



Securities and Exchange Commission v. Vassallo et al

2009 | Cited 0 times | E.D. California | September 25, 2009

[PROPOSED] ORDER AUTHORIZING RECEIVER TO EMPLOY WASHINGTON STATE COUNSEL

CASE NO. CV 09-000665 LKK-DAD 1 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 FUTTERMAN DUPREE

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UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

SACRAMENTO SECURITIES AND EXCHANGE COMMISSION,

Plaintiff v. ANTHONY VASSALLO, et al,

Defendants.

Case No. CV 09-000665 LKK-DAD ORDER AUTHORIZING RECEIVER TO EMPLOY WASHINGTON STATE COUNSEL Judge Lawrence K. Karlton

On April 30, 2009, this Court filed the Order Appointing Temporary Receiver for Equity Investment Management and Trading, Inc. (“EIMT”) and Order to Show Cause for Appointment of Permanent Receiver (“OAR”), and on July 31, 2009, the Court filed an Order permanently appointing Receiver. Pursuant to the OAR, for good cause shown, and in order to empower and authorize the Receiver to carry out his duties and obligations,

THE COURT HEREBY FINDS AND ORDERS AS FOLLOWS: Receiver’s investigation has revealed potential EIMT assets (money, personal property and/or real property) held by third parties in the Western District of Washington. In order to assert jurisdiction and control over those assets, under 28 U.S.C. § 754, Receiver was required to and did file notice of his appointment in the United States



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District Court for the Western District of Washington, after retaining Washington State counsel, Demco Law Firm, P.S. to do so.

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Counsel handling the matter is David C. Daniel, whose hourly rate is \$225.00, which Receiver believes is fair and reasonable for the services needed.

Local Rule 66-232(g) of the United States District Court for the Eastern District of California mandates that a receiver shall not employ an attorney, accountant or investigator without first obtaining an order of the Court authorizing such employment, which order may set forth a tentative basis for computation of compensation.

Accordingly, Receiver is hereby authorized to engage the following Washington attorneys at the rate indicated, retroactive to June 8, 2009:

(1) Demco Law Firm, P.S. (Washington Counsel) David C. Daniel, \$225.00/hour Receiver is hereby further authorized to utilize the services of other attorneys and staff at Demco Law Firm, P.S., provided that the billing rates of those attorneys and staff are commensurate with the rates authorized herein. Notwithstanding this order, the actual compensation of the persons employed by Receiver shall be fixed by the Court in conformity with Local Rule 66-232(g).

IT IS SO ORDERED.

Dated: September 25, 2009

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