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10 Attorneys for Receiver
11 **ROBB EVANS OF ROBB EVANS & ASSOCIATES**
12 **LLC**

13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

16 FEDERAL TRADE COMMISSION,

17 Plaintiff,

18 v.

19 JEREMY JOHNSON, etc., et al.,

20 Defendants.
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Case No. 2:10-CV-02203-MMD-GWF

**[CORRECTED PROPOSED] ORDER
GRANTING MOTION FOR ORDER
CLARIFYING PRELIMINARY
INJUNCTION ORDER AND FOR
FURTHER INSTRUCTIONS
REGARDING SCOPE OF
RECEIVERSHIP DEFENDANTS UNDER
PRELIMINARY INJUNCTION ORDER
AND REPORT OF RECEIVER'S
FINANCIAL RECONSTRUCTION AND
GRANTING RELIEF FROM LOCAL
RULE 66-5 PERTAINING TO NOTICE
TO CREDITORS AFTER HEARING**

Hearing Conducted on:

Date: March 19, 2013

Time: 1:30 p.m.

Place: Courtroom 4A

1 The matter of the Motion for Order Clarifying Preliminary Injunction Order and for
2 Further Instructions Regarding Scope of Receivership Defendants under Preliminary Injunction
3 Order and Report of Receiver's Financial Reconstruction and Granting Relief from Local Rule
4 66-5 Pertaining to Notice to Creditors ("Motion to Clarify") filed by Robb Evans of Robb Evans
5 & Associates LLC ("Receiver"), came on before the Court for hearing at the above-referenced
6 date, time and place. Gary Owen Caris and Lesley Anne Hawes of McKenna Long & Aldridge
7 LLP appeared on behalf of the Receiver, and other appearances were made as noted on the record
8 at the hearing.

9 The Court having reviewed and considered the Motion to Clarify and all pleadings and
10 papers filed in support thereof, all responses and oppositions filed thereto, and the Receiver's
11 consolidated reply and supporting pleadings, including all admissible evidence presented in
12 support of and in opposition to the Motion to Clarify, and having heard and considered the
13 arguments of counsel and the parties at the hearing on the Motion to Clarify; counsel for the
14 Receiver having noted on the record at the hearing that the Motion to Clarify as it pertains to John
15 Hafen and his related entities Lilhaf Holdings LLC, Lilhaf Properties, LLC and Tiburon
16 Enterprises, LLC was resolved pursuant to a written settlement previously approved by the Court
17 on noticed motion filed by the Receiver, and having agreed on the record at the hearing to defer
18 determination of the Motion to Clarify as it pertains to Liahona Academy for Youth, LLC, Virgin
19 Properties LLC, Executive Car Sales, Inc., and Executive Auto Group, Inc. pursuant to the terms
20 set forth in this Order; the Court having stated its findings of fact and conclusions of law on the
21 record at the conclusion of the hearing on the Motion to Clarify, and good cause appearing
22 therefor,

23 IT IS ORDERED as follows:

24 1. Except as expressly set forth in this Order, the Motion to Clarify and the relief
25 sought therein is granted in its entirety;

26 2. The Court hereby clarifies and confirms that the following entities are
27 Receivership Defendants within the meaning of the Temporary Restraining Order issued January
28 13, 2011 and the Preliminary Injunction Order issued February 10, 2011 as defined in those

1 orders and their assets constitute property of the receivership estate in this case: Zibby, LLC;
2 Zibby Flight Service, LLC; Orange Cat Investments, LLC; New Horizons Finance, Inc.; SLI,
3 LLC; Trigger, LLC; iPrerogative Inc.; and the assets of Sharla Johnson other than her interest in
4 Quilted Works, Inc.;

5 3. The Court hereby clarifies and confirms that the receivership estate includes as
6 property of the receivership estate (“Receivership Property”): (a) the entities listed on Exhibit A
7 hereto as Receivership Defendants under the Preliminary Injunction Order and the assets held by
8 those entities, (b) the assets of Todd Vowell, Sheree Vowell and Jason Vowell, because the Court
9 has found said assets are nominally titled to those individuals but are held for and/or are
10 beneficially owned by Jeremy Johnson or the other Receivership Defendants, and (c) all other
11 entities and assets owned or controlled, directly or indirectly, by Jeremy Johnson, including but
12 not limited to (i) all assets and entities held in the name of a third party for the benefit of Jeremy
13 Johnson and/or (ii) all assets the source of funding of which came in whole or in part from funds
14 or assets of the Receivership Defendants as defined in the Preliminary Injunction Order and as
15 clarified pursuant to this Order, subject to the following:

16 A. The Receiver is granted all of the powers and duties provided under the
17 Preliminary Injunction Order with respect to all Receivership Defendants and Receivership
18 Property as clarified by this Order;

19 B. Except with respect to the entities listed on Exhibit A and said entities’
20 assets, Todd Vowell, Sheree Vowell and Jason Vowell, and each of them, may request a
21 determination by the Court that specific assets to which they hold title should not be deemed
22 Receivership Property by noticed motion to the Court, which noticed motion shall (1) be in
23 writing, (2) be filed with the Court and served on the Receiver and the parties to this action, (3)
24 set forth all reasons why such asset should be excepted from the scope of the receivership, and (4)
25 set forth by competent evidence the reasons why such asset should be excepted from the scope of
26 the receivership.

27 C. The owners of any assets determined to constitute Receivership Property
28 and/or the entities determined to constitute Receivership Property under paragraph 3(c) above

1 may request a determination by the Court that such asset or entity should not be deemed
2 Receivership Property by noticed motion to the Court, which noticed motion shall (1) be in
3 writing, (2) be filed with the Court and served on the Receiver and the parties to this action, (3)
4 set forth all reasons why such asset or such entity should be excepted from the scope of the
5 receivership, and (4) set forth by competent evidence the reasons why such asset or entity should
6 be excepted from the scope of the receivership.

7 D. As to all assets and entities listed in Exhibit A attached hereto, and as to
8 any assets titled to Todd Vowell, Sheree Vowell and Jason Vowell whether or not listed on
9 Exhibit A, the Receiver is granted the authority and discretion, in the Receiver's opinion and
10 judgment based on the Receiver's investigation, to determine that certain entities, assets and/or
11 business activities of certain entities are sufficiently independent of and not affiliated with or
12 related to Johnson and/or the other Receivership Defendants and/or which the Receiver believes
13 can be managed, administered and/or operated by the record owners, shareholders, managers or
14 members without interfering with the Receiver's administration of the receivership estate and its
15 assets, and based on such determination, the Receiver may turn over the management, possession
16 and control of such assets, entities and/or business activities without further order of the Court;

17 4. As to Liahona Academy for Youth, LLC, Virgin Properties LLC, Executive Car
18 Sales, Inc., and Executive Auto Group, Inc. (for convenience referred to individually and
19 collectively herein as the "Liahona Parties"), the Receiver and the Liahona Parties shall have a
20 period of sixty days from the date of the hearing on the Motion to Clarify to meet and confer to
21 attempt to resolve the Motion to Clarify as it pertains to the Liahona Parties and in connection
22 therewith:

23 A. The Receiver shall file a status report with the Court on or before May 20,
24 2013 advising the Court whether the Motion to Clarify has been resolved as to the Liahona
25 Parties;

26 B. If the Motion to Clarify as to the Liahona Parties has not been resolved as
27 of May 20, 2013, after filing of the status report by the Receiver, the Court will schedule a
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1 hearing on the Motion to Clarify as to the Liahona Parties on the earliest date available on the
2 Court's calendar that is convenient for the Court to conduct the hearing;

3 5. As to Mountain Financial, LLC, the Receiver and Mountain Financial LLC shall
4 have a period of sixty days from the date of the hearing on the Motion to Clarify to meet and
5 confer to attempt to resolve the Motion to Clarify as it pertains to Mountain Financial, LLC and
6 in connection therewith:

7 A. The Receiver shall file a status report with the Court by no later than May
8 20, 2013 advising the Court whether the Motion to Clarify has been resolved as to the Mountain
9 Financial, LLC;

10 B. If the Motion to Clarify has not been resolved as to Mountain Financial,
11 LLC on or before May 20, 2013, within 15 days after filing the status report as to Mountain
12 Financial, LLC, the Receiver shall file supplemental pleadings setting forth information the
13 Receiver deems relevant to the Court's determination of the Motion to Clarify as it pertains to
14 Mountain Financial, LLC developed after August 13, 2012 when the Receiver's Consolidated
15 Reply pleadings were filed; and

16 C. Within 15 days after the filing of the Receiver's supplemental pleadings
17 concerning Mountain Financial, LLC pursuant to paragraph 5.B. above, Mountain Financial shall
18 file supplemental pleadings setting forth information Mountain Financial, LLC deems relevant to
19 the Court's determination of the Motion to Clarify as it pertains to Mountain Financial, LLC
20 developed after August 13, 2012 when the Receiver's Consolidated Reply pleadings were filed;
21 and.

22 6. Notice of the Motion to Clarify is hereby deemed sufficient based on the service of
23 the notice of the filing of the Motion to Clarify and the Motion to Clarify on all interested parties
24 and service of the notice of the filing of the Motion on all known non-consumer creditors of the
25 estate.

26 Dated: March 22, 2013



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE

EXHIBIT A

1	Alpha Yankee LLC
2	Attack Productions LLC
3	C2 Holdings, LLC
4	Capital Energy Corporation
5	CECJ Enterprises LLC
6	Cerberus Management LLC
7	Chateau Circle LLC
8	Choker Block LLC
9	Commerce Financial LLC
10	Destiny Marketing LLC
11	Digital Currency LLC
12	Dreamland Capital LLC
13	Elite Asset Management LLC
14	ePayment Solutions LLC
15	Executive Service Center LLC
16	Fishhook Partners LLC
17	Flatline Investments LP
18	Flying High Enterprises LLC
19	Global Media 7 LLC
20	IC Development LLC
21	Interstate Lending LLC
22	iPrerogative Inc.
23	Jason T. Vowell Sole Prop. Gigs
24	Katts, LLC
25	Kingfish Management LLC
26	Kingston Enterprises LLC
27	Kombi Capital LP
28	Liahona Academy for Youth, LP
	Liahona Holdings LP
	Lift Off Financial LLC
	Market Mastery Trading LLC
	Mastery Merchant, LLC and dba Money Master for Life
	Moneymaker Strategies LLC
	Omaha Eight LLC
	Online Weight Loss
	Paradise Ranch Development LLC

Paydirt Capital, Inc.
Paydirt Management, Inc.
Paydirt Properties LLC
Paydirt, L.P.
Phoenix Rising LLC
Powder Monkeys, LLC
Robin V Foundation
Rotortrends Inc.
ScamVictimHelp.com, LLC
Scud Runner LLC
Silvernix Holdings LLC
SmartNet Development LLC
Spindletop Investments LLC
Spyglass Enterprises LLC
Spyglass Holdings LLC
SRLA Association LLC
SRLA LLC
Summerset Ranch LLC
T. Vowell Sole Prop. Capital Holding
Taggart Management LLC
TJJ Properties LLC
TLV Enterprises Inc.
Treadstone Partners LP
Triple Play Group LLC
Triple Seven LP/LLC
Triple Seven, Inc.
USB Media LLC dba Computista
Valentino Holdings LP
Valentino Properties LLC
Vanquish Enterprises LLC
Volair Flight Management LLC
WCDI Land Management LLC
Wealth Matters LLC
Woodsvew Holdings LLC