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 11 FITZGERALD, HEATHER A. BELL

12 UNITED STATES DISTRICT COURT
 13 CENTRAL DISTRICT OF CALIFORNIA
 14 WESTERN DIVISION

15
 16 SECURITIES AND EXCHANGE
 17 COMMISSION,

18 Plaintiff,

19 v.

20 DIVERSIFIED LENDING GROUP, INC.;
 21 APPLIED EQUITIES, INC.; and BRUCE
 FRIEDMAN,

22 Defendants.

23 and

24 TINA M. PLACOURAKIS,

25 Relief Defendant.

Case No. CV 09-01533-R-JEMx

**ORDER FINDING KRAIG S.
 IVIE, SEAN P. FITZGERALD,
 ESQ., AND HEATHER A.
 BELL, ESQ. NOT TO BE IN
 CONTEMPT OF THE
 COURT'S PRIOR ORDER OF
 MARCH 30, 2009**

Date: November 16, 2009
 Time: 11:00 a.m.
 Location: Courtroom 8
 312 North Spring Street
 Los Angeles, California

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[PROPOSED] ORDER

On November 16, 2009 at 11:00 a.m., in Courtroom 8, the Court held a hearing pursuant to its *Order to Show Cause Why Kraig S. Ivie, Sean P. Fitzgerald, Esq., and Heather A. Bell, Esq., Should Not be Held in Contempt and Assessed Sanctions for Failure to Obey Order Entered March 30, 2009.*

George E. Schulman appeared for the Receiver. Charles E. Patterson and Sean P. Fitzgerald appeared for Mr. Ivie, Mr. Fitzgerald, and Ms. Bell. Kraig S. Ivie was also present.

The Court found Mr. Ivie subject to the Court’s Order of March 30, 2009, which prohibits “commencing, prosecuting, continuing or enforcing any suit or proceeding” against Diversified Lending Group, Inc. (“DLG”), Applied Equities, Inc., and Bruce Friedman, and their subsidiaries and affiliates.

The Court also found that Mr. Ivie and his attorneys, Mr. Fitzgerald and Ms. Bell, filing a complaint against defendant DLG in the Western District of Michigan on August 13, 2009, was not consistent with the Court’s Order of March 30, 2009.

The Court further found Mr. Ivie, Mr. Fitzgerald, and Ms. Bell acted in good faith, based in part on the experience of Ms. Bell in similar circumstances, and the proceedings in *Markowitz v. DLG, 09-CV-00483*.

The Court therefore found Kraig S. Ivie, Sean P. Fitzgerald, and Heather A. Bell were not in contempt of the Court’s Order of March 30, 2009.

Date: November 19, 2009



MANUEL L. REAL
United States District Judge