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11 Attorneys for Receiver
12 THOMAS A. SEAMAN

13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA
15 SOUTHERN DIVISION

16 SECURITIES AND EXCHANGE
COMMISSION,

17 Plaintiff,

18 v.

19 EMILIO FRANCISCO; PDC CAPITAL
GROUP, LLC; CAFFE PRIMO
INTERNATIONAL, INC.; SAL
20 ASSISTED LIVING, LP; SAL
CARMICHAEL, LP; SAL CITRUS
21 HEIGHTS, LP; SAL KERN
CANYON, LP; SAL PHOENIX, LP;
22 SAL WESTGATE, LP;
SUMMERPLACE AT SARASOTA, LP;
23 SUMMERPLACE AT
CLEARWATER, LP; SUMMERPLACE
24 AT CORRELL PALMS, LP; TRC
TUCSON, LP; CLEAR CURRENTS
25 WEST, LP; CAFFE PRIMO
MANAGEMENT, LP; CAFFE PRIMO
26 MANAGEMENT 102, LP; et al.,

27 Defendants.
28

Case No. 8:16-cv-02257-CJC-DFM

**REQUEST FOR JUDICIAL NOTICE
IN SUPPORT OF MOTION OF
RECEIVER, THOMAS A. SEAMAN,
FOR ORDER APPROVING:
(1) SALE OF SARASOTA
PROPERTY; AND (2) OVERBID
PROCEDURES**

Date: December 4, 2017
Time: 1:30 p.m.
Ctrm: 9B, 9th Floor
Judge: Hon. Cormac J. Carney

1 In accordance with Rule 201 of the Federal Rules of Evidence, Thomas A.
2 Seaman ("Receiver"), the Court-appointed receiver for the Receivership Entities,¹
3 respectfully requests this Court take judicial notice of the documents referenced
4 below in support of the Receiver's Motion for an Order Approving the Sale of the
5 Sarasota Property.

6 **Exhibit 1:** July 24, 2017, Declaration of John B. Bulgozdy in Opposition to
7 MCC U.S., Inc.'s Motion for Orders and Relief From Stay [Dkt. No. 85-1], filed in
8 the matter entitled *Securities and Exchange Commission v. Emilio Francisco, et al.*,
9 before the United States District Court, Central District of California, Case
10 No. 8:16-cv-02257-CJC-DFM.

11 **Exhibit 2:** July 24, 2017, Receiver's Opposition to MCC U.S., Inc.'s Motion
12 for Orders and Relief From Stay [Dkt. No. 88], filed in the matter entitled *Securities*
13 *and Exchange Commission v. Emilio Francisco, et al.*, before the United States
14 District Court, Central District of California, Case No. 8:16-cv-02257-CJC-DFM.

17 ¹ As used herein, "Receivership Entities" refers to the following specifically named entities:
18 PDC Capital Group, LLC; Caffe Primo International, Inc.; SAL Assisted Living, LP; SAL
19 Carmichael, LP; SAL Citrus Heights, LP; SAL Kern Canyon, LP; SAL Phoenix, LP; SAL
20 Westgate, LP; Summerplace at Sarasota, LP; Summerplace at Clearwater, LP; Summerplace at
21 Correll Palms, LP; TRC Tucson, LP; Clear Currents West, LP; Caffe Primo Management, LP;
22 Caffe Primo Management 102, LP through Caffe Primo Management 108, LP (collectively,
23 "**Named Entities**"); and their subsidiaries and affiliates Summerplace Management, LLC;
24 PDC Partners Management, Inc.; FDC Partners Management, Inc.; KPF Capital, LLC;
25 FDC Capital Partners, LLC; MSL US Fund I, LLC; MPoint Land & Development, Inc.;
26 Woodcrest Construction Management, Inc.; Professional Loading Service, LLLP;
27 WDC Capital Group, LLC; WDC Capital Partners, LLC; KPF Investment Management, Inc.;
28 Meridian Summerplace at Snug Harbor, LLC; Meridian Summerplace at Snug Harbor, LP;
Summerplace at Correll Palms, LLC; Summerplace at Correll Palms, LP; Summerplace at
Winter Haven, LLC; Summerplace at Winter Haven, LP; Summerplace at Sun City, LLC;
Summerplace at Sun City, LP; Meridian at Sun City, LLC; Summerplace at Orlando-
Summerfield, LLC; Summerplace at Orlando-Summerfield, LP; Summerplace at
Kissimmee, LLC; Summerplace at Kissimmee, LP; Summerplace at Merced, LLC;
Summerplace at Merced, LP; SAL-PDC, LLC; SLALMC, LLC; SAL Lincoln Village, IL;
Lincoln Village IL, LLC; Lincoln Village IL, LP; Lincoln Village SNF, LLC; Lincoln
Village SNF, LP; FCM Development Group, LLC; ADC Capital Group, LLC; NCDC Capital
Partners, LLC; Summerplace at Bonney Lake MC, LLC; Summerplace at Bonney
Lake MC, LP; Summerplace Management, LLC; Summerplace Development, LLC; Defiance
Charters, LLC; and Red Sunshine Holdings, Ltd. (collectively, "**Affiliated Entities**").

1 **Exhibit 3:** July 24, 2017, Declaration of Thomas A. Seaman in Support of
2 Receiver's Opposition to MCC U.S., Inc.'s Motion for Relief From Stay [Dkt.
3 No. 89], filed in the matter entitled *Securities and Exchange Commission v. Emilio*
4 *Francisco, et al.*, before the United States District Court, Central District of
5 California, Case No. 8:16-cv-02257-CJC-DFM.

6 **Exhibit 4:** July 24, 2017, Declaration of Lisa S. Lim in Support of
7 Opposition and Objections by MCC U.S., Inc. to Receiver's Motion for Order
8 Authorizing the Receiver to Market Receivership Assets, Establish Sale Procedures
9 and Engage Brokers [Dkt. No. 92-1, 92-3 thru 92-9], filed in the matter entitled
10 *Securities and Exchange Commission v. Emilio Francisco, et al.*, before the United
11 States District Court, Central District of California, Case
12 No. 8:16-cv-02257-CJC-DFM.

13 Dated: October 11, 2017

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

By: /s/ Edward Fates

EDWARD G. FATES
Attorneys for Receiver
THOMAS A. SEAMAN

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