

*****NOT FOR PRINTED PUBLICATION*****

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

SECURITIES AND EXCHANGE	§	
COMMISSION,	§	
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	Civil Action No. 4:11-cv-655
	§	(Judge Clark/Judge Mazzant)
JAMES G. TEMME and	§	
STEWARDSHIP FUND, LP,	§	
	§	
<i>Defendants.</i>	§	

ORDER GRANTING MOTION FOR AUTHORITY TO: (i) ASSIGN LEASE; (ii) SELL REAL AND PERSONAL PROPERTY; (iii) APPROVE SALES PROCEDURES; AND (iv) ENTER INTO LISTING AGREEMENT AND REQUEST FOR SERVICE BY PUBLICATION

Before the court is the Receiver’s Motion for Authority to: (i) Assign Lease; (ii) Sell Real Property; (iii) Approve Sales Procedures; and (iv) Enter into Listing Agreement and Request for Service by Publication (the “Motion”) [Doc. #234] filed by Keith M. Aurzada as receiver (the “Receiver”) for James G. Temme, Stewardship Fund, LP, and all other entities directly or indirectly controlled by James G. Temme or Stewardship Fund, LP, including, but not limited to, Stewardship Advisors, LLC, d/b/a Stewardship Advisors, LP, Stewardship Asset Management Genpar I, LLC, Stewardship Group, LLC, Destiny Fund, LP, and Stewardship Management, LP (collectively, “Defendants”).

Based upon a review of the Motion and the pleadings on file the court finds and concludes that (a) the relief requested in the Motion is in the best interests of the Receiver and his receivership estates; (b) proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and (c) good and sufficient cause exists for the granting of

the relief requested in the Motion after having given due deliberation upon the Motion and all of the proceedings had before the court in connection with the Motion. Therefore, it is hereby

ORDERED that:

1. The Motion is **GRANTED**;
2. The Receiver may enter into the listing agreement attached to the Motion as Exhibit E;
3. Ms. Hicks may market the Lake House and Property for Sale for a period of ninety (90) days;
4. Assuming that the Receiver or Ms. Hicks receive an offer for the purchase of the Lake House, they may sell the Lake House and assign the lease to the Property to the highest bidder without further order from this court;
5. Receiver will not place any restrictions on who may bid on the Lake House, except having sufficient financing to close the transaction within a reasonable time (any investors must bid in cash and will not be allowed to credit bid);
6. Any sale of the Lake House will be conducted “AS IS – WHERE IS”, and no warranties of any kind will be provided, except that whatever interest is owned by the receivership estate shall be transferred to the purchaser;
7. The court waives the provisions of 28 U.S.C. §§ 2001(a) and 2002 and 28 U.S.C. § 2001(b);
8. The Receiver may sell the Lake House and assign the lease to a buyer without further approval of this court so long as the Receiver files a notice of sale that identifies at minimum: (i) terms of sale; (ii) price to be paid; and (iii) the name of the buyer. If no objection is filed to the notice of sale within five (5) business

days, the sale will be deemed approved, and the Receiver shall be entitled to close the transaction without further order of this court; and

9. The Receiver is authorized to serve notice of the Motion by publication in the Fannin County Leader for a period of three weeks, and such notice is deemed adequate to protect the interest of any potential interest parties;
10. Within a reasonable time after this Order is entered, the Receiver shall post this Order on www.stewardshipfundreceivership.com.

So **ORDERED** and **SIGNED** this **30** day of **September, 2013**.



Ron Clark, United States District Judge