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10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

12 UNITED STATES OF AMERICA,)	E-Filing
13)	
14 Plaintiff,)	Case No: C 04-4351 SBA
15 v.)	HON. SAUNDRA BROWN ARMSTRONG
16)	Date:
16 PROSPERO VENTURES, L.P.)	Time:
17)	Room:
17 Defendant.)	
18)	

19 **STIPULATED ORDER APPROVING AND CONFIRMING THE FINAL RECEIVER’S**
 20 **REPORT, TERMINATING THE RECEIVERSHIP, AND DISCHARGING THE**
 21 **RECEIVER FOR PROSPERO VENTURES, L.P.**

22 This matter comes before the Court on the Stipulation of the United States of America
 23 (“USA”) for its agency the U.S. Small Business Administration (“SBA”), Plaintiff, and the U.S.
 24 SBA in its capacity as Receiver (“Receiver”) for Prospero Ventures, L.P. (“Prospero”) (f/k/a
 25 Dotcom Ventures, L.P., f/k/a ASCII Ventures, L.P.), Defendant, for Entry of an Order
 26 Approving and Confirming the Fifth and Final Receiver’s Report for the period September 1,
 27 2009 through August 24, 2010, terminating the receivership and discharging the Receiver. After
 28

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 REPORT, TERMINATING THE RECEIVERSHIP AND DISCHARGING THE RECEIVER

1 careful consideration and this Court being duly advised as to the merits, and there being no
2 opposition,

3 THE COURT FINDS THAT:

4
5 1. The relief proposed by the Plaintiff and Defendant in their Stipulation/Motion
6 filed herein is reasonable, necessary and in the best interest of the Prospero Receivership Estate.

7 IT IS HEREBY ORDERED AND DECREED THAT:

8 1. The parties' Stipulation/Motion (1) to reopen this case and (2) for Entry of an
9 Order Approving and Confirming the Final Receiver's Report for the period September 1, 2009
10 through August 24, 2010, terminating the receivership and discharging the Receiver are both
11 **GRANTED.**

12
13 2. The Fifth and Final Receiver's Report for the period September 1, 2009 through
14 August 24, 2010 and the acts, transactions and receipts and disbursements of funds reported
15 therein are hereby approved and confirmed.

16
17 3. This Court confirms that the Receiver has complied with the Orders of the Court
18 dated October 20, 2004 ("Receivership Order") and July 21, 2010 ("Wind-Up Order") as more
19 fully described in the Final Receiver's Report and in the Receiver's Stipulation/Motion and
20 Memorandum and this Court orders that Paragraph 3 of the Court's Order entered July 21, 2010
21 is amended to provide the Receiver an additional 90 days, thereby a total of 180 days, from its
22 receipt of notification of the entry of the Wind Up Order to perform and complete internal
23 administrative and accounting tasks associated with terminating the receivership.

24
25 4. Control of Prospero shall be unconditionally transferred and returned to
26 Prospero's General Partner, Prospero Investments, LLC, c/o Stephen Hyndman, Managing
27

1 Member, Prospero Investments, LLC, 175 Lundys Lane, San Francisco, CA 94110-5128, his last
2 known address, upon notification of entry of this Order.

3 5. The stay and injunction imposed by Paragraph 7 of the Receivership Order are
4 hereby lifted.
5

6 6. All claims against and obligations of (a) Prospero, (b) the Prospero Receivership
7 estate, (c) the Prospero Receiver and its current and former agents and attorneys, arising from or
8 relating in any way to the Receivership shall be discharged upon notification of entry of this
9 Final Order.
10

11 7. The Prospero receivership is hereby terminated, the SBA is discharged as
12 Receiver, and the SBA, its employees, officers, agents, contractors, attorneys, and any other
13 person who acted on behalf of the Receiver, are hereby discharged and released from any and all
14 claims, obligations and liabilities arising from or relating to the activities, conduct or
15 management and operation of Prospero and the Prospero receivership estate upon notification of
16 entry of this Final Order.
17

18 8. A copy of this Final Order shall be served upon all of the partners of Prospero to
19 the attention of its General Partner, Prospero Investments, LLC, c/o Stephen Hyndman,
20 Managing Member, Prospero Investments, LLC, 175 Lundys Lane, San Francisco, CA 94110-
21 5128.
22

23 9. A copy of this Final Order, containing notice of the transfer of control of Prospero
24 to its General Partner shall be served upon the appropriate federal, state, and local tax offices, the
25 California Secretary of State, and upon the registered agents for service of process.
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PURSUANT TO STIPULATION OF THE PARTIES, IT IS SO ORDERED:

This 15 th day of September 2010, in Oakland, California.



HON. SAUNDRA BROWN ARMSTRONG
United States District Judge

APPROVED AS TO FORM AND CONTENT:

Sept. 8, 2010
ARLENE P. MESSINGER
Attorney for Defendant, SBA as Receiver for
Prospero Ventures, LP

/s/ Edwin L. Joe Sept 8, 2010
EDWIN L. JOE
Special Assistant U. S. Attorney
Attorney for Plaintiff, United States of America

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