

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**SECURITIES AND EXCHANGE  
COMMISSION,** )  
)  
)  
**Plaintiff,** )  
)  
**v.** )  
)  
**BRYAN S. BEHRENS, and NATIONAL** )  
**INVESTMENTS, INC.,** )  
)  
**Defendants.** )

**CASE NO. 8:08CV13**

**ORDER**

This matter is before the Court on the Motion for Order Authorizing Sale of Real and Personal Property Free and Clear of Liens (Filing No. 89). Thomas Stalnaker, the court-appointed Receiver filed the motion and no objection or opposition has been filed by any party in this matter.

The Receiver represents to the Court that among the assets in which the Receiver has an interest are the real and personal property used in the business described as “Ken’s Flower Shop & Greenhouse,” more particularly described in Exhibit “A” attached to the Receiver’s motion (Filing No. 89-2). The Receiver represents that, subject to the approval of this Court, the Receiver has entered into an agreement to sell said real and personal property to D & N, LLC, for the total sum of \$220,000.00 upon the terms and conditions more fully set out in the Uniform Commercial Purchase Agreement attached to the motion (Filing No. 89-2). The Receiver further represents that such sale represents the greatest amount which the Receivership could realize from the sale of these assets and is in the best interest of the Receivership and its creditors.

Given the authority granted to the Receiver by the Court (Filing No. 85), the Motion will be granted. Accordingly,

IT IS ORDERED:

1. The Receiver's Motion for Order Authorizing Sale of Real and Personal Property Free and Clear of Liens (Filing No. 89) is granted;
2. The Receiver is hereby authorized to sell the above described real and personal property for the total sum of \$220,000.00, free and clear of liens and other claims, and upon the terms and conditions set forth below and in the Uniform Commercial Purchase Agreement entered into by the Receiver and D & N, LLC;
3. Any liens or other claims with respect to said real and personal property to be sold shall attach to the proceeds of sale to the same extent and with the same priorities as they attach to the property to be sold; and
4. The proceeds from the sale of the real and personal property shall be retained by the Receiver pending a determination of the priority of the rights thereto.

DATED this 2<sup>nd</sup> day of February, 2009.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge