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California Corporations Commission
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6 Attorneys for Complainant

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

11	In the Matter of THE CALIFORNIA)	Case No.: 963-1870
12	CORPORATIONS COMMISSIONER,)	
13	Complainant,)	ORDER APPOINTING LUHMEN TESORO
14	vs.)	AS CONSERVATOR PURSUANT TO
15	DAY & NITE ESCROW, INC.,)	CALIFORNIA FINANCIAL CODE SECTION
16	Respondent.)	17630
17)	
18)	

19 I, DEMETRIOS A. BOUTRIS, California Corporations Commissioner, pursuant to Financial
20 Code section 17630, do hereby appoint Luhmen Tesoro, Corporations Examiner, as Conservator of
21 the trust account(s) and all bank and escrow records pertinent thereto of DAY & NITE ESCROW,
22 INC., including, but not limited to, cashier’s check number 13-4793014161 issued by East West
23 Bank from DAY & NITE ESCROW, INC. trust account number 82322934 dated April 17, 2002 in
24 the amount of \$142,418.03 payable to Fidelity National Title, in order that she may take possession
25 of the trust account(s) and records for the protection of the escrow agent, the customers of the
26 escrow agent, and the public.

27 The conservator, pursuant to Financial Code section 17630, shall have all the rights, powers,
28 and privileges of DAY & NITE ESCROW, INC., its officers and directors, and shall have the same

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

14 All expenses of the Conservatorship shall be paid out of the assets of DAY & NITE
15 ESCROW, INC. and shall be a lien thereon which shall be prior to any other lien.

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

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

19 Dated: June 11, 2002
20 Los Angeles, CA

DEMETRIOS A. BOUTRIS
California Corporations Commissioner

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22 By _____
23 Steven C. Thompson
24 Special Administrator, Escrow Law
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