

Filed in District Court
State of Minnesota
Dated 12-4-20

CASE TYPE: Foreclosure/Receivership

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF MCLEOD

FIRST JUDICIAL DISTRICT

UMB Bank, National Association, as
Successor Trustee Under the Indenture of Trust
dated September 1, 2010,

Court File No. 43-CV-16-1072

Hon. Jody L. Winters

Plaintiff,

vs.

Living Services Foundation/Winsted, LLC;
XYZ Corporation; ABC Partnership;
John Doe and Mary Rowe,

**ORDER APPROVING RECEIVER'S
FINAL REPORT, DISCHARGING THE
RECEIVER, AND CLOSING CASE**

Defendants.

Certus Financial, LLC, in its capacity as the Court-appointed receiver in this case (the "Receiver"), filed a motion to approve the Receiver's final report, discharge the Receiver, and close this case. David E. Runck appeared on behalf of the Receiver. Other appearances, if any, were noted in the record. Except as otherwise defined herein, all capitalized terms shall have the meanings given to them in the Receiver's motion papers.

Under Minn. Stat. §§ 576.38, 576.47 and Rule 137.10 of the Minnesota General Rules of Practice, and based upon the Receiver's Memorandum of Law and the Affidavit and Final Report of William Haase submitted by the Receiver ("Final Report"),

IT IS HEREBY ORDERED THAT:

1. The Final Report submitted by the Receiver, and the Receiver's payment of all fees, expenses, and distributions described therein, is approved.

2. Pursuant to Minn. Stat. § 576.47, the Receiver is authorized to abandon any remaining funds that may exist in the Wind-Up Account for the Facility.

3. Within three (3) business days of the date of this order, the Receiver shall pay all outstanding fees and expenses of the Receiver and distribute any net remaining funds held by the Receiver to the Plaintiff.

4. Effective immediately, Certus Financial, LLC ("Certus") is discharged as receiver and excused from performance of any further duties in this case. Certus has managed the receivership property in accordance with this Court's orders, filed periodic reports with the Court, and faithfully discharged its duties in good faith. All of Certus' actions as Receiver are hereby confirmed, ratified and approved. Certus, its subsidiaries, affiliates, successors, assigns, directors, officers, shareholders, employees, attorneys and agents are hereby released and discharged from any and all actions, claims, contracts, damages, leases and liabilities of every kind or nature whatsoever, relating to the receivership property or arising from Certus' actions or service as Receiver. Certus' surety bond for its service as Receiver, if any, is hereby released and exonerated.

5. This case is closed.

IT IS SO ORDERED.

Dated: December 4, 2020

BY THE COURT:



Hon. Jody L. Winters
Judge of District Court