

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

GINA CHAMPION-CAIN and ANI
DEVELOPMENT, LLC,

Defendants,

AMERICAN NATIONAL
INVESTMENTS, INC.,

Relief Defendant.

Case No. 3:19-cv-01628-LAB-AHG

**ORDER GRANTING JOINT
MOTION FOR LIMITED RELIEF
FROM PRELIMINARY
INJUNCTION [DOC. 6]**

Ctrm: 14A (14th Floor)
Judge Hon. Larry Alan Burns

1 The unopposed Joint Motion for Limited Relief from Order Granting the
2 Parties Joint Motion and Stipulated Request for a Preliminary Injunction [Docket No.
3 251] is **GRANTED**.

4 The Era Boutique Hotel LLC (“TEBH”), Defendant Champion-Cain
5 (“Champion-Cain”), BankDirect Premium Funding, LLC (“BankDirect”), and as
6 applicable, Accordia Life and Annuity Company and Texas Capital Bank, N.A., are
7 granted limited relief from the prohibitions set forth in Section XIII B and C of the
8 Appointment Order [Docket 6] for the purposes of permitting BankDirect to exercise
9 its rights and remedies on and with respect to and realize upon the Loan Facility
10 Collateral (as defined in the Joint Motion) and apply the Loan Facility Collateral to
11 pay and satisfy the Loan Facility Obligations (as defined in the Joint Motion), subject
12 to compliance with Paragraph 14 of the Joint Motion, and that Accordia Life and
13 Annuity Company and Texas Capital Bank, N.A. are allowed to take such actions
14 with respect to TEBH, Champion-Cain, BankDirect and the Loan Facility Collateral
15 which are necessary to facilitate or consummate the foregoing.

16 Such relief from the prohibitions under Section XIII, set forth in the
17 Appointment Order, shall be limited to TEBH, Champion-Cain and BankDirect (and
18 Accordia Life and Annuity Company and Texas Capital Bank, N.A., to the extent
19 applicable) and shall not extend to any other creditor of the Receivership Entities.

20 BankDirect retains all other rights and remedies it currently has, including
21 without limitation the right to petition this Court for further relief from this Court.
22 The Receiver and Champion-Cain will execute and deliver to such documents as
23 BankDirect may reasonably request in order to exercise its rights and remedies on and

24 ///

25 ///

26 ///

27 ///

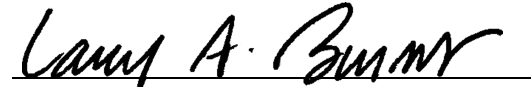
28 ///

1 with respect to and realize upon the Loan Facility Collateral and apply the Loan
2 Facility Collateral to pay and satisfy the Loan Facility Obligations.

3 **IT IS SO ORDERED.**

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: March 3, 2020



Hon. Larry A. Burns
Chief United States District Judge