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AEQUITAS MANAGEMENT, LLC; AEQUITAS HOLDINGS, LLC; AEQUITAS COMMERCIAL FINANCE, LLC; AEQUITAS CAPITAL MANAGEMENT, INC.; AEQUITAS INVESTMENT MANAGEMENT, LLC

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

No. 3:16-cv-00438-PK

**[PROPOSED]** ORDER GRANTING  
RECEIVER'S REQUEST FOR APPROVAL  
OF FIFTH INTERIM FEE APPLICATION



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.

This matter having come before the Honorable Paul Papak on Receiver's Request for Approval of Fifth Interim Fee Application (the "Fee Application") [Dkt. 544] and the Court, having given all counsel an opportunity to oppose the Fee Application, and being fully advised in the premises, now, therefore,

THE COURT FINDS as follows:

A. On March 10, 2016, the Securities and Exchange Commission ("SEC") filed a complaint in this Court against the five entity defendants and three individual defendants, Robert J. Jesenik, Brian A. Oliver, and N. Scott Gillis.

B. On March 16, 2016, pursuant to the Stipulated Interim Order Appointing Receiver, the Receiver was appointed as receiver for the Receivership Entity<sup>1</sup> on an interim basis. On April 14, 2016, pursuant to the Order Appointing Receiver, the Receiver was appointed as receiver of the Receivership Entity on a final basis.

C. Due, timely, and adequate notice of the Fee Application was given, and such notice was good, sufficient, and appropriate under the circumstances. No other or further notice of the Fee Application is or shall be required.

D. The Court having reviewed the Fee Application, and having considered any objections filed to the Fee Application, and it appearing that the relief sought in the Fee

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<sup>1</sup> Capitalized terms not otherwise defined in this Order shall have the meanings ascribed to them in the Fee Application.

Application is in the best interest of the Receivership Entity and its estate,

IT IS HEREBY ORDERED AND DECREED as follows.

1. The Fee Application is approved in its entirety, and the Receiver is authorized to immediately pay the interim fees and expenses described therein.

2. All objections to the Fee Application that have not been withdrawn, waived, settled, or expressly reserved pursuant to the terms of this Order are hereby overruled.

3. This Court shall retain jurisdiction over any issues relating to the Fee Application and to enforce this Order.

4. This Order shall be binding in all respects on the Receiver, all creditors and interest holders of the Receivership Entity, and their successors and assigns.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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United States Magistrate Judge Paul Papak

SUBMITTED BY:

SCHWABE, WILLIAMSON & WYATT, P.C.

By: /s/ Alex I. Poust  
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