

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE  
COMMISSION,  
  
Plaintiff,  
  
v.  
  
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  
  
ORDER GRANTING MOTION OF  
RECEIVER, DAVID P. STAPLETON,  
FOR ORDER AUTHORIZING FIRST  
INTERIM DISTRIBUTION ON  
ALLOWED, NON-SUBORDINATED  
CLAIMS  
  
(ECF No. 440)

**ORDER**

Before the Court is the Motion of Receiver, David P. Stapleton, for Order Authorizing First Interim Distribution on Allowed, Non-Subordinated Claims (the "Motion"). By the Motion, the Court-appointed permanent receiver, David P. Stapleton (the "Receiver"), requests that this Court authorize him to make a first interim, *pro rata* distribution in the aggregate amount of \$1.5 million on non-subordinated claims previously deemed allowed by the Court. ECF No. 440.

1 Plaintiff, the United States Securities and Exchange Commission, supports the  
2 Motion. ECF No. 442.

3 The Motion having been considered, and good cause appearing therefor, this  
4 Court orders as follows:

- 5 1. The Motion is GRANTED, in its entirety; and
- 6 2. The Receiver is AUTHORIZED to make the first interim, *pro rata*  
7 distribution on allowed, non-subordinated claims, in the aggregate amount of  
8 \$1.5 million and as recommended in the motion and presented in **Exhibit 1** to  
9 the Receiver's contemporaneously filed, supporting declaration.

10 IT IS SO ORDERED.

11 Dated: December 1, 2019

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

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28