claim"),
7 and consented to the entry of an order granting the Omnibus Claims Motion;

8 7. The Receiver shall file a notice with this Court upon his payment of the
9 Celtic Claim Payment, along with a revised proposed order on the Omnibus Claims
10 Motion consistent with this order, after which the Court will enter the order on the
11 pending Omnibus Claims Motion;

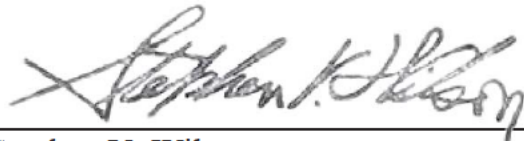
12 8. Following the entry of this order approving the Stipulation, and without
13 further order of the Court, the Receiver and Celtic Bank shall execute such
14 documents as may be reasonably necessary to effect the Stipulation;

15 9. The Receiver and Celtic Bank shall each bear their own attorneys' fees
16 and costs incurred in connection with the Loans, the Property, the Accounts, the
17 Celtic Bank Claim, the Omnibus Claims Motion, the Objection to Celtic Bank
18 Claim, and the Stipulation, including with respect to all briefing thereon; and

19 10. The currently scheduled December 11, 2017 hearing on the Receiver's
20 pending Omnibus Claims Motion and Objection to Celtic Bank Claim is vacated.

21 SO ORDERED.

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23 Dated: December 7, 2017



24 Stephen V. Wilson
25 Judge, United States District Court
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