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**STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

BIC REAL ESTATE DEVELOPMENT
CORPORATION and DANIEL R.
NASE, individually and d/b/a
BAKERSFIELD INVESTMENT
CLUB,

Defendants,

BIC SOLO 401K TRUST and
MARGARITA NASE,

Relief Defendants.

Case No. 1:16-cv-00344-LJO-JLT

**STIPULATION TO DISMISS
CLAIMS AGAINST RELIEF
DEFENDANT BIC SOLO 401K
TRUST AND ORDER**

1 WHEREAS, on March 11, 2016, the Securities and Exchange Commission
2 (“SEC”) commenced this action and named BIC Solo 401k Trust as a Relief
3 Defendant; and

4 WHEREAS, the Receiver has informed the SEC that it has recovered from BIC
5 Solo 401k Trust all funds and/or property in her possession, custody, or control which
6 were traceable to the alleged fraud; and

7 WHEREAS, BIC Solo 401k Trust waives any rights under the Equal Access to
8 Justice Act, the Small Business Regulatory Enforcement Fairness Act of 1996, or any
9 other provision of law to seek from the United States, or any agency, or any official
10 of the United States acting in his or her official capacity, directly or indirectly,
11 reimbursement of attorney’s fees or other fees, expenses, or costs expended by Relief
12 Defendant to defend against this action. For these purposes, Relief Defendant agrees
13 that Relief Defendant is not the prevailing party in this action since the parties have
14 reached a good faith settlement; and

15 WHEREAS, in light of the foregoing, the SEC and BIC Solo 401k Trust have
16 agreed to stipulate to the dismissal of the SEC’s claim against it as a Relief
17 Defendant;

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1 NOW THEREFORE, IT IS STIPULATED as follows:

2 The SEC's claim against Relief Defendant BIC Solo 401k Trust is dismissed.

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4 Respectfully submitted,

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6 Dated: March 22, 2017

/s/ John B. Bulgozdy
John B. Bulgozdy
Manuel Vazquez
Matthew T. Montgomery
Attorneys for Plaintiff
Securities and Exchange Commission

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11 Dated: March 22, 2017

/s/ Scott Vick
Scott Vick
Vick Law Group, APC
Attorneys for Relief Defendant BIC Solo
401k Trust

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15 I hereby attest that all other signatories listed concur in the filing of this document
16 and have authorized its filing.

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19 /s/ John B. Bulgozdy

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22 IT IS SO ORDERED.

23 Dated: March 22, 2017

/s/ Lawrence J. O'Neill
UNITED STATES CHIEF DISTRICT JUDGE