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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 USACM LIQUIDATING TRUST,

Civil Action No. 2:08-cv-01276-KJD-RJJ

11 Plaintiff,

12 v.

Date: April 21, 2009
Time: 9:00 a.m.
Judge: Hon. Kent J. Dawson

13 PLACER COUNTY LAND
14 SPECULATORS, LLC, aka PLACER
COUNTY LAND INVESTORS, LLC; et
al,

15 Defendants

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17 **NOTICE OF HEARING ON VERIFIED MOTION OF RECEIVER**
FOR AN ORDER AUTHORIZING RECEIVER TO BORROW
18 **MONEY AND ISSUE RECEIVER CERTIFICATES**

19 Notice is given that the Motion of Receiver for an Order Authorizing Receiver to Borrow
20 Money and Issue Receiver Certificates filed by Elli M. A. Mills, the Court Appointed Receiver
21 herein (the "Motion") will come on for hearing at the United States District Court, 333 Las Vegas
22 Blvd. South, Las Vegas, NV 89101 on April 21, 2009 at 9:00 a.m., or as soon thereafter as the
23 matter may be heard.

24 A copy of the Motion is available without charge from the website of USACM
25 Liquidating Trust (<http://usacmcucc.bmcgroup.com>) or from the undersigned. In addition, copies
26 of the report can be obtained at the receiver's counsel's website, www.ffwplaw.com, by clicking
27 on the "Cases" link, entering the email address at the login prompt of cases@ffwplaw.com, and
28 the password, "password" then clicking on the Placer Vineyards folder.

1 In summary, the motion requests the following relief:

2 The Receiver seeks Court authority authorizing him to borrow \$250,000 and issue
3 Receiver Certificates for such borrowing. The Receiver has contacted several potential sources
4 for the borrowing, including the Owners. The most favorable proposal came from Encore Pacific
5 Managers (“Encore”) located in Santa Monica, California. The terms of the proposed financing,
6 for which the Receiver seeks approval by the motion, are contained in Exhibit A to the motion.
7 To summarize, Encore will loan the receivership estate \$250,000 secured by a first deed of trust
8 on the property at 10 percent interest due and payable in 18 months. The points payable at
9 closing are 2.5 and the estimated closing costs are \$3,500. There is no prepayment penalty and
10 there will be an interest reserve to make monthly interest payments during the term of the loan.
11 Further details regarding the terms are set forth in Exhibit A to the motion served with this notice.

12 Any opposition to the Motion must be filed pursuant to Local Rule 7-2(b).

13 NOTICE IS FURTHER GIVEN that if you do not want the Court to grant the relief
14 sought in the Motion, or if you want the court to consider your views on the Motion, then you
15 must file an opposition with the Court, and serve a copy on the undersigned *no later than 15 days*
16 after service of this Notice. Failure to file a timely response may be deemed a consent to the
17 relief requested in the Motion.

18 Dated: March 26, 2009

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FELDERSTEIN FITZGERALD
WILLOUGHBY & PASCUZZI LLP

By: /s/ Paul J. Pascuzzi
PAUL J. PASCUZZI
Attorneys for Elli M. A. Mills, Receiver