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6 *Attorneys for Receiver*
Stephen E. Anderson

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO**

11 SECURITIES AND EXCHANGE
12 COMMISSION,
13 Plaintiff
14 v.
15 ANTHONY VASSALLO, et al,
16 Defendants.

Case No. CV 09-000665 LKK-DAD

**STIPULATION AND ORDER
CONFIRMING EIMT OWNERSHIP OF
FIDDLETOWN PROPERTY**

Judge Lawrence K. Karlton

RECITALS

18 Pursuant to orders dated April 30, 2009 and July 31, 2009, the Court appointed Stephen
19 E. Anderson (“Receiver”) as Receiver over Defendant Equity Investment Management Trading,
20 Inc. (“EIMT”).

21 The Court has empowered Receiver to “take all steps the receiver deems necessary to
22 secure and protect the assets and property of EIMT....” Order Appointing Temporary Receiver
23 for Equity Investment Management and Trading, Inc. and Order to Show Cause for Appointment
24 of Permanent Receiver dated April 30, 2009 (“OAR”), ¶ III B.

25 Utilizing EIMT investor funds, on or about February 28, 2008, Defendant Anthony
26 Vassallo (“Vassallo”) purchased a piece of real property known as 19990 Brockman Mill Road,
27 Fiddletown, CA 95629, APN 021-050-023 (the “Fiddletown Property”) for \$265,000 (the
28 “Fiddletown Property Purchase”).

1 Title to the Fiddletown Property is in the name of Vassallo.

2 The parties wish to ensure that title to the Fiddletown Property is placed in the name of
3 EIMT in such a manner that a title company will insure the transfer of the Fiddletown Property to
4 a third party.

STIPULATION

6 NOW, THEREFORE, Receiver, on behalf of EIMT, and Defendant Anthony Vassallo,
7 through their counsel of record, HEREBY STIPULATE AND AGREE AS FOLLOWS:

8 1. EIMT funds were used to purchase the Fiddletown Property.

9 2. The Fiddletown Property Purchase was in constructive trust for EIMT and EIMT

10 is the sole owner of the Fiddletown Property.

11 3. Vassallo shall execute any and all documents necessary to reflect that EIMT is the

12 sole owner of the Fiddletown Property in a form that ensures that a title company will insure the

13 future transfer of the Fiddletown Property by Receiver to a third party.

14 4. Vassallo will fully cooperate with Receiver to achieve the purpose of this

15 stipulation.

IT IS SO STIPULATED AND AGREED.

17 | Dated: September 15, 2009

FUTTERMAN DUPREE DODD CROLEY
MAIER LLP

19

By: /s/Jamie L. Dupree
Jamie L. Dupree
Attorneys for Receiver Stephen E. Anderson

21 | Dated: September 11, 2009

BLACKMON & ASSOCIATES

2020 RELEASE UNDER E.O. 14176

By:/s/Clyde M. Blackmon
Clyde M. Blackmon
Attorneys for Defendant Anthony Vassallo

ORDER

Having reviewed the parties' Stipulation and Proposed Order Confirming EIMT's
Ownership of the Fiddletown Property, and for good cause shown,

THE COURT FINDS AND ORDERS:

1 1. EIMT funds were used to purchase the Fiddletown Property.

2 2. The Fiddletown Property Purchase was in constructive trust for EIMT, and EIMT

3 is the sole owner of the Fiddletown Property.

4 3. Vassallo shall execute any and all documents necessary to reflect that EIMT is the

5 sole owner of the Fiddletown Property in a form that ensures that a title company will insure the

6 future transfer of the Fiddletown Property by Receiver to a third party.

7 4. Vassallo will fully cooperate with Receiver to achieve the purpose of the parties'

8 stipulation and this order.

IT IS SO ORDERED.

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11 | Dated: September 16, 2009

LAWRENCE K. KARLTON
LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

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