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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10 **SOUTHERN DIVISION**

11 SECURITIES AND EXCHANGE  
12 COMMISSION,

13 Plaintiff,

14 v.

15 JUSTIN ROBERT KING AND  
16 ELEVATE INVESTMENTS, LLC,

17 Defendants.  
18

Case No.: SACV20-02398-  
JVS(DFMx)

**ORDER GRANTING MOTION  
OF RECEIVER TO ALLOW  
CLAIMS AND TO MAKE AN  
INTERIM DISTRIBUTION [112]**

Date: September 23, 2024  
Time: 1:30 p.m.  
Dept: 10C, 411 W. Fourth St.  
Santa Ana, CA 92701

19 At the above date and time, the Court held a hearing on the *Motion of*  
20 *Receiver to Allow Claims and to Make an Interim Distribution* (the “Motion”)  
21 filed by Jeffrey E. Brandlin, the receiver (“Receiver”) for Elevate Investments,  
22 LLC. Appearances were as noted on the record. For the reasons set forth in the  
23 Motion and the Court having found that notice of the Motion was proper and that  
24 cause exists to grant the relief sought in the Motion, and there being no  
25 opposition,

26 **IT IS ORDERED AS FOLLOWS:**

27 (1) The Motion is granted;  
28

1 (2) The claims identified on Exhibit “3” to the Motion are allowed as  
2 claims against the Receivership Estate in the amounts set forth on Exhibit “3”;

3 (3) A constructive trust is imposed against the assets of the  
4 Receivership Estate for the sole benefit of investors, with any creditor claims  
5 subordinated to the investor claims identified on Exhibit “3”;

6 (4) For purposes of calculating the allowed amount of claims, the Court  
7 authorizes the consolidated treatment of claims 8, 11, and 18 as reflected on  
8 Exhibit “3” because they are (i) investments and distributions made by or to two  
9 individuals and companies owned by those individuals or (ii) an individual and  
10 her revocable trust; and

11 (5) The Receiver is authorized to make a distribution of \$1.4 million to  
12 the investor claimants identified on Exhibit “3” utilizing the rising tide  
13 methodology.

14 **IT IS SO ORDERED.**

15 Dated: September 20, 2024



James V. Selna, United States District  
Judge