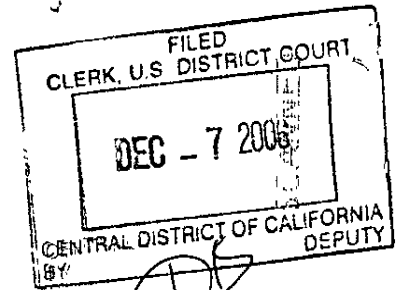


UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION



Case No. CV 02-00808 ER (SHx)

7
8 vs.

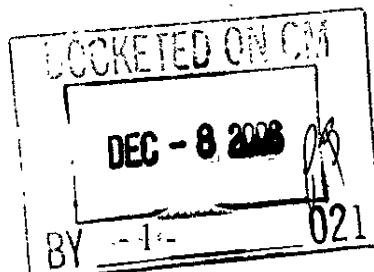
9 J.T. WALLENBROCK &
10 ASSOCIATES, LARRY TOSHIO
11 OSAKI, VAN Y. ICHINOTSUBO and
12 CITADEL CAPITAL
MANAGEMENT GROUP, INC.

Defendants.

~~[Proposed]~~ ORDER
AUTHORIZING RELEASE OF
FUNDS TO RECEIVER, AND
MODIFYING FINAL JUDGMENT
AGAINST DEFENDANTS

Honorable Judge Edward Rafeedie

13 The Court has read and considered all papers filed in connection with
14 Plaintiff Securities and Exchange Commission's Motion for Order Authorizing
15 Release of Frozen Funds to Receiver and Modifying Final Judgment against
16 Defendants. On December 10, 2003, this Court entered a Final Judgment in which
17 it ordered Defendant Van Y. Ichinotsubo to pay disgorgement of \$409,798, plus
18 prejudgment interest of \$85,483, and a \$100,000 civil money penalty, and ordered
19 Defendant Larry Toshio Osaki to pay \$139,418,278 plus prejudgment interest of
20 \$24,270,233, and a \$100,000 penalty ("Final Judgment"). The intent was to have
21 the payments added to an investor distribution fund established by the Receiver in
22 this matter, James Donell. Certain assets of Defendant Ichinotsubo have been
23 frozen pursuant to Orders Freezing Assets entered on January 28, 2002 and March
24 12, 2002 ("Asset Freeze Orders"). Defendants have not made any payments
25 pursuant to the Final Judgment. Accordingly, **THE COURT HEREBY**
26 **ORDERS, AS FOLLOWS:**



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1 The following funds which have previously been frozen under the Asset
2 Freeze Orders shall be submitted by check made payable to James H. Donell, the
3 court-appointed Receiver for J.T. Wallenbrock & Associates and Citadel
4 Management Group, Inc., and submitted to the Receiver's office, 12121 Wilshire
5 Blvd., Suite 200, Los Angeles, California, 90025:

6 a.) all of the funds in Morgan Stanley account numbers 209-085696,
7 209-066487, 209-066488, and 209-021811.

8 b.) all of the funds in Wells Fargo account numbers 0711-200642, and
9 6711-304675.

10 c.) all of the funds in Ameritrade (Advanced) account number
11 160532543.

12 d.) all funds in the Delaware Investments account number 008-
13 5089640067.

14 e.) all funds in the East West Bank accounts 00-3320090 and
15 11938024.

16 f.) all funds in the Pioneer Investments (Safeco Funds) account
17 number 147468.

18 g.) all funds in the Selected Funds account number 00420159643-2.

19 h.) all funds in the Vanguard Group account number 9851375710.

20 i.) all of the funds in Wells Fargo account numbers 0711-200642, and
21 6711-304675.

22 2. The Final Judgment entered against Defendant Ichinotsubo shall be deemed
23 satisfied to the extent of the amount of funds submitted to Mr. Donell, the
24 Receiver. The payments shall first be applied to disgorgement and prejudgment
25 interest, and then to the civil penalty. To the extent that the amounts transferred
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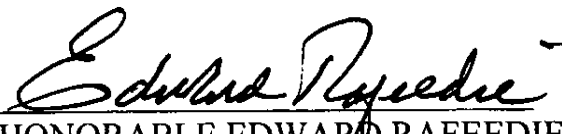
1 fall short of the amounts ordered in the Final Judgment, Defendant Ichinotsubo
2 remains liable to pay those amounts.

3 3. The Final Judgment is hereby modified in that Defendant Ichinotsubo's and
4 Defendant Osaki's payments of disgorgement, prejudgment interest and civil
5 penalties ordered in the Final Judgment shall be submitted and made payable to
6 Receiver James H. Donell and sent to his address of 12121 Wilshire Blvd., Suite
7 200, Los Angeles, California, 90025, with a cover letter identifying the defendant
8 making the payment; setting forth the title and civil action number of the this
9 action and the name of this Court; and specifying that payment is being made
10 pursuant to the Final Judgment.

11 4. The Final Judgment is hereby further modified in that James Donell, the
12 Receiver in this case, is hereby authorized to institute and prosecute all actions and
13 take such other steps that are reasonable and appropriate to enforce and collect
14 upon the Final Judgment in this matter.

15 **IT IS SO ORDERED.**

16
17 DATED: DEC 7 2006

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19 HONORABLE EDWARD RAFEEDIE
20 UNITED STATES DISTRICT JUDGE
21 CENTRAL DISTRICT OF CALIFORNIA
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