

ORDER

1
2 Plaintiffs WB Music Corp., But Father, I Just Want to Sing Music, Hunterboro
3 Music, Universal Polygram International Publishing, Inc., Sony/ATV Tunes LLC,
4 Obverse Creation Music, Nice Hair Publishing, Party Rock Music, Yeah Baby Music,
5 ESKAYWHY Publishing, Uh Oh Entertainment, Divine Mill Music, Fingaz Goal
6 Music, EMI April Music Inc., Hi Mom I Did It, Chebra Music, and Universal Music
7 Corp. (collectively “Plaintiffs”) Renewed Motion to Appoint a Receiver in Aid of
8 Post-Judgment Execution, pursuant to Rules 66 and 69 of the Federal Rules of Civil
9 Procedure and California Civil Procedure Code § 708.620, is **GRANTED**.

10 It is hereby **ORDERED** that:

11 A. W. Lawrence Patrick of Patrick Communications, LLC is hereby
12 appointed receiver (the “Receiver”) over Defendants’ radio-stations-related
13 assets for radio stations KFRH-FM, KREV-FM, and KRCK-FM (“Defendants’
14 Radio Stations”);

15 B. The Receiver shall have the power and authority to take charge of
16 and manage Defendants’ Radio Stations’ assets, businesses, and affairs, to
17 bring and defend actions in his own name, as Receiver; to take and keep
18 possession of Defendants’ Radio Stations’ assets; to receive rents, and collect
19 accounts receivable and other debts; to take all steps necessary to operate and
20 manage Defendants’ Radio Stations, including the authority to appoint an agent
21 or agents under him, and to do all other acts which may be necessary and
22 proper to operate and manage the stations;

23 C. The Receiver is authorized to retain an accounting firm, subject to
24 approval of the Court, to conduct an independent analysis of Defendants’
25 financial statements and affairs;

1 D. The Receiver is authorized to: solicit offers for the sale of
2 Defendants' Radio Stations' assets, including but not limited to the broadcast
3 licenses issued by the Federal Communications Commission for Defendants'
4 Radio Stations (the "FCC Licenses"), according to normal and customary
5 industry practices; and report to the Court any firm offers for purchase, with
6 recommendations regarding the offer.

7 E. Any sale of Defendants' Radio Stations' assets shall be subject to
8 the approval of the Court;

9 F. Any sale of one or more of the FCC Licenses shall be subject to
10 the approval of the Court as well as the Federal Communications Commission;

11 G. The Receiver must report to the Court on a monthly basis, and
12 may seek approval for any other powers or authority not granted herein which
13 he deems necessary to the exercise of his responsibilities under this order;

14 H. The Receiver shall post a bond of \$10,000.00 within (10) business
15 days of this Court's order, pursuant to California Code of Civil Procedure §
16 567;

17 I. The fees of the Receiver will be Seven Thousand Five Hundred
18 Dollars (\$7,500.00) per month plus reasonable travel expenses to the stations.
19 These fees shall be considered operating expenses to be deducted from the
20 gross receivables of the respective stations; and

21 J. The Receiver shall receive a brokerage commission of five percent
22 (5%) on the first Three Million Dollars (\$3.0 million) and two percent (2%) on
23 the consideration paid above the Three Million Dollar (\$3.0 million) threshold
24 on the sale of any of the stations involved in this action.

25 Dated: June 6, 2020


26 Hon. Jesus G. Bernal
27 United States District Judge
28

1 **By Overnight Delivery (CCP §§ 1013(c)(d), et seq.:** I enclosed said
2 document(s) in a sealed envelope or package provided by an overnight delivery
3 carrier to the following address(es). I placed the envelope or package, delivery fees
4 paid for, for collection and overnight delivery at our office for pick up by the carrier
5 on the same day.

6 **By Personal Service:** I enclosed said document(s) in a sealed envelope or
7 package to the following address(es). I provided them to a professional messenger
8 service for service to be delivered by hand to the offices of the addressee(s).

9 **State** I declare under penalty of perjury under the laws of the State of
10 California that the foregoing is true and correct.

11 **Federal:** I declare that I am employed in the office of a member of the bar of
12 this court at whose direction the service was made.

13 Dated: February 10, 2020

14 Signature:

Vicky Apodaca

Vicky Apodaca