

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

JOHN WAYNE ZIDAR, et al.,

Defendants.

No. C00-823C

**ORDER GRANTING
RECEIVER'S MOTION FOR
ORDER DIRECTING
DISBURSEMENT OF FUNDS**

This matter came before the Court on the Receiver's December 5, 2011 Final Report, Notice of Compliance and Motion for Fees and Order Terminating Receivership.

As of the date of the report and motion, the Receiver had distributed a total of \$25,057,984.80, or 42.39 percent of each investor's pro rata loss. The Receiver confirmed that he had complied with the Court's May 4, 2011 Order, which required the Receiver to make a final monetary payment and wind up his work. Due to unclaimed payments and the additional recovery of assets, the Receiver now manages \$57,017.84.

The Court has considered the Receiver's motion for payment of fees and costs necessary to pay local counsel in Utah. The Receiver hired local counsel in order to obtain a monetary judgment against debtor James Haslem and to achieve a \$10,100.00 settlement payment. The

1 Receiver paid Utah counsel \$4,116.78 out of his own pocket. The Receiver has not been paid for
2 fees and costs since November 12, 2009, and the Court observes the fact that the Receiver has
3 not requested repayment for the entire fees and costs accrued since that November 2009
4 payment.

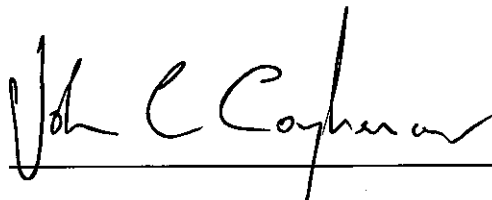
5 Based on the pleadings, declarations and records on file, the Court orders as follows:

6 IT IS ORDERED that the Court approves the Receiver's December 5, 2011 motion for
7 payment of fees and costs associated with hiring local Utah counsel in order to settle the
8 judgment against debtor James Haslem. The Receiver shall deduct and receive \$4,116.78 from
9 the funds under his management.

10 IT IS FURTHER ORDERED that consistent with the May 4, 2011 Court Order, the
11 Receiver shall transfer the remaining \$52,901.06 under his control to the U.S. Department of
12 Justice's Office for Victims of Crime.

13 IT IS FURTHER ORDERED that the Receiver's role in this case ceases upon the entry
14 of this order and his powers and duties shall be terminated.

15 DATED this 6th day of December 2011.
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24 Honorable John C. Coughenour
25 UNITED STATES DISTRICT JUDGE
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