

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

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

SMALL BUSINESS CAPITAL CORP.;
MARK FEATHERS; INVESTORS PRIME
FUND, LLC; and SBC PORTFOLIO
FUND, LLC,

Defendants.

Case No. CV12-03237

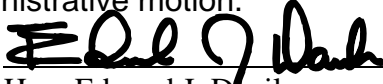
~~PROPOSED~~ ORDER GRANTING
EX PARTE APPLICATION FOR
RECONSIDERATION AND
CLARIFICATION OF AMENDED ORDER
RE: DEFENDANT'S PENDING
ADMINISTRATIVE MOTIONS [DOCKET
NO. 302]

Ctrm: 4, 5th Floor
Judge: Hon. Edward J. Davila

1 The Court having considered the Receiver's Ex Parte Application ("Application") for
2 Reconsideration and Clarification of This Court's Amended Order Re: Defendant's Pending
3 Administrative Motions [Docket No. 302] ("Order") of Thomas A. Seaman ("Receiver"),
4 Court-appointed receiver for Small Business Capital Corp., Investors Prime Fund, LLC,
5 SBC Portfolio Fund, LLC, and their subsidiaries and affiliates, and good cause appearing therefor,
6 hereby orders as follows:

- 7 1. The Application is granted;
- 8 2. The Order is hereby clarified and amended as follows:
- 9 (a) Mr. Feathers is required to apply to this Court before initiating a separate
10 legal action against the Receiver and must demonstrate good cause for such action.
- 11 (b) Any such action must be filed in this Court.
- 12 (c) any such request to initiate an action against the Receiver shall be made by noticed motion
pursuant to Civil Local Rule 7-2, not by administrative motion.

13 Dated: April 12, 2013



Hon. Edward J. Davila
Judge, United States District Court

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28