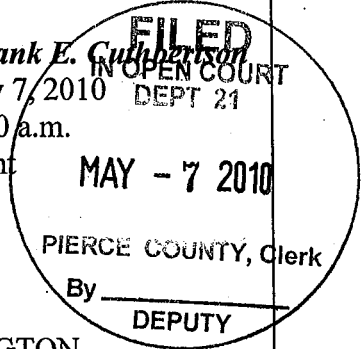


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

The Honorable Frank E. Guthrie
Hearing Date: May 7, 2010
Hearing Time: 9:00 a.m.
With Oral Argument



IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE

In Re:
MCUBE PETROLEUM, INC., a Washington corporation;
BASILAM PETROLEUM, LLC, a Washington limited liability company;
DISKI PETROLEUM, LLC, a Washington limited liability company;
HALMAHERA - REMBANG, LLC, a Washington limited liability company;
LARAMIE PETROLEUM, INC., a Washington corporation; and
ORNA INTERNATIONAL, LTD, a British Virgin Islands company.

Case No. 09-2-08315-6

~~PROPOSED~~ ORDER GRANTING RECEIVER'S MOTION FOR APPROVAL OF SETTLEMENT

ORIGINAL

THIS MATTER came on before this Court for hearing with oral argument on Receiver's Motion for Approval of Settlement (the "Motion"). In connection with the Motion, this Court has reviewed and considered the following submissions by the parties and evidence:

1. Receiver's Motion for Approval of Settlement, dated April 29, 2010;
2. Declaration of Paul E. Brain in Support of Receiver's Motion for Approval of Settlement, dated April 29, 2010;
3. Objection of Smith Alling Lane P.S. to Receiver's Motion to Approve Settlement and Disburse Funds to Its Current Attorney, dated May 5, 2010;

- 1 4. Claims of Lien for Attorney's Fees (1) Upon Money in the Hand of Adverse
2 Party; (2) Upon the Action; and (3) Upon Any Judgment Rendered; dated May 5,
3 2010.
- 4 5. Declaration of Thomas F. Gallagher, dated May 5, 2010;
- 5 6. Declaration of Douglas V. Alling, dated May 5, 2010;
- 6 7. Declaration of Michael E. McAleenan, dated May 5, 2010;
- 7 8. Receiver's Opposition to Smith Alling Lane P.S.'s: (A) Objection to Receiver's
8 Motion to Approve Settlement and Disburse Fund[s] to Its Current Attorney; and
9 (B) Claims of Lien for Attorney's Fees (1) Upon Money in the Hand of Adverse
10 Party; (2) Upon the Action; and (3) Upon Any Judgment Rendered, dated May 6,
11 2010; and
- 12 9. Declaration of Paul E. Brain in Opposition to Smith Alling Lane P.S.'s:
13 (A) Objection to Receiver's Motion to Approve Settlement and Disburse Fund[s]
14 to Its Current Attorney; and (B) Claims of Lien for Attorney's Fees (1) Upon
15 Money in the Hand of Adverse Party; (2) Upon the Action; and (3) Upon Any
16 Judgment Rendered, dated May 6, 2010.

13 This Court has also heard and considered the records and files herein and the arguments
14 of counsel, and is fully advised. Based on this Court's review and consideration, this Court has
15 determined that the Motion is well founded. Based on the foregoing, it is hereby ORDERED,
16 ADJUDGED AND DECREED that:

- 17 1. Receiver's Motion for Approval of Settlement is GRANTED ~~in its entirety~~ ^{IN PART}.
- 18 2. This Court finds that appropriate notice of the instant Motion was given to the
19 creditors of the Receivership Estate.
- 20 3. This Court finds the settlement reached between the Receiver and Defendant
21 Glaser, Weil, Fink, Jacobs, Howard & Shapiro, LLP ("Glaser") in *Beecher v. Glaser Weil, et al.*,
22 Pierce County Superior Court Case No. 09-2-14145-8 ("Glaser Action") is fair and reasonable.
- 23 4. This Court finds the compensation requested by the Receiver ~~and counsel~~ to be
24 consistent with this Court's Order authorizing appointment of the Receiver and ~~authorizing the~~
25 Receiver ^{THE (FEES ARE} ~~to retain counsel and to~~ be fair and reasonable. Accordingly, the Receiver is hereby
26 authorized to immediately pay to himself the sum of \$3,825 ~~and immediately pay to~~
27 ~~the sum of \$38,250.~~ the sum of \$38,250.

* SEE ABOVE PAGE

5. The Receiver is hereby directed to hold the net proceeds to the Receivership Estate under this settlement ^{\$85,425} ~~(\$85,425)~~ in trust for the creditors of the Receivership Estate until such time as a disbursement procedure is determined.

6. The Court finds dismissal of Glaser in the Glaser Action appropriate and hereby contemporaneously signs the proposed Order Dismissing Glaser, Weil, Fink, Jacobs, Howard & Shapiro, LLP with Prejudice.

DONE IN OPEN COURT this _____ day of _____, 2010.

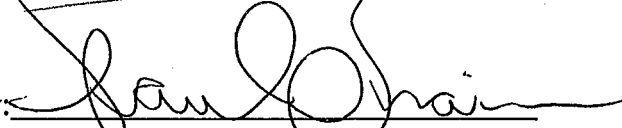
FRANK E. CUTHBERTSON

JUDGE/COURT COMMISSIONER

Presented by:

BRAIN LAW FIRM PLLC

By:



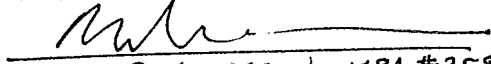
Paul E. Brain, WSBA #13438

Counsel for Plaintiff William L. Beecher, Receiver

* THE RECEIVER SHALL HOLD THE REMAINING SETTLEMENT FUNDS AS FOR ATTORNEY'S FEES, IN THE AMOUNT OF \$38,250.00, IN TRUST, PENDING THE RESOLUTION OF THE DISPUTE BETWEEN STRETA ALLING LANE P.S. LAW FIRM AND PAUL E. BRAIN BY MEDIATION OR

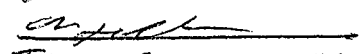
ARBITRATION. *K*

ANDERSON LAW FIRM PLLC



MARK B. ANDERSON WSBA #25895
CO-COUNSEL FOR RECEIVER

LAW OFFICE OF WATSON & CALLAGHAN, P.S.



THOMAS F. CALLAGHAN #24199
COUNSEL FOR STRETA ALLING LANE, P.S.