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8 Temporary Independent Fiduciary
9 Receivership Management, Inc.

10
11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 **R. ALEXANDER ACOSTA,**
14 **Secretary of Labor, United States**
15 **Department of Labor**

16 **Plaintiff,**

17 **v.**

18 **RIVERSTONE CAPITAL, LLC, a**
19 **California limited liability**
20 **corporation; NEXGEN**
21 **INSURANCE SERVICES**
22 **INCORPORATED, a California**
23 **corporation; NGI BROKERAGE**
24 **SERVICES, INC., a California**
25 **corporation; JAMES C. KELLY, an**
26 **individual; TRAVIS O. BUGLI, an**
27 **individual; ROBERT CLARKE, an**
28 **individual,**

Defendants.

CASE NO. 19-CV-778-MWF (MAAx)
Honorable Michael W. Fitzgerald

TEMPORARY INDEPENDENT
FIDUCIARY’S NOTICE OF
FILING REGARDING
TERMINATION OF RIVERSTONE
MEWA AND PARTICIPATING
PLANS

PLEASE TAKE NOTICE that on February 28, 2019 (and to the extent needed, on the days following thereafter), the Temporary Independent Fiduciary is having notice sent to all current participants of the Riverstone MEWA and

1 Participating Plans (“Plans”), who are currently participating in the Plans. This
2 Notice of Filing gives notice of the decision of the Temporary Independent
3 Fiduciary to terminate the MEWA, as of 11:59 p.m. (Pacific time) March 8, 2019.
4 Such employers will need to seek other sources of health benefit coverage (either
5 fully insured or self-insured) commencing March 9, 2019. Attached hereto is a
6 template of that Notice of Benefit Fund Termination.

7 The attached Declaration of Robert E. Moore, Jr. sets forth the basis on
8 which the Temporary Independent Fiduciary has made this decision and taken
9 action.

10
11 Dated: February 28, 2019

CALDWELL LAW FIRM

12
13 /S/ Larry J. Caldwell
14 By: _____
Larry J. Caldwell, Esq.

15 Attorneys for Court-Appointed
16 Temporary Independent Fiduciary
17 Receivership Management, Inc.
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the aforesaid county, State of California. I am over the age of 18 years and not a party to the within action. My business address is Caldwell Law Firm, 21550 Oxnard Drive, 3rd Floor, Woodland Hills, CA 91367.

On the date set forth below, I served the foregoing document described as:

**TEMPORARY INDEPENDENT FIDUCIARY’S NOTICE
OF FILING REGARDING TERMINATION OF
RIVERSTONE MEWA AND PARTICIPATING PLANS**

On all other parties and/or their attorney(s) of record to this action as follows:

SEE ATTACHED SERVICE LIST

____ **BY CM/ECF SYSTEM** In accordance with the electronic filing procedures of this Court, I certify that I caused a copy of the above document to be served upon the following counsel of record, who are registered participants of this Court’s CM/ECF system, via the court’s CM/ECF System on _____, 2019.

____ **BY ELECTRONIC MAIL** I served the above document to the e-mail address(es) listed in the attached Service List on _____, 2019. A true and correct copy of said transmittal will be produced if requested by any party or the court.

____ **BY MAIL** I am readily familiar with the business practice for collection and processing of correspondence for mailing with the United States Postal Service. The address shown above is the same as shown on the envelope, which was placed for deposit in the United States Postal Service at Caldwell Law Firm in Woodland Hills, California on _____, 2019. The envelope was sealed and placed for collection and mailing with first-class prepaid postage on this date following ordinary business practices.

____ **(FEDERAL)** I declare under penalty of perjury that the foregoing is true and correct, and that I am employed at the office of a member of the bar of this Court at whose direction the service was made.

Executed on _____, 2019, at Woodland Hills, California.

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SERVICE LIST

ACOSTA v. RIVERSTONE CAPITAL, et al.
USDC Case No. 19-CV-778-MWF (MAAx)

Attorneys for Plaintiff via CM/ECF

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Defendants, In Pro Per, via Electronic Mail and First Class Mail

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