

1 ALAN H. MARTIN, Cal. Bar No. 132301  
NORMA V. GARCIA, Cal. Bar No. 223512  
2 MICHAEL A. WALLIN, Cal. Bar. No. 240344  
SHEPPARD MULLIN RICHTER & HAMPTON LLP  
3 650 Town Center Drive, 4th Floor  
Costa Mesa, California 92626-1993  
4 Telephone: 714-513-5100  
Facsimile: 714-513-5130  
5 amartin@sheppardmullin.com

6 Attorneys for THOMAS A. SEAMAN,  
RECEIVER  
7

8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION  
10

11 SECURITIES AND EXCHANGE  
COMMISSION,  
12

13 Plaintiff,  
14

15 v.  
16

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

20 Defendants.  
21  
22  
23  
24  
25  
26  
27  
28

Case No. SACV06-172 AHS(ANx)

Complaint Filed: February 16, 2006

**NOTICE OF FIRST INTERIM FEE  
APPLICATIONS OF THOMAS A.  
SEAMAN, SHEPPARD MULLIN  
RICHTER & HAMPTON, COATS  
ROSE AND MACK BARCLAY INC.**

**[First Interim Fee Applications Of  
Thomas A. Seaman, Sheppard Mullin  
Richter & Hampton, Coats Rose and Mack  
Barclay Inc. Filed Concurrently Herewith]**

Hearing:

Date: June 12, 2006

Time: 10:00 a.m.

Place: Courtroom 10A

411 W. Fourth Street  
Santa Ana, California

1 PLEASE TAKE NOTICE THAT on June 12, 2006 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 First Interim Fee Applications of Thomas A.  
5 Seaman, Sheppard Mullin Richter & Hampton, Coats Rose and Mack Barclay, Inc.  
6 will be heard for compensation for services performed and costs incurred in  
7 connection with The Carolina Development Company, Inc. Receivership. The Fee  
8 Applications seek compensation for fees and reimbursement for costs incurred  
9 through April 30, 2006 and request fees and costs in the following amounts:

<u>Applicant</u>	<u>Fees</u>	<u>Costs</u>
Thomas A. Seaman	\$122,425.50	\$ 0.00
Sheppard, Mullin, Richter & Hampton LLP	\$126,417.50	\$14,575.65
Coats, Rose, Yale, Rymen & Lee, P.C.	\$ 35,092.50	\$ 757.38
Mack Barclay Inc.	\$ 51,042.50	\$ 4,898.81


15  
16 PLEASE TAKE FURTHER NOTICE THAT in accordance with Local  
17 Rule 7-9, any objections to the Fee Applications must be filed with the Court not  
18 later than fourteen (14) days before the date designated for the hearing of the motion  
19 as well as served on all of the following parties: (i) Sheppard, Mullin, Richter &  
20 Hampton, 650 Town Center Drive, Fourth Floor, Costa Mesa, California 92626,  
21 Attention: Michael A. Wallin; (ii) Coats Rose, 3 East Greenway Plaza, Suite 2000,  
22 Houston, Texas 77046, Attention: Arthur Val Perkins; and (iii) Mack Barclay Inc.,  
23 402 West Broadway, 9<sup>th</sup> Floor, San Diego, California 92101, Attention: Michael R.  
24 Bandemer.

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

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

Dated: May 19, 2006

SHEPPARD MULLIN RICHTER & HAMPTON LLP

By   
ALAN H. MARTIN  
Attorneys for THOMAS A. SEAMAN,  
RECEIVER

1 PROOF OF SERVICE

2 Case No. SACV06-172 AHS(ANx)

3 I, the undersigned, declare that I am, and was at the time of service of  
4 the papers herein referred to, employed in the County of Orange; over the age of  
5 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.

6 On **May 19, 2006**, I served the following document described as:

7 **NOTICE OF FIRST INTERIM FEE APPLICATIONS OF THOMAS A.**  
8 **SEAMAN, SHEPPARD MULLIN RICHTER & HAMPTON, COATS ROSE**  
**AND MACK BARCLAY INC.**

9 on the interested party(ies) in this action by placing  true copies/ originals  
thereof enclosed in sealed envelopes and/or packages addressed as follows:

10 See Attached Service List

11  **BY MAIL:** I am "readily familiar" with the firm's practice of collection and  
12 processing correspondence for mailing. Under that practice it would be  
13 deposited with the U.S. postal service on that same day with postage thereon  
14 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.

15  **BY FACSIMILE:** I served said document(s) to be transmitted by facsimile  
16 pursuant to Rule 2008 of the California Rules of Court. The telephone  
17 number of the sending facsimile machine was 714-513-5130. The name(s)  
18 and facsimile machine telephone number(s) of the person(s) served are set  
19 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 2008(e), a  
copy of that report is attached to this declaration.

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

23  **FEDERAL:** I declare that I am employed in the office of a member of the  
24 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.

25 Executed on **May 19, 2006**, at Costa Mesa, California.

26   
27 \_\_\_\_\_  
28 Margaret N. Manns

**SERVICE LIST**

**SACV06-00172 AHS (ANx)**

1 2 3 4 5 6 7	Thomas M. Melton, Esq. Karen L. Martinez, Esq. Cheryl M. Mori, Esq. Securities and Exchange Commission 15 West South Temple, Suite 1800 Salt Lake City, Utah 84101 Telephone: (801) 524-5796 Facsimile: (801) 524-3558	Attorney for Plaintiff Securities and Exchange Commission
8 9 10 11	Karen Matteson, Esq. Securities and Exchange Commission 5670 Wilshire Boulevard, 11 <sup>th</sup> Floor Los Angeles, California 90036-3648 Telephone: (323) 965-3840 Facsimile: (323) 965-3908	Attorney for Plaintiff Securities and Exchange Commission
12 13 14 15	Irving M. Einhorn, Esq. Law Offices of Irving M. Einhorn 1710 10 <sup>th</sup> Street Manhattan Beach, CA 90266-6206 Telephone: (310) 798-7216 Facsimile: (310) 798-5910	Attorney for Defendant Jonathan Carman
16 17 18 19 20 21	Ira Lee Sorkin, Esq. Daniel J. Horwitz, Esq. Nicole Pappas Wroblewski, Esq. Dickstein, Shapiro, Morin & Oshinsky LLP 1177 Avenue of the Americas New York, NY 10036-2714 Telephone: (212) 835-1400 Facsimile: (212) 997-9880	Attorney for Defendant Lambert Vander Tuig
22 23 24 25	Steven M. Goldsobel, Esquire 1900 Avenue of Stars, Suite 1800 Los Angeles, CA 90067 Telephone: (310) -552-4848 Facsimile: (310) -552-9291 steve@sgoldsobel.com	Attorney for Defendant Lambert Vander Tuig (California Local Counsel)