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7 [Proposed] 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 ROBERT YANG, et al.  
 16 Defendants,

17 AND

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

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

NOTICE OF MOTION AND  
 MOTION OF RECEIVER, STEPHEN  
 J. DONELL, FOR ORDER IN AID OF  
 RECEIVERSHIP

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

Date: March 7, 2016  
 Time: 1:30 p.m.  
 Ctrm: 6  
 Judge: Stephen V. Wilson

20  
 21 **TO ALL PARTIES, THEIR COUNSEL OF RECORD:**

22 **PLEASE TAKE NOTICE THAT** on March 7, 2016, in Courtroom 6 of the  
 23 above-captioned Court, located at 312 North Spring Street, 2nd Floor, Los Angeles  
 24 California 90012-4701, Stephen J. Donell (the "Receiver"), the Court-appointed  
 25 Receiver for Defendants Suncor Fontana, LLC, Suncor Hesperia, LLC, Suncor Care  
 26 Lynwood, LLC, and their respective subsidiaries and affiliates (collectively, the  
 27 "Receivership Entities"), will and hereby does move this Court for an Order in Aid  
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1 of Receivership, affording the Receiver certain administrative relief in aid of the  
2 instant receivership (the "Motion").

3 By this Motion, the Receiver requests that the Court enter an Order in Aid of  
4 Receivership:

5 (1) Authorizing the Receiver to employ and compensate Allen Matkins  
6 Leck Gamble Mallory & Natsis LLP as his general receivership counsel, in  
7 accordance with the terms presented in the accompanying Memorandum of Points  
8 and Authorities;

9 (2) Authorizing the Receiver to employ and compensate the Wieland-  
10 Davco Corporation as a construction manager relating to properties that are part of  
11 the estate of the Receivership Entities, in accordance with the terms presented in the  
12 accompanying Memorandum of Points and Authorities;

13 (3) Authorizing the Receiver to employ a simplified Mandarin translator  
14 for the purpose of providing language-appropriate notices to investors in the  
15 Receivership Entities;

16 (4) Authorizing and approving the Receiver's proposed procedures to  
17 protect the privacy of investors in the Receivership Entities;

18 (5) Authorizing and approving the Receiver's use of a receivership-specific  
19 website to post information about the receivership case and to provide notice of  
20 filings and other material developments to all interested parties;

21 (6) Relieving the Receiver of the requirements of Local Rule 66-5 that the  
22 Receiver file a schedule of creditors with the Court;

23 (7) Establishing service requirements to conserve assets of the estate(s) of  
24 the Receivership Entities while satisfying the requirements of due process, and  
25 relieving the Receiver of Local Rule 66-7 requirements;

26 (8) Authorizing and approving the Receiver's request to allow him 180  
27 days, instead of 90 days, from the date of his appointment, to file the liquidation  
28 plan contemplated by the Court in a prior order; and

1 (9) Authorizing the Receiver to deem abandoned any property of the  
2 Receivership Entities which he determines, in his reasonable business judgment, to  
3 be "underwater" or otherwise constitute a net loss or liability to the Receivership  
4 Entities or to their estate(s).

5 This Motion is made pursuant to the general principles of the law governing  
6 federal equity receiverships, Article V of the Court's December 11, 2015  
7 "Preliminary Injunction, Order Appointing Receiver, Freezing Assets, and Providing  
8 for Other Ancillary Relief (the "Appointment Order"), including subdivisions (D),  
9 (G), (K), and (P) thereof, Federal Rules of Civil Procedure, Rule 66, and Civil Local  
10 Rule 66-7(d), on the grounds that this Court enjoys broad equitable powers in  
11 connection with the administration of the instant receivership, and that the  
12 Receiver's requests are designed to protect the privacy and interests of the investors  
13 in and creditors of the Receivership Entities, preserve and conserve limited  
14 receivership assets, and ensure the efficient and timely administration of the estate  
15 of the Receivership Entities.

16 With regard to the employment and compensation of Allen Matkins, this  
17 Motion is made on the grounds that the Receiver is not an attorney and does not  
18 have in-house receivership counsel, but has determined that the advice and  
19 assistance of highly qualified general receivership counsel is necessary in order to  
20 carry out his duties as specified in the Appointment Order. Allen Matkins is highly  
21 qualified to assist the Receiver with this complex receivership given its substantial  
22 experience and expertise in federal equity receiverships, real estate, litigation,  
23 employment, corporate, and tax matters.

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

5  
6 Dated: January 28, 2016

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

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9 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 IN AID OF  
RECEIVERSHIP

Date: March 7, 2016  
Time: 1:30 p.m.  
Ctm: 6  
Judge: Stephen V. Wilson

The Motion of Receiver, Stephen J. Donell (the "Receiver") for Order in Aid of Receivership ("Motion") came for hearing before the above-entitled Court on February 29, 2016. Having reviewed and considered the Motion, and good cause appearing therefor, this Court orders as follows:

1. The Motion is GRANTED, in its entirety;
2. The Court AUTHORIZES the Receiver to employ and compensate Allen Matkins Leck Gamble Mallory & Natsis LLP as his general receivership counsel, in accordance with the terms presented in the Motion and accompanying papers;

1           3.     The Court AUTHORIZES the Receiver to employ and compensate the  
2 Wieland-Davco Corporation in connection with the Receiver's administration of the  
3 real property assets of the Receivership Entities, as defined in the Motion, in  
4 accordance with the terms presented in the Motion and accompanying papers;

5           4.     The Court AUTHORIZES the Receiver to employ and compensate  
6 Morningside Translations as a simplified Mandarin translator, in accordance with  
7 the terms presented in the Motion and accompanying papers;

8           5.     The Court AUTHORIZES and approves the Receiver's proposed  
9 procedures to protect the privacy of investors in the Receivership Entities as detailed  
10 in the Motion and accompanying papers, including:

- 11               a. Whenever a certificate of service contains addresses of the  
12               investors, the certificate will use only the first initial and last  
13               name of the investor, and the street address will be redacted  
14               before filing with the Court;
- 15               b. Any documents containing investor email information will be  
16               redacted before filing with the Court;
- 17               c. If and when a Proof of Claim form is devised for the filing of  
18               claims by creditors in this case, including by investors, and  
19               should any claim objection be filed, the Receiver will redact the  
20               last four digits of any EIN (federal employer identification  
21               number) and/or social security numbers, or other national  
22               identification card numbers. Similarly, the Receiver will redact  
23               personal account identifiers and, where appropriate, the names of  
24               minor children, before any document is filed with the Court;

25           6.     The Court AUTHORIZES the Receiver to use his receivership-specific  
26 website, fedreceiver.com, to post information about the instant receivership case and  
27 his activities, along with copies of all materials he files with the Court, and also to  
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1 update the website regularly with materials filed in the case, notices to investors,  
2 and related information.

3 7. The Court GRANTS the Receiver relief from the requirement to file a  
4 schedule of investor and creditor information and claims under Local Rule 66-5.

5 8. The Court GRANTS the Receiver relief from the requirements of Local  
6 Rule 66-7 and AUTHORIZES the Receiver to:

7 a. Serve interested parties on matters requiring notice under Local  
8 Rule 66-7 by electronic means, via the posting of such notices on  
9 the Receiver's website, fedreceiver.com, in "PDF" format, and  
10 sending email notices to all interested parties with known email  
11 addresses; and

12 b. Post instructions on his website for how interested parties can  
13 request to receive hard-copy service, so that if an email address  
14 is not available, such interested parties may request notices by  
15 mail, which they must request in writing. Any requested mailed  
16 notice shall subsequently provide that:

17 i. The operative pleadings relating to such notice may be  
18 viewed and printed from the Receiver's website or the  
19 Court's PACER site; and

20 ii. Any interested party receiving such a requested notice  
21 may request paper (or email) copies of the entire related  
22 service package by contacting the Receiver in writing;

23 9. The Court AUTHORIZES a modified deadline of 180 days from entry  
24 of its December 11, 2015 Preliminary Injunction, Order Appointing Receiver,  
25 Freezing Assets, and Providing for Other Ancillary Relief (Docket No. 18), by  
26 which date the Receiver shall submit a liquidation plan relating to property of the  
27 Receivership Entities; and  
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1           10. The Court AUTHORIZES the Receiver to abandon any Receivership  
2 Property, as defined in the Appointment Order, which he determines is "underwater"  
3 or otherwise constitutes a net loss or liability to the estates of the Receivership  
4 Entities, as defined in the Motion.

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6           IT IS SO ORDERED.

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8 Dated: \_\_\_\_\_

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9 Stephen V. Wilson  
10 Judge, United States District Court  
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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,  
10 STEPHEN J. DONELL, FOR ORDER IN AID OF  
11 RECEIVERSHIP; [PROPOSED ORDER]**

12 1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC**  
13 **FILING ("NEF")** – the above-described document will be served by the Court  
14 via NEF. On **January 28, 2016**, I reviewed the CM/ECF Mailing Info For A  
15 Case for this case and determined that the following person(s) are on the  
16 Electronic Mail Notice List to receive NEF transmission at the email  
17 address(es) indicated below:

- 18 • **Zachary T. Carlyle**  
19 carlylez@sec.gov, kasperg@sec.gov, karpeli@sec.gov,  
20 blomgrene@sec.gov, pinkstonm@sec.gov, NesvigN@sec.gov
- 21 • **Stephen J. Donell**  
22 jdelcastillo@allenmatkins.com
- 23 • **Mark T. Hiraide**  
24 mhiraide@hiraidelaw.com, kju@phlcorplaw.com,  
25 hitabashi@phlcorplaw.com, eganous@phlcorplaw.com
- 26 • **David J. Van Havermaat**  
27 vanhavermaatd@sec.gov, larofiling@sec.gov, berryj@sec.vog,  
28 irwinma@sec.gov

29 2. **SERVED BY U.S. MAIL OR OVERNIGHT MAIL (indicate method for**  
30 **each person or entity served)**: On \_\_\_\_\_, I served the following person(s)  
31 and/or entity(ies) in this case by placing a true and correct copy thereof in a  
32 sealed envelope(s) addressed as indicated below. I am readily familiar with  
33 this firm's practice of collection and processing correspondence for mailing.  
34 Under that practice it is deposited with the U.S. postal service on that same day  
35 in the ordinary course of business. I am aware that on motion for party served,

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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 **January 28, 2016** at Los Angeles, California.

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