

MANNING CURTIS BRADSHAW
& BEDNAR LLC

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Court-Appointed Receiver

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF UTAH

U.S. COMMODITY FUTURES
TRADING COMMISSION,

Plaintiff,

v.

U.S. VENTURES LC, a Utah limited liability
company, WINSOME INVESTMENT
TRUST, an unincorporated Texas entity,
ROBERT J. ANDRES and ROBERT L.
HOLLOWAY,

Defendants.

**THE RECEIVER'S SEVENTH
MOTION FOR PERMISSION
TO FINALIZE SETTLEMENT
AGREEMENTS**

Case No. 2:11CV00099 BSJ

Judge Bruce S. Jenkins

R. Wayne Klein, the Court-Appointed Receiver¹ (the "Receiver"), by and through his
counsel of record, hereby notifies the Court that he has entered into three additional preliminary

¹ The Receiver has been appointed over U.S. Ventures LC ("USV"), Winsome Investment Trust ("Winsome"), and all the assets of Robert J. Andres ("Andres") and Robert L. Holloway ("Holloway").

settlement agreements of lawsuits he has filed. Pursuant to the first settlement, Elgin Clemons and his wife, Tracy Hollingsworth, have agreed to sell their home and give the majority of the net proceeds to the Receiver. This will result in as much as \$400,000.00 being returned to the Receivership Estate. In the second settlement, John and Annette Bassett have agreed to return \$13,000.00 of the approximately \$18,000.00 they were overpaid. In the third agreement, Kenneth Bussa has demonstrated a financial inability to pay a judgment and the Receiver proposes to dismiss the lawsuit against him. The Receiver moves for Court approval to finalize these settlements.

This motion is brought pursuant to Paragraphs 1 and 27 of the Order Granting Plaintiff's Ex Parte Motion for Statutory Restraining Order, Expedited Discovery, Accounting, Order to Show Cause re Preliminary Injunction and Other Equitable Relief (the "Receivership Order"). (Doc. #15). Paragraph 1 of the Receivership Order vests the Court with jurisdiction over the parties and the subject matter of the receivership. Paragraph 27(i) of the Receivership Order authorizes the Receiver to initiate, defend, or compromise any actions or proceedings necessary to increase the assets of the receivership entities and to recovery payments made improperly by the Defendants.

The Receiver believes these settlements are fair, reasonable, and in the best interests of the investors who provided money to US Ventures and Winsome. A memorandum in support is being filed contemporaneously herewith.

DATED this 13th day of September, 2012.

MANNING CURTIS BRADSHAW
& BEDNAR, LLC

/s/ David C. Castleberry

David C. Castleberry

Aaron C. Garrett

*Attorneys for R. Wayne Klein, Court-Appointed
Receiver*

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **RECEIVER'S SEVENTH MOTION FOR PERMISSION TO FINALIZE SETTLEMENT AGREEMENTS** to be served in the method indicated below to the Defendant in this action this 13th day of September, 2012.

- VIA FACSIMILE
- VIA HAND DELIVERY
- VIA U.S. MAIL
- VIA FEDERAL EXPRESS
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