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7 Attorneys for  
THOMAS A. SEAMAN, RECEIVER

8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

10 SECURITIES AND EXCHANGE  
COMMISSION,

11  
12 Plaintiff,

13 v.

14 LAMBERT VANDER TUIG (a/k/a/  
LAMBERT VANDER TAG a/k/a  
DEAN I. VANDER TAG), THE  
15 CAROLINA DEVELOPMENT  
COMPANY, INC. (a/k/a THE  
16 CAROLINA COMPANY AT  
PINEHURST, INC.), AND  
17 JONATHAN CARMAN,

18 Defendants.  
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Case No. SACV06-172AHS(MLGx)

Complaint Filed: February 16, 2006

**NOTICE OF SECOND INTERIM  
FEE APPLICATION OF NELSON  
MULLINS RILEY &  
SCARBOROUGH, LLP**

[Second Interim Fee Application of  
Nelson Mullins Riley & Scarborough  
and Proposed Order filed concurrently  
herewith]

Hearing:

Date: August 4, 2008

Time: 10:00 a.m.

Place: Courtroom 10A  
411 W. Fourth Street  
Santa Ana, California

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1 PLEASE TAKE NOTICE THAT on August 4, 2008 at 10:00 a.m. in  
2 Courtroom 10A of the United States District Court for the Central District of  
3 California, Southern Division, located at 411 West Fourth Street, Santa Ana,  
4 California 92701 (the "Court"), the Second Interim Fee Application of Nelson  
5 Mullins Riley & Scarborough, LLP will be heard for compensation for services  
6 performed and costs incurred in connection with The Carolina Development  
7 Company, Inc. Receivership. The Second Interim Fee Application seeks  
8 compensation for fees and reimbursement for costs incurred from November 1, 2007  
9 through June 30, 2008 in the amount of Six Thousand One Hundred Forty Five and  
10 66/100 Dollars (\$6,145.66).

11 PLEASE TAKE FURTHER NOTICE THAT in accordance with Local  
12 Rule 7-9, any objections to the Fee Application must be filed with the Court not  
13 later than fourteen (14) days before the date designated for the hearing of the motion  
14 as well as served on Sheppard, Mullin, Richter & Hampton, 650 Town Center  
15 Drive, Fourth Floor, Costa Mesa, California 92626, Attention: Michael A. Wallin.

16 Copies of the above-mentioned Fee Application is available at  
17 [www.carolinareceivership.com](http://www.carolinareceivership.com). If you lack access to the internet, a copy the  
18 application can also be obtained by written request to Sheppard, Mullin, Richter &  
19 Hampton, 650 Town Center Drive, Fourth Floor, Costa Mesa, California 92626,  
20 Attention: Michael A. Wallin.

21 Dated: July 7, 2008

22 NELSON MULLINS RILEY &  
23 SCARBOROUGH, LLP

24 */s/ Joseph S. Dowdy*

25 By \_\_\_\_\_

26 JOSEPH S. DOWDY  
27 Counsel for Receiver  
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PROOF OF SERVICE

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I, the undersigned, declare that I am, and was at the time of service of the papers herein referred to, employed in the County of Orange; over the age of eighteen years and not a party to the within entitled action or proceeding. My business address is 650 Town Center Drive, 4th Floor, Costa Mesa, California 92626-1993.

On **July 7, 2008**, I served the following document described as **NOTICE OF SECOND INTERIM FEE APPLICATION OF NELSON MULLINS RILEY & SCARBOROUGH, LLP** on the interested party(ies) in this action by placing  true copies/ originals thereof enclosed in sealed envelopes and/or packages addressed as follows:

**SEE ATTACHED SERVICE LIST**

**BY MAIL:** I am “readily familiar” with the firm’s practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Costa Mesa, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

**BY FACSIMILE:** I served said document(s) to be transmitted by facsimile pursuant to Rule 2008 of the California Rules of Court. The telephone number of the sending facsimile machine was 714-513-5130. The name(s) and facsimile machine telephone number(s) of the person(s) served are set forth in the service list. The sending facsimile machine (or the machine used to forward the facsimile) issued a transmission report confirming that the transmission was complete and without error. Pursuant to Rule 2.306(g)(4), a copy of that report is attached to this declaration.

**BY OVERNIGHT DELIVERY:** I served such envelope or package to be delivered on the same day to an authorized courier or driver authorized by the overnight service carrier to receive documents, in an envelope or package designated by the overnight service carrier.

**FEDERAL:** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on **July 7, 2008**, at Costa Mesa, California.

/s/ Margaret N. Manns  
Margaret N. Manns

**SERVICE LIST**

**SACV06-172AHS(MLGx)**

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Jonathan Charles Carman 22335 Carminto Arroyo Seco Laguna Hills, California 92653 Telephone: (714) 742-4272	In Pro Per
James Bastian, Esq. Marshack, Shulman, Hodges & Bastian 26632 Town Center Dr., Ste. 300 Foothill Ranch, CA 92610 Telephone: (949) 340-3400 Facsimile: (949) 340-3000	Attorneys for Certain Investors