

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

United States Securities and Exchange
Commission,

Plaintiff,

v.

Jonathan Larmore, et al.,

Defendants.

No. CV-23-02470-PHX-DLR
ORDER

The Court has considered the Receiver’s Motion for Order Approving Abandonment Agreement (Doc. 176), providing for the abandonment of the 2014 built motor boat M/Y BBELLA (Official No. 1290829) (the “Vessel”), her engines, tackle, equipment, appurtenances and everything aboard her (the “Property”), between the Receiver and mortgagee, ST Liberty LLC (the “Mortgagee”), and granting related relief (the “Motion”);¹ and the time for responses to the Motion having passed and none having been filed; and upon due and sufficient notice of the Motion; and after due deliberation, and it appearing that the relief sought in the Motion is in the best interest of the Receivership Estate, its creditors, and other parties in interest.

The Court makes the following findings:

1. This Court has jurisdiction over this matter, the above-captioned defendants and relief-defendants, and over all property of the Receivership Estate.

¹ Capitalized, undefined terms are as in the Motion.

1 2. Proper, timely, adequate, and sufficient notice of the Motion has been
2 provided, such notice was sufficient and appropriate under the particular circumstances,
3 and no other or further notice of the Motion or relief sought in the Motion is necessary or
4 required.

5 3. A reasonable opportunity to object or be heard regarding the requested
6 relief in the Motion and this Order has been afforded to all interested parties, including,
7 without limitation, all persons or entities known to the Receiver that have or may have an
8 interest in any portion of the property sought to be abandoned.

9 4. The Receiver has the power and authority to abandon the Vessel, or any
10 asset of the Receivership Estate, and enter into the Abandonment Agreement.

11 5. Upon the Receiver's appointment and after investigating the financial
12 condition of the Receivership Estate, the Receiver undertook a comprehensive effort to
13 analyze the value of the Vessel.

14 6. The Receiver demonstrated a sufficient basis and compelling circumstances
15 requiring the entry of this Order, and such actions: (a) are appropriate exercises of the
16 Receiver's reasonable business judgment; and (b) are in the best interest of the
17 Receivership Estate and its creditors, investors and all other stakeholders.

18 7. The Receiver should be authorized to abandon the receivership's interest in
19 the Vessel in accordance with the Abandonment Agreement.

20 Accordingly,

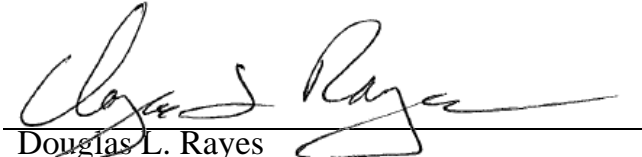
21 **IT IS ORDERED** that the Motion is **GRANTED** as follows:

- 22 1. Any and all objections to the Motion concerning the Abandonment
23 Agreement and relief granted in this Order that have not been withdrawn,
24 waived, resolved, sustained, or settled, are expressly denied and overruled
25 in their entirety;
- 26 2. The Abandonment Agreement be, and hereby is, approved, and all parties
27 thereto be, and hereby are, directed to comply therewith;
- 28 3. This Order shall become effective immediately upon its entry;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

4. This Court shall retain jurisdiction over any and all matters or disputes arising from or related to this Order or its enforcement.

Dated this 27th day of June, 2024.



Douglas L. Rayes
Senior United States District Judge