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7 Attorneys for Permanent Receiver
8 Thomas A. Seaman

9
10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 SECURITIES AND EXCHANGE
13 COMMISSION,

14 Plaintiff,

15 vs.

16 SMALL BUSINESS CAPITAL CORP.;
MARK FEATHERS; INVESTORS PRIME
17 FUND, LLC; and SBC PORTFOLIOS, LCC,

18 Defendants.

Case No. CV12-03237

**STIPULATION AND [PROPOSED]
ORDER:**

**(1) GRANTING RELIEF FROM CIVIL
L.R. 66-5 REQUIREMENT TO FILE LIST
OF CREDITORS;**

**(2) LIMITING NOTICE REQUIRED
UNDER CIVIL L.R. 66-6; AND**

**(3) GRANTING PERMISSION TO
RELEASE INVESTOR FUNDS RECEIVED
SHORTLY AFTER ENTRY OF THE TRO**

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

[Motion for Administrative Relief and
[Proposed] Order submitted concurrently
herewith]

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25 The parties to this action, plaintiff Securities and Exchange Commission, defendant Mark
26 Feathers, and Thomas Seaman ("Receiver"), by and through their respective counsel, do hereby
27 stipulate and agree to the following relief:

28 1) The Receiver is relieved of the L.R. 66-5 requirement to include "a list of all creditors,

1 their addresses and the amounts of their claims" in his reports. The Receiver shall
2 otherwise comply with the requirements of L.R. 66-5.

3 2) Notices of petitions for instructions, motions seeking approval of sales of receivership
4 assets, and Receiver reports shall be posted on the receivership website,
5 www.sbcapitalreceiver.com. The website shall allow investors and creditors to register to
6 receive e-mails when the website is updated. Notices by mail will be provided to
7 investors and creditors on written request. This notice will be deemed sufficient and
8 proper service of all notices required under L.R. 66-6(a), (c), and (d).

9 3) The Receiver is permitted to return funds received after entry of the Temporary
10 Restraining Order, in the amount of \$45,000, to Yi Qun Zhou.

11 **RESPECTFULLY SUBMITTED:**

12 Dated: August 21, 2012

SECURITIES AND EXCHANGE
COMMISSION

13
14 By: John B. Bulgozdy
15 JOHN B. BULGOZDY
Senior Trial Counsel

16 Dated: August __, 2012

BRAUNHAGEY & BORDEN LLP

17
18 By: _____
19 MARK P. FICKES
Attorneys for Defendant Mark Feathers

20 Dated: August __, 2012

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

21
22 By: _____
23 TED FATES
Attorneys for Permanent Receiver
Thomas A. Seaman

24
25 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

26 Dated: _____

Hon. Edward J. Davila
Judge of the United States District Court,
Northern District of California

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15 JOHN BULGOZDY
Senior Trial Counsel

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BRAUNHAGEY & BORDEN LLP

17 By: Mark P. Fickes
18 MARK P. FICKES
19 Attorneys for Defendant Mark Feathers

20 Dated: August __, 2012

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24 Thomas A. Seaman

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Senior Trial Counsel

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BRAUNHAGEY & BORDEN LLP

18 By: _____
19 MARK P. FICKES
Attorneys for Defendant Mark Feathers

20 Dated: August 21, 2012

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

22 By: _____ /s/ Ted Fates
23 TED FATES
Attorneys for Permanent Receiver
Thomas A. Seaman

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