

1 PRESTON DuFAUCHARD  
California Corporations Commissioner  
2 ALAN S. WEINGER  
Deputy Commissioner  
3 JUDY L. HARTLEY (CA BAR NO. 110628)  
Senior Corporations Counsel  
4 Department of Corporations  
320 West 4<sup>th</sup> Street, Ste. 750  
5 Los Angeles, California 90013-2344  
Telephone: (213) 576-7604 Fax: (213) 576-7181  
6 Attorneys for Complainant

8 BEFORE THE DEPARTMENT OF CORPORATIONS  
9 OF THE STATE OF CALIFORNIA

10  
11 In the Matter of THE CALIFORNIA ) File No.: 963-1201  
CORPORATIONS COMMISSIONER, )  
12 )  
13 Complainant, ) ORDER APPOINTING PETER A. DAVIDSON  
14 vs. ) CONSERVATOR PURSUANT TO  
15 APPLE ESCROW, ) CALIFORNIA FINANCIAL CODE SECTION  
16 Respondent. ) 17630  
17 )  
18 )

19 I, PRESTON DuFAUCHARD, California Corporations Commissioner, pursuant to Financial  
20 Code Section 17630, do hereby appoint Peter A. Davidson of the law firm of Ervin Cohen & Jessup  
21 LLP as conservator of Apple Escrow in order that he may take possession of the property, business  
22 and assets of said escrow agent, including, but not limited to, cashier’s check number 200003744  
23 issued by Comerica Bank from the Apple Escrow trust account dated April 16, 2010 in the amount  
24 of \$248,369.12 payable to Apple Escrow, for the protection of the escrow agent, the customers of the  
25 escrow agent, its creditors, and the public.

26 The conservator, pursuant to Financial Code section 17630, shall have all the rights, powers,  
27 and privileges of Apple Escrow, its officers and directors, and shall have the same powers and rights  
28 as the California Corporations Commissioner, while he is in possession of the property, business and

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

10 All expenses of the Conservatorship shall be paid out of the assets of the licensee and  
11 shall be a lien thereon which shall be prior to any other lien.

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

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

15 Dated: April 20, 2010  
16 Los Angeles, CA

PRESTON DuFAUCHARD  
California Corporations Commissioner

17  
18 By \_\_\_\_\_  
19 Alan S. Weinger  
20 Deputy Commissioner

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