

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

SECURITIES AND EXCHANGE COMMISSION,

No. 3:16-cv-00438-PK

Plaintiff,

ORDER

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.

HERNÁNDEZ, District Judge:

Magistrate Judge Paul Papak issued an Opinion & Order [465] on June 9, 2017, in which he denied the Receiver's motion to set a reserve hearing [383] as moot, dissolved his prior order directing the Receiver to segregate proceeds from the pending asset sale, and relieved the Receiver of any obligation to reserve on behalf of Weider Health & Fitness and Bruce Forman



(collectively “Weider/Forman”) any portion of the proceeds of the asset sale approved on January 20, 2017. Weider/Forman timely filed their objections [466] to the Opinion & Order. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When a party objects to any portion of the Magistrate Judge’s dispositive Opinion & Order, the district court must make a *de novo* determination of that portion of the Magistrate Judge’s order. 28 U.S.C. § 636(b)(1); *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).


The Court has carefully considered Petitioner’s objections and concludes there is no basis to modify the Opinion & Order. The Court has also reviewed the pertinent portions of the record *de novo* and finds no errors in the Magistrate Judge’s Opinion & Order.

CONCLUSION

The Court ADOPTS Magistrate Judge Papak’s Opinion & Order [465]. Accordingly, Weider/Forman’s objections [466] are overruled.

IT IS SO ORDERED.

DATED this 12 day of October, 2017.


MARCO A. HERNÁNDEZ
United States District Judge