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9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11 SOUTHERN DIVISION

12 SECURITIES AND EXCHANGE
COMMISSION,

13 Plaintiff,

14 v.

15 MEDICAL CAPITAL HOLDINGS,
16 INC.; MEDICAL CAPITAL
CORPORATION; MEDICAL
17 PROVIDER FUNDING
CORPORATION VI; SIDNEY M.
18 FIELD; and JOSEPH J.
LAMPARIELLO,

19 Defendants.
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Case No. 8:09-cv-0818-DOC (RNBx)

**RECEIVER'S EX PARTE
APPLICATION FOR EXTENSION
OF PERIOD TO FILE OBJECTIONS
TO CLAIMS**

1 Thomas A. Seaman, Receiver for Medical Capital Holdings, Inc., Medical
2 Capital Corporation, Medical Provider Funding Corporation VI, and their
3 subsidiaries and affiliates ("Receiver"), hereby applies for an extension of the period
4 to file objections to claims ("Application").

5 On December 21, 2010, the Receiver filed his Motion for Order: (1) Setting
6 Claims Bar Date; (2) Approving Proof of Claim and Claim Information Forms; and
7 (3) Establishing Summary Procedures for Claim Administration ("Claim Procedures
8 Motion"). There was no opposition to the Claim Procedures Motion, and on
9 January 31, 2011, the Court entered the order granting the motion ("Claim
10 Procedures Order"). The Claim Procedures Order set the deadline to submit claims
11 as May 1, 2011 ("Claims Bar Date"), approved the proof of claim and claim
12 information forms proposed by the Receiver, and provided that disputes regarding
13 claims will be determined by the Court using summary procedures. The approved
14 claim forms and instructions were mailed to all known investors, trade creditors and
15 former employees between February 18 and March 1, 2011.

16 On April 14, 2011, the Receiver applied for an order extending the Claims
17 Bar Date because, among other things, many investors had not maintained updated
18 addresses with the Receiver, and as a result, many of the claim information forms
19 the Receiver mailed out were returned. On April 18, 2011, the Court entered an
20 order extending the Claims Bar Date to June 15, 2011.

21 In the Claims Procedures Motion, the Receiver stated that he anticipated
22 filing all objections to claims within 120 days of the Claims Bar Date. The Receiver
23 also stated he would request additional time to respond to claims if significant
24 disputes arose as to claims. With the bar date extended to June 15, 2011, the
25 120-day objection period is set to end on October 13, 2011.

26 The Receiver has completed his review and analysis of the vast majority of
27 claims, and has substantially completed his objections to those claims. More non-
28 investor claims than expected were received, however. Some of these claims

1 require considerable investigation and analysis. Accordingly, there is a still a small
2 group of claims being analyzed. In addition, the trustees, Wells Fargo Bank and
3 Bank of New York Mellon, submitted claims, which are tens of millions of dollars
4 in the aggregate. The Receiver has had to involve his conflicts counsel at the
5 Shartsis Friese firm to analyze these claims, which analysis is not yet completed.

6 The Receiver expects his analysis and objections to all claims to be completed
7 within the next three weeks. Accordingly, the Receiver requests a short 30-day
8 extension of the period to object to claims. If this request is granted, the Receiver
9 will file and serve all claim objections no later than November 12, 2011. In order to
10 give claimants, many of whom submitted their claim forms without the assistance of
11 counsel, sufficient time to respond, and in light of the December holidays, the
12 Receiver will set his objections for hearing on January 23, 2011, or the first
13 available hearing date thereafter.

14 Prior to filing, the Receiver discussed this Application with counsel for the
15 Securities and Exchange Commission ("SEC"). Counsel for the SEC advised that
16 the SEC has no opposition. The Receiver also e-mailed the Application to counsel
17 for Defendants Joseph Lampariello and Sidney Field. No response was received
18 from counsel for Defendants Joseph Lampariello and Sidney Field.

19
20 Dated: October 7, 2011

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

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22 By: /s/ Ted Fates

23 TED FATES
24 Attorneys for Receiver
25 Thomas A. Seaman
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