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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES SMALL BUSINESS)	Case No. 06-3879 SC
ADMINISTRATION IN ITS CAPACITY AS)	
RECEIVER FOR ALTO TECH II, L.P.,)	ORDER RE: THIRD
)	<u>RECEIVER'S REPORT</u>
Plaintiff,)	
)	
v.)	
)	
ALTOTECH II, LLP,)	
)	
Defendant.)	
)	
)	

On September 24, 2009, the United States Small Business Administration ("SBA") as Receiver for Altotech II, L.P. ("Altotech"), filed a Motion for Entry of an Order Approving and Confirming the Third Receiver's Report for the period July 1, 2008 through June 30, 2009. Docket No. 86 ("Motion").

The Court notes that, between the Second and Third Receiver's Report, the cash assets of Altotech have dropped from \$4,956,913.60 to approximately \$1,394,608. See Docket No. 68 ("Second Receiver's Report") at 6; Docket No. 85 ("Third Receiver's Report") at 6. The Third Receiver's Report does not contain a sufficient explanation for this change. The change may be related to the line item in the attached Schedule of Receipts and Disbursements labeled "Payment on Participating Securities {to

United States District Court
For the Northern District of California

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SBA}." See Third Receiver's Report Ex. A. Before the Court will enter an Order Approving the Third Receiver's Report, the Court requires the Receiver to submit a declaration explaining the change. The declaration must be filed within fourteen (14) days from the date of this Order.

IT IS SO ORDERED.

Dated: December 3, 2009


UNITED STATES DISTRICT JUDGE