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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

PATH AMERICA, LLC, et al.,

Defendants.

CASE NO. C15-1350JLR

ORDER GRANTING  
RECEIVER’S MOTION TO  
EMPLOY COUNSEL AND  
OTHER PROFESSIONALS

Before the court is Receiver Michael A. Grassmueck’s motion for court authorization to retain (1) the law firm of Allen Matkins Leck Gamble Mallory & Natsis LLP (“Allen Matkins”) as his general receivership counsel, (2) the law firm of Karr Tuttle Campbell, PS (“Karr Tuttle”) as his local receivership counsel, and (3) Darrel D. Dorrel CPA, PC d/b/a Financial Forensics (“Financial Forensics”) as his forensic accountants. (Mot. (Dkt. # 109).)

1 The Receiver noted his motion for Friday, November 13, 2015. (*See id.* at 1.) As  
2 such, the parties' responses were due on Monday, November 9, 2015. *See* Local Rules  
3 W.D. Wash. LCR 7(d)(3) ("Any opposition papers shall be filed and served not later than  
4 the Monday before the noting date."). Plaintiff Securities and Exchange Commission  
5 ("SEC") filed a statement of non-opposition to the Receiver's motion. (SEC Resp. (Dkt.  
6 # 114).) No other party filed any response to the Receiver's motion. (*See generally* Dkt.)  
7 The court may consider the failure of a party to file papers in opposition to a motion "as  
8 an admission that the motion has merit." *See* Local Rules W.D. Wash. LCR 7(b)(2). The  
9 court has also independently reviewed the Receiver's motion and finds that it merits  
10 approval.

11 Accordingly, the court GRANTS the Receiver's motion for authorization to retain  
12 counsel and other professionals (Dkt. # 109). Specifically, the court ORDERS that:

13 (1) the Receiver is authorized to retain Allen Matkins as the Receiver's general  
14 receivership counsel on the terms described in the Declaration of David R.  
15 Zaro (Dkt. # 111);

16 (2) the Receiver is authorized to retain Karr Tuttle as the Receiver's local counsel  
17 on the terms described in the Declaration of Diana K. Carey (Dkt. # 110); and

18 (3) the Receiver is authorized to retain Financial Forensics as the Receiver's

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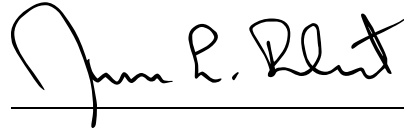
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forensic accountants on the terms described in the Declaration of Gregory A. Gadawski (Dkt. # 112).

Dated this 10th day of November, 2015.



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JAMES L. ROBART  
United States District Judge