

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

SECURITIES AND EXCHANGE	§	
COMMISSION	§	
	§	
v.	§	Case No. 4:11-CV-655
	§	
JAMES G. TEMME and STEWARDSHIP	§	
FUND, LP	§	

ORDER GRANTING THE RECEIVER’S (i) MOTION TO APPROVE SETTLEMENT AGREEMENTS WITH HARBOUR PORTFOLIO I, LLC, HARBOUR PORTFOLIO II, LLC, HARBOUR PORTFOLIO IV, LLC, AND CAVCO HOLDINGS, LLC and (ii) MOTION TO APPROVE SETTLEMENT AGREEMENT WITH BOYCE PARTIES

On this day the Court considered the Receiver’s (i) Motion to Approve Settlement Agreements with Harbour Portfolio I, LLC, Harbour Portfolio II, LLC, Harbour Portfolio IV, LLC and Cavco Holdings, LLC [Doc. No. 79] and (ii) Motion to Approve Settlement Agreement with Boyce Parties [Doc. No. 80] (collectively, the “Settlement Motions” and the settlement agreements referenced therein, the “Settlement Agreements”), the arguments of counsel for and against the approval of these agreements, the joinder of Harbour Portfolio I, LLC, Harbour Portfolio II, LLC Harbour Portfolio IV, LLC and Cavco Holdings, LLC in the Receiver’s Settlement Motions, the evidence entered into the Record at the hearing of June 6, 2012, as well as the objections to these settlement agreements filed and presented at the hearing of June 6, 2012.

At the conclusion of the hearing, the Magistrate Judge made a recommendation to this Court that the Receiver’s Settlement Motions should be granted, the Settlement Agreements be approved as stipulated on the record at the hearing, and the Finch and Barry Group’s objections be overruled. The Court hereby adopts the Magistrate Judge’s recommendation.

After consideration of the Settlement Motions, responses, Settlement Agreements,

objections, and the Magistrate Judge's recommendation, it is the Court's Opinion that the Receiver's Motion to Approve the Settlement Agreements with Harbour Portfolio I, LLC, Harbour Portfolio II, LLC, Harbour Portfolio IV, LLC, and Cavco Holdings, LLC as stipulated on the record at the hearing, be and hereby is GRANTED.

The Receiver is GRANTED the authority to enter into the Settlement Agreements with the Vose Entities, as stipulated at the hearing, provided, however, that the parties will include in the Settlement Agreements the revised releases submitted by the Receiver as part of the Receiver's Exhibit 10 at the hearing on those Motions, and which releases will further state that the settlements are not applicable to any Home Solutions entities.

The Receiver is GRANTED the authority to enter into the Settlement Agreement with the Boyce Entities.

The Receiver is GRANTED the authority to proceed with the sale of the assets subject to the Settlement Agreements without additional notice or hearing.

The objections filed and argued by Finch and Barry Group are OVERRULED.

It is SO ORDERED.

So ORDERED and SIGNED this 11 day of June, 2012.



Ron Clark, United States District Judge