

**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.	)	

**APPLICATION FOR ORDER (A) SETTING HEARING ON RECEIVER'S  
MOTION TO APPROVE SETTLEMENT AGREEMENTS, (B) PROVIDING FOR  
NOTICE TO INTERESTED PARTIES, AND (C) SETTING TIME  
PERIOD FOR FILING WRITTEN OBJECTIONS**

COMES NOW, H. Thomas Moran, II, Court Appointed Receiver for Defendant Lydia Capital, LLC ("Receiver") in the above-entitled cause, and respectfully submits this Application for an Order (A) Setting Hearing on Receiver's Motion to Approve Settlement Agreements, (B) Providing for Notice to Interested Parties, and (C) Setting Time Period for Filing Written Objections. In support of this Motion, the Receiver respectfully shows the Court as follows:

1. The Receiver filed his Motion for an Order (A) Authorizing the Receiver to Settle Claims Pertaining to Certain Life Insurance Policies, (B) Approving Settlement Agreements, (C) Authorizing the Receiver to Take the Necessary Actions to Effect the Proposed Settlements and (D) Granting Related Relief (the "Settlement Motion").

2. The Receiver respectfully requests that the Settlement Motion be set for hearing after an opportunity for all interested parties to receive notice of the hearing date and time, and after an opportunity for interested parties to file written objections to the Settlement Motion.

3. The Receiver proposes that the deadline for filing written objections to the Settlement Motion be ten business days prior to the hearing on the Settlement Motion.

4. The Receiver has provided a copy of the Settlement Motion, along with a copy the proposed Settlement Order, to: (1) the SEC; (2) Defendant Evan Anderson; (3) Defendant Glenn Manterfield; (4) the investors in Lydia and/or the Lydia Capital Alternative Investment Fund LP (the "Fund"); (5) those creditors of Lydia and/or the Fund the Receiver is aware of; and (6) those parties who received payments from Lydia and/or the Fund in connection with the Disputed Policies that the Receiver is aware of. Additionally, the Receiver states that he will notify the above-listed parties of the date and time set by this Court for hearing on the Settlement Motion by providing them with a copy of the Order entered by the Court on this Motion.

5. A Proposed Order is attached hereto as Exhibit 1.

**WHEREFORE**, premises considered, the Receiver respectfully requests the Court grant this Application and enter an Order (A) Setting Hearing on Receiver's Motion to Approve Settlement Agreements, (B) Providing for Notice to Interested Parties, and (C) Setting Time Period for Filing Written Objections.

Dated: June 17, 2009

Respectfully submitted,

/s/ Melvin R. McVay, Jr.

Melvin R. McVay, Jr. (admitted *pro hac vice*)

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*Attorney for H. Thomas Moran, II, Court-Appointed  
Receiver for Lydia Capital, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 17<sup>th</sup> day of June 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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*Pro Se*

/s/ Melvin R. McVay, Jr.

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SECURITIES AND EXCHANGE COMMISSION,	)	
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PERIOD FOR FILING WRITTEN OBJECTIONS**

Now before the Court is the Application [Doc No. \_\_\_\_] of H. Thomas Moran, II, Court Appointed Receiver for Defendant Lydia Capital, LLC, for an Order (A) Setting Hearing on Receiver's Motion to Approve Settlement Agreements, (B) Providing for Notice to Interested Parties, and (C) Setting Time Period for Filing Written Objections. Upon review of the Receiver's Application, and for good cause shown, the Court finds that the Application should be, and is hereby granted.

A hearing on the Receiver Motion for an Order (A) Authorizing the Receiver to Settle Claims Pertaining to Certain Life Insurance Policies, (B) Approving Settlement Agreements, (C) Authorizing the Receiver to Take the Necessary Actions to Effect the Proposed Settlements, and (D) Granting Related Relief (the "Settlement Motion") shall be held on the \_\_\_\_\_ day of \_\_\_\_\_, 2009 at \_\_\_\_ p.m. (prevailing Eastern Time), at which time the Court will consider approval of the Settlement Motion.

The Receiver is directed to provide a copy of the Settlement Motion, a copy of the proposed Settlement Order and a Copy of this Order to: (1) the SEC; (2) Defendant Evan Anderson; (3) Defendant Glenn Manterfield; (4) the investors in Lydia and/or the Lydia Capital Alternative Investment Fund LP (the "Fund"); (5) those creditors of Lydia and/or the Fund the Receiver is aware of; and (6) those parties who received payments from Lydia and/or the Fund in connection with the Disputed Policies that the Receiver is aware of.

The deadline for submitting written objections to the Settlement Motion and the relief requested therein shall be \_\_\_\_\_ (the "Objection Deadline").

Any person or entity filing a written objection to the Settlement Motion shall also serve a copy of said objection upon (a) Phillips Murrah P.C., counsel to the Receiver, Corporate Tower, 101 N. Robinson, 13<sup>th</sup> Floor, Oklahoma City, Oklahoma 73102, Attention Melvin R. McVay; (b) the SEC, c/o Silvestre A. Fontes, 33 Arch Street, 23<sup>rd</sup> Floor, Boston, Massachusetts 02110-1424; (c) Defendant Evan Anderson c/o Mauro M. Wolfe, Dickstein Shapiro LLP 1177 Avenue of the Americas, 3<sup>rd</sup> Floor, New York, New York 10036; and (d) Defendant Glenn Manterfield, 36 Fossdale Road, Sheffield S7 2DA, United Kingdom, so as to be received no later than 4:00 p.m. (prevailing Eastern Time) on the Objection Deadline.

IT IS SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2009.

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Richard G. Stearns  
UNITED STATES DISTRICT JUDGE