

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

The Honorable James L. Robart

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

PATH AMERICA, LLC; PATH AMERICA  
SNOCO LLC; PATH AMERICA FARMER'S  
MARKET, LP; PATH AMERICA KINGCO  
LLC; PATH AMERICA TOWER, LP; PATH  
TOWER SEATTLE, LP; POTALA TOWER  
SEATTLE, LLC; and LOBSANG DARGEY,

Defendants, and,

POTALA SHORELINE, LLC; POTALA  
VILLAGE KIRKLAND, LLC; DARGEY  
DEVELOPMENT, LLC; DARGEY  
ENTERPRISES, LLC; PATH OTHELLO,  
LLC; PATH FARMER'S MARKET, LLC; and  
DARGEY HOLDINGS, LLC,

Relief Defendants.

Case No. 2:15-cv-01350-JLR

~~PROPOSED~~ ORDER APPROVING  
RECEIVER'S RECOMMENDED  
DISTRIBUTION PLAN AND  
AUTHORIZATION TO PROCEED WITH  
CLOSING TASKS

NOTED ON MOTION CALENDAR:  
NOVEMBER 16, 2018

~~PROPOSED~~ ORDER

This matter came before the Court on the Receiver's Motion for Approval of Receiver's  
Recommended Distribution Plan and Authorization to Proceed With Closing Tasks ("Motion"),  
filed by Michael A. Grassmueck, Court-appointed receiver for Path America, LLC, et al.

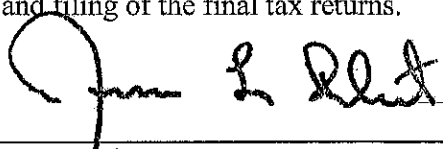
OK. # 649  
A

~~PROPOSED~~ ORDER APPROVING RECEIVER'S  
RECOMMENDED DISTRIBUTION PLAN AND AUTHORIZATION  
TO PROCEED WITH CLOSING TASKS  
Case No. 2:15-cv-01350-JLR  
1141761.01/LA

1 ("Receiver"). The Receiver has completed processing of and obtained the Court's approval of the  
2 allowed claims against the Receivership Entities submitted in accordance with summary claims  
3 procedures also approved by this Court. The Receiver has liquidated or is in the process of  
4 liquidating the remaining assets of the receivership estate, a judgment against the individual  
5 defendant was entered and the receivership entity consent judgments are in process. *No party  
6 or other person or entity filed any opposition to the Receiver's motion.*  
The Court, having considered the Receiver's Motion and all related submissions filed in  
7 support of and in response thereto, and other pleadings filed in this action, hereby ORDERS as  
8 follows:

- 9 1. The Receiver's Motion is hereby GRANTED;
- 10 2. The Receiver's Distribution Plan *is hereby APPROVED;*
- 11 3. The Receiver is authorized to complete the remaining work of the receivership set  
12 forth in the Motion, including the filing of tax returns, preparation of the final accounting and tax  
13 returns in anticipation of closing the receivership; and
- 14 4. The Receiver is authorized to file a motion seeking authority to distribute the  
15 receivership proceeds along with the closing motions upon disposition of the Shoreline Property,  
16 recovery of the Potala Village settlement proceeds, and filing of the final tax returns.

17  
18 Dated: November 19, 2018

  
\_\_\_\_\_  
Hon. James L. Robart  
Judge, United States District Court

19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I hereby certify that on October 31, 2018, I caused the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of the filing to all counsel of record.

Dated: October 31, 2018

s/ David R. Zaro  
David R. Zaro, Esq. #124334 (CA)  
(Pro Hac Vice Granted October 26, 2015)