

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

SECURITIES AND EXCHANGE COMMISSION,)
)
Plaintiff,)
)
v.) Case No. 07-cv-10712-RGS
)
LYDIA CAPITAL, LLC;)
GLENN MANTERFIELD, and)
EVAN ANDERSEN,)
)
Defendants.)

**RECEIVER'S NOTICE TO THE COURT OF CLOSING ON CONDOMINIUM
AND RECEIPT OF PROCEEDS FROM SALE**

COMES NOW, H. Thomas Moran, II, Court-Appointed Receiver for Defendant Lydia Capital, LLC (the "Receiver"), in the above-entitled cause, and hereby notifies the Court that the Receiver has closed on the sale of the Condominium, previously owned by Defendant Evan Andersen, and is in receipt of proceeds from the sale in the total amount of \$549,162.94.

On September 12, 2008, the Court entered a Final Order finding that Defendant Evan Andersen was liable for disgorgement of \$2,527,089.00 which included principal of \$2,350,000.00 and pre-judgment interest of \$177,089.00 [Doc Nos. 183-2, 184 at 3]. Based upon Andersen's Statement of Financial Condition, however, the Court ordered Andersen to pay \$1,800,000.00: \$1,124,000.00 in cash and "\$676,000.00 . . . by transferring free and clear title to real property located at 43 Winter Street, Apartment No. 6, Boston, MA 02108" (the "Condominium") to the Lydia Capital Alternative Investment Fund LP (the "Fund"). [*Id.* at 3-4.] In compliance with the Court's Order, Defendant Andersen transferred clear title to the Condominium to the Fund.

On January 19, 2009, the Receiver submitted to the Court, Receiver's Motion for an Order Approving Sale of Condominium and Brief in Support [Doc No. 204], seeking to liquidate the Condominium for the benefit of the long-term interests of the investors in the Fund. The negotiated sale price for the Condominium was \$555,000.00.

On January 26, 2009, the Court entered an Order granting the Receiver's Motion for an Order Approving Sale of Condominium [Doc No. 206]. The Order provided that the Receiver was "authorized to enter into the Purchase and Sale Agreement attached as Exhibit 1 to his Motion, and is directed to take all steps necessary to implement and effectuate the compromise and settlement." [*Id.*]

In performance of his duties, the Receiver closed on the sale of the Condominium on February 18, 2009. As a result of the sale of the Condominium, the Receiver is in receipt of proceeds from the sale in the total amount of \$549,162.94. This amount represents the total sale price of \$555,000.00, less closing costs, recording fees and pro-rated property taxes.

WHEREFORE, the Receiver hereby submits this Notice to the Court of the closing on the sale of the Condominium, and the receipt of proceeds from the sale.

Dated: February 27, 2009

Respectfully submitted,

/s/ Melvin R. McVay, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of February, 2009, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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/s/ Melvin R. McVay, Jr.
