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7 Attorneys for  
 THOMAS A. SEAMAN, RECEIVER

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UNITED STATES DISTRICT COURT

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CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

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12 SECURITIES AND EXCHANGE  
 COMMISSION,

Case No. SACV06-172AHS(MLGx)

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Plaintiff,

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v.

**[PROPOSED] ORDER  
 APPROVING NINTH INTERIM  
 FEE APPLICATION OF THE  
 RECEIVER**

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

*[Notice of Ninth Interim Fee Application of  
 the Receiver and Ninth Interim Fee  
 Application of the Receiver filed  
 concurrently herewith]*

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Defendants.

Hearing:

Date: April 20, 2009

Time: 10:00 a.m.

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

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Complaint Filed: February 16, 2006

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1           The Ninth Interim Fee Application of Thomas A. Seaman, court-  
2 appointed Receiver for The Carolina Development Company, Inc. ("Receiver") for  
3 the approval of payment of fees and reimbursement for costs in the below-listed  
4 amounts, came on for hearing this 20th day of April, 2009, in Courtroom 10A of the  
5 above-entitled Court, the Honorable Alicemarie H. Stotler, judge presiding. The  
6 Receiver appeared by and through Alan H. Martin of Sheppard, Mullin, Richter &  
7 Hampton LLP . Other appearances made are reflected on the record.

8  
9           Compensation for fees and reimbursement of costs were requested in  
10 the amount of \$84,445.

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12           Upon the reading of the Application and related exhibits, it appears to  
13 the Court that the amounts sought in the Application are reasonable for the  
14 professional services performed by the Receiver.

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16           **THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:**

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18           The Receiver is entitled to compensation for services provided and  
19 reimbursement for costs incurred in the amount of \$\_\_\_\_\_.

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21 Dated:

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23 \_\_\_\_\_  
24 JUDGE ALICEMARIE H. STOTLER

1 Respectfully submitted,  
2 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

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4 */s/ Michael A. Wallin*

5 By \_\_\_\_\_

6 MICHAEL A. WALLIN  
7 Attorneys for Receiver, Thomas A. Seaman

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PROOF OF SERVICE

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 **March 24, 2009** I served the following document described as **[PROPOSED] ORDER APPROVING NINTH INTERIM FEE APPLICATION OF THE RECEIVER** 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 **March 24, 2009** at Costa Mesa, California.

\_\_\_\_\_  
*/s/ Margaret N. Manns*  
Margaret N. Manns

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**SERVICE LIST**

**SACV06-172AHS(MLGx)**

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