

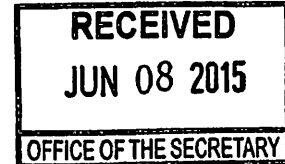
UNITED STATES OF AMERICA  
Before the  
SECURITIES AND EXCHANGE COMMISSION

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In the Matter of

LYNN TILTON,  
PATRIARCH PARTNERS, LLC,  
PATRIARCH PARTNERS VIII, LLC,  
PATRIARCH PARTNERS XIV, LLC, and  
PATRIARCH PARTNERS XV, LLC,

Respondents.



Administrative Proceeding  
File No. 3-16462

Hon. Judge Carol Fox Foelak

**RESPONDENTS' MOTION TO HALT THE DIVISION'S SEARCH FOR A  
SUBSTITUTE CASE FOR TRIAL**

Respondents Lynn Tilton, Patriarch Partners, LLC, Patriarch Partners VIII, LLC, Patriarch Partners XIV, LLC and Patriarch Partners XV respectfully move this Court for an Order halting the Division of Enforcement's search for a substitute case for trial.

1. On March 30, 2015, the Commission issued the Order Instituting Administrative and Cease-And-Desist Proceedings ("OIP"). During the initial Pre-Hearing Conference on May 7, 2015, the Division said it intended to speak with a "substantial number" of "additional investors" to determine who might be the best witnesses for trial. Respondents questioned this approach, explaining their need for third-party document discovery to meaningfully address investor testimony. That day, the Court issued an Order directing the Division to apprise Respondents on a rolling basis of its contacts with investors.

2. On May 29, 2015, the Division informed the Respondents by letter that it had, over the previous week, contacted nineteen investors. Fifteen of these investors had never

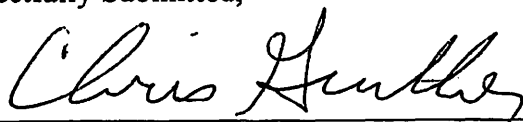
before been subpoenaed for documents or testimony by the Division. The Division's plan is to gather new evidence from many new investors to build a new case for trial, all subsequent to the Commission's OIP. This plan is at odds with the structure of administrative proceedings, as reflected in the Rules of Practice, as well as traditional notions of fairness and transparency.

3. Rule 230(g), as interpreted by Judges of this Court, prohibits the gathering of evidence for use in a proceeding following the issuance of an OIP. Rule 111(d) grants power to the hearing officer to "regulat[e] the course of a proceeding and the conduct of the parties and their counsel."

WHEREFORE, Respondents, pursuant to Rules 230(g) and 111(d), request an Order directing the Division of Enforcement to cease all evidence gathering from investors that were not subpoenaed for testimony or documents prior to the March 30, 2015 OIP.

Dated: June 5, 2015  
New York, New York

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing was served on the following on this 5th day of June 2015, in the manner indicated below:

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Matthew T. Warren