**UNITED STATES DISTRICT COURT for the CENTRAL DISTRICT OF CALIFORNIA (Southern Division-Santa Ana)  
CIVIL DOCKET FOR CASE #: 8:16-cv-00974-CJC-AGR**

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| Securities and Exchange Commission v. Charles C. Liu et al Assigned to: Judge Cormac J. Carney Referred to: Magistrate Judge Alicia G. Rosenberg   |  |  | | --- | --- | | Related Case: | [2:16-cv-07795-CJC-AGR](https://ecf.cacd.uscourts.gov/cgi-bin/DktRpt.pl?661167) |   Cause: 15:77 Securities Fraud | Date Filed: 05/26/2016 Jury Demand: Defendant Nature of Suit: 850 Securities/Commodities Jurisdiction: U.S. Government Plaintiff |

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| **Plaintiff** |
| **Securities and Exchange Commission** | represented by | **Jacob A Regenstreif** US Securities and Exchange Commission  444 South Flower Street Suite 900  Los Angeles, CA 90071  323-965-3985  Fax: 213-443-1904  Email: regenstreifj@sec.gov  *LEAD ATTORNEY*  *ATTORNEY TO BE NOTICED*  **John W Berry** US Securities and Exhange Commission  Los Angeles Regtional Office  444 South Flower Street Suite 900  Los Angeles, CA 90071  323-965-3998  Fax: 213-443-1904  Email: berryj@sec.gov  *LEAD ATTORNEY*  *ATTORNEY TO BE NOTICED*  **Gary Y Leung** US Securities and Exchange Commission  444 South Flower Street Suite 900  Los Angeles, CA 90071  323-965-3998  Fax: 213-443-1904  Email: LeungG@sec.gov  *ATTORNEY TO BE NOTICED* |
| V. |  |  |
| **Movant** |  |  |
| **BRE CA OFFICE OWNER LLC** | represented by | **Chris W Halling** Halling Meza LLP  23586 Calabasas Road Suite 200  Calabasas, CA 91302  818-222-4994  Fax: 818-222-4995  Email: challing@hallingmeza.com  *ATTORNEY TO BE NOTICED* |
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| V. |  |  |
| **Defendant** |  |  |
| **Charles C. Liu** | represented by | **Edward Gartenberg** Gartenberg Gelfand Hayton LLP  15260 Ventura Boulevard Suite 1920  Sherman Oaks, CA 91403  213-542-2111  Fax: 213-542-2101  Email: egartenberg@gghslaw.com  *TERMINATED: 07/22/2016*  **Hannah M Lynch** Sills Cummis and Gross PC  One Riverfront Plaza  Newark, NJ 07102  973-643-7000  Fax: 973-643-6500  Email: hlynch@sillscummis.com  *LEAD ATTORNEY*  *PRO HAC VICE*  *ATTORNEY TO BE NOTICED*  **Herve Gouraige** Sills Cummis and Gross PC  One Riverfront Plaza  Newark, NJ 07102  973-634-5989  Fax: 973-643-6500  Email: hgouraige@sillscummis.com  *LEAD ATTORNEY*  *PRO HAC VICE*  *ATTORNEY TO BE NOTICED*  **Lawrence B Steinberg** Buchalter Nemer APC  1000 Wilshire Blvd Suite 1500  Los Angeles, CA 90017-2457  213-891-0700  Fax: 213-896-0400  Email: lsteinberg@buchalter.com  *LEAD ATTORNEY*  *ATTORNEY TO BE NOTICED*  **William R Stuart , III** Sills Cummis and Gross PC  One Riverfront Plaza  Newark, NJ 07102-5400  973-643-7000  Fax: 973-643-5000  Email: wstuart@sillscummis.com  *LEAD ATTORNEY*  *PRO HAC VICE*  *ATTORNEY TO BE NOTICED*  **Milena Dolukhanyan** Gartenberg Gelfand Hayton LLP  15260 Ventura Boulevard  Suite 1920  Sherman Oaks, CA 91403  213-542-2111  Fax: 213-542-2101  Email: mdolukhanyan@gghslaw.com  *ATTORNEY TO BE NOTICED* |
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| **Defendant** |  |  |
| **Xin Wang**  *also known as* Lisa Wang | represented by | **Lawrence B Steinberg** (See above for address)  *LEAD ATTORNEY*  *ATTORNEY TO BE NOTICED*  **Nicolas Morgan** Paul Hastings LLP  515 S. Flower St.  Twenty-Fifth Floor  Los Angeles, CA 90071  213-683-6181  Fax: 213-627-0705  Email: nicolasmorgan@paulhastings.com  *TERMINATED: 07/22/2016*  *LEAD ATTORNEY*  *ATTORNEY TO BE NOTICED* |
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| **Defendant** |  |  |
| **Pacific Proton Therapy Regional Center LLC** | represented by | **Brian Thomas Corrigan** Corrigan and Morris LLP  201 Santa Monica Boulevard, Suite 475  Santa Monica, CA 90401  310-394-2800  Fax: 310-394-2825  Email: bcorrigan@cormorllp.com  *LEAD ATTORNEY*  *ATTORNEY TO BE NOTICED*  **Stanley C Morris** Corrigan and Morris LLP  201 Santa Monica Boulevard, Suite 475  Los Angeles, CA 90401  310-394-2800  Fax: 310-394-2825  Email: scm@cormorllp.com  *ATTORNEY TO BE NOTICED* |
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| **Defendant** |  |  |
| **Pacific Proton EB 5 Fund LLC** | represented by | **Brian Thomas Corrigan** (See above for address)  *LEAD ATTORNEY*  *ATTORNEY TO BE NOTICED*  **Stanley C Morris** (See above for address)  *TERMINATED: 10/07/2016*  *ATTORNEY TO BE NOTICED* |
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| **Defendant** |  |  |
| **Beverly Proton Center LLC**  *formerly known as* Los Angeles County Proton Therapy LLC | represented by | **Brian Thomas Corrigan** (See above for address)  *LEAD ATTORNEY*  *ATTORNEY TO BE NOTICED*  **Stanley C Morris** (See above for address)  *TERMINATED: 10/07/2016*  *ATTORNEY TO BE NOTICED* |
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| **Receiver** |  |  |
| **Michael Grassmueck**  *Monitor* | represented by | **Michael Grassmueck**  PO Box 230091  Portland, OR 97281  503-294-9928  Email: mgrassmueck@grassmueckgroup.com  PRO SE  **Michael R Farrell** Allen Matkins Leck Gamble Mallory and Natsis LLP  865 South Figueroa Street, Suite 2800  Los Angeles, CA 90017-2543  213-622-5555  Fax: 213-620-8815  Email: mfarrell@allenmatkins.com  *LEAD ATTORNEY*  *ATTORNEY TO BE NOTICED*  **David R Zaro** Allen Matkins Leck Gamble Mallory and Natsis  865 S. Figueroa Street, Suite 2800  Los Angeles, CA 90017-2543  213-622-5555  Fax: 213-620-8816  Email: dzaro@allenmatkins.com  *ATTORNEY TO BE NOTICED*  **Peter Allen Griffin** Allen Matkins Leck Gamble Mallory and Natsis LLP  865 South Figueroa Street, Suite 2800  Los Angeles, CA 90017  213-622-5555  Fax: 213-620-8816  Email: pgriffin@allenmatkins.com  *ATTORNEY TO BE NOTICED* |
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| Date Filed | # | Docket Text |
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| 05/26/2016 | [1](https://ecf.cacd.uscourts.gov/doc1/031023584649) | COMPLAINT against Defendants Beverly Proton Center LLC, Charles C. Liu, Pacific Proton EB 5 Fund LLC, Pacific Proton Therapy Regional Center LLC, Xin Wang.Case assigned to Judge Cormac J. Carney for all further proceedings. Discovery referred to Magistrate Judge Alicia G. Rosenberg. (Filing fee $ 400: NO FEE REQUIRED), filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123584650) Civil Cover Sheet) (et) (Entered: 05/27/2016) |
| 05/26/2016 | [2](https://ecf.cacd.uscourts.gov/doc1/031123584714) | 21 DAY Summons Issued re Complaint - (Discovery) [1](https://ecf.cacd.uscourts.gov/doc1/031023584649) as to Defendants Beverly Proton Center LLC, Charles C. Liu, Pacific Proton EB 5 Fund LLC, Pacific Proton Therapy Regional Center LLC, Xin Wang. (et) (Entered: 05/27/2016) |
| 05/26/2016 | [3](https://ecf.cacd.uscourts.gov/doc1/031023584746) | PLAINTIFF SECURITIES AND EXCHANGE COMMISSION EX PARTE APPLICATION to File its application for a Temporary Restraining Order Under Seal for a limited time filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123584747) Proposed Order) (et) (Entered: 05/27/2016) |
| 05/26/2016 | [4](https://ecf.cacd.uscourts.gov/doc1/031023584800) | PLAINTIFF SECURITIES AND EXCHANGE COMMISSION EX PARTE APPLICATION for Temporary Restraining Order, Order to Show Cause re: Preliminary Injunction should not be granted and Orders for Freezing assets; repatriating assets; requiring accountings and prohibiting the destruction of documents filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123584801) Proposed Order) (et) (Entered: 05/27/2016) |
| 05/26/2016 | [5](https://ecf.cacd.uscourts.gov/doc1/031123584811) | MEMORANDUM OF POINTS AND AUTHORITIES in Support of EX PARTE APPLICATION for Temporary Restraining Order, Order to Show Cause re: Preliminary Injunction should not be granted and Orders for Freezing assets; repatriating assets; requiring accountings and prohibiting the destruction of documents [4](https://ecf.cacd.uscourts.gov/doc1/031023584800) filed by Plaintiff Securities and Exchange Commission. (et) (Entered: 05/27/2016) |
| 05/26/2016 | [6](https://ecf.cacd.uscourts.gov/doc1/031023584864) | DECLARATION of LORRAINE PEARSON in Support of EX PARTE APPLICATION for Temporary Restraining Order, Order to Show Cause re: Preliminary Injunction should not be granted and Orders for Freezing assets; repatriating assets; requiring accountings and prohibiting the destruction of documents [4](https://ecf.cacd.uscourts.gov/doc1/031023584800) filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123584865) Part 1 to Declaration, # [2](https://ecf.cacd.uscourts.gov/doc1/031123584866) Part 2 to Declaration)(et) (Entered: 05/27/2016) |
| 05/26/2016 | [7](https://ecf.cacd.uscourts.gov/doc1/031023585005) | DECLARATION of JACOB A. REGENSTREIF in Support of EX PARTE APPLICATION for Temporary Restraining Order, Order to Show Cause re: Preliminary Injunction should not be granted and Orders for Freezing assets; repatriating assets; requiring accountings and prohibiting the destruction of documents [4](https://ecf.cacd.uscourts.gov/doc1/031023584800) filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123585006) Part 1 to Declaration, # [2](https://ecf.cacd.uscourts.gov/doc1/031123585007) Part 2 to Declaration, # [3](https://ecf.cacd.uscourts.gov/doc1/031123585008) Part 3 to Declaration, # [4](https://ecf.cacd.uscourts.gov/doc1/031123585009) Part 4 to Declaration, # [5](https://ecf.cacd.uscourts.gov/doc1/031123585010) Part 5 to Declaration)(et) (Attachment 5 replaced on 6/16/2016) (dro). (Additional attachment(s) added on 6/16/2016: # [6](https://ecf.cacd.uscourts.gov/doc1/031123706735) Part 6, # [7](https://ecf.cacd.uscourts.gov/doc1/031123706736) Part 7) (dro). (Additional attachment(s) added on 6/16/2016: # [8](https://ecf.cacd.uscourts.gov/doc1/031123707088) Part 8) (dro). Modified on 6/16/2016 (dro). (Entered: 05/27/2016) |
| 05/26/2016 | [8](https://ecf.cacd.uscourts.gov/doc1/031123585100) | NOTICE OF ASSIGNMENT to District Judge Cormac J. Carney and Magistrate Judge Alicia G. Rosenberg. (et) (Entered: 05/27/2016) |
| 05/26/2016 | [9](https://ecf.cacd.uscourts.gov/doc1/031123585103) | NOTICE TO PARTIES OF COURT-DIRECTED ADR PROGRAM filed. (et) (Entered: 05/27/2016) |
| 05/27/2016 | [10](https://ecf.cacd.uscourts.gov/doc1/031123589496) | ORDER Temporarily Sealing Plaintiff Securities and Exchange Commission's Entire Application for a Temporary Restraining Order by Judge Cormac J. Carney, re [3](https://ecf.cacd.uscourts.gov/doc1/031023584746) . (see document for details). (dro) (Entered: 05/27/2016) |
| 05/27/2016 | [11](https://ecf.cacd.uscourts.gov/doc1/031123589658) | MINUTES OF Hearing on Plaintiff's Ex Parte Application for Temporary Restraining Order [4](https://ecf.cacd.uscourts.gov/doc1/031023584800) , held before Judge Cormac J. Carney. Application hearing held. Court confers with the counsel for the Plaintiff. No appearances made on behalf of defendants. The Court and Plaintiff=s counsel discuss matters as stated on the record, including the Court's tentative ruling on the Ex Parte Application for Temporary Restraining Order. Court Reporter: Debbie Hino-Spaan. (dro) (Entered: 05/27/2016) |
| 05/27/2016 | [12](https://ecf.cacd.uscourts.gov/doc1/031123589788) | SEALED Miscellaneous Document. \*UNSEALED ON 6/2/16 PER COURT ORDER [14](https://ecf.cacd.uscourts.gov/doc1/031123596233) \*(dro) Modified on 6/2/2016 (mku). (Entered: 05/27/2016) |
| 05/27/2016 | [13](https://ecf.cacd.uscourts.gov/doc1/031123589818) | SEALED Miscellaneous Document \*RE-SEALED ON 6/8/16 PER COURT ORDER DATED 6/8/16.\*. (dro) Modified on 6/2/2016 (mku). Modified on 6/8/2016 (dro). (Entered: 05/27/2016) |
| 05/31/2016 | [14](https://ecf.cacd.uscourts.gov/doc1/031123596233) | TEMPORARY RESTRAINING ORDER, Order to Show Cause Why a Preliminary Injunction Should Not Be Granted, and Orders (1) Freezing Assets; and (2) Prohibiting the Destruction of Documents by Judge Cormac J. Carney: See document for further information. (lwag) (Entered: 05/31/2016) |
| 06/03/2016 | [15](https://ecf.cacd.uscourts.gov/doc1/031023630371) | NOTICE OF MOTION AND MOTION for Order *(s) Requiring The Repatriation of Assets and Accountings* filed by Plaintff Securities and Exchange Commission. Motion set for hearing on 7/11/2016 at 09:30 AM before Judge Cormac J. Carney. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123630372) Memorandum P's & A's, # [2](https://ecf.cacd.uscourts.gov/doc1/031123630373) Declaration and Exhibits, # [3](https://ecf.cacd.uscourts.gov/doc1/031123630374) Proposed Order) (Berry, John) (Entered: 06/03/2016) |
| 06/03/2016 | [16](https://ecf.cacd.uscourts.gov/doc1/031023630435) | DECLARATION In Support Of NOTICE OF MOTION AND MOTION for Order *(s) Requiring The Repatriation of Assets and Accountings* [15](https://ecf.cacd.uscourts.gov/doc1/031023630371) *Supplemental Declaration of Lorraine Pearson* filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123630436) Exhibit 1 - 4, # [2](https://ecf.cacd.uscourts.gov/doc1/031123630437) Exhibit 5, # [3](https://ecf.cacd.uscourts.gov/doc1/031123630438) Exhibit 6 - 9)(Berry, John) (Entered: 06/03/2016) |
| 06/06/2016 | [17](https://ecf.cacd.uscourts.gov/doc1/031023640657) | STIPULATION for Preliminary Injunction filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123640658) Proposed Order)(Berry, John) (Entered: 06/06/2016) |
| 06/06/2016 | [18](https://ecf.cacd.uscourts.gov/doc1/031123640681) | DECLARATION of John W. Berry re Stipulation for Preliminary Injunction [17](https://ecf.cacd.uscourts.gov/doc1/031023640657) filed by Plaintiff Securities and Exchange Commission. (Berry, John) (Entered: 06/06/2016) |
| 06/06/2016 | [19](https://ecf.cacd.uscourts.gov/doc1/031023640704) | EX PARTE APPLICATION to file document *Docket #13* under seal filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123640705) Proposed Order)(Berry, John) (Entered: 06/06/2016) |
| 06/06/2016 | [20](https://ecf.cacd.uscourts.gov/doc1/031123640722) | DECLARATION of John W. Berry re EX PARTE APPLICATION to file document *Docket #13* under seal [19](https://ecf.cacd.uscourts.gov/doc1/031023640704) filed by Plaintiff Securities and Exchange Commission. (Berry, John) (Entered: 06/06/2016) |
| 06/08/2016 | [21](https://ecf.cacd.uscourts.gov/doc1/031123656270) | ORDER Regarding Preliminary Injunction Hearing and Related Matters [17](https://ecf.cacd.uscourts.gov/doc1/031023640657) by Judge Cormac J. Carney: The Court, having considered the Stipulation and accompanying Declaration, and the other evidence and argument presented to the Court, orders as follows: IT IS ORDERED: The hearing for the defendants to show cause, if there be any, why a preliminary injunction should not be granted for June 14, 2016 (the PI Hearing), which was originally scheduled for June 14, 2016 at 9:00 a.m., is adjourned to July 11, 2016 at 9:00 a.m. Any opposition papers in connection with the PI Hearing must be served and filed by defendants on or before June 20, 2016. Any reply papers must be served and filed by the SEC on or before June 27, 2016. See document for further information. (lwag) (Entered: 06/08/2016) |
| 06/08/2016 | [22](https://ecf.cacd.uscourts.gov/doc1/031123656891) | ORDER To Seal or Replace Docket No. 13 [19](https://ecf.cacd.uscourts.gov/doc1/031023640704) by Judge Cormac J. Carney: Plaintiff Securities and Exchange Commission (SEC), having applied for an order directing that Docket No. 13 in the instant litigation be sealed or replaced, and good cause appearing therefore, IT IS HEREBY ORDERED that Docket No. 13 in this action be permanently sealed or replaced with the document filed as Exhibit 1 to Docket No. 16 (Dkt. No. 16-1, pages 20 to 35). (lwag) (Entered: 06/08/2016) |
| 06/09/2016 | 23 | SCHEDULING NOTICE by Judge Cormac J. Carney: The SEC'S Motion for Order(s) Requiring The Repatriation of Assets and Accountings [15](https://ecf.cacd.uscourts.gov/doc1/031023630371) currently scheduled for July 11, 2016 at 9:30 AM is hereby ADVANCED to 9:00 a.m. \*\*TIME CHANGE ONLY\*\* THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (mku) TEXT ONLY ENTRY (Entered: 06/09/2016) |
| 06/10/2016 | [24](https://ecf.cacd.uscourts.gov/doc1/031123673901) | DECLARATION of John W. Berry *Regarding Service and Delivery of Dkt Nos. 1-7, 13-21* filed by Plaintiff Securities and Exchange Commission. (Berry, John) (Entered: 06/10/2016) |
| 06/16/2016 | [25](https://ecf.cacd.uscourts.gov/doc1/031123707803) | NOTICE OF CLERICAL ERROR: Due to clerical error, multiple pages of document [7](https://ecf.cacd.uscourts.gov/doc1/031023585005) were omitted from docket entry. Additional pages now added to docket entry as Part 6, Part 7 and Part 8. (dro) (Entered: 06/16/2016) |
| 06/20/2016 | [26](https://ecf.cacd.uscourts.gov/doc1/031123731411) | OPPOSITION to NOTICE OF MOTION AND MOTION for Order *(s) Requiring The Repatriation of Assets and Accountings* [15](https://ecf.cacd.uscourts.gov/doc1/031023630371) filed by Defendant Charles C. Liu. (Attorney Edward Gartenberg added to party Charles C. Liu(pty:dft))(Gartenberg, Edward) (Entered: 06/20/2016) |
| 06/20/2016 | [27](https://ecf.cacd.uscourts.gov/doc1/031123731435) | CERTIFICATE of Interested Parties filed by Defendant Charles C. Liu, (Gartenberg, Edward) (Entered: 06/20/2016) |
| 06/20/2016 | [28](https://ecf.cacd.uscourts.gov/doc1/031023731544) | APPLICATION of Non-Resident Attorney Hannah M. Lynch to Appear Pro Hac Vice on behalf of Defendant Charles C. Liu (Pro Hac Vice Fee - Fee Paid, Receipt No. 0973-18041164) filed by Defendant Charles C. Liu. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123731545) Proposed Order ) (Gartenberg, Edward) (Entered: 06/20/2016) |
| 06/20/2016 | [29](https://ecf.cacd.uscourts.gov/doc1/031023731613) | APPLICATION of Non-Resident Attorney Herve Gouraige to Appear Pro Hac Vice on behalf of Defendant Charles C. Liu (Pro Hac Vice Fee - Fee Paid, Receipt No. 0973-18041217) filed by Defendant Charles C. Liu. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123731614) Proposed Order) (Gartenberg, Edward) (Entered: 06/20/2016) |
| 06/20/2016 | [30](https://ecf.cacd.uscourts.gov/doc1/031023731705) | APPLICATION of Non-Resident Attorney William R. Stuart, III to Appear Pro Hac Vice on behalf of Defendant Charles C. Liu (Pro Hac Vice Fee - Fee Paid, Receipt No. 0973-18041251) filed by Defendant Charles C. Liu. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123731706) Propose d Order) (Gartenberg, Edward) (Entered: 06/20/2016) |
| 06/20/2016 | [31](https://ecf.cacd.uscourts.gov/doc1/031023731932) | MEMORANDUM in Opposition to EX PARTE APPLICATION for Temporary Restraining Order EX PARTE APPLICATION for Order to Show Cause re: Preliminary Injunction should not be granted EX PARTE APPLICATION for Order for Freezing assets; repatriating assets; requiring accountings and prohiibiting the destruction of documents [4](https://ecf.cacd.uscourts.gov/doc1/031023584800) filed by Defendant Charles C. Liu. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123731933) Declaration of W. Wang with Exhibits Attached, # [2](https://ecf.cacd.uscourts.gov/doc1/031123731934) Declaration of C. Liu with Exhibits Attached, # [3](https://ecf.cacd.uscourts.gov/doc1/031123731935) Declaration of M. Dolukhanayan with Exhibits Attached, # [4](https://ecf.cacd.uscourts.gov/doc1/031123731936) Declaration of C. Xiaojun with Exhibits Attached)(Gartenberg, Edward) (Entered: 06/20/2016) |
| 06/21/2016 | [32](https://ecf.cacd.uscourts.gov/doc1/031123733931) | NOTICE of Appearance filed by attorney Stanley C Morris on behalf of Defendant Beverly Proton Center LLC (Attorney Stanley C Morris added to party Beverly Proton Center LLC(pty:dft))(Morris, Stanley) (Entered: 06/21/2016) |
| 06/21/2016 | [33](https://ecf.cacd.uscourts.gov/doc1/031123733934) | NOTICE of Interested Parties (Morris, Stanley) (Entered: 06/21/2016) |
| 06/21/2016 | [34](https://ecf.cacd.uscourts.gov/doc1/031123733937) | NOTICE of Appearance filed by attorney Stanley C Morris on behalf of Defendant Pacific Proton EB 5 Fund LLC (Attorney Stanley C Morris added to party Pacific Proton EB 5 Fund LLC(pty:dft))(Morris, Stanley) (Entered: 06/21/2016) |
| 06/21/2016 | [35](https://ecf.cacd.uscourts.gov/doc1/031123733940) | NOTICE of Appearance filed by attorney Stanley C Morris on behalf of Defendant Pacific Proton Therapy Regional Center LLC (Attorney Stanley C Morris added to party Pacific Proton Therapy Regional Center LLC(pty:dft))(Morris, Stanley) (Entered: 06/21/2016) |
| 06/21/2016 | [36](https://ecf.cacd.uscourts.gov/doc1/031123733943) | MEMORANDUM in Opposition to EX PARTE APPLICATION for Temporary Restraining Order EX PARTE APPLICATION for Order to Show Cause re: Preliminary Injunction should not be granted EX PARTE APPLICATION for Order for Freezing assets; repatriating assets; requiring accountings and prohiibiting the destruction of documents [4](https://ecf.cacd.uscourts.gov/doc1/031023584800) filed by Defendant Beverly Proton Center LLC. (Morris, Stanley) (Entered: 06/21/2016) |
| 06/21/2016 | [37](https://ecf.cacd.uscourts.gov/doc1/031023733949) | DECLARATION of Michael Cogswell EX PARTE APPLICATION for Temporary Restraining Order EX PARTE APPLICATION for Order to Show Cause re: Preliminary Injunction should not be granted EX PARTE APPLICATION for Order for Freezing assets; repatriating assets; requiring accountings and prohiibiting the destruction of documents [4](https://ecf.cacd.uscourts.gov/doc1/031023584800) filed by Defendant Beverly Proton Center LLC. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123733950) Exhibit 14, # [2](https://ecf.cacd.uscourts.gov/doc1/031123733951) Exhibit 2, # [3](https://ecf.cacd.uscourts.gov/doc1/031123733952) Exhibit 3, # [4](https://ecf.cacd.uscourts.gov/doc1/031123733953) Exhibit 4, # [5](https://ecf.cacd.uscourts.gov/doc1/031123733954) Exhibit 5, # [6](https://ecf.cacd.uscourts.gov/doc1/031123733955) Exhibit 6, # [7](https://ecf.cacd.uscourts.gov/doc1/031123733956) Exhibit 7, # [8](https://ecf.cacd.uscourts.gov/doc1/031123733957) Exhibit 8, # [9](https://ecf.cacd.uscourts.gov/doc1/031123733958) Exhibit 9, # [10](https://ecf.cacd.uscourts.gov/doc1/031123733959) Exhibit 10, # [11](https://ecf.cacd.uscourts.gov/doc1/031123733960) Exhibit 11, # [12](https://ecf.cacd.uscourts.gov/doc1/031123733961) Exhibit 12, # [13](https://ecf.cacd.uscourts.gov/doc1/031123733962) Exhibit 13, # [14](https://ecf.cacd.uscourts.gov/doc1/031123733963) Exhibit 14, # [15](https://ecf.cacd.uscourts.gov/doc1/031123733964) Exhibit 15)(Morris, Stanley) (Entered: 06/21/2016) |
| 06/21/2016 | [38](https://ecf.cacd.uscourts.gov/doc1/031023733970) | DECLARATION of Donald Wise in opposition EX PARTE APPLICATION for Temporary Restraining Order EX PARTE APPLICATION for Order to Show Cause re: Preliminary Injunction should not be granted EX PARTE APPLICATION for Order for Freezing assets; repatriating assets; requiring accountings and prohiibiting the destruction of documents [4](https://ecf.cacd.uscourts.gov/doc1/031023584800)filed by Defendant Beverly Proton Center LLC. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123733971) Exhibit 1, # [2](https://ecf.cacd.uscourts.gov/doc1/031123733972) Exhibit 2, # [3](https://ecf.cacd.uscourts.gov/doc1/031123733973) Exhibit 3)(Morris, Stanley) (Entered: 06/21/2016) |
| 06/21/2016 | [39](https://ecf.cacd.uscourts.gov/doc1/031023733979) | DECLARATION of Stanley C. Morris in opposition EX PARTE APPLICATION for Temporary Restraining Order EX PARTE APPLICATION for Order to Show Cause re: Preliminary Injunction should not be granted EX PARTE APPLICATION for Order for Freezing assets; repatriating assets; requiring accountings and prohiibiting the destruction of documents [4](https://ecf.cacd.uscourts.gov/doc1/031023584800) filed by Defendant Beverly Proton Center LLC. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123733980) Exhibit 1)(Morris, Stanley) (Entered: 06/21/2016) |
| 06/21/2016 | [40](https://ecf.cacd.uscourts.gov/doc1/031123733983) | MEMORANDUM in Opposition to EX PARTE APPLICATION for Temporary Restraining Order EX PARTE APPLICATION for Order to Show Cause re: Preliminary Injunction should not be granted EX PARTE APPLICATION for Order for Freezing assets; repatriating assets; requiring accountings and prohiibiting the destruction of documents [4](https://ecf.cacd.uscourts.gov/doc1/031023584800) filed by Defendant Pacific Proton EB 5 Fund LLC. (Morris, Stanley) (Entered: 06/21/2016) |
| 06/21/2016 | [41](https://ecf.cacd.uscourts.gov/doc1/031023733998) | DECLARATION of Michael Cogswell in opposition EX PARTE APPLICATION for Temporary Restraining Order EX PARTE APPLICATION for Order to Show Cause re: Preliminary Injunction should not be granted EX PARTE APPLICATION for Order for Freezing assets; repatriating assets; requiring accountings and prohiibiting the destruction of documents [4](https://ecf.cacd.uscourts.gov/doc1/031023584800) filed by Defendant Pacific Proton EB 5 Fund LLC. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123733999) Exhibit 1, # [2](https://ecf.cacd.uscourts.gov/doc1/031123734000) Exhibit 2, # [3](https://ecf.cacd.uscourts.gov/doc1/031123734001) Exhibit 3)(Morris, Stanley) (Entered: 06/21/2016) |
| 06/21/2016 | [42](https://ecf.cacd.uscourts.gov/doc1/031023734004) | DECLARATION of Donald Wise in opposition EX PARTE APPLICATION for Temporary Restraining Order EX PARTE APPLICATION for Order to Show Cause re: Preliminary Injunction should not be granted EX PARTE APPLICATION for Order for Freezing assets; repatriating assets; requiring accountings and prohiibiting the destruction of documents [4](https://ecf.cacd.uscourts.gov/doc1/031023584800)filed by Defendant Pacific Proton EB 5 Fund LLC. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123734005) Exhibit 1, # [2](https://ecf.cacd.uscourts.gov/doc1/031123734006) Exhibit 2, # [3](https://ecf.cacd.uscourts.gov/doc1/031123734007) Exhibit 3)(Morris, Stanley) (Entered: 06/21/2016) |
| 06/21/2016 | [43](https://ecf.cacd.uscourts.gov/doc1/031123734010) | MEMORANDUM in Opposition to EX PARTE APPLICATION for Temporary Restraining Order EX PARTE APPLICATION for Order to Show Cause re: Preliminary Injunction should not be granted EX PARTE APPLICATION for Order for Freezing assets; repatriating assets; requiring accountings and prohiibiting the destruction of documents [4](https://ecf.cacd.uscourts.gov/doc1/031023584800) filed by Defendant Pacific Proton Therapy Regional Center LLC. (Morris, Stanley) (Entered: 06/21/2016) |
| 06/21/2016 | [44](https://ecf.cacd.uscourts.gov/doc1/031023734013) | DECLARATION of Michael Cogswell in opposition EX PARTE APPLICATION for Temporary Restraining Order EX PARTE APPLICATION for Order to Show Cause re: Preliminary Injunction should not be granted EX PARTE APPLICATION for Order for Freezing assets; repatriating assets; requiring accountings and prohiibiting the destruction of documents [4](https://ecf.cacd.uscourts.gov/doc1/031023584800) filed by Defendant Pacific Proton Therapy Regional Center LLC. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123734014) Exhibit 1, # [2](https://ecf.cacd.uscourts.gov/doc1/031123734015) Exhibit 2, # [3](https://ecf.cacd.uscourts.gov/doc1/031123734016) Exhibit 3)(Morris, Stanley) (Entered: 06/21/2016) |
| 06/21/2016 | [45](https://ecf.cacd.uscourts.gov/doc1/031023734019) | DECLARATION of Donald Wise in opposition EX PARTE APPLICATION for Temporary Restraining Order EX PARTE APPLICATION for Order to Show Cause re: Preliminary Injunction should not be granted EX PARTE APPLICATION for Order for Freezing assets; repatriating assets; requiring accountings and prohiibiting the destruction of documents [4](https://ecf.cacd.uscourts.gov/doc1/031023584800)filed by Defendant Pacific Proton Therapy Regional Center LLC. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123734020) Exhibit 1, # [2](https://ecf.cacd.uscourts.gov/doc1/031123734021) Exhibit 2, # [3](https://ecf.cacd.uscourts.gov/doc1/031123734022) Exhibit 3)(Morris, Stanley) (Entered: 06/21/2016) |
| 06/21/2016 | [46](https://ecf.cacd.uscourts.gov/doc1/031123738085) | NOTICE OF MOTION AND MOTION to Continue (Stipulation to Extend Time to Respond to Complaint) from June 23, 2016 to July 7, 2016 Re: Complaint - (Discovery), [1](https://ecf.cacd.uscourts.gov/doc1/031023584649) filed by Defendant Charles C. Liu. (Gartenberg, Edward) (Entered: 06/21/2016) |
| 06/21/2016 | [47](https://ecf.cacd.uscourts.gov/doc1/031123739984) | STIPULATION to Continue Time to Respond to Complaint from June 23, 2016 to July 7, 2016 Re: Complaint - (Discovery), [1](https://ecf.cacd.uscourts.gov/doc1/031023584649) filed by Defendant Charles C. Liu.(Gartenberg, Edward) (Entered: 06/21/2016) |
| 06/21/2016 | [48](https://ecf.cacd.uscourts.gov/doc1/031123742949) | ORDER by Judge Cormac J. Carney: Granting [28](https://ecf.cacd.uscourts.gov/doc1/031023731544) Non-Resident Attorney Hannah M. Lynch APPLICATION to Appear Pro Hac Vice on behalf of Defendant Charles C. Liu, designating Edward Gartenberg as local counsel. (lwag) (Entered: 06/22/2016) |
| 06/21/2016 | [49](https://ecf.cacd.uscourts.gov/doc1/031123742955) | ORDER by Judge Cormac J. Carney: Granting [29](https://ecf.cacd.uscourts.gov/doc1/031023731613) Non-Resident Attorney Herve Gouraige APPLICATION to Appear Pro Hac Vice on behalf of Defendant Charles C. Liu, designating Edward Gartenberg as local counsel. (lwag) (Entered: 06/22/2016) |
| 06/21/2016 | [50](https://ecf.cacd.uscourts.gov/doc1/031123742961) | ORDER by Judge Cormac J. Carney: Granting [30](https://ecf.cacd.uscourts.gov/doc1/031023731705) Non-Resident Attorney William Stuart III APPLICATION to Appear Pro Hac Vice on behalf of Defendant Charles C. Liu, designating Edward Gartenberg as local counsel. (lwag) (Entered: 06/22/2016) |
| 06/22/2016 | [51](https://ecf.cacd.uscourts.gov/doc1/031123749129) | TRANSCRIPT for proceedings held on 5/27/2016 at 1:06 p.m.\*\*\*\*Transcript may be viewed at the court public terminal or purchased through Court Reporter DEBBIE HINO-SPAAN at: WEBSITE www.debbiehinospaan.com; E-mail, dhinospaan@yahoo.com before the deadline for Release of Transcript restriction. After that date, it may be obtained from the Court Reporter or through PACER. Additional formats of the transcript (ASCII, Condensed, and Word Indexing/Concordance) are also available to be purchased at any time through the Court Reporter. Notice of Intent to Redact due within 7 days of this date.\*\* Redaction Request due 7/13/2016. Redacted Transcript Deadline set for 7/25/2016. Release of Transcript Restriction set for 9/20/2016. (dhs) (Entered: 06/22/2016) |
| 06/22/2016 | 52 | NOTICE OF FILING TRANSCRIPT filed for proceedings 5/27/2016 at 1:06 p.m. re Transcript [51](https://ecf.cacd.uscourts.gov/doc1/031123749129) THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (dhs) TEXT ONLY ENTRY (Entered: 06/22/2016) |
| 06/23/2016 | [53](https://ecf.cacd.uscourts.gov/doc1/031123760536) | STIPULATION for Extension of Time to File Response as to NOTICE OF MOTION AND MOTION for Order *(s) Requiring The Repatriation of Assets and Accountings* [15](https://ecf.cacd.uscourts.gov/doc1/031023630371) , EX PARTE APPLICATION for Temporary Restraining Order EX PARTE APPLICATION for Order to Show Cause re: Preliminary Injunction should not be granted EX PARTE APPLICATION for Order for Freezing assets; repatriating assets; requiring accountings and prohiibiting the destruction of documents [4](https://ecf.cacd.uscourts.gov/doc1/031023584800) filed by Plaintiff Securities and Exchange Commission.(Berry, John) (Entered: 06/23/2016) |
| 06/24/2016 | [54](https://ecf.cacd.uscourts.gov/doc1/031123770875) | JOINDER filed by Defendant Xin Wang joining in MEMORANDUM in Opposition to Motion,, [31](https://ecf.cacd.uscourts.gov/doc1/031023731932) . (Morgan, Nicolas) (Entered: 06/24/2016) |
| 06/27/2016 | [55](https://ecf.cacd.uscourts.gov/doc1/031123780623) | ORDER by Judge Cormac J. Carney: Extending Briefing on Motion for Preliminary Injunction for Defendant Xin Wang. FOR THE REASONS SET FORTH ABOVE, IT IS HEREBY STIPULATED, by Wang and counsel for the SEC, as follows: Any opposition papers in connection with the PI Hearing and the SEC's Motion for Repatriation and Accountings must be served and filed by Wang on or before June 24. Any reply papers must be served and filed by the SEC on or before July 1.(see document for further details) (mba) (Entered: 06/27/2016) |
| 06/28/2016 | [56](https://ecf.cacd.uscourts.gov/doc1/031023783191) | REPLY In Further Support of EX PARTE APPLICATION for Temporary Restraining Order EX PARTE APPLICATION for Order to Show Cause re: Preliminary Injunction should not be granted EX PARTE APPLICATION for Order for Freezing assets; repatriating assets; requiring accountings and prohiibiting the destruction of documents [4](https://ecf.cacd.uscourts.gov/doc1/031023584800) filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123783192) Proposed Order)(Berry, John) (Entered: 06/28/2016) |
| 06/28/2016 | [57](https://ecf.cacd.uscourts.gov/doc1/031023783195) | REPLY In Further Support of EX PARTE APPLICATION for Temporary Restraining Order EX PARTE APPLICATION for Order to Show Cause re: Preliminary Injunction should not be granted EX PARTE APPLICATION for Order for Freezing assets; repatriating assets; requiring accountings and prohiibiting the destruction of documents [4](https://ecf.cacd.uscourts.gov/doc1/031023584800) filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123783196) Proposed Order)(Berry, John) (Entered: 06/28/2016) |
| 06/28/2016 | [58](https://ecf.cacd.uscourts.gov/doc1/031123783199) | REPLY In Further Support of NOTICE OF MOTION AND MOTION for Order *(s) Requiring The Repatriation of Assets and Accountings* [15](https://ecf.cacd.uscourts.gov/doc1/031023630371) filed by Plaintiff Securities and Exchange Commission. (Berry, John) (Entered: 06/28/2016) |
| 06/28/2016 | [59](https://ecf.cacd.uscourts.gov/doc1/031023783205) | DECLARATION of Jacob A. Regenstreif In Support of NOTICE OF MOTION AND MOTION for Order *(s) Requiring The Repatriation of Assets and Accountings* [15](https://ecf.cacd.uscourts.gov/doc1/031023630371) , EX PARTE APPLICATION for Temporary Restraining Order EX PARTE APPLICATION for Order to Show Cause re: Preliminary Injunction should not be granted EX PARTE APPLICATION for Order for Freezing assets; repatriating assets; requiring accountings and prohiibiting the destruction of documents [4](https://ecf.cacd.uscourts.gov/doc1/031023584800) filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123783206) Exhibit, # [2](https://ecf.cacd.uscourts.gov/doc1/031123783207) Exhibit, # [3](https://ecf.cacd.uscourts.gov/doc1/031123783208) Exhibit)(Berry, John) (Entered: 06/28/2016) |
| 06/28/2016 | [60](https://ecf.cacd.uscourts.gov/doc1/031123783211) | OBJECTIONS to Declaration (Motion related),, [37](https://ecf.cacd.uscourts.gov/doc1/031023733949) , Declaration (Motion related), [41](https://ecf.cacd.uscourts.gov/doc1/031023733998) , Declaration (Motion related), [44](https://ecf.cacd.uscourts.gov/doc1/031023734013) filed by Plaintiff Securities and Exchange Commission. (Berry, John) (Entered: 06/28/2016) |
| 06/28/2016 | [61](https://ecf.cacd.uscourts.gov/doc1/031123783214) | OBJECTIONS to MEMORANDUM in Opposition to Motion,, [31](https://ecf.cacd.uscourts.gov/doc1/031023731932) filed by Plaintiff Securities and Exchange Commission. (Berry, John) (Entered: 06/28/2016) |
| 07/01/2016 | [62](https://ecf.cacd.uscourts.gov/doc1/031123818813) | REPLY In Support of NOTICE OF MOTION AND MOTION for Order *(s) Requiring The Repatriation of Assets and Accountings* [15](https://ecf.cacd.uscourts.gov/doc1/031023630371) , EX PARTE APPLICATION for Temporary Restraining Order EX PARTE APPLICATION for Order to Show Cause re: Preliminary Injunction should not be granted EX PARTE APPLICATION for Order for Freezing assets; repatriating assets; requiring accountings and prohiibiting the destruction of documents [4](https://ecf.cacd.uscourts.gov/doc1/031023584800) filed by Plaintiff Securities and Exchange Commission. (Berry, John) (Entered: 07/01/2016) |
| 07/01/2016 | [63](https://ecf.cacd.uscourts.gov/doc1/031023820927) | NOTICE OF MOTION AND MOTION to Appoint Receiver for for Corporate Defendants filed by Plaintiff Securities and Exchange Commission. Motion set for hearing on 7/18/2016 at 01:30 PM before Judge Cormac J. Carney. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123820928) Exhibit) (Berry, John) (Entered: 07/01/2016) |
| 07/01/2016 | [64](https://ecf.cacd.uscourts.gov/doc1/031023821335) | MEMORANDUM of Points and Authorities in Support Re: NOTICE OF MOTION AND MOTION to Appoint Receiver for for Corporate Defendants [63](https://ecf.cacd.uscourts.gov/doc1/031023820927) (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123821336) Proposed Order)(Berry, John) (Entered: 07/01/2016) |
| 07/01/2016 | [65](https://ecf.cacd.uscourts.gov/doc1/031023821446) | DECLARATION of John W. Berry In Support of NOTICE OF MOTION AND MOTION to Appoint Receiver for for Corporate Defendants [63](https://ecf.cacd.uscourts.gov/doc1/031023820927) filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123821447) Exhibit, # [2](https://ecf.cacd.uscourts.gov/doc1/031123821448) Exhibit)(Berry, John) (Entered: 07/01/2016) |
| 07/01/2016 | [66](https://ecf.cacd.uscourts.gov/doc1/031023821520) | EX PARTE APPLICATION to Shorten Time for Hearing on re NOTICE OF MOTION AND MOTION to Appoint Receiver for for Corporate Defendants [63](https://ecf.cacd.uscourts.gov/doc1/031023820927) to July 18, 2016 filed by Plaintiff Securities and Exchange Commission. Ex Parte Application set for hearing on 7/18/2016 at 01:30 PM before Judge Cormac J. Carney. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123821521) Declaration, # [2](https://ecf.cacd.uscourts.gov/doc1/031123821522)Proposed Order) (Berry, John) (Entered: 07/01/2016) |
| 07/05/2016 | [67](https://ecf.cacd.uscourts.gov/doc1/031123823777) | \*\*NOTE: CHANGES MADE BY THE COURT\*\* ORDER Granting Ex Parte Application for Order to Shorten Time for Hearing [66](https://ecf.cacd.uscourts.gov/doc1/031023821520) by Judge Cormac J. Carney: The Court, having considered the Application and the other evidence and argument presented to the Court, orders as follows: IT IS ORDERED that the hearing for the SECs Motion for the Appointment of a Monitor will be heard on July 11, 2016 at 9:00 a.m. Any opposition papers to that SECs Motion for the Appointment of a Monitor must be served and filed by defendants on or before July 7, 2016. Any reply papers must be served and filed by the SEC on or before July 8, 2016. (lwag) (Entered: 07/05/2016) |
| 07/07/2016 | [68](https://ecf.cacd.uscourts.gov/doc1/031123841542) | Second STIPULATION Extending Time to Answer the complaint as to Charles C. Liu answer now due 7/7/2016, re Complaint - (Discovery), [1](https://ecf.cacd.uscourts.gov/doc1/031023584649) filed by Defendant Charles C. Liu.(Gartenberg, Edward) (Entered: 07/07/2016) |
| 07/07/2016 | [69](https://ecf.cacd.uscourts.gov/doc1/031023846972) | OPPOSITION to NOTICE OF MOTION AND MOTION to Appoint Receiver for for Corporate Defendants [63](https://ecf.cacd.uscourts.gov/doc1/031023820927) filed by Defendant Charles C. Liu. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123846973) Exhibit 1 to Opposition, # [2](https://ecf.cacd.uscourts.gov/doc1/031123846974) Exhibit 2 to Opposition, # [3](https://ecf.cacd.uscourts.gov/doc1/031123846975) Proposed Order)(Gartenberg, Edward) (Entered: 07/07/2016) |
| 07/07/2016 | [70](https://ecf.cacd.uscourts.gov/doc1/031023847904) | NOTICE OF ERRATA filed by Defendant Charles C. Liu. correcting Response in Opposition to Motion, [69](https://ecf.cacd.uscourts.gov/doc1/031023846972) (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123847905) Proposed Order)(Gartenberg, Edward) (Entered: 07/07/2016) |
| 07/07/2016 | [71](https://ecf.cacd.uscourts.gov/doc1/031123848817) | MEMORANDUM in Opposition to NOTICE OF MOTION AND MOTION to Appoint Receiver for for Corporate Defendants [63](https://ecf.cacd.uscourts.gov/doc1/031023820927) *Beverly Proton Center LLC, Pacific Proton EB-5 Fund, Beverly Proton Center LLC* filed by Defendant Beverly Proton Center LLC. (Morris, Stanley) (Entered: 07/07/2016) |
| 07/07/2016 | [72](https://ecf.cacd.uscourts.gov/doc1/031023848824) | DECLARATION of Michael Cogswell in opposition NOTICE OF MOTION AND MOTION to Appoint Receiver for for Corporate Defendants [63](https://ecf.cacd.uscourts.gov/doc1/031023820927) filed by Defendant Beverly Proton Center LLC. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123848825) Exhbit 1 to Cogswell Declaration)(Morris, Stanley) (Entered: 07/07/2016) |
| 07/08/2016 | [73](https://ecf.cacd.uscourts.gov/doc1/031123852432) | REPLY in Support of *Its Motion for the Appointment of a Monitor* filed by Plaintiff Securities and Exchange Commission. (Berry, John) (Entered: 07/08/2016) |
| 07/09/2016 | [74](https://ecf.cacd.uscourts.gov/doc1/031023858547) | REQUEST FOR JUDICIAL NOTICE re NOTICE OF MOTION AND MOTION to Appoint Receiver for for Corporate Defendants [63](https://ecf.cacd.uscourts.gov/doc1/031023820927) filed by Defendant Beverly Proton Center LLC. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123858548) Exhibit 1, # [2](https://ecf.cacd.uscourts.gov/doc1/031123858549) Exhibit 2, # [3](https://ecf.cacd.uscourts.gov/doc1/031123858550) Exhibit 3)(Morris, Stanley) (Entered: 07/09/2016) |
| 07/11/2016 | [75](https://ecf.cacd.uscourts.gov/doc1/031123858783) | NOTICE of Appearance filed by attorney Nicolas Morgan on behalf of Defendant Xin Wang (Attorney Nicolas Morgan added to party Xin Wang(pty:dft))(Morgan, Nicolas) (Entered: 07/11/2016) |
| 07/11/2016 | [76](https://ecf.cacd.uscourts.gov/doc1/031123864536) | ORDER by Judge Cormac J. Carney granting [63](https://ecf.cacd.uscourts.gov/doc1/031023820927) MOTION to Appoint Receiver and granting [15](https://ecf.cacd.uscourts.gov/doc1/031023630371) MOTION for Order. For the foregoing reasons, the SEC's motion for a preliminary injunction, for repatriation of assets and an accounting, and for the appointment of a monitor are all GRANTED. An injunction and a monitorship order will issue concurrent with this order. (see document for details). (dro) (Entered: 07/11/2016) |
| 07/11/2016 | [77](https://ecf.cacd.uscourts.gov/doc1/031123864597) | PRELIMINARY INJUNCTION Against All Defendants by Judge Cormac J. Carney. IT IS SO ORDERED, this date of July 11, 2016 at 11:00 a.m, Pacific Standard Time. (see document for details). (dro) (Entered: 07/11/2016) |
| 07/11/2016 | [78](https://ecf.cacd.uscourts.gov/doc1/031123864691) | STATUS REPORT *Regarding Preliminary Injunction Order* filed by Plaintiff Securities and Exchange Commission. (Berry, John) (Entered: 07/11/2016) |
| 07/11/2016 | [79](https://ecf.cacd.uscourts.gov/doc1/031123865576) | ORDER Appointing a Monitor by Judge Cormac J. Carney. IT IS FURTHER ORDERED that Michael Grassmueck is appointed as a monitor (the "Monitor") for Defendants Pacific Proton Therapy Regional Center, LLC ("Pacific Proton"), Pacific Proton EB-5 Fund, LLC ("PPEB5 Fund"), and Beverly Proton Center, LLC f/k/a Los Angeles County Proton Therapy, LLC("Beverly Proton"), and each of their subsidiaries and affiliates (collectively, the "Corporate Defendants"), with the powers set forth herein. The Monitor shall be immediately empowered, upon entry of this Order: (see document for details). (dro) (Entered: 07/11/2016) |
| 07/11/2016 | [80](https://ecf.cacd.uscourts.gov/doc1/031123866165) | MINUTES OF Hearing Re: TRO and Motions [15](https://ecf.cacd.uscourts.gov/doc1/031023630371) [63](https://ecf.cacd.uscourts.gov/doc1/031023820927) held before Judge Cormac J. Carney. Motion hearings held. The Court and counsel confer regarding matters as stated on the record. The Court takes the Motions under submission. Order to issue. Court Reporter: Debbie Hino-Spaan. (dro) (Entered: 07/11/2016) |
| 07/12/2016 | [81](https://ecf.cacd.uscourts.gov/doc1/031123878033) | NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction filed by Defendant Charles C. Liu. Motion set for hearing on 8/22/2016 at 01:30 PM before Judge Cormac J. Carney. (Gartenberg, Edward) (Entered: 07/12/2016) |
| 07/12/2016 | [82](https://ecf.cacd.uscourts.gov/doc1/031123878445) | NOTICE OF ERRATA filed by Defendant Charles C. Liu. correcting NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction [81](https://ecf.cacd.uscourts.gov/doc1/031123878033) (Gartenberg, Edward) (Entered: 07/12/2016) |
| 07/12/2016 | [83](https://ecf.cacd.uscourts.gov/doc1/031023878533) | NOTICE OF LODGING filed *by Defendant Charles C. Liu* re NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction [81](https://ecf.cacd.uscourts.gov/doc1/031123878033) (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123878534) Proposed Order)(Gartenberg, Edward) (Entered: 07/12/2016) |
| 07/12/2016 | [84](https://ecf.cacd.uscourts.gov/doc1/031023878655) | DECLARATION of Edward Gartenberg in support NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction [81](https://ecf.cacd.uscourts.gov/doc1/031123878033) filed by Defendant Charles C. Liu. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123878656) Exhibit A to Declaration of E. Gartenberg)(Gartenberg, Edward) (Entered: 07/12/2016) |
| 07/12/2016 | [85](https://ecf.cacd.uscourts.gov/doc1/031123878662) | REQUEST FOR JUDICIAL NOTICE re NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction [81](https://ecf.cacd.uscourts.gov/doc1/031123878033) filed by Defendant Charles C. Liu. (Gartenberg, Edward) (Entered: 07/12/2016) |
| 07/12/2016 | [86](https://ecf.cacd.uscourts.gov/doc1/031023878971) | NOTICE OF MOTION AND MOTION to Dismiss filed by Defendant Xin Wang. Motion set for hearing on 8/22/2016 at 01:30 PM before Judge Cormac J. Carney. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123878972)Proposed Order) (Morgan, Nicolas) (Entered: 07/12/2016) |
| 07/12/2016 | [87](https://ecf.cacd.uscourts.gov/doc1/031123879059) | ANSWER to Complaint - (Discovery), [1](https://ecf.cacd.uscourts.gov/doc1/031023584649) with JURY DEMAND filed by Defendant Pacific Proton Therapy Regional Center LLC.(Morris, Stanley) (Entered: 07/12/2016) |
| 07/12/2016 | [88](https://ecf.cacd.uscourts.gov/doc1/031123879062) | ANSWER to Complaint - (Discovery), [1](https://ecf.cacd.uscourts.gov/doc1/031023584649) filed by Defendant Pacific Proton EB 5 Fund LLC.(Morris, Stanley) (Entered: 07/12/2016) |
| 07/12/2016 | [89](https://ecf.cacd.uscourts.gov/doc1/031123879065) | ANSWER to Complaint - (Discovery), [1](https://ecf.cacd.uscourts.gov/doc1/031023584649) filed by Defendant Beverly Proton Center LLC.(Morris, Stanley) (Entered: 07/12/2016) |
| 07/13/2016 | [90](https://ecf.cacd.uscourts.gov/doc1/031123885290) | NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Answer to Complaint (Discovery) [87](https://ecf.cacd.uscourts.gov/doc1/031123879059) , [88](https://ecf.cacd.uscourts.gov/doc1/031123879062) , [89](https://ecf.cacd.uscourts.gov/doc1/031123879065) . The following error(s) was found: Local Rule 7.1-1 No Notice of Interested Parties and/or no copies. A Notice of Interested Parties must be filed with every party's first appearance. See Local Rule 7-1.1. Counsel must file a Notice of Interested Parties immediately. Failure to do so may be addressed by judicial action, including sanctions. See Local Rule 83-7. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. (mba) (Entered: 07/13/2016) |
| 07/14/2016 | [91](https://ecf.cacd.uscourts.gov/doc1/031123891700) | RESPONSE BY THE COURT TO NOTICE TO FILER OF DEFICIENCIES IN ELECTRONICALLY FILED DOCUMENTS RE: Notice of Deficiency in Electronically Filed Documents (G-112A) [90](https://ecf.cacd.uscourts.gov/doc1/031123885290) by Judge Cormac J. Carney. Counsel must consult the Notice to Filer of Deficiencies [90](https://ecf.cacd.uscourts.gov/doc1/031123885290) and file a Notice of Interested Parties for each Answer (Dkt. Nos. 87, 88, and 89) no later than \*\*July 18, 2016.\*\* Failure to do so may result in the Answers being STRICKEN. (mba) (Entered: 07/14/2016) |
| 07/19/2016 | [92](https://ecf.cacd.uscourts.gov/doc1/031123920567) | NOTICE of Appearance filed by attorney Gary Y Leung on behalf of Plaintiff Securities and Exchange Commission (Attorney Gary Y Leung added to party Securities and Exchange Commission(pty:pla))(Leung, Gary) (Entered: 07/19/2016) |
| 07/20/2016 | [93](https://ecf.cacd.uscourts.gov/doc1/031023932426) | EX PARTE APPLICATION to Continue Extension of Time to Comply With Sections VIII and IX of Preliminary Injunction from July 21, 2016 to July 26, 2016 Re: Preliminary Injunction [77](https://ecf.cacd.uscourts.gov/doc1/031123864597) filed by Defendant Charles C. Liu. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123932427) Memorandum of Points and Authorities, # [2](https://ecf.cacd.uscourts.gov/doc1/031123932428) Declaration of Herve Gouraige, # [3](https://ecf.cacd.uscourts.gov/doc1/031123932429) Exhibit 1 to 4 of the Gouraige Declaration, # [4](https://ecf.cacd.uscourts.gov/doc1/031123932430) Proposed Order) (Gouraige, Herve) (Entered: 07/20/2016) |
| 07/20/2016 | [94](https://ecf.cacd.uscourts.gov/doc1/031123933479) | OPPOSITION to EX PARTE APPLICATION to Continue Extension of Time to Comply With Sections VIII and IX of Preliminary Injunction from July 21, 2016 to July 26, 2016 Re: Preliminary Injunction [77](https://ecf.cacd.uscourts.gov/doc1/031123864597) [93](https://ecf.cacd.uscourts.gov/doc1/031023932426) filed by Plaintiff Securities and Exchange Commission. (Leung, Gary) (Entered: 07/20/2016) |
| 07/21/2016 | [95](https://ecf.cacd.uscourts.gov/doc1/031123939009) | MINUTES (IN CHAMBERS) ORDER by Judge Cormac J. Carney granting [93](https://ecf.cacd.uscourts.gov/doc1/031023932426) EX PARTE APPLICATION to Continue. Accordingly, good cause having been found, Mr. Liu's ex parte application is GRANTED. The Court sets the following modified briefing schedule for Mr. Lius motion: (see document for details). (dro) (Entered: 07/21/2016) |
| 07/21/2016 | [96](https://ecf.cacd.uscourts.gov/doc1/031023940195) | REQUEST TO SUBSTITUTE ATTORNEY Lawrence B. Steinberg in place of attorney Nicolas Morgan Xin Wang. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123940196) Proposed Order) (Attorney Lawrence B Steinberg added to party Xin Wang(pty:dft)) (Steinberg, Lawrence) (Entered: 07/21/2016) |
| 07/21/2016 | [97](https://ecf.cacd.uscourts.gov/doc1/031023941408) | REQUEST TO SUBSTITUTE ATTORNEY Lawrence B. Steinberg in place of attorney Edward Gartenberg *to represent* Charles C. Liu. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123941409) Proposed Order) (Attorney Lawrence B Steinberg added to party Charles C. Liu(pty:dft)) (Steinberg, Lawrence) (Entered: 07/21/2016) |
| 07/21/2016 | [98](https://ecf.cacd.uscourts.gov/doc1/031023942205) | STIPULATION for Order RE: STAY OF ENFORCEMENT OF SECTIONS VIII AND IX OF PRELIMINARY INJUNCTION WITH RESPECT TO DEFENDANT XIN WANG AND SETTING BRIEFING SCHEDULE ON MOTION BASED ON ASSERTION OF FIFTH AMENDMENT RIGHTS filed by defendant Xin Wang. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123942206) Proposed Order RE: STAY OF ENFORCEMENT OF SECTIONS VIII AND IX OF PRELIMINARY INJUNCTION WITH RESPECT TO DEFENDANT XIN WANG AND SETTING BRIEFING SCHEDULE ON MOTION BASED ON ASSERTION OF FIFTH AMENDMENT RIGHTS)(Steinberg, Lawrence) (Entered: 07/21/2016) |
| 07/22/2016 | [99](https://ecf.cacd.uscourts.gov/doc1/031123949675) | ORDER by Judge Cormac J. Carney: Granting [97](https://ecf.cacd.uscourts.gov/doc1/031023941408) Request to Substitute Attorney. Attorney Edward Gartenberg terminated as to Defendant Charles C. Liu. (mba) (Entered: 07/22/2016) |
| 07/22/2016 | [100](https://ecf.cacd.uscourts.gov/doc1/031123949712) | ORDER by Judge Cormac J. Carney: Granting [96](https://ecf.cacd.uscourts.gov/doc1/031023940195) Request to Substitute Attorney. Attorney Nicolas Morgan terminated as to Defendant Xin Wang. (mba) (Entered: 07/22/2016) |
| 07/25/2016 | [101](https://ecf.cacd.uscourts.gov/doc1/031123956637) | TRANSCRIPT for proceedings held on 7/11/2016 at 8:57 a.m. \*\*\*\*Transcript may be viewed at the court public terminal or purchased through Court Reporter DEBBIE HINO-SPAAN at: WEBSITE www.debbiehinospaan.com; E-mail, dhinospaan@yahoo.com before the deadline for Release of Transcript restriction. After that date, it may be obtained from the Court Reporter or through PACER. Additional formats of the transcript (ASCII, Condensed, and Word Indexing/Concordance) are also available to be purchased at any time through the Court Reporter. Notice of Intent to Redact due within 7 days of this date.\*\* Redaction Request due 8/15/2016. Redacted Transcript Deadline set for 8/25/2016. Release of Transcript Restriction set for 10/24/2016. (dhs) (Entered: 07/25/2016) |
| 07/25/2016 | 102 | NOTICE OF FILING TRANSCRIPT filed for proceedings 7/11/2016 at 8:57 a.m. re Transcript [101](https://ecf.cacd.uscourts.gov/doc1/031123956637) THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (dhs) TEXT ONLY ENTRY (Entered: 07/25/2016) |
| 07/25/2016 | [103](https://ecf.cacd.uscourts.gov/doc1/031123957210) | Notice of Appearance or Withdrawal of Counsel: for attorney Michael R Farrell counsel for Receiver Michael Grassmueck. Adding Michael R. Farrell as counsel of record for Michael A. Grassmueck, court-appointed Monitor for Defendants Pacific Proton Therapy Regional Center, LLC, Pacific Proton EB-5 Fund, LLC, Beverly Proton Center, LLC f/k/a Los Angeles County Proton Therapy, LLC and each of their subsidiaries and affiliates for the reason indicated in the G-123 Notice. Filed by Monitor Michael A. Grassmueck, court-appointed Monitor for Defendants Pacific Proton Therapy Regional Center, LLC, Pacific Proton EB-5 Fund, LLC, Beverly Proton Center, LLC f/k/a Los Angeles County Proton Therapy, LLC and each of their subsidiaries and affiliates. (Attorney Michael R Farrell added to party Michael Grassmueck(pty:rc))(Farrell, Michael) (Entered: 07/25/2016) |
| 07/25/2016 | [104](https://ecf.cacd.uscourts.gov/doc1/031123957340) | Notice of Appearance or Withdrawal of Counsel: for attorney David R Zaro counsel for Receiver Michael Grassmueck. Adding David R. Zaro as counsel of record for Michael A. Grassmueck, court-appointed Monitor for Defendants Pacific Proton Therapy Regional Center, LLC, Pacific Proton EB-5 Fund, LLC, Beverly Proton Center, LLC f/k/a Los Angeles County Proton Therapy, LLC and each of their subsidiaries and affiliates for the reason indicated in the G-123 Notice. Filed by Monitor Michael A. Grassmueck, court-appointed Monitor for Defendants Pacific Proton Therapy Regional Center, LLC, Pacific Proton EB-5 Fund, LLC, Beverly Proton Center, LLC f/k/a Los Angeles County Proton Therapy, LLC and each of their subsidiaries and affiliates. (Attorney David R Zaro added to party Michael Grassmueck(pty:rc))(Zaro, David) (Entered: 07/25/2016) |
| 07/25/2016 | [105](https://ecf.cacd.uscourts.gov/doc1/031123957590) | Notice of Appearance or Withdrawal of Counsel: for attorney Peter Allen Griffin counsel for Receiver Michael Grassmueck. Adding Peter A. Griffin as counsel of record for Michael A. Grassmueck, court-appointed Monitor for Defendants Pacific Proton Therapy Regional Center, LLC, Pacific Proton EB-5 Fund, LLC, Beverly Proton Center, LLC f/k/a Los Angeles County Proton Therapy, LLC and each of their subsidiaries and affiliates for the reason indicated in the G-123 Notice. Filed by Monitor Michael A. Grassmueck, court-appointed Monitor for Defendants Pacific Proton Therapy Regional Center, LLC, Pacific Proton EB-5 Fund, LLC, Beverly Proton Center, LLC f/k/a Los Angeles County Proton Therapy, LLC and each of their subsidiaries and affiliates. (Attorney Peter Allen Griffin added to party Michael Grassmueck(pty:rc))(Griffin, Peter) (Entered: 07/25/2016) |
| 07/25/2016 | [106](https://ecf.cacd.uscourts.gov/doc1/031123960716) | MONITOR'S REPORT filed by Receiver Michael Grassmueck. (Farrell, Michael) (Entered: 07/25/2016) |
| 07/26/2016 | [107](https://ecf.cacd.uscourts.gov/doc1/031123965057) | ORDER RE: Stay of Enforcement of Sections VIII and IX of Preliminary Injunction [98](https://ecf.cacd.uscourts.gov/doc1/031023942205) by Judge Cormac J. Carney: FOR GOOD CAUSE SHOWN, IT IS HEREBY ORDERED as follows: (1) The motion (the Wang Fifth Amendment Motion) of defendantXIN WANG a/k/a LISA WANG (Ms. Wang) for relief from Sections VIII andIX of the Preliminary Injunction (Docket No. 77; hereinafter PreliminaryInjunction) based on her assertion of Fifth Amendment rights shall be filed on July 26, 2016, with the same briefing schedule and hearing date that applies to the motion for the same relief to be filed by defendant CHARLES C. LIU; (2) The enforcement of Sections VIII and IX of the Preliminary Injunction are stayed as to Ms. Wang. The stay will lift upon the Courts resolution of the Wang Fifth Amendment Motion. (lwag) (Entered: 07/26/2016) |
| 07/26/2016 | [108](https://ecf.cacd.uscourts.gov/doc1/031023970198) | NOTICE OF MOTION AND MOTION for Relief re Preliminary Injunction [77](https://ecf.cacd.uscourts.gov/doc1/031123864597) filed by Defendants Charles C. Liu, Xin Wang. Motion set for hearing on 8/22/2016 at 01:30 PM before Judge Cormac J. Carney. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031123970199) Declaration of H. Gouraige with Exhibits, # [2](https://ecf.cacd.uscourts.gov/doc1/031123970200) Proposed Order) (Steinberg, Lawrence) (Entered: 07/26/2016) |
| 08/01/2016 | [109](https://ecf.cacd.uscourts.gov/doc1/031024004796) | NOTICE OF MOTION AND MOTION for Order for Authorizing Monitor to Employ Counsel and Professionals filed by Monitor Michael Grassmueck. Motion set for hearing on 8/29/2016 at 01:30 PM before Judge Cormac J. Carney. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124004797) Proposed Order, # [2](https://ecf.cacd.uscourts.gov/doc1/031124004798) Proof of Service) (Zaro, David) (Entered: 08/01/2016) |
| 08/01/2016 | [110](https://ecf.cacd.uscourts.gov/doc1/031124004913) | MEMORANDUM in Support of NOTICE OF MOTION AND MOTION for Order for Authorizing Monitor to Employ Counsel and Professionals [109](https://ecf.cacd.uscourts.gov/doc1/031024004796) filed by Receiver Michael Grassmueck. (Zaro, David) (Entered: 08/01/2016) |
| 08/01/2016 | [111](https://ecf.cacd.uscourts.gov/doc1/031024005086) | DECLARATION of Gregory A. Gadawski In Support of NOTICE OF MOTION AND MOTION for Order for Authorizing Monitor to Employ Counsel and Professionals [109](https://ecf.cacd.uscourts.gov/doc1/031024004796) filed by Receiver Michael Grassmueck. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124005087) Exhibit A, # [2](https://ecf.cacd.uscourts.gov/doc1/031124005088) Proof of Service)(Zaro, David) (Entered: 08/01/2016) |
| 08/01/2016 | [112](https://ecf.cacd.uscourts.gov/doc1/031024005249) | DECLARATION of David R. Zaro In Support of NOTICE OF MOTION AND MOTION for Order for Authorizing Monitor to Employ Counsel and Professionals [109](https://ecf.cacd.uscourts.gov/doc1/031024004796) filed by Receiver Michael Grassmueck. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124005250) Exhibit A-E, # [2](https://ecf.cacd.uscourts.gov/doc1/031124005251) Proof of Service)(Zaro, David) (Entered: 08/01/2016) |
| 08/01/2016 | [113](https://ecf.cacd.uscourts.gov/doc1/031124008052) | OPPOSITION to NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction [81](https://ecf.cacd.uscourts.gov/doc1/031123878033) filed by Plaintiff Securities and Exchange Commission. (Berry, John) (Entered: 08/01/2016) |
| 08/01/2016 | [114](https://ecf.cacd.uscourts.gov/doc1/031124008124) | REQUEST FOR JUDICIAL NOTICE re NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction [81](https://ecf.cacd.uscourts.gov/doc1/031123878033) *and In Support of SEC's Opposition to Defendant Liu's Motion to Dismiss Complaint* filed by Plaintiff Securities and Exchange Commission. (Berry, John) (Entered: 08/01/2016) |
| 08/02/2016 | [115](https://ecf.cacd.uscourts.gov/doc1/031124008311) | OPPOSITION to NOTICE OF MOTION AND MOTION to Dismiss [86](https://ecf.cacd.uscourts.gov/doc1/031023878971) filed by Plaintiff Securities and Exchange Commission. (Berry, John) (Entered: 08/02/2016) |
| 08/02/2016 | [116](https://ecf.cacd.uscourts.gov/doc1/031124008344) | OPPOSITION to NOTICE OF MOTION AND MOTION for Relief re Preliminary Injunction [77](https://ecf.cacd.uscourts.gov/doc1/031123864597) [108](https://ecf.cacd.uscourts.gov/doc1/031023970198) filed by Plaintiff Securities and Exchange Commission. (Berry, John) (Entered: 08/02/2016) |
| 08/05/2016 | [117](https://ecf.cacd.uscourts.gov/doc1/031024038166) | EX PARTE APPLICATION for Leave to file a Supplement to Its Opposition to Defendants' Motion for Relief from Sections VIII and IX of Preliminary Injunction filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124038167) Declaration of Gary Y. Leung, # [2](https://ecf.cacd.uscourts.gov/doc1/031124038168) Proposed Order) (Leung, Gary) (Entered: 08/05/2016) |
| 08/08/2016 | [118](https://ecf.cacd.uscourts.gov/doc1/031124050445) | ORDER on Ex Parte Application for Leave to File [117](https://ecf.cacd.uscourts.gov/doc1/031024038166) by Judge Cormac J. Carney: IT IS HEREBY ORDERED that the SEC is granted leave to file the proposed supplement in further support of its Fifth Amendment opposition. (lwag) (Entered: 08/08/2016) |
| 08/08/2016 | [119](https://ecf.cacd.uscourts.gov/doc1/031124053614) | SUPPLEMENT to EX PARTE APPLICATION for Leave to file a Supplement to Its Opposition to Defendants' Motion for Relief from Sections VIII and IX of Preliminary Injunction [117](https://ecf.cacd.uscourts.gov/doc1/031024038166) , NOTICE OF MOTION AND MOTION for Relief re Preliminary Injunction [77](https://ecf.cacd.uscourts.gov/doc1/031123864597) [108](https://ecf.cacd.uscourts.gov/doc1/031023970198) *(Supplement to SEC Opposition to Motion for Relief Re Preliminary Injunction)* filed by Plaintiff Securities and Exchange Commission. (Leung, Gary) (Entered: 08/08/2016) |
| 08/08/2016 | [120](https://ecf.cacd.uscourts.gov/doc1/031124053798) | MONITOR'S REPORT filed by Receiver Michael Grassmueck. (Farrell, Michael) (Entered: 08/08/2016) |
| 08/08/2016 | [121](https://ecf.cacd.uscourts.gov/doc1/031024054828) | REPLY IN SUPPORT OF NOTICE OF MOTION AND MOTION for Relief re Preliminary Injunction [77](https://ecf.cacd.uscourts.gov/doc1/031123864597) [108](https://ecf.cacd.uscourts.gov/doc1/031023970198) filed by Defendants Charles C. Liu, Xin Wang. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124054829)Declaration of Herve Gouraige (with exhibits), # [2](https://ecf.cacd.uscourts.gov/doc1/031124054830) Declaration of Donald K. Wise (with exhibits))(Steinberg, Lawrence) (Entered: 08/08/2016) |
| 08/08/2016 | [122](https://ecf.cacd.uscourts.gov/doc1/031124055017) | REPLY IN SUPPORT OF NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction [81](https://ecf.cacd.uscourts.gov/doc1/031123878033) filed by Defendants Charles C. Liu, Xin Wang. (Steinberg, Lawrence) (Entered: 08/08/2016) |
| 08/08/2016 | [123](https://ecf.cacd.uscourts.gov/doc1/031124055101) | REPLY IN SUPPORT OF NOTICE OF MOTION AND MOTION to Dismiss [86](https://ecf.cacd.uscourts.gov/doc1/031023878971) *COMPLAINT* filed by Defendants Charles C. Liu, Xin Wang. (Steinberg, Lawrence) (Entered: 08/08/2016) |
| 08/08/2016 | [124](https://ecf.cacd.uscourts.gov/doc1/031124055113) | REQUEST FOR JUDICIAL NOTICE re NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction [81](https://ecf.cacd.uscourts.gov/doc1/031123878033) , NOTICE OF MOTION AND MOTION to Dismiss [86](https://ecf.cacd.uscourts.gov/doc1/031023878971) *IN SUPPORT OF MOTIONS TO DISMISS COMPLAINT FILED BY DEFENDANTS CHARLES C. LIU AND XIN WANG (WITH EXHIBITS)* filed by Defendants Charles C. Liu, Xin Wang. (Steinberg, Lawrence) (Entered: 08/08/2016) |
| 08/09/2016 | [125](https://ecf.cacd.uscourts.gov/doc1/031124059529) | NOTICE OF ERRATA filed by Defendants Charles C. Liu, Xin Wang. correcting Reply (Motion related), [121](https://ecf.cacd.uscourts.gov/doc1/031024054828) (Steinberg, Lawrence) (Entered: 08/09/2016) |
| 08/09/2016 | [126](https://ecf.cacd.uscourts.gov/doc1/031024063482) | EX PARTE APPLICATION to Continue HEARING from 8/22/16 to 9/12/16 Re: NOTICE OF MOTION AND MOTION for Relief re Preliminary Injunction [77](https://ecf.cacd.uscourts.gov/doc1/031123864597) [108](https://ecf.cacd.uscourts.gov/doc1/031023970198) , NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction [81](https://ecf.cacd.uscourts.gov/doc1/031123878033) , NOTICE OF MOTION AND MOTION to Dismiss [86](https://ecf.cacd.uscourts.gov/doc1/031023878971) filed by defendants Charles C. Liu, Xin Wang. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124063483) Declaration OF HERV GOURAIGE IN SUPPORT OF UNOPPOSED EX PARTE APPLICATION FOR CONTINUANCE OF HEARING ON PENDING MOTIONS) (Steinberg, Lawrence) (Entered: 08/09/2016) |
| 08/09/2016 | [127](https://ecf.cacd.uscourts.gov/doc1/031024063665) | NOTICE OF LODGING filed re EX PARTE APPLICATION to Continue HEARING from 8/22/16 to 9/12/16 Re: NOTICE OF MOTION AND MOTION for Relief re Preliminary Injunction [77](https://ecf.cacd.uscourts.gov/doc1/031123864597) [108](https://ecf.cacd.uscourts.gov/doc1/031023970198) , NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction [81](https://ecf.cacd.uscourts.gov/doc1/031123878033) , NOTICE [126](https://ecf.cacd.uscourts.gov/doc1/031024063482) (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124063666) Proposed Order GRANTING EX PARTE APPLICATION FOR CONTINUANCE OF HEARING ON PENDING MOTIONS)(Steinberg, Lawrence) (Entered: 08/09/2016) |
| 08/10/2016 | [128](https://ecf.cacd.uscourts.gov/doc1/031124071749) | RESPONSE filed by Plaintiff Securities and Exchange Commissionto EX PARTE APPLICATION to Continue HEARING from 8/22/16 to 9/12/16 Re: NOTICE OF MOTION AND MOTION for Relief re Preliminary Injunction [77](https://ecf.cacd.uscourts.gov/doc1/031123864597) [108](https://ecf.cacd.uscourts.gov/doc1/031023970198) , NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction [81](https://ecf.cacd.uscourts.gov/doc1/031123878033) , NOTICE [126](https://ecf.cacd.uscourts.gov/doc1/031024063482) (Leung, Gary) (Entered: 08/10/2016) |
| 08/11/2016 | [129](https://ecf.cacd.uscourts.gov/doc1/031124075521) | EX PARTE APPLICATION for Order for to Show Cause *Why Corporate Defendants Should Not Be Held In Civil Contempt* filed by Plaintiff Securities and Exchange Commission. (Leung, Gary) (Entered: 08/11/2016) |
| 08/11/2016 | [130](https://ecf.cacd.uscourts.gov/doc1/031124075571) | DECLARATION of Gary Y. Leung re EX PARTE APPLICATION for Order for to Show Cause *Why Corporate Defendants Should Not Be Held In Civil Contempt* [129](https://ecf.cacd.uscourts.gov/doc1/031124075521) filed by Plaintiff Securities and Exchange Commission. (Leung, Gary) (Entered: 08/11/2016) |
| 08/11/2016 | [131](https://ecf.cacd.uscourts.gov/doc1/031124075610) | MEMORANDUM of Points and Authorities in Support Re: EX PARTE APPLICATION for Order for to Show Cause *Why Corporate Defendants Should Not Be Held In Civil Contempt* [129](https://ecf.cacd.uscourts.gov/doc1/031124075521) (Leung, Gary) (Entered: 08/11/2016) |
| 08/11/2016 | [132](https://ecf.cacd.uscourts.gov/doc1/031024077330) | NOTICE OF LODGING filed re EX PARTE APPLICATION for Order for to Show Cause *Why Corporate Defendants Should Not Be Held In Civil Contempt* [129](https://ecf.cacd.uscourts.gov/doc1/031124075521) (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124077331)Proposed Order TO SHOW CAUSE RE: CIVIL CONTEMPT AGAINST DEFENDANTS PACIFIC PROTON THERAPY REGIONAL CENTER, LLC, PACIFIC PROTON EB-5 FUND, LLC, AND BEVERLY PROTON CENTER LLC)(Leung, Gary) (Entered: 08/11/2016) |
| 08/11/2016 | [133](https://ecf.cacd.uscourts.gov/doc1/031124079795) | OBJECTIONS to Request for Judicial Notice, [124](https://ecf.cacd.uscourts.gov/doc1/031124055113) filed by Plaintiff Securities and Exchange Commission. (Leung, Gary) (Entered: 08/11/2016) |
| 08/11/2016 | [134](https://ecf.cacd.uscourts.gov/doc1/031124081250) | STATEMENT of RESPONSE OF DEFENDANTS CHARLES C. LIU AND XIN WANG TO PLAINTIFFS OBJECTION TO REQUEST FOR JUDICIAL NOTICE (DOCKET NO. 133) NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction [81](https://ecf.cacd.uscourts.gov/doc1/031123878033) , NOTICE OF MOTION AND MOTION to Dismiss [86](https://ecf.cacd.uscourts.gov/doc1/031023878971) filed by Defendants Charles C. Liu, Xin Wang. (Steinberg, Lawrence) (Entered: 08/11/2016) |
| 08/12/2016 | [135](https://ecf.cacd.uscourts.gov/doc1/031124083205) | NOTICE OF INTENT upon filing of the complaint by Judge Cormac J. Carney. Scheduling order to be issued on November 3, 2016. (mku) (Entered: 08/12/2016) |
| 08/12/2016 | [136](https://ecf.cacd.uscourts.gov/doc1/031124086038) | NOTICE OF NON-OPPOSITION to NOTICE OF MOTION AND MOTION for Order for Authorizing Monitor to Employ Counsel and Professionals [109](https://ecf.cacd.uscourts.gov/doc1/031024004796) filed by Defendants Charles C. Liu, Xin Wang. (Steinberg, Lawrence) (Entered: 08/12/2016) |
| 08/12/2016 | [137](https://ecf.cacd.uscourts.gov/doc1/031124087870) | ORDER Granting Ex Parte Application for Continuance of Hearing on Pending Motions [126](https://ecf.cacd.uscourts.gov/doc1/031024063482) by Judge Cormac J. Carney: GOOD CAUSE HAVING BEEN SHOWN, IT IS HEREBY ORDERED that the Application is GRANTED, and the hearings on the Pending Motions are continued from August 22, 2016 to September 12, 2016 at 1:30 p.m. (lwag) (Entered: 08/12/2016) |
| 08/17/2016 | [138](https://ecf.cacd.uscourts.gov/doc1/031124111788) | ORDER TO SHOW CAUSE RE: Civil Contempt Against Defendants Pacific Proton Therapy Regional Center, LLC, Pacific Proton EB-5 Fund, LLC, and Beverly Proton Center LLC, by Judge Cormac J. Carney, granting [129](https://ecf.cacd.uscourts.gov/doc1/031124075521) EX PARTE APPLICATION for Order. IT IS FURTHER ORDERED THAT at 1:30 p.m. on September 12, 2016, the corporate defendants shall appear before this Court to show cause why an order of civil contempt should not be issued. (see document for details). (dro) (Entered: 08/17/2016) |
| 08/17/2016 | [139](https://ecf.cacd.uscourts.gov/doc1/031124111842) | ORDER by Judge Cormac J. Carney denying [81](https://ecf.cacd.uscourts.gov/doc1/031123878033) MOTION to Dismiss for Lack of Jurisdiction. (see document for details). (dro) (Entered: 08/17/2016) |
| 08/17/2016 | [140](https://ecf.cacd.uscourts.gov/doc1/031124112257) | ORDER by Judge Cormac J. Carney denying [86](https://ecf.cacd.uscourts.gov/doc1/031023878971) MOTION to Dismiss. For the foregoing reasons, the Court concludes that the SEC has adequately pleaded its first and second causes of action against Defendant Wang. Indeed, were it otherwise, the Court would not have issued a preliminary injunction in July. Defendant's motion is DENIED. (see document for details). (dro) (Entered: 08/17/2016) |
| 08/17/2016 | [141](https://ecf.cacd.uscourts.gov/doc1/031124112369) | ORDER by Judge Cormac J. Carney granting [109](https://ecf.cacd.uscourts.gov/doc1/031024004796) MOTION for Order Authorizing Monitor to Employ Counsel and Professionals. The Motion for Order Authorizing Monitor to Employ Counsel and Professionals (the "Motion") of the Court-appointed monitor, Michael A. Grassmueck (the "Monitor"), having come before the Court, and the Court, having considered the Motion, and good cause appearing therefor, ORDERS as follows: 1. The Receiver's Motion is GRANTED, in its entirety. 2. The Receiver is AUTHORIZED to employ and compensate Allen Matkins, as his general monitorship counsel, in accordance with the terms described in the Declaration of David R. Zaro. 3. The Receiver is AUTHORIZED to employ and compensate Financial Forensics, as his forensic accountants, in accordance with the terms described in the Declaration of Gregory A. Gadawski. IT IS SO ORDERED. (dro) (Entered: 08/17/2016) |
| 08/17/2016 | [142](https://ecf.cacd.uscourts.gov/doc1/031024120086) | STIPULATION to Continue HEARING from 9/12/16 to 9/19/16 Re: Order on Motion for Order, [138](https://ecf.cacd.uscourts.gov/doc1/031124111788) , NOTICE OF MOTION AND MOTION for Relief re Preliminary Injunction [77](https://ecf.cacd.uscourts.gov/doc1/031123864597)[108](https://ecf.cacd.uscourts.gov/doc1/031023970198) filed by defendants Charles C. Liu, Xin Wang. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124120087) Proposed Order re: Additional Continuance of Hearing on Pending Motions)(Steinberg, Lawrence) (Entered: 08/17/2016) |
| 08/18/2016 | [143](https://ecf.cacd.uscourts.gov/doc1/031024129292) | APPLICATION of Stanley C. Morris to Withdraw as Attorney filed by Defendant Beverly Proton Center LLC. Application set for hearing on 9/19/2016 at 01:30 PM before Judge Cormac J. Carney. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124129293) Declaration) (Morris, Stanley) (Entered: 08/18/2016) |
| 08/19/2016 | [144](https://ecf.cacd.uscourts.gov/doc1/031124136247) | NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: APPLICATION of Stanley C. Morris to Withdraw as Attorney [143](https://ecf.cacd.uscourts.gov/doc1/031024129292) . The following error(s) was found: Proposed Order was not submitted as separate attachment. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (ig) (Entered: 08/19/2016) |
| 08/21/2016 | [145](https://ecf.cacd.uscourts.gov/doc1/031024138025) | NOTICE OF LODGING filed re APPLICATION of Stanley C. Morris to Withdraw as Attorney [143](https://ecf.cacd.uscourts.gov/doc1/031024129292) (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124138026) Proposed Order)(Morris, Stanley) (Entered: 08/21/2016) |
| 08/22/2016 | [146](https://ecf.cacd.uscourts.gov/doc1/031024143854) | REPORT of MONITOR filed by Receiver Michael Grassmueck. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124143855) Exhibit A and B, # [2](https://ecf.cacd.uscourts.gov/doc1/031124143856) Proof of Service)(Zaro, David) (Entered: 08/22/2016) |
| 08/23/2016 | [147](https://ecf.cacd.uscourts.gov/doc1/031124150556) | ORDER Re: Additional Continuance of Hearing on Pending Motions by Judge Cormac J. Carney. Pursuant to the stipulation of the parties [142](https://ecf.cacd.uscourts.gov/doc1/031024120086) , and GOOD CAUSE HAVING BEEN SHOWN, IT IS HEREBY ORDERED that the hearings on the following are continued from September 12, 2016 to September 19, 2016 at 1:30 p.m.: (1) the motion of defendants CHARLES C. LIU ("Liu") and XIN WANG a/k/a LISA WANG ("Wang") For Relief From Sections VIII And IX of Preliminary Injunction (Docket No. [108](https://ecf.cacd.uscourts.gov/doc1/031023970198) ); and (4) the Order to Show Cause (Docket No. [138](https://ecf.cacd.uscourts.gov/doc1/031124111788) ) as to why defendants PACIFIC PROTON THERAPY REGIONAL CENTER, LLC, PACIFIC PROTON EB-5 FUND, and BEVERLY PROTON CENTER, LLC should not be held in civil contempt. (dro) (Entered: 08/23/2016) |
| 08/26/2016 | [148](https://ecf.cacd.uscourts.gov/doc1/031024182521) | STATEMENT *In Support of the Monitor's Written Report and Recommendation* re: Report [146](https://ecf.cacd.uscourts.gov/doc1/031024143854) . (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124182522) Declaration In Support of Statement in Support of Monitor's Written Report and Recommendation)(Berry, John) (Entered: 08/26/2016) |
| 08/29/2016 | [149](https://ecf.cacd.uscourts.gov/doc1/031024188017) | RESPONSE filed by Defendant Beverly Proton Center LLCto Order on Motion for Order, [138](https://ecf.cacd.uscourts.gov/doc1/031124111788) (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124188018) Declaration of Donald Wise, # [2](https://ecf.cacd.uscourts.gov/doc1/031124188019) Declaration of Stanley C. Morris)(Morris, Stanley) (Entered: 08/29/2016) |
| 08/29/2016 | [150](https://ecf.cacd.uscourts.gov/doc1/031024191840) | Opposition re: APPLICATION of Stanley C. Morris to Withdraw as Attorney [143](https://ecf.cacd.uscourts.gov/doc1/031024129292) filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124191841) Declaration of Gary Y. Leung In Support of Plaintiff Securities and Exchange Commission's Opposition to Corrigan & Morris LLP's Motion to Withdraw as Counsel for the Corporate Defendants)(Leung, Gary) (Entered: 08/29/2016) |
| 08/31/2016 | [151](https://ecf.cacd.uscourts.gov/doc1/031124207411) | STIPULATION Extending Time to Answer the complaint as to Charles C. Liu answer now due 9/6/2016; Xin Wang answer now due 9/6/2016, re Complaint - (Discovery), [1](https://ecf.cacd.uscourts.gov/doc1/031023584649) filed by defendants Charles C. Liu; Xin Wang.(Steinberg, Lawrence) (Entered: 08/31/2016) |
| 09/01/2016 | [152](https://ecf.cacd.uscourts.gov/doc1/031124219522) | REPLY filed by Plaintiff Securities and Exchange Commission to Response [149](https://ecf.cacd.uscourts.gov/doc1/031024188017) *of Corporate Defendants to the Court's Order to Show Cause* (Leung, Gary) (Entered: 09/01/2016) |
| 09/02/2016 | [153](https://ecf.cacd.uscourts.gov/doc1/031124225759) | MINUTE ORDER IN CHAMBERS by Judge Cormac J. Carney: Accordingly, the Court takes the Monitors report under advisement and agrees that determination of next steps is appropriately considered at and following the hearing on September 19, 2016. The Court also notes that it expects the attendance of Counsel Morris at the September 19, 2016, hearing. See document for further information. (lwag) (Entered: 09/02/2016) |
| 09/06/2016 | [154](https://ecf.cacd.uscourts.gov/doc1/031124240683) | MONITOR'S REPORT filed by Receiver Michael Grassmueck. (Farrell, Michael) (Entered: 09/06/2016) |
| 09/06/2016 | [155](https://ecf.cacd.uscourts.gov/doc1/031124242230) | ANSWER to Complaint - (Discovery), [1](https://ecf.cacd.uscourts.gov/doc1/031023584649) *DEMAND FOR JURY TRIAL* filed by defendant Charles C. Liu.(Steinberg, Lawrence) (Entered: 09/06/2016) |
| 09/06/2016 | [156](https://ecf.cacd.uscourts.gov/doc1/031124242237) | ANSWER to Complaint - (Discovery), [1](https://ecf.cacd.uscourts.gov/doc1/031023584649) *DEMAND FOR JURY TRIAL* filed by defendant Xin Wang.(Steinberg, Lawrence) (Entered: 09/06/2016) |
| 09/07/2016 | [157](https://ecf.cacd.uscourts.gov/doc1/031024245021) | STIPULATION to Continue Hearing from September 19 to September 26 Re: Stipulation to Continue, [142](https://ecf.cacd.uscourts.gov/doc1/031024120086) filed by Defendant Beverly Proton Center LLC. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124245022) Proposed Order)(Morris, Stanley) (Entered: 09/07/2016) |
| 09/08/2016 | [158](https://ecf.cacd.uscourts.gov/doc1/031124259025) | ORDER RE: ADDITIONAL CONTINUANCE OF HEARING ON PENDING MOTIONS by Judge Cormac J. Carney: IT IS HEREBY ORDERED that the hearings on the following matters are continued from September 19, 2016 to Friday, October 7, 2016 at 9:00 a.m.: (1) the motion of defendants CHARLES C. LIU (Liu) and XIN WANG a/k/a LISA WANG (Wang) For Relief From Sections VIII And IX of Preliminary Injunction (Docket No. 108); (2) the Order to Show Cause (Docket No. 138) as to why defendants PACIFIC PROTON THERAPY REGIONAL CENTER, LLC, PACIFIC PROTON EB-5 FUND, and BEVERLY PROTON CENTER, LLC (Corporate Defendants) should not be held in civil contempt; and (3) the Motion for Leave to Withdraw filed by counsel to the Corporate Defendants. (dv) (Entered: 09/08/2016) |
| 09/12/2016 | [159](https://ecf.cacd.uscourts.gov/doc1/031124282401) | MINUTE IN CHAMBERS by Judge Cormac J. Carney: Order Directing Plaintiff to File A Surreply Brief. Plaintiff shall file such a brief by September 20, 2016. (mt) (Entered: 09/13/2016) |
| 09/20/2016 | [160](https://ecf.cacd.uscourts.gov/doc1/031024339184) | REPLY In Opposition to NOTICE OF MOTION AND MOTION for Relief re Preliminary Injunction [77](https://ecf.cacd.uscourts.gov/doc1/031123864597) [108](https://ecf.cacd.uscourts.gov/doc1/031023970198) filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124339185)Declaration of Lorraine Pearson In Support of Plaintiff SEC's Surreply In Opposition to Defendants' Motion for Relief from Sections VIII and IX of Preliminary Injunction)(Leung, Gary) (Entered: 09/20/2016) |
| 09/27/2016 | [161](https://ecf.cacd.uscourts.gov/doc1/031024381973) | EX PARTE APPLICATION for Leave to file Third Supplemental Declaration of Lorraine Pearson filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124381974) Exhibit Third Supplemental Declaration of Lorraine Pearson, # [2](https://ecf.cacd.uscourts.gov/doc1/031124381975) Declaration of Gary Y. Leung In Support of Plaintiff SEC's Ex Parte Application for Leave to File Third Supplemental Declaration of Lorraine Pearson, # [3](https://ecf.cacd.uscourts.gov/doc1/031124381976) Proposed Order on Plaintiff SEC's Ex Parte Application for Leave to File Third Supplemental Declaration of Lorraine Pearson) (Leung, Gary) (Entered: 09/27/2016) |
| 09/27/2016 | [162](https://ecf.cacd.uscourts.gov/doc1/031124383815) | ORDER by Judge Cormac J. Carney granting [161](https://ecf.cacd.uscourts.gov/doc1/031024381973) EX PARTE APPLICATION for Leave to File Third Supplemental Declaration of Lorraine Pearson. Plaintiff Securities and Exchange Commission ("SEC"), having applied ex parte with notice for an order granting the SEC leave to file the Third Supplemental Declaration of Lorraine Pearson regarding the account balances of the U.S.-based accounts held in the name of the defendants, the proposed supplemental declaration having been attached as an exhibit to the SEC's ex parte application, defendants Liu and Wang having no opposition to the ex parte application, and good cause having been shown, IT IS HEREBY ORDERED that the SEC is granted leave to file the proposed Third Supplemental Declaration of Lorraine Pearson. IT IS SO ORDERED. (dro) (Entered: 09/27/2016) |
| 09/28/2016 | [163](https://ecf.cacd.uscourts.gov/doc1/031124389528) | DECLARATION of Lorraine Pearson *(Third Supplemental)* filed by Plaintiff Securities and Exchange Commission. (Leung, Gary) (Entered: 09/28/2016) |
| 09/30/2016 | [164](https://ecf.cacd.uscourts.gov/doc1/031024412414) | EX PARTE APPLICATION to Amend Order,, [79](https://ecf.cacd.uscourts.gov/doc1/031123865576) filed by Interested Party BRE CA OFFICE OWNER LLC. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124412415) Memorandum, # [2](https://ecf.cacd.uscourts.gov/doc1/031124412416) Declarations of Chris W. Halling and Lolita Harmon, # [3](https://ecf.cacd.uscourts.gov/doc1/031124412417) Exhibit 1, # [4](https://ecf.cacd.uscourts.gov/doc1/031124412418) Exhibit 2, # [5](https://ecf.cacd.uscourts.gov/doc1/031124412419) Proposed Order) (Attorney Chris W Halling added to party BRE CA OFFICE OWNER LLC(pty:bkmov)) (Halling, Chris) (Entered: 09/30/2016) |
| 10/03/2016 | [165](https://ecf.cacd.uscourts.gov/doc1/031124419141) | RESPONSE filed by Plaintiff Securities and Exchange Commissionto EX PARTE APPLICATION to Amend Order,, [79](https://ecf.cacd.uscourts.gov/doc1/031123865576) [164](https://ecf.cacd.uscourts.gov/doc1/031024412414) (Berry, John) (Entered: 10/03/2016) |
| 10/03/2016 | [166](https://ecf.cacd.uscourts.gov/doc1/031024419661) | EX PARTE APPLICATION for Order *Regarding Corporate Records At Defendant Pacific Proton Center, LLC's Leased Office* filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124419662) Declaration of John Berry In Support of SEC's Ex Parte Application for an Order Regarding Corporate Records At Defendant Pacific Proton Center, LLC's Leased Office, # [2](https://ecf.cacd.uscourts.gov/doc1/031124419663) Proposed Order on SEC's Ex Parte Application for an Order Regarding Corporate Records At Defendant Pacific Proton Center, LLC's Leased Office) (Berry, John) (Entered: 10/03/2016) |
| 10/03/2016 | [167](https://ecf.cacd.uscourts.gov/doc1/031024421211) | MEMORANDUM in Opposition to EX PARTE APPLICATION to Amend Order,, [79](https://ecf.cacd.uscourts.gov/doc1/031123865576) [164](https://ecf.cacd.uscourts.gov/doc1/031024412414) filed by Defendant Charles C. Liu. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124421212) Declaration of Herve Gouraige in Opposition to Landlord's Ex Parte Application to Modify Order Appointing Monitor)(Steinberg, Lawrence) (Entered: 10/03/2016) |
| 10/04/2016 | [168](https://ecf.cacd.uscourts.gov/doc1/031024426717) | MONITOR'S Supplemental Written REPORT filed by Receiver Michael Grassmueck. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124426718) Exhibit A-B)(Farrell, Michael) (Entered: 10/04/2016) |
| 10/04/2016 | [169](https://ecf.cacd.uscourts.gov/doc1/031024432924) | MEMORANDUM in Opposition to EX PARTE APPLICATION for Order *Regarding Corporate Records At Defendant Pacific Proton Center, LLC's Leased Office* [166](https://ecf.cacd.uscourts.gov/doc1/031024419661) filed by Defendant Charles C. Liu. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124432925) Declaration of Charles C. Liu in Opposition to SEC Ex Parte Application for Order Regarding Corporate Records, # [2](https://ecf.cacd.uscourts.gov/doc1/031124432926) Exhibit 1 to Liu Declaration)(Steinberg, Lawrence) (Entered: 10/04/2016) |
| 10/04/2016 | [170](https://ecf.cacd.uscourts.gov/doc1/031124432945) | NOTICE OF ERRATA filed by Defendant Charles C. Liu. correcting MEMORANDUM in Opposition to Motion, [169](https://ecf.cacd.uscourts.gov/doc1/031024432924) (Steinberg, Lawrence) (Entered: 10/04/2016) |
| 10/05/2016 | [171](https://ecf.cacd.uscourts.gov/doc1/031124438403) | MINUTES (IN CHAMBERS) ORDER Setting Ex Parte Motions [164](https://ecf.cacd.uscourts.gov/doc1/031024412414) [166](https://ecf.cacd.uscourts.gov/doc1/031024419661) For Hearing on Friday, October 7, 2016, at 9am by Judge Cormac J. Carney. Before the Court are two ex parte applications. Non-party BRE CA Office Owner LLC petitions the Court to amend its preliminary injunction to enable foreclosure proceedings. (Dkt. 164.) Plaintiff SEC does not oppose BRE CA's request, (Dkt. 165), and Defendant Liu opposes, (Dkt. 167). Contemporaneously, the SEC has filed an ex parte asking the Court to authorize Monitor preservation of corporate records, particularly if the Court grants BRE CA's ex parte application. (Dkt. 166.) Liu opposes that application. (Dkt. 169.) The Court takes them under advisement and will consider arguments on both when it considers other pending motions before it in this case on October 7, 2016, at 9AM in Courtroom 9B. (dro) (Entered: 10/05/2016) |
| 10/05/2016 | [172](https://ecf.cacd.uscourts.gov/doc1/031024440655) | STATEMENT OF INDIVIDUAL DEFENDANTS REGARDING: (1) MONITORS REPORTS (DOCKET NOS. 146, 168); AND (2) PLAINTIFFS STATEMENT IN SUPPORT OF MONITORS WRITTEN REPORT AND RECOMMENDATION (DOCKET NO. 148) filed by Defendants Charles C. Liu, Xin Wang re: Statement [148](https://ecf.cacd.uscourts.gov/doc1/031024182521) , Report [168](https://ecf.cacd.uscourts.gov/doc1/031024426717) , Report [146](https://ecf.cacd.uscourts.gov/doc1/031024143854) . (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124440656) Declaration of Herve Gouraige, # [2](https://ecf.cacd.uscourts.gov/doc1/031124440657) Exhibit to Gouraige Declaration (Exhibits 1-7))(Steinberg, Lawrence) (Entered: 10/05/2016) |
| 10/07/2016 | [173](https://ecf.cacd.uscourts.gov/doc1/031124455147) | MINUTES OF Hearing Re: Order to Show Cause; Application of Stanley c. Morris to Withdraw as Attorney [143](https://ecf.cacd.uscourts.gov/doc1/031024129292) ; Interested Party's Ex Parte to Amend Order [164](https://ecf.cacd.uscourts.gov/doc1/031024412414) , held before Judge Cormac J. Carney. Hearings held. The Court confers with counsel regarding the parties various pending matters. The Court hears oral argument. The Court rules on the applications as follows: - Application Of Stanley C. Morris To Withdraw As Attorney [143](https://ecf.cacd.uscourts.gov/doc1/031024129292) : GRANTED; - Interested Party's Ex Parte To Amend Order [164](https://ecf.cacd.uscourts.gov/doc1/031024412414) : GRANTED; The Court hereby DISCHARGES WITHOUT PREJUDICE the Order to Show Cause Why Corporate Defendants Should Not Be Held In Civil Contempt. The Court GRANTS IN LIMITED PART AND DENIES IN SUBSTANTIAL PART the [108](https://ecf.cacd.uscourts.gov/doc1/031023970198) Motion to Modify Preliminary Injunction. The Court sets an Evidentiary Hearing on November 4, 2016 @ 9:00 a.m. Court Reporter: Debbie Hino-Spaan. (dro) (Entered: 10/07/2016) |
| 10/13/2016 | [174](https://ecf.cacd.uscourts.gov/doc1/031124484150) | TRANSCRIPT for proceedings held on 10/7/2016 at 8:54 a.m. \*\*\*\*Transcript may be viewed at the court public terminal or purchased through Court Reporter DEBBIE HINO-SPAAN at: WEBSITE www.debbiehinospaan.com; E-mail, dhinospaan@yahoo.com before the deadline for Release of Transcript restriction. After that date, it may be obtained from the Court Reporter or through PACER. Additional formats of the transcript (ASCII, Condensed, and Word Indexing/Concordance) are also available to be purchased at any time through the Court Reporter. Notice of Intent to Redact due within 7 days of this date.\*\* Redaction Request due 11/3/2016. Redacted Transcript Deadline set for 11/14/2016. Release of Transcript Restriction set for 1/11/2017. (dhs) (Entered: 10/13/2016) |
| 10/13/2016 | 175 | NOTICE OF FILING TRANSCRIPT filed for proceedings 10/7/2016 at 8:54 a.m. re Transcript [174](https://ecf.cacd.uscourts.gov/doc1/031124484150) THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (dhs) TEXT ONLY ENTRY (Entered: 10/13/2016) |
| 10/14/2016 | [176](https://ecf.cacd.uscourts.gov/doc1/031024498363) | NOTICE OF LODGING filed *re {PROPOSED} Amended and Restated Preliminary Injunction* re Order on Motion to Appoint Receiver,, Order on Motion for Order, [76](https://ecf.cacd.uscourts.gov/doc1/031123864536) (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124498364) Proposed Order)(Berry, John) (Entered: 10/14/2016) |
| 10/14/2016 | [177](https://ecf.cacd.uscourts.gov/doc1/031024498481) | STIPULATION for Order Regarding Defendants' Corporate Office Materials filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124498482) Proposed Order)(Berry, John) (Entered: 10/14/2016) |
| 10/17/2016 | [178](https://ecf.cacd.uscourts.gov/doc1/031124510594) | ORDER on Stipulation Regarding Defendants' Corporate Office Materials [177](https://ecf.cacd.uscourts.gov/doc1/031024498481) by Judge Cormac J. Carney: IT IS HEREBY ORDERED that the court-appointed Monitor in this case, Michael Grassmueck, be immediately empowered: to enter, while accompanied by a representative of the Individual Defendants, the premises located at 8202 Cabot Road in Laguna Niguel, California (the Corporate Office). See document for further information. (lwag) (Entered: 10/18/2016) |
| 10/17/2016 | [179](https://ecf.cacd.uscourts.gov/doc1/031124510631) | AMENDED AND RESTATED PRELIMINARY INJUNCTION by Judge Cormac J. Carney: See document for further information. (lwag) (Entered: 10/18/2016) |
| 10/25/2016 | [180](https://ecf.cacd.uscourts.gov/doc1/031124563459) | MONITOR'S REPORT filed by Receiver Michael Grassmueck. (Farrell, Michael) (Entered: 10/25/2016) |
| 10/28/2016 | [181](https://ecf.cacd.uscourts.gov/doc1/031124587196) | MINUTE (IN CHAMBERS) Order to Show Cause Re Dismissal For Lack of Prosecution by Judge Cormac J. Carney: The Court, on its own motion, hereby ORDERS plaintiffs counsel, to show cause in writing no later than November 2, 2016, why this action should not be dismissed for lack of prosecution for failure to file a joint report (FRCivP 26). See document for further information. (lwag) (Entered: 10/28/2016) |
| 10/28/2016 | 182 | (IN CHAMBERS) ORDER by Judge Cormac J. Carney DISCHARGING ORDER TO SHOW CAUSE RE DISMISSAL FOR LACK OF PROSECUTION: On October 28, 2016, the Court issued an Order to show cause why this action should not be dismissed for lack of prosecution [181](https://ecf.cacd.uscourts.gov/doc1/031124587196) . Based on the discussion with the Court and counsel at the October 7, 2016 hearing, the Court hereby orders the OSC discharged. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (mku) TEXT ONLY ENTRY (Entered: 10/28/2016) |
| 10/28/2016 | [183](https://ecf.cacd.uscourts.gov/doc1/031024591359) | STATUS REPORT *on the November 4, 2016 hearing* filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124591360) Declaration)(Leung, Gary) (Entered: 10/28/2016) |
| 10/31/2016 | [184](https://ecf.cacd.uscourts.gov/doc1/031024602720) | EX PARTE APPLICATION to Continue NOVEMBER 4, 2016 EVIDENTIARY HEARING from November 4, 2016 to January 6, 2017 Re: Order on Motion for Relief,,,, Order on Motion to Withdraw as Attorney,,,, Order on Motion to Amend/Correct,,,, Attorney Appointment Hearing,,,, Motion Hearing,,,, Show Cause Hearing,,,, Set/Reset Hearing,,, [173](https://ecf.cacd.uscourts.gov/doc1/031124455147) filed by defendants Charles C. Liu, Xin Wang. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124602721) Declaration of Charles C. Liu, # [2](https://ecf.cacd.uscourts.gov/doc1/031124602722) Exhibits to Charles C. Liu Declaration, # [3](https://ecf.cacd.uscourts.gov/doc1/031124602723) Declaration of Herve Gouraige, # [4](https://ecf.cacd.uscourts.gov/doc1/031124602724) Proposed Order Granting Ex Parte Application For Continuance of November 4, 2016 Evidentiary Hearing) (Steinberg, Lawrence) (Entered: 10/31/2016) |
| 11/01/2016 | [185](https://ecf.cacd.uscourts.gov/doc1/031024608900) | OPPOSITION re: EX PARTE APPLICATION to Continue NOVEMBER 4, 2016 EVIDENTIARY HEARING from November 4, 2016 to January 6, 2017 Re: Order on Motion for Relief,,,, Order on Motion to Withdraw as Attorney,,,, Order on Motion to Amend/Correct,,,, Attorney Appointment [184](https://ecf.cacd.uscourts.gov/doc1/031024602720) filed by Plaintiff Securities and Exchange Commission. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124608901) Declaration of Gary Y. Leung)(Leung, Gary) (Entered: 11/01/2016) |
| 11/01/2016 | [186](https://ecf.cacd.uscourts.gov/doc1/031124612421) | REPLY MEMORANDUM IN SUPPORT OF EX PARTE APPLICATION to Continue NOVEMBER 4, 2016 EVIDENTIARY HEARING from November 4, 2016 to January 6, 2017 Re: Order on Motion for Relief,,,, Order on Motion to Withdraw as Attorney,,,, Order on Motion to Amend/Correct,,,, Attorney Appointment [184](https://ecf.cacd.uscourts.gov/doc1/031024602720) filed by Defendants Charles C. Liu, Xin Wang. (Steinberg, Lawrence) (Entered: 11/01/2016) |
| 11/01/2016 | [187](https://ecf.cacd.uscourts.gov/doc1/031124614637) | MINUTE IN CHAMBERS by Judge Cormac J. Carney: Order Granting in Limited Part Defendants' EX PARTE APPLICATION to Continue Evidentiary Hearing and Repatriation Deadline [184](https://ecf.cacd.uscourts.gov/doc1/031024602720) . (mt) (Entered: 11/01/2016) |
| 11/11/2016 | [188](https://ecf.cacd.uscourts.gov/doc1/031024679728) | APPLICATION for Order for GRANTING APPLICATION FOR AMENDMENT TO ORDER APPOINTING A MONITOR filed by Monitor Michael Grassmueck. (Attachments: # [1](https://ecf.cacd.uscourts.gov/doc1/031124679729)Proposed Order GRANTING APPLICATION FOR AMENDMENT TO ORDER APPOINTING A MONITOR) (Farrell, Michael) (Entered: 11/11/2016) |