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 7 **IN THE UNITED STATES DISTRICT COURT**
 8 **FOR THE DISTRICT OF NEVADA**

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 10 SECURITIES AND EXCHANGE
 COMMISSION,
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 Plaintiff,
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 vs.
 13 EDWIN YOSHIHIRO FUJINAGA and
 14 MRI INTERNATIONAL, INC.,
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 Defendants,
 16
 and
 17 CSA SERVICE CENTER, LLC
 THE FACTORING COMPANY,
 18 JUNE FUJINAGA, and
 19 THE YUNJU TRUST,
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 Relief
 21 Defendants.

Case No.: 2:13-cv-01658-JCM-CWH

**ORDER GRANTING MOTION TO
 AUTHORIZE AND DIRECT THE
 RECEIVER TO RELEASE
 SETTLEMENT FUNDS**

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 23 This case is before the Court on movant Arise Construction, Inc.’s (“Arise”)
 24 *Notice of Motion and Opportunity to Object and Motion to Authorize and Direct*
 25 *the Receiver to Release Settlement Funds* (the “Motion”) [ECF No. 403]. The
 26
 27 Motion was served via the ECF system on March 20, 2017, and by U.S. Certified
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1 Mail, Return Receipt Requested upon Antony Santos, Esq, counsel for an
2 unsecured creditor, and upon the United States Internal Revenue Service by mail
3 dated March 20, 2017. The dates and manner of service are contained in the
4 Certificate of Mailing of the Motion.
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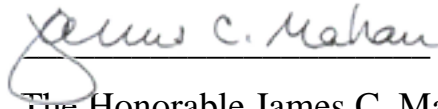
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7 The Motion came on regularly before the Court for determination, the
8 Honorable James C. Mahan, United States District Judge, presiding. Pursuant to
9 LR 7-2, an opposing party must file points and authorities in response to a motion
10 and failure to file a timely response constitutes the party's consent to the granting
11 of the motion. *See* LR 7-2(d); *United States v. Warren*, 601 F..2d 471, 474 (9th Cir.
12 1979). The Court reviewed and considered the Motion, Defendant CSA Service
13 Center, LLC's ("CSA") Response to the Motion [ECF No. 410], and Arise's
14 Reply [ECF No. 411] to CSA's Response. No other Defendant, nor any other
15 party, filed any opposition or objection to the Motion; and the deadline to do so
16 has passed. Nevertheless, the Court reviewed the substantive merits and grants the
17 Motion in full.
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22 IT IS ORDERED THAT:

- 23 1. The Motion, and all relief sought therein, is granted in its entirety;
24 and
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26 2. Robb Evans & Associates LLC, the Receiver in this case, is therefore
27 authorized and directed to release and forthwith pay directly to Jason G. Landess,
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1 Esq., as attorney and agent for movant Arise Construction, Inc. (“Arise”), the sum
2 of One-Hundred-and-Forty-Thousand Dollars (\$140,000.00), representing the
3 settlement funds arising out of Clark County, Nevada District-Court Case No. A-
4 13-691477-C.
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8 IT IS SO ORDERED:

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11 The Honorable James C. Mahan

12 UNITED STATES DISTRICT COURT JUDGE
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14 DATED: April 12, 2017
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