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Subject: Activity in Case 1:07-cv-10712-RGS Securities and Exchange Commission v. Lydia Capital, LLC et al
Order on Motion for Order

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United States District Court

District of Massachusetts

Notice of Electronic Filing

The following transaction was entered on 5/7/2010 at 9:38 AM EDT and filed on 5/7/2010

Case Name: Securities and Exchange Commission v. Lydia Capital, LLC et al

Case Number: 1:07-cv-10712-RGS

Filer:

Document Number: No document attached

Docket Text:

Judge Richard G. Stearns: ELECTRONIC ORDER entered granting [285] Motion for Order. The deadline for submitting written objections to the Receiver's motion and Brief in Support for an Order (A) Authorizing the Receiver to Settle Claim Pertaining to Certain Life Insurance Policy, (B) Approving Settlement Agreement, (C) Authorizing the Receiver to Take the Necessary Actions to Effect the Proposed Settlement, and (D) Granting Related Relief (filed on April 30, 2010) is May 18, 2010. The Receiver is directed to provide a copy of this Order to all parties identified in his proposed order, at docket # 285-1. (Tyler, Rebecca)

1:07-cv-10712-RGS Notice has been electronically mailed to:

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5/10/2010

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1:07-cv-10712-RGS Notice will not be electronically mailed to:

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 SETTING TIME PERIOD FOR FILING WRITTEN
OBJECTIONS AND PROVIDING NOTICE TO INTERESTED PARTIES**

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 Order Setting Time Period for Filing Written Objections and Providing Notice to Interested Parties. In support of this Application, the Receiver respectfully shows the Court as follows:

1. On April 30, 2010, the Receiver filed his Motion and Brief in Support for an Order (A) Authorizing the Receiver to Settle Claim Pertaining to Certain Life Insurance Policy, (B) Approving Settlement Agreement, (C) Authorizing the Receiver to Take the Necessary Actions to Effect the Proposed Settlement, and (D) Granting Related Relief (the "Settlement Motion"). [Doc. No. 280.]

2. The Receiver respectfully requests that the Court set a time period allowing for interested parties to file written objections to the Settlement Motion.

3. The Receiver has provided a copy of the Settlement Motion, along with a copy of the proposed Settlement Order, to: (1) the SEC; (2) Defendant Evan Andersen; (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 Gisonni Policy of which 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 filing written objections by providing them with a copy of the Order entered by the Court on the present Application.

4. Following the expiration of the time period for filing written objections, the Receiver respectfully requests the Court enter the Settlement Order proposed by Receiver, and attached as Exhibit 2 to the Settlement 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 Setting Time Period for Filing Written Objections and Providing Notice to Interested Parties.

Dated: May 6, 2010

Respectfully submitted,

/s/ Melvin R. McVay, Jr.

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Attorneys for H. Thomas Moran, II,

Court-Appointed Receiver for Lydia Capital, LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of May, 2010, 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.

Exhibit 1

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.)	
)	

**ORDER SETTING TIME PERIOD FOR FILING WRITTEN OBJECTIONS
AND PROVIDING NOTICE TO INTERESTED PARTIES**

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 Setting Time Period for Filing Written Objections and Providing Notice to Interested Parties. Upon review of the Receiver's Application, and for good cause shown, the Court finds that the Application should be, and is hereby granted.

The deadline for submitting written objections to the Receiver's Motion and Brief in Support for an Order (A) Authorizing the Receiver to Settle Claim Pertaining to Certain Life Insurance Policy, (B) Approving Settlement Agreement, (C) Authorizing the Receiver to Take the Necessary Actions to Effect the Proposed Settlement, and (D) Granting Related Relief, and the relief requested therein, shall be the ____ day of _____, 2010 (the "Objection Deadline").

The Receiver is directed to provide a copy of this Order to: (1) the SEC; (2) Defendant Evan Andersen; (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 Gisonni Policy of which the Receiver is aware of.

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, 13th Floor, Oklahoma City, Oklahoma 73102, Attn: Melvin R. McVay, Jr.; (b) the SEC, c/o Deena Bernstein, 33 Arch Street, 23rd Floor, Boston, Massachusetts 02110-1424; (c) Defendant Evan Andersen c/o Mauro M. Wolfe, Dickstein Shapiro LLP, 1177 Avenue of the Americas, 3rd 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 _____, 2010.

RICHARD G. STEARNS,
UNITED STATES DISTRICT JUDGE