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Bellann Raile

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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

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11 GENERAL ELECTRIC CAPITAL  
CORPORATION; CEF FUNDING II, L.L.C.  
12 and CEF FUNDING V, LLC,

13 Plaintiffs,

14 v.

15 TEN FORWARD DINING, INC.; et al.

16 Defendants.

Case No. 2:09-cv-03296-JAM-AC

**ORDER GRANTING MOTION OF  
BELLANN RAILE, RECEIVER, FOR  
APPROVAL OF FINAL ACCOUNT AND  
REPORT OF RECEIVER, FOR  
APPROVAL OF RECEIVER'S FEES  
AND ATTORNEY'S FEES FOR  
RECEIVER'S COUNSEL, FOR  
EXONERATION OF RECEIVER'S  
BOND AND FOR APPROVAL OF  
RECEIVER'S ACTIONS**

Date: May 21, 2014

Time: 9:00 a.m.

Courtroom: 6 - Judge Mendez

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23 The motion of Bellann Raile, Receiver, for an order approving the Final Report  
24 and Accounting of Bellann Raile, Receiver has been regularly set for hearing on May 21, 2014, in  
25 Department 6 of the above entitled Court, The Honorable John A. Mendez, Judge presiding.

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27 The Court, having reviewed the pleadings in support of the motion, the records on  
28 file herein, having noted that no opposition to the Receiver's Motion or her Final Account has

1 been filed, and having further noted that all parties, through legal counsel have approved a  
2 proposed form of order submitted by the Receiver in connection with the Motion, and good cause  
3 appearing,

4 **IT IS HEREBY ORDERED** that:

5 1. The Final Report and Accounting of Bellann Raile, Receiver, is approved,  
6 including, without limitation, all fees and expenses of the Receivership Estate reported therein;

7 2. Receiver's fees and expenses in the sum of \$29,292.70 are approved as  
8 previously paid from the Receivership Estate account, and an additional \$8,820.00 for the  
9 Receiver's fees that remain unpaid are hereby approved to be paid from the Receivership Estate  
10 account, subject to Paragraph 4 of this Order below;

11 3. Attorney's fees previously paid by the Receiver to her counsel in the amount  
12 of \$7,066.25 are hereby approved and, remaining attorney's fees of \$11,300.00 are approved and  
13 may be paid from the Receivership Estate, subject to Paragraph 4 of this Order below;

14 4. The Receiver's accounting shows that she holds in the Receivership Estate the  
15 sum of approximately \$42,338.96 in excess of monies necessary to pay all expenses and fees  
16 incurred by the Receivership Estate, save and except for the remaining professional fees of  
17 Receiver's attorney, and unpaid Receiver's fees. Pursuant to an agreement reached by defendant  
18 Kobra Restaurant Properties, LLC and the Receiver, the Receiver shall disburse to Kobra  
19 Restaurant Properties, LLC the sum of **\$25,250.00** from Receivership Estate assets in the form of  
20 check payable to "Law Office of Saied Kashani" and in no other manner. The balance of the  
21 monies in the Receivership Estate account shall be disbursed by the Receiver for the payment of  
22 Receiver's fees and attorney's fees for Receiver's counsel in a manner to be determined by the  
23 Receiver and her attorney.

24 **IT IS FURTHER ORDERED** that all the actions taken and decisions rendered by  
25 the Receiver in administering the receivership estate in this proceeding are approved as being  
26 consistent with the powers and duties assigned to the Receiver by this Court's Orders.

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**IT IS FURTHER ORDERED** that the Receiver is discharged from her duties as Receiver, and her bond is exonerated.

Dated: May 22, 2014

/s/ JOHN A. MENDEZ  
Judge Mendez  
United States District Court Judge

APPROVED AS TO FORM AND CONTENT:

/s/ Saied Kashani  
Saied Kashani, attorney for  
Kobra Restaurant Properties, LLC

KUTAK ROCK LLP

/s/ Lisa M. Peters  
Lisa M. Peters,  
attorneys for Plaintiffs

BELZER & MURRAY, LLP

/s/ Bruce Cornelius  
Bruce Cornelius, of Counsel, Attorneys for  
Bellann Raile, Receiver