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 8 **UNITED STATES DISTRICT COURT**
 9 **DISTRICT OF NEVADA**

10 USACM LIQUIDATING TRUST,
 11 Plaintiff,
 12 v.
 13 PLACER COUNTY LAND
 14 SPECULATORS, LLC, aka PLACER
 COUNTY LAND INVESTORS, LLC; et
 al,
 15 Defendants

Civil Action No. 2:08-cv-01276-KJD-RJJ

Date: October 26, 2010
 Time: 9:00 a.m.
 Judge: Hon. Kent J. Dawson

16 **THIRD ORDER AUTHORIZING RECEIVER TO BORROW**
 17 **MONEY AND ISSUE RECEIVER CERTIFICATES**

18 Upon consideration of the Third Motion of Receiver for Order Authorizing Receiver to
 19 Borrow Money and Issue Receiver Certificates [Docket No. 540], after a hearing on proper
 20 notice, the Court having considered the motion and arguments, and good cause appearing,

21 IT IS ORDERED that:

- 22 1. The motion is granted;
- 23 2. The Receiver is authorized to borrow up to \$150,000 from Edward W. Homfeld,
 24 which may be drawn on in up to three tranches of a minimum of \$50,000 each, and issue one or
 25 more receiver certificates on the terms and conditions set forth in the motion if the loan is
 26 obtained from Mr. Homfeld;
- 27 3. The Receiver is authorized to obtain a loan from another source in the amount of
 28 \$400,000 which would pay off the Second Loan and provide the additional \$150,000 to the

THIRD ORDER AUTHORIZING
 RECEIVER TO BORROW FUNDS
 & ISSUE RECEIVER CERTIFICATES

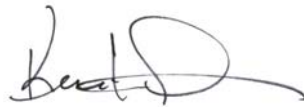
1 receivership estate, if more favorable terms can be obtained from another source, including one or
2 more of the other Owners;

3 4. Any deed of trust granted to secure the proposed borrowing is senior in priority to
4 the FTB Tax Lien (as defined in the motion);

5 5. The Receiver is authorized to submit an ex parte application, if needed, to approve
6 a form of order that is acceptable to the lender, when chosen, and the title company to ensure that
7 the Receiver can grant a first priority security interest in the property to secure the borrowing,
8 provided that such application is served on any counsel appearing in this matter; and

9 6. The Receiver is authorized to take all actions necessary to effectuate the borrowing
10 and grant of a security interest in the Real Property that is the subject of this receivership,
11 including executing any and all documents on behalf of the receivership estate.

12 Dated: November 2, 2010



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14 United States District Judge
15 District of Nevada

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