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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

DENARI CAPITAL LLC, TRAVIS
CAPSON, and ARNAB SARKAR,

Defendants,

Case No. 19-cv-07284-EC

**[PROPOSED] ORDER APPROVING
MOTION BY RECEIVER KATHY
BAZOIAN PHELPS FOR ENTRY OF AN
ORDER APPROVING SETTLEMENT OF
CLAIM ASSERTED BY INVESTOR
GREGORY CAPSON**

Date: October 1, 2020
Time: 1:30 p.m.
Place: Courtroom: 5
450 Golden Gate Ave
San Francisco, CA
Judge: Edward M. Chen

The Motion by Receiver Kathy Bazoian Phelps for Entry of an Order Approving Settlement of Claim Asserted by Investor Gregory Capson (the “Motion”)¹ came on for hearing at

¹ All capitalized terms used but not otherwise defined herein shall have the meanings given to them in the Motion.

1 the above-referenced date and time and was conducted [by Zoom] before the Honorable Edward
2 M. Chen, United States District Judge presiding. Appearances were noted as on the record.

3 The Court having reviewed and considered the Motion, the supporting Declaration of
4 Kathy Bazoian Phelps and accompanying Exhibit, all the papers and files in this matter, and
5 having heard the comments of counsel and interested parties at the time of the hearing, for GOOD
6 CAUSE APPEARING,

7 IT IS HEREBY ORDERED that:

- 8 1. The Motion and all relief sought therein is GRANTED;
- 9 2. The Settlement Agreement between the Receiver and Gregory Capson (the
10 “Agreement”), a copy of which is attached as Exhibit “1” to the Declaration of
11 Kathy Bazoian Phelps, is approved.
- 12 3. The Receiver is authorized to take all necessary and further actions, pay all fees,
13 and execute any documents to make the transfers of securities pursuant to the
14 terms of the Agreement and to otherwise consummate the Agreement; and
- 15 4. The form and manner of notice of the Motion is approved.

16
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18 Dated: _____

Honorable Edward M. Chen
United States District Court