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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 WESTERN DIVISION

11 SECURITIES AND EXCHANGE
12 COMMISSION,

13 Plaintiff,

14 v.

15 RICHARD VU NGUYEN, A/K/A
16 NGUYEN THANH VU, AND NTV
FINANCIAL GROUP, INC.,

17 Defendants.
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Case No.: 8:19-cv-01174-SVW-KES

Assigned to: Hon. Stephen V. Wilson

**ORDER GRANTING AMENDED
MOTION OF RECEIVER FOR
ORDER AUTHORIZING THE
RECEIVER TO DISTRIBUTE
FUNDS ON HAND AND FOR
RELATED RELIEF**

**[Memorandum of Points and
Authorities and Declarations of
Jeffrey Brandlin and Kyra
Andrassy in Support Filed
Concurrently]**

Date: April 15, 2024

Time: 1:30 p.m.

Ctrm: 10A

22 At the above date and time, the Court held a hearing on the *Amended*
23 *Motion of Receiver for Order Authorizing the Receiver to Distribute Funds on*
24 *Hand and for Related Relief* (the “Motion”). Appearances were as set forth on
25 the record. For the reasons set forth in the Motion and supporting declarations
26 and as set forth on the record,

27 **IT IS ORDERED AS FOLLOWS:**
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1 (1) The Motion is granted;

2 (2) A constructive trust is imposed over the assets of the Receivership
3 Estate for the benefit of the investors in the Receivership Entity;¹

4 (3) Any unsecured creditor claims against the Receivership Estate are
5 subordinated to the claims of the investors against the Receivership Estate;

6 (4) The Receiver is authorized to make a distribution of \$716,988.18
7 from the *res* of the constructive trust to the non-insider investors who timely filed
8 claims with the Receiver, utilizing the rising tide methodology, as set forth in
9 detail in Exhibit "1" to the Motion;

10 (5) The Receiver is authorized to reserve \$13,689.33 from the cash on
11 hand and to use the \$26,810.67 net amount due from Michelle Nguyen to pay
12 fees and costs in an amount not to exceed \$22,500 for the Receiver and \$18,000
13 for his counsel for their fees and costs incurred from August 22, 2023, through
14 the conclusion of this case, with any portion of those set asides not used to pay
15 fees and costs to be distributed to investors in the same manner used in this
16 Motion, and any fees and costs in excess of those amounts to be written off;

17 (6) The consolidation of multiple accounts held for the benefit of a
18 single investor is approved;

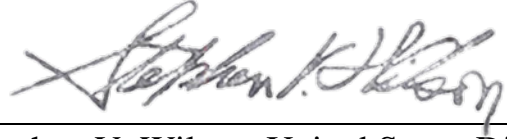
19 (7) The Receiver's employment of Raines Feldman Littrell LLP as the
20 Receiver's counsel effective January 16, 2024, is approved; and

21 (8) The Receiver shall be discharged and his bond exonerated upon his
22 filing of a Notice of Discharge of Receiver and Exoneration of Bond, which he
23 shall file after the distributions authorized hereto clear the Receiver's accounts
24 and payments to the Receiver and his professionals are made. Pending that
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27 ¹ Capitalized terms not otherwise defined in this Order shall have the same
28 meaning as in the Motion.

1 discharge, the Receiver shall file semi-annual status reports with the Court.

2 Dated: October 2, 2024

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4 Stephen V. Wilson, United States District
5 Judge