

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 08-81565-CIV-HURLEY/HOPKINS**

**SECURITIES AND EXCHANGE COMMISSION,**

**Plaintiff,**

**v.**

**CREATIVE CAPITAL CONSORTIUM, LLC, et al.,**

**Defendants.**

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**ORDER GRANTING PLAINTIFF'S APPLICATION FOR ORDER TO  
SHOW CAUSE, GRANTING RECEIVER'S MOTION FOR AUTHORIZATION  
TO SELL RECEIVERSHIP ESTATE PROPERTY, AND DIRECTING  
RESPONSE TO MOTION TO SET ASIDE ORDER EXPANDING RECEIVERSHIP**

**THIS CAUSE** is before the court upon plaintiff's application for order to show cause [DE # 24]; receiver's motion for authorization to sell receivership estate property [DE # 25]; and the motion of Reverse Auto Loan, LLC and Sancal Investment and Financial Services, Inc. to set aside the court's December 31, 2008 order expanding the receivership [DE # 16].

The application for order to show cause suggests that defendant George Theodule has not properly complied with the court's December 29 order [DE # 7] requiring him to account for all of his assets, funds, and properties. The court agrees with plaintiff that Theodule's disclosures appear inadequate to respond to the court's order. The disclosures [DE # 20] are insufficiently specific, and many of the asset entries are cryptic and uninformative. Moreover, Theodule's claim that he does not have access to records that would enable him to make more specific disclosures is not entirely persuasive. Accordingly, the court will grant the plaintiff's application and issue an order to show cause why defendant Theodule should not be held in contempt for failure to comply with the court's

order requiring him to account for all assets.

The receiver has filed a motion for authority to sell an automobile belonging to the receivership estate. Because it appears that a sale of the automobile would best preserve the assets of the receivership estate, the court will grant the receiver authority to sell the automobile for a reasonable price and hold the proceeds as part of the receivership estate.

Finally, Reverse Auto Loan, LLC and Sancal Investment and Financial Services, Inc. have filed a motion to set aside the order, entered December 31, 2008, in which the court granted the receiver's motion to expand the receivership to include those two entities. The receiver has not yet filed a response to the motion. Because a response would aid the court in resolving the motion, the court will direct a response.

Accordingly, it is hereby **ORDERED** and **ADJUDGED** that:

1. Plaintiff's application for order to show cause [DE # 24] is **GRANTED**. Within **FIFTEEN (15) DAYS** of entry of this order, defendant George Theodule shall **SHOW CAUSE**, if any there be, why he should not be held in contempt for failure to comply with the court order entered December 29, 2008.
2. The receiver's application for authorization to sell receivership property [DE # 25] is **GRANTED**. The receiver is authorized to sell the 2005 BMW X5 (VIN: 5UXFA13555LY02696) for not less than \$10,575.00 (ten thousand five hundred seventy-five dollars) and hold the proceeds as part of the receivership estate.
3. Within **FIFTEEN (15) DAYS** of entry of this order, the receiver shall respond to the motion of Reverse Auto Loan, LLC and Sancal Investment and Financial Services, Inc. to set aside the court's order expanding the receivership.

Order Granting Plaintiff's Application for Order to Show Cause, Granting Receiver's Motion to Sell Receivership  
Estate Property, and Directing Response  
SEC v. Creative Capital Consortium, LLC et al.  
Case No. 08-81565-CIV-HURLEY/HOPKINS

**DONE and SIGNED** in Chambers in West Palm Beach, Florida, this 6<sup>th</sup> day of February,  
2009.

  
Daniel T. K. Hurley  
U.S. District Judge

*Copies provided to counsel of record*