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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

United States Securities and Exchange  
Commission,  
  
Plaintiff,  
  
v.  
  
Jonathan Larmore, et al.,  
  
Defendants.

No. CV-23-02470-PHX-DLR  
  
**TEMPORARY RESTRAINING  
ORDER**

WHEREAS this matter has come before this Court upon motion of the Plaintiff U.S. Securities and Exchange Commission (“SEC” or “Plaintiff”) for entry of an Order pending the adjudication of Plaintiff’s forthcoming Motion for a Preliminary Injunction proving the following relief:

(1) temporarily restraining (i) Defendants Jonathan M. Larmore (“Larmore”), ArciTerra Companies, LLC (“ArciTerra”), ArciTerra Note Advisors II, LLC (“Fund II Advisors”), ArciTerra Note Advisors III, LLC (“Fund III Advisors”), and ArciTerra Strategic Retail Advisor, LLC (“ASR Advisor”), from violating Sections 206(1) and 206(2) of the Investment Advisers Act of 1940 (“Advisers Act”) [15 U.S.C. §§ 80b-6(1) and 80b-6(2)]; and (ii) Defendants Larmore and Cole Capital from violating Sections 10(b) and 14(e) of the Securities Exchange Act of 1934 (“Exchange Act”) [15 U.S.C. §§ 78j(b) and 78n(e)] and Rules 10b-5 and 14e-8 thereunder [17 C.F.R. §§ 240.10b-5 and 240.14e-8] (collectively, “Defendants”);

1 (2) temporarily appointing a receiver in the above-captioned action to protect  
2 investors in investment funds (the “ArciTerra Funds”) owned or controlled by one or  
3 more of Defendants Larmore, ArciTerra, Fund II Advisors, Fund III Advisors and ASR  
4 Advisor (collectively, and excluding Larmore, the “Receivership Defendants”);

5 (3) temporarily freezing the assets of the ArciTerra Funds, the Receivership  
6 Defendants, and the known and unknown Affiliates of the Receivership Defendants  
7 (collectively, the “Receivership Entities”),<sup>1</sup> and preserving those assets of the  
8 Receivership Entities held in constructive trust for the Receivership Entities that were  
9 fraudulently or improperly transferred out of the Receivership Entities to CSL  
10 Investments, LLC (“CSL Investments”), Spike Holdings, LLC (“Spike Holdings”), MML  
11 Investments, LLC (“MML Investments”), and JMMAL Investments, LLC (“JMMAL  
12 Investments”) (collectively, the “Entity Relief Defendants”); and/or may otherwise be  
13 includable as assets of the estates of the Receivership Entities (collectively, the  
14 “Recoverable Assets”);

15 (4) temporarily staying all pending litigation and temporarily enjoining the  
16 filing of any new bankruptcy, foreclosure, receivership, or other actions by or against the  
17 Receivership Entities;

18 (5) ordering a verified accounting by all Defendants and all Relief Defendants;

19 (6) providing that the parties may take expedited discovery in preparation for a  
20 preliminary injunction hearing;

21 (7) prohibiting Defendants from destroying, altering, or concealing documents;  
22 and

23 (8) requiring all Defendants and Relief Defendants to show cause why this  
24 order should not continue until resolution of the merits of the litigation.

25  
26 \_\_\_\_\_  
27 <sup>1</sup> For purposes of this Order, the term “Affiliate” has the meaning ascribed to it in  
28 Rule 405 of the Securities Act of 1933, 17 C.F.R. §230.405 (“An affiliate of, or person  
affiliated with, a specified person, is a person that directly, or indirectly through one or  
more intermediaries, controls or is controlled by, or is under common control with, the  
person specified.”). A non-exhaustive list of Receivership Entities is attached as Exhibit  
A to this Order.

1           The Court has considered the Complaint filed by Plaintiff; Plaintiff's *ex parte*  
2 motion for a temporary restraining order, the appointment of a receiver, asset freezes, and  
3 other relief, including Plaintiff's supporting memorandum of law and supplemental  
4 memorandum of points and authorities, the Declarations of Michael Foley and Heather E.  
5 Marlow and the exhibits attached thereto. The Court has also considered the Opposition  
6 of Defendants and the Limited Opposition of Intervenors.

7           Based upon the foregoing, the Court finds that a proper showing, as required by  
8 Section 21(d) of the Exchange Act and Section 209(c) of the Advisers Act, has been  
9 made for the relief granted herein, for the following reasons (a separate order addresses  
10 the SEC's request for appointment of a receiver, anti-litigation injunction, and asset  
11 freezes):

12           1.       It appears from the evidence presented that (i) Defendants Larmore, Fund II  
13 Advisors, and Fund III Advisors, have violated, and unless temporarily restrained, will  
14 continue to violate, Sections 206(1) and 206(2) of the Advisers Act [15 U.S.C. §§ 80b-  
15 6(1) and 80b-6(2)]; (ii) Defendants Larmore, ArciTerra, and ASR Advisor have aided and  
16 abetted violations of, and unless temporarily restrained, will continue to aid and abet  
17 violations of, Sections 206(1) and 206(2) of the Advisers Act [15 U.S.C. §§ 80b-6(1) and  
18 80b-6(2)]; and (iii) Defendants Larmore and Cole Capital have violated, and unless  
19 temporarily restrained, will continue to violate, Sections 10(b) and 14(e) of the Exchange  
20 Act [15 U.S.C. §§ 78j(b) and 78n(e)] and Rules 10b-5 and 14e-8 thereunder [17 C.F.R.  
21 §§ 240.10b-5 and 240.14e-8].

22           2.       It appears that an order requiring Defendants and Relief Defendants to  
23 provide a verified accounting of their assets, including the use of the Receivership  
24 Entities' assets, is necessary to effectuate and ensure compliance with the freeze imposed  
25 on their assets and to locate assets for the benefit of investors.

26           3.       It appears that expedited discovery is necessary to aid in the preparation for  
27 any hearing on conversion of the TRO to a preliminary injunction.

28

1 4. It appears that an order preventing the destruction, alteration or  
2 concealment of relevant documents is necessary.

3 5. This Court has jurisdiction over the subject matter of this action and over  
4 Defendants, and venue properly lies in this District.

5 6. There is good cause to schedule the hearing for preliminary injunction on  
6 February 27, 2023, because of the complex nature of the case, the schedule of the parties,  
7 the recent retention of counsel for Defendants, and the consent of the Defendants.

8 NOW, THEREFORE,

9 **I.**

10 **IT IS HEREBY ORDERED** that, pending a hearing and determination of  
11 Plaintiff's Motion for a Preliminary Injunction, Defendants Larmore, ArciTerra, ASR  
12 Advisor, Fund II Advisors, and Fund III Advisors are temporarily restrained and enjoined  
13 from violating, directly or indirectly, Section 206(1) and 206(2) of the Advisers Act [15  
14 U.S.C. §§ 80b-6(1) and 80b-6(2)], by use of the mails or means and instrumentalities of  
15 interstate commerce: (a) with scienter, employing devices, schemes, or artifices to  
16 defraud clients or prospective clients; and (b) engaging in transactions, practices, or  
17 courses of business which operated as a fraud or deceit upon clients or prospective  
18 clients; while acting as investment advisers.

19 **IT IS FURTHER ORDERED** that, as provided in Federal Rule of Civil  
20 Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual  
21 notice of this Order by personal service or otherwise: (a) Defendants' officers, agents,  
22 servants, employees, and attorneys; and (b) other persons in active concert or  
23 participation with Defendants or with anyone described in (a).

24 **II.**

25 **IT IS FURTHER ORDERED** that, pending a hearing and determination of  
26 Plaintiff's Application for a Preliminary Injunction, Defendants Larmore and Cole  
27 Capital are temporarily restrained from violating Section 10(b) of the Exchange Act [15  
28 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by

1 using any means or instrumentality of interstate commerce, or of the mails, or of any  
2 facility of any national securities exchange, in connection with the purchase or sale of  
3 any security:

4 (a) to employ any device, scheme, or artifice to defraud;

5 (b) to make any untrue statement of a material fact or to omit to state a material  
6 fact necessary in order to make the statements made, in the light of the  
7 circumstances under which they were made, not misleading; or

8 (c) to engage in any act, practice, or course of business which operates or  
9 would operate as a fraud or deceit upon any person.

10 **IT IS FURTHER ORDERED** that, as provided in Federal Rule of Civil  
11 Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual  
12 notice of this Order by personal service or otherwise: (a) Defendants' officers, agents,  
13 servants, employees, and attorneys; and (b) other persons in active concert or  
14 participation with Defendants or with anyone described in (a).

15 **III.**

16 **IT IS FURTHER ORDERED** that, pending a hearing and determination of  
17 Plaintiff's Application for a Preliminary Injunction, Defendants Larmore and Cole  
18 Capital are temporarily restrained and enjoined from violating Section 14(e) of the  
19 Exchange Act [15 U.S.C. § 78n(e)] and Rule 14e-8 [17 C.F.R. § 240.14e-8] promulgated  
20 thereunder, in connection with any tender offer or request or invitation for tenders, from  
21 engaging in any fraudulent, deceptive, or manipulative act or practice, by: (1) making  
22 untrue statements of a material fact or omitting to state material facts necessary in order  
23 to make the statements made, in the light of the circumstances under which they were  
24 made, not misleading; and (2) engaging in fraudulent, deceptive, or manipulative acts or  
25 practices, in connection with a tender offer.

26 **IT IS FURTHER ORDERED** that, as provided in Federal Rule of Civil  
27 Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual  
28 notice of this Final Judgment by personal service or otherwise: (a) Defendants' officers,

1 agents, servants, employees, and attorneys; and (b) other persons in active concert or  
2 participation with Defendants or with anyone described in (a).

3 **IV.**

4 **IT IS FURTHER ORDERED** that, pending a hearing and determination of  
5 Plaintiff's Application for a Preliminary Injunction, Defendant Larmore and Relief  
6 Defendants Marcia Larmore and Michelle Larmore shall file with this Court and serve  
7 upon Plaintiff, by no later than **January 26, 2024**, a verified written accounting signed  
8 under penalty of perjury, of their assets and their use of the Receivership Entities' assets,  
9 by email (sent to hanjo@sec.gov) on Plaintiff's counsel, John Han, Securities and  
10 Exchange Commission, 44 Montgomery St., Suite 2800, San Francisco, California  
11 94104.

12 **V.**

13 **IT IS FURTHER ORDERED** that discovery in advance of a hearing on  
14 Plaintiff's Application for a Preliminary Injunction is expedited as follows: pursuant to  
15 Rules 26, 30, 34, and 45 of the Federal Rules of Civil Procedure, and without the  
16 requirement of a meeting pursuant to Fed. R. Civ. P. 26(f), the parties may (unless  
17 otherwise agreed by the parties):

- 18 (1) Take depositions, subject to seven (7) calendar days' notice by email, or  
19 otherwise;
- 20 (2) Obtain the production of documents from parties within fourteen (14)  
21 calendar days from service by email, or by means that provide actual  
22 notice, of a request or subpoena;
- 23 (3) Obtain the production of documents from third-parties, within fourteen (14)  
24 calendar days from service by email, or by means that provide actual notice  
25 of a request or subpoena from any persons or entities, including non-party  
26 witnesses;
- 27 (4) Make service of any discovery requests, notices, or subpoenas by email,  
28 personal service, facsimile, overnight courier, or first-class mail on an

1 individual, entity, or the individual’s or entity’s attorney.

2 (5) The Parties shall meet and confer regarding expedited discovery and inform  
3 the court of any disagreements by January 17, 2024.

4 **VI.**

5 **IT IS FURTHER ORDERED** that, pending a hearing and determination of  
6 Plaintiff’s Motion for a Preliminary Injunction, Defendants, any person or entity acting at  
7 their direction or on their behalf, and any other third party, be and hereby are (1) enjoined  
8 and restrained from destroying, altering, concealing, or otherwise interfering with the  
9 access of Plaintiff and the Receiver to any and all documents, books, and records that are  
10 in the possession, custody or control of Defendants, the Receivership Entities, and each  
11 of their respective officers, agents, employees, servants, accountants, financial or  
12 brokerage institutions, or attorneys-in-fact, subsidiaries, affiliates, predecessors,  
13 successors, and related entities, that refer, reflect or relate to the allegations in the  
14 Complaint, including, without limitation, documents, books and records referring,  
15 reflecting, or relating to Defendants’ and Receivership Entities’ finances or business  
16 operations, or the offer, purchase, or sale of securities and the use of proceeds therefrom;  
17 and (2) ordered to provide all reasonable cooperation to the Receiver in carrying out his  
18 duties set forth herein.

19 **VII.**

20 **IT IS FURTHER ORDERED** that this Order shall be, and is, binding upon  
21 Defendants and Relief Defendants, and each of their respective officers, agents, servants,  
22 employees, attorneys-in-fact, subsidiaries, affiliates, and those persons in active concert  
23 or participation with them who receive actual notice of this Order by personal service,  
24 facsimile service, or otherwise.

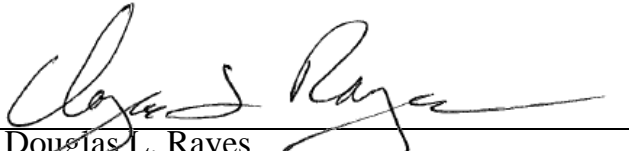
25 **VIII.**

26 **IT IS FURTHER ORDERED** that, for good cause and with the consent of the  
27 Defendants, Plaintiff, each Defendant, and each Relief Defendant or their attorneys shall  
28 appear before this Court at 9:00 o’clock, a.m., on the 27th day of February, 2024, in

1 Courtroom 606 of the United States Courthouse, Phoenix, Arizona, to show cause, if any  
2 exists, why this Court should not enter a preliminary injunction extending the temporary  
3 restraining order, appointment of receiver, asset freeze, and other relief granted in this  
4 Order until a final adjudication on the merits may be had. Plaintiffs shall file by ECF its  
5 motion for preliminary injunction by February 15, 2024. Defendants and Relief  
6 Defendants shall file any oppositions to the motion for preliminary injunction by  
7 February 21, 2024. The Plaintiff shall file any reply by February 23, 2024. This Order  
8 shall remain in full force and effect pending further order of the Court.

9 **SO ORDERED.**

10 Dated this 21st day of December, 2023.

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15 Douglas L. Rayes  
16 United States District Judge  
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# **EXHIBIT A**

## EXHIBIT A

### RECEIVERSHIP ENTITIES

1000 WEST MARION PG FL, LLC  
1921 GALLATIN PIKE NASHVILLE TN, LLC  
2006 OPERATING PARTNERSHIP, L.P.  
2513 E NORTH STREET KENDALLVILLE IN, LLC  
412 CROSS OAKS MALL PLAINWELL ML, LLC  
5339 ELVIS PRESLEY BLVD. MEMPHIS TN, LLC  
5450 US HIGHWAY 80 EAST PEARL MS, LLC  
60 COLONIAL PROMENADE PARKWAY ALABASTER AL, LLC  
601 RETTA FL, LLC  
601 TRENTON ROAD MCALLEN TX, LLC  
613 RETTA FL, LLC  
700 NORTH GRAND AVENUE MT. PLEASANT, 1A, LLC  
751W RETTA ESPLANDE FL, LLC  
752 SOUTH ANDY GRIFFITH PARKWAY MT AIRY NC, LLC  
7525 PINE VALLEY LANE OWNER, LLC  
8001 VAUGHN ROAD MONTGOMERY AL, LLC  
81 JAMESON LANE GREENVILLE AL, LLC  
880 W MARION AVE FL, LLC  
900 WEST MARION AVENUE FL, LLC  
ALOHA POP UP PRODUCTIONS, LLC  
ARCITERRA AA BARBOURVILLE KY, LLC  
ARCITERRA AA LINCOLN NE, LLC  
ARCITERRA AA MANISTEE ML, LLC  
ARCITERRA AA PAPILLION NE, LLC  
ARCITERRA AA PEARL MS, LLC  
ARCITERRA AA THEODORE AL, LLC  
ARCITERRA AA WEST LIBERTY KY, LLC  
ARCITERRA AZ SLIDELL LA, LLC  
ARCITERRA AZ TEMPLE GA, LLC  
ARCITERRA AZ WILLIS TX, LLC  
ARCITERRA BELL YORK SC, LLC  
ARCITERRA BP OLATHE KS, LLC  
ARCITERRA CH NEW ORLEANS LA, LLC

ARCITERRA COMMERCIAL PROPERTY REIT, LP  
ARCITERRA COMMERCIAL PROPERTY REIT, INC.  
ARCITERRA COMPANIES, LLC  
ARCITERRA CV LAFAYETTE LA, LLC  
ARCITERRA CV TARPON SPRINGS FL, LLC  
ARCITERRA DESIGN, LLC  
ARCITERRA DG CAMPBELLSVILLE KY, LLC  
ARCITERRA DG GREENVILLE KY, LLC  
ARCITERRA DG JUNCTION CITY KY, LLC  
ARCITERRA DG MEMPHIS TN, LLC  
ARCITERRA DG NORTH BEND OH, LLC  
ARCITERRA DG RAVENNA KY, LLC  
ARCITERRA DG SHEPHERDSVILLE KY, LLC  
ARCITERRA DG SOUTH CHARLESTON OH, LLC  
ARCITERRA DG WISTER OK, LLC  
ARCITERRA DKS GRAND CHUTE WL, LLC  
ARCITERRA FD BOWMAN SC, LLC  
ARCITERRA FD EHRHARDT SC, LLC  
ARCITERRA FD GREELEYVILLE SC, LLC  
ARCITERRA FD PAXVILLE SC, LLC  
ARCITERRA FD TUBERVILLE SC, LLC  
ARCITERRA FESTIVAL MONTGOMERY AL, LLC  
ARCITERRA GC JOHNSON CITY NY, LLC  
ARCITERRA GREYSTONE HOOVER AL, LLC  
ARCITERRA GROUP, LLC  
ARCITERRA HD HENDERSONVILLE TN, LLC  
ARCITERRA HD MCALLEN TX, LLC  
ARCITERRA KLS JENSEN BEACH FL, LLC  
ARCITERRA KLS WARSAW IN, LLC  
ARCITERRA KLS WAUSAU WL, LLC  
ARCITERRA MICHIGAN ROAD INDIANAPOLIS IN, LLC  
ARCITERRA MOV GAL GODDARD KS, LLC  
ARCITERRA MOV GAL PARK CITY KS, LLC  
ARCITERRA MW NASHVILLE TN, LLC  
ARCITERRA NATIONAL REIT, INC.  
ARCITERRA NATIONAL REIT, LP  
ARCITERRA NOBLE WEST NOBLESVILLE 1N, LLC

ARCITERRA NOTE ADVISORS II, LLC  
ARCITERRA NOTE ADVISORS III, LLC  
ARCITERRA NOTE FUND II LLC  
ARCITERRA NOTE FUND III LLC  
ARCITERRA NS INVESTMENT CO.  
ARCITERRA OFF PEP PEARL MS, LLC  
ARCITERRA OLATHE POINTE OLATHE KS LLC  
ARCITERRA OPPORTUNITY FUND I, LLC  
ARCITERRA OR BATTLE CREEK ML, LLC  
ARCITERRA OS MT. PLEASANT IA, LLC  
ARCITERRA REAL ESTATE INVESTMENT TRUST, INC.  
ARCITERRA REGIONS LAMARQUE TX, LLC  
ARCITERRA REIT I MEMBER, LLC  
ARCITERRA REIT I MEMBER, LLC  
ARCITERRA REIT I MEMBER, LLC  
ARCITERRA REIT RSC, LP  
ARCITERRA REIT, LP  
ARCITERRA SHOPPES AT ALABASTER AL, LLC  
ARCITERRA STAR LANCASTER OH, LLC  
ARCITERRA STRATEGIC INCOME CORPORATION-BELLEVILLE CROSSING IL  
ARCITERRA STRATEGIC RETAIL - SUFFOLK VA, LLC  
ARCITERRA STRATEGIC RETAIL ADVISOR, LLC  
ARCITERRA STRATEGIC RETAIL ADVISOR, LLC  
ARCITERRA STRATEGIC RETAIL REIT, INC.  
ARCITERRA STRATEGIC RETAIL-ELYRIA OH, LLC  
ARCITERRASTRATEGIC RETAIL-PLAINFIELD VILLAGEUM, LLC  
ARCITERRA STRATEGIC RETAIL-PLAINFIELD VILLAGE IN, LLC  
ARCITERRA STRATEGIC RETAIL-WHEATLAND IL, LLC  
ARCITERRA S-W BURTON ML, LLC  
ARCITERRA S-W KALAMAZOO ML, LLC  
ARCITERRA S-W LORAIN OH, LLC  
ARCITERRA USB BISMARCK ND, LLC  
ARCITERRA USB NEW ALBANY OH, LLC  
ARCITERRA USB ROCHESTER MN, LLC  
ARCITERRA VERMONT INDIANAPOLIS IN, LLC  
ARCITERRA VN CLARKSVILLE TN, LLC ~  
ARCITERRA VN COLUMBIA TN LLC

ARCITERRA VN DICKSON TN, LLC  
ARCITERRA VZ HOME GA, LLC  
ARCITERRA VZ ROME GA, LLC  
ARCITERRA WALCENT GREENVILLE AL, LLC  
ARCITERRA WALCENT KENDALLVILLE IN, LLC  
ARCITERRA WALCENT PLAINWELL ML, LLC  
ARCITERRA WESTGAGE INDIANAPOLIS MEMBER, LLC  
ARCITERRA WESTGATE INDIANAPOLIS IN II, LLC  
ARCITERRA WESTGATE INDIANAPOLIS IN, LLC  
ARCITERRA WG HOMETOWN IL, LLC  
ARCITERRA WG KILMARNOCK VA, LLC  
ARCITERRA WG MILWAUKEE WL, LLC  
ARCITERRA WHITEFISH ADVISORS, LLC  
ARCITERRA WHITEFISH OPPORTUNITY FUND, LLC  
ARCITERRA WM DOUGLASVILLE GA, LLC  
ASR REITLP  
AT 18 MILE CENTRAL SC, LLC  
AT ALTUS CUMBERLAND GA II, LLC  
AT ALTUS CUMBERLAND GA, LLC  
AT ALTUS CUMBERLAND MEMBER, LLC  
AT ALTUS ECHELON IN, LLC  
AT ALTUS ROSWELL GA, LLC  
AT AUBURN PLAZA IN II, LLC  
AT AUBURN PLAZA IN, LLC  
AT AUBURN PLAZA MEMBER, LLC  
AT BELLEVILLE CROSSING IL-INLINE, LLC  
AT BELLEVILLE CROSSING IL-OUTLOTS LLC  
AT BLOOMINGTON IL, LLC  
AT BOUTTE LA, LLC  
AT BRIARGATE IL, LLC  
AT BUENA VISTA GA, LLC  
AT CANAL WINCHESTER OH, LLC  
AT CASTLETON IN ASSOCIATION MANAGER, LLC  
AT CASTLETON IN MEMBER II, LLC  
AT CASTLETON IN MEMBER, LLC  
AT CASTLETON IN MEMBER, LLC  
AT CASTLETON IN OWNER II, LLC

AT CASTLETON IN OWNER, LLC  
AT CASTLETON IN OWNER, LLC  
AT CASTLETON IN OWNER, LLC  
AT CEDARTOWN GA OUTLOT, LLC  
AT CEDARTOWN GA, LLC  
AT CENTERVILLE GA, LLC  
AT COLONY FITZGERALD GA LLC  
AT CONCORD, LLC '  
AT DILLON SC OUTLET, LLC  
AT EASTMAN GA II, LLC  
AT EASTMAN GA, LLC  
AT EASTMAN GA, LLC  
AT EASTMAN MEMBER, LLC  
AT ELYRIA OH INLINE, LLC  
AT ELYRIA OH OUTLOT, LLC  
AT FL CONSTRUCTION, LLC  
AT FORUM KY MEMBER II, LLC  
AT FORUM KY MEMBER, LLC  
AT FORUM KY MEMBER, LLC  
AT FORUM LOUISVILLE KY II, LLC  
AT HL BURLINGTON IAII, LLC  
AT HL BURLINGTON IA, LLC  
AT HL BURLINGTON MEMBER, LLC  
AT JEFFERSON CENTER FW IN OWNER, LLC  
AT JEFFERSON CENTER FW IN, LLC  
ATJPM LINDENHURST IL, LLC  
AT LIMA PLAZA FW IN OWNER, LLC  
AT LIMA PLAZA FW IN, LLC  
AT LINDENHURST IL, LLC  
AT LONGVIEW MEMBER, LLC  
AT LONGVIEW OUTLOT NORTHEAST, LLC  
AT LONGVIEW OUTLOT WEST, LLC  
AT LONGVIEW TXII, LLC  
AT LONGVIEW TX, LLC  
AT LUBBOCK TX, LLC  
AT MAX FW IN OWNER, LLC '  
AT MAX FW IN, LLC

AT MAYODAN MEMBER, LLC  
AT MAYODAN NCII, LLC  
AT MAYODAN NC, LLC  
AT MF VEGAS, LLC  
AT MIDWAY ELYRIA OH, LLC  
AT ML LEASEHOLD HI, LLC  
AT ML MANAGEMENT HI LLC  
AT MMH HI LLC  
AT MT. PLEASANT LOT 2, LLC  
AT NEW LENOX IL-GL, LLC  
AT NEW LENOX IL- INLINE, LLC  
AT NEW LENOX IL-INLINE II, LLC  
AT NEW LENOX IL-OUTLOTS, LLC  
AT NEW LENOX-IL MEMBER, LLC  
AT NEW WEST CLIFTON CO, LLC  
AT OLATHE MANAGER, LLC  
AT OLATHE MANAGER, LLC  
AT PINE VALLEY FW IN OWNER, LLC  
AT PINE VALLEY FW IN, LLC  
AT PLAINFIELD VILLAGE IN II, LLC  
AT PLAINFIELD VILLAGE IN, LLC  
AT PLAINFIELD VILLAGE MEMBER, LLC  
AT PORTLAND COMMONS IN OWNER, LLC  
AT PORTLAND COMMONS IN, LLC  
AT PT DANVILLE IL II, LLC  
AT PT DANVILLE IL, LLC  
AT PT DANVILLE MEMBER, LLC  
AT SALEM IL OUTLOT, LLC  
AT SALISBURY NC OUTLOT, LLC  
AT SANDERSVILLE GA, LLC  
AT SEVEN HILLS AURORA CO II, LLC  
AT SEVEN HILLS AURORA CO, LLC  
AT SEVEN HILLS AURORA CO, LLC  
AT SEVEN HILLS AURORA MEMBER, LLC  
AT STATESBORO SQUARE GA, LLC  
AT SUFFOLK VA2B-2, LLC  
AT SUFFOLK VA2B-3, LLC

AT SUFFOLK VA2B-5, LLC  
AT SUFFOLK VA 2B-6, LLC  
AT SUFFOLK VABWW, LLC  
AT SUFFOLK VA SC, LLC  
AT SUWANEE DEPOT GA, LLC  
AT SWEDEN MEMBER, LLC  
AT SWEDEN NY II, LLC  
AT SWEDEN NY, LLC  
AT SWEEDEN NY OUTLOT, LLC  
AT TIFFANY SQUARE ROCKY MOUNT NC, LLC  
AT TOWNE SQUARE ROME GA, LLC  
ATVILLA PLATTE LA II, LLC  
AT VILLA PLATTE MEMBER, LLC  
AT VILLE PLATTE LA, LLC  
AT WHEATLAND NAPERVILLE IL, LLC  
AT WILDWOOD PLAZA MO, LLC  
ATA CHERRY CREEK IL, LLC  
ATA CYPRESS TOWN CENTER TX, LLC  
ATA FISHVILLE FL, LLC  
ATA FISHVILLE MANAGEMENT, LLC  
ATA FORUM LOUISVILLE KY, LLC  
ATA FORUM LOUISVILLE,LLC  
ATA HIRAM SQUARE GA, LLC  
ATA LANIER FAYETTEVILLE GA II, LLC  
ATA LANIER FAYETTEVILLE GA, LLC  
ATA LANIER FAYETTEVILLE MEMBER, LLC  
ATA MERCADO ST. AUGUSTINE FL, LLC  
ATA PALENCIA ST. AUGUSTINE FL, LLC  
ATA PLAZA OK, LLC  
ATA PRESTON PLAZA KY, LLC  
ATA ROGERS BRIDGE GA, LLC  
ATA STONE LITHONIA GA, LLC  
ATA TRINITY PLACE TN, LLC  
ATG REIT RSC, LP  
ATR 32, LLC  
BPS, L.L.C.  
BPS, L.L.C. OF ALABAMA



BELLEVILLE IL OUTLOT 6, LLC  
BLACK POINT RD, LLC  
BREWHOUSE CENTER COURT, LLC  
CASTLETON SHOPPING CENTER MK DISPOSITION, LLC  
CASTLETON SHOPPING CENTER MK DISPOSITION, LLC  
CHOVIA SHOPS MT AIRY NC, LLC  
CSL INVESTMENTS, LLC  
COLE CAPITAL FUNDS, LLC  
DB COMMERCIAL MANAGEMENT, LLC  
FISHVILLE KIOSK MEMBER, LLC  
FK TELLURIDE, LLC  
FUDGE IS US PG, LLC  
FV BUILDING 13, LLC  
FV BUILDING 15, LLC  
GLENROSA 32, LLC  
HARBOURVIEW MARKETPLACE, LLC  
HARBOURVIEW STATION WEST, LLC  
HELENA STAR MT, LLC  
JB FISHVILLE HARBOR LAND LLC  
JB FISHVILLE RETAIL LAND LLC  
JB FORUM LAND, LLC  
JB ML LAND HI, LLC ~  
JB OLATHE OUTLOT 2, LLC  
JB RE INVESTMENTS, LLC  
JB SEVEN HILLS, LLC  
JB SEVEN HILLS, LLC  
JB TRANSPORTATION, LLC  
JBM ACQUIST10NS LLC  
JJ RESTAURANT HOLDINGS, LLC  
JMLBC G4, LLC  
JML MANAGER, LLC  
JML TRUST MANAGER, LLC  
LEGAL FLOAT LENDING, LLC  
LOUISVILLE RESTAURANT PARTNERS, LLC  
LOWER 5629 ROCKRIDGE ROAD, LLC  
MML INVESTMENTS, LLC  
JMMAL INVESTMENTS, LLC

MONTGOMERY MATTRESS, LLC  
MONTGOMERY MATTRESS, LLC  
PG HOSPITALITY, LLC  
PG WATERFRONT HOSPITALITY, LLC  
PT PLAZA, LLC  
SAML BAR AND GRILL, LLC  
SPIKE HOLDINGS AZ, LLC  
STAR MT, LLC  
STAR OH, LLC  
THE EXCHANGE PLAINWELL ML, LLC  
UPPER 5629 ROCKRIDGE ROAD, LLC  
VBH PG, LLC  
WALCENT ARKADELPHIA AK, LLC  
WALCENT ELK/IN, LLC  
WALCENT KENDALLVILLE IN, LLC  
WALCENT LAWTON OK, LLC  
WALCENT MORRILTON AK, LLC  
WALCENT NEWC/IN, LLC  
WALCENT PLAINWELL ML, LLC  
WALCENT SHELBY ML, LLC  
WALCENT SHOPS SUWANEE GA, LLC  
WALCENT WAYNESBORO MS, LLC  
WAWASEE WATERCRAFTS, LLC  
WHEATLAND CROSSING OWNERS ASSOCIATION  
WHEATLAND MARKETPLACE LOT 7 CONDOMINIUM ASSN.  
WHITEFISH OPPORTUNITY FUND, LLC