

1 DAVID R. ZARO (BAR NO. 124334)
MICHAEL R. FARRELL (BAR NO. 173831)
2 TED FATES (BAR NO. 227809)
ALLEN MATKINS LECK GAMBLE
3 MALLORY & NATSIS LLP
515 South Figueroa Street, Ninth Floor
4 Los Angeles, California 90071-3309
Phone: (213) 622-5555
5 Fax: (213) 620-8816
E-Mail: dzaro@allenmatkins.com
6 mfarrell@allenmatkins.com
tfates@allenmatkins.com

7 Attorneys for Receiver Thomas A. Seaman
8

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.
20
21
22
23
24
25
26
27
28

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

**DECLARATION OF KENNETH R.
ENOS IN SUPPORT OF MOTION
FOR APPROVAL OF (A) SALE OF
LOAN MADE TO THE PARKWAY
HOSPITAL, INC. AND PARKWAY
ACQUISITION I, LLC, AND
(B) PAYMENT OF BROKER'S
COMMISSION**

Date: March 5, 2012
Time: 8:30 a.m.
Ctrm: 9D
Judge: Hon. David O. Carter

1 I, Kenneth R. Enos, declare as follows:

2 1. I have been a real estate broker licensed in the State of New York since
3 1986. I am a Senior Director at Colliers International. I specialize in sales of
4 real estate investments and loans. Since I joined Colliers International in 1995, I
5 have been responsible for transactions with an aggregate value of more than
6 \$850 million. The following facts are within my knowledge and if called as a
7 witness I would testify to them under oath.

8 2. I was engaged by the Receiver in January 2011 to market the loan
9 issued to The Parkway Hospital, Inc. and Parkway Acquisition I, LLC (formerly
10 known as Parkway Hospital Associates) as co-borrowers, which loan is secured by
11 the property located at 70-35 113th Street, Forest Hills, Queens, New York ("First
12 Parkway Loan").

13 3. I identified approximately 800 potential purchasers of the First
14 Parkway Loan and sent them a marketing teaser about the opportunity. The
15 opportunity was also listed on the Colliers International website.

16 4. I received requests for confidentiality agreements from 373 potential
17 purchasers, 68 of whom executed confidentiality agreements and were given access
18 to due diligence materials. I received 12 offers from potential purchasers.

19

20 I declare under penalty of perjury that the foregoing is true and correct.

21 Executed this 1st day of ~~January~~, 2012, at Lake Success, New York.

22

February

23

Kenneth R Enos

24

KENNETH R. ENOS

25

26

27

28