

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

1:12-cv-3261-WSD

**ANGELO A. ALLECA, SUMMIT
WEALTH MANAGEMENT, INC.,
SUMMIT INVESTMENT FUND,
LP, ASSET CLASS
DIVERSIFICATION FUND, LP,
and PRIVATE CREDIT
OPPORTUNITIES FUND, LLC,**

Defendants.

ORDER

The Court hereby sets a hearing for September 19, 2017, at 2:30 p.m., in Courtroom 1705 (the “Hearing”), where the Court will consider Receiver Robert D. Terry’s Motion to Approve Plan of Distribution [120], as amended [125], and any objections to the Plan.

Any claimant who is dissatisfied with the Receiver’s claim determination or the Plan of Distribution, including any person whose claim is not enumerated in the Plan, may file an objection with the Court. The claimant must file their objection, in writing, with the Clerk of the District Court, United States District

Court for the Northern District of Georgia Atlanta Division, Richard B. Russell Federal Building, 2211 United States Courthouse, 75 Ted Turner Drive, SW, Atlanta, GA 30303-3309. The claimant also must send a copy of the objection to the Receiver's office at 2987 Clairmont Road, Suite 200, Atlanta, GA 30329.

Objections must be received by the Court and the Receiver no later than August 16, 2017. At a minimum, any objection relating to claims enumerated in the Plan must contain the following:

- (1) A caption setting forth the name of the Court, the case number, and the names of the plaintiff and defendants;
- (2) The name of the claimant, a description of the grounds for the claim and the amount of the claim, and all documentation supporting the claim;
- (3) The claim number for the claim to which the objection relates;
- (4) A concise statement explaining why the claim should not be disallowed or modified as set forth in the Plan of Distribution, and why another distribution method would be more equitable for the claimants as a whole;
- (5) All documentation or other evidence of the claim upon which the claimant relies in opposing the claim determination and Plan of

Distribution; and

- (6) The claimant's physical address, email address, and telephone number at which the Receiver may contact the claimant.


Any objection based upon a claim not enumerated in the Plan must contain the information described in numbers (1) and (2) above. All claims not enumerated in the Plan that are not made on or before August 16, 2017, shall be forever barred.

The Receiver shall file, on or before August 30, 2017, his response to any objection submitted by a claimant. An objector shall file their reply on or before September 6, 2017.

The claimant may, but is not required to, retain the services of an attorney to file an objection. If no objection is received, the Court may enter an Order allowing or disallowing the claims as set forth in the Plan of Distribution. If a claimant makes an objection to the Plan of Distribution, the claimant must be present at the Hearing to assert the claim. If a claimant does not attend the Hearing, the Court may enter the relief requested by the Receiver in the Plan of Distribution. An objector shall have the burden of proof for their claim at the Hearing.

The Receiver shall provide notice of this Order, including its content, to all claimants known to the Receiver. Notice shall be by electronic mail to claimants that have provided Receiver Confirmed Electronic Mail Information.¹ Notice shall be by first class mail to all other claimants. The Receiver also shall post a copy of this Order on the Receiver's website.

SO ORDERED this 20th day of July, 2017.



WILLIAM S. DUFFEY, JR.
UNITED STATES DISTRICT JUDGE

¹ Receiver Confirmed Electronic Mail Information “refers to the email addresses confirmed by affirmative responses by Claimants during the Claims verification process that the Receiver engaged in in late 2016 and early 2017, in which Claimants affirmatively confirmed the accuracy of current valid electronic mail addresses.” ([120] at 29).