

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 ALAN S. WEINGER
Deputy Commissioner
3 JOHN R. DREWS (BAR NO. 69595)
Corporations Counsel
4 BLAINE A. NOBLETT (BAR NO. 235612)
Corporations Counsel
5 320 West 4th Street, Suite 750
Los Angeles, California 90013-2344
6 Telephone: (213) 576-1396 Fax: (213) 576-7181

7 Attorneys for Complainant

8

9

BEFORE THE DEPARTMENT OF CORPORATIONS

10

OF THE STATE OF CALIFORNIA

11

In the Matter of THE CALIFORNIA
12 CORPORATIONS COMMISSIONER,

) File No.: 963-2527

13

Complainant,

) **ORDER APPOINTING CAMTU TRAN**
) **CONSERVATOR PURSUANT TO**
) **FINANCIAL CODE SECTION 17630**

14

v.

15

16

FIRST SOUTHWESTERN ESCROW,

17

Respondent.

18

19

20 I, PRESTON DuFAUCHARD, California Corporations Commissioner, pursuant to Financial
21 Code section 17630, do hereby appoint Camtu Tran, Corporations Examiner, as Conservator of the
22 trust accounts and all bank and escrow records pertinent thereto of First Southwestern Escrow ("First
23 Southwestern"), including, but not limited to, all First Southwestern trust accounts on deposit with
24 Wells Fargo Bank or elsewhere, in order that she may take possession of the trust accounts and
25 records for the protection of the escrow agent, the customers of the escrow agent, and the public.

26 The Conservator, pursuant to Financial Code section 17630, shall have all the rights, powers,
27 and privileges of First Southwestern, its officers and directors, and shall have the same powers and
28 rights as the California Corporations Commissioner, while she is in possession of the trust accounts

1 and pertinent bank and escrow records of First Southwestern. These rights, powers and privileges
2 shall include all acts as are necessary or expedient to collect, conserve, and protect the trust accounts
3 and pertinent bank and escrow records of First Southwestern, including (a) the collection, recovery,
4 and compromise of claims, deeds, property and rights in favor of or belonging to First Southwestern
5 regarding the trust account(s); (b) the execution of all deeds, conveyances, agreements, compliances,
6 and instruments of every kind and nature in connection with the trust accounts and pertinent bank and
7 escrow records of First Southwestern; (c) the employment of accountants and attorneys to the extent
8 reasonably necessary; and (d) with the prior consent of the California Corporations Commissioner,
9 the institution, maintenance and defense of suits related to the affairs of First Southwestern and/or the
10 filing of petitions or applications in court or elsewhere with respect to the trust accounts and pertinent
11 bank and escrow records of First Southwestern, for all purposes.

12 All expenses of the Conservatorship shall be paid out of the assets of First Southwestern and
13 shall be a lien thereon which shall be prior to any other lien.

14 This Order is effective on the date hereof and may be amended or terminated upon further
15 order of the California Corporations Commissioner.

16 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal.

17 DATED: December 1, 2010
18 Los Angeles, CA

PRESTON DuFAUCHARD
California Corporations Commissioner

19
20 By _____
21 ALAN S. WEINGER
22 Deputy Commissioner
23 Enforcement Division
24
25
26
27
28