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MANAGEMENT, LLC

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

No. 3:16-cv-00438-PK

SECOND STIPULATION ON MOTION TO
STAY [DKT. NO. 467]



v.

AEQUITAS MANAGEMENT, LLC;
AEQUITAS HOLDINGS, LLC;
AEQUITAS COMMERCIAL FINANCE,
LLC; AEQUITAS CAPITAL
MANAGEMENT, INC.; AEQUITAS
INVESTMENT MANAGEMENT, LLC;
ROBERT J. JESENİK; BRIAN A. OLIVER;
and N. SCOTT GILLIS,

Defendants.

The Receiver, Ronald F. Greenspan, Weider Health & Fitness (Weider), and Bruce Forman (Forman) stipulate as follows:

1. On June 22, 2017, Weider and Forman filed an Objection to this Court's June 9, 2017 Opinion and Order [Dkt. No. 466], along with a Motion to Stay enforcement of that Opinion and Order pending the District Court's review of the Objection [Dkt. No. 467].
2. On June 23, 2017, this Court referred the Objection to District Judge Marco A. Hernández [Dkt. No. 468].
3. On July 6, 2017, the Receiver filed a Response to the Motion to Stay [Dkt. No. 469].
4. On July 10, 2017, this Court scheduled a telephonic argument on the Motion to Stay for Friday, July 14, 2017, at 10:00 a.m.
5. Subsequently, the parties conferred and, in the interest of judicial economy, the Receiver offered to segregate any net proceeds from the sale of healthcare receivables owned by CarePayment, LLC and CP Funding I Trust only until the earlier of either (i) a ruling by Judge Hernández on the Objection or (ii) September 15, 2017.

6. The Receiver's agreement obviated the need for the July 14, 2017 hearing on the Motion to Stay and, therefore, the parties respectfully requested that this Court conditionally reschedule the hearing for September 15, 2017.

7. A conditional hearing was set on September 22, 2017 [Dkt. No. 474].

8. In the absence of a ruling on the Objection prior to the date of this Second Stipulation, the parties respectfully request this Court conditionally reschedule the hearing for October 23, 2017. In the interim, the Receiver will continue to segregate any net proceeds from the sale of healthcare receivables owned by CarePayment, LLC and CP Funding I Trust.

9. If Judge Hernández has not ruled on the Objection before October 23, 2017, the parties respectfully request that the Court hear the Motion to Stay on October 23, 2017.

10. If Judge Hernández rules on the Objection before October 23, 2017, the parties will jointly contact the Court to advise that the conditional October 23, 2017 hearing may be stricken.

IT IS SO STIPULATED this 19th day of September, 2017.

SCHWABE WILLIAMSON & WYATT PC

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