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14 THOMAS A. SEAMAN

15 UNITED STATES DISTRICT COURT  
16 SOUTHERN DISTRICT OF CALIFORNIA

17 SECURITIES AND EXCHANGE  
18 COMMISSION,

19 Plaintiff,

20 v.

21 TOTAL WEALTH MANAGEMENT,  
22 INC.; et al.,

23 Defendants.

Case No. 15-cv-226 BAS (DHB)

NO ORAL ARGUMENT UNLESS  
REQUESTED BY THE COURT

**NOTICE OF FILING OF THIRD  
INTERIM REPORT AND PETITION  
FOR INSTRUCTIONS OF  
RECEIVER, THOMAS A. SEAMAN**

[Third Interim Report submitted  
concurrently herewith]

Date: September 12, 2016

Ctrm: 4B

Judge: Hon. Cynthia Bashant

24 **PLEASE TAKE NOTICE** that on August 10, 2016, Thomas A. Seaman (the  
25 "Receiver"), the Court-appointed Permanent Receiver for Total Wealth  
26 Management, Inc. and its subsidiaries and affiliates, including but not limited to  
27 Altus Capital Management, LLC, filed his Third Interim Report and Petition for  
28 Further Instructions ("Report") pursuant to Local Civil Rule 66.1. The Report was  
filed as Docket No. 111.

Case No. 15-cv-226 BAS (DHB)

1           **PLEASE ALSO TAKE NOTICE** that, if the Court does not take the Report  
2 under submission pursuant to Local Rule 7.1.d.1, a hearing on the Report is set for  
3 **September 12, 2016** in Courtroom 4B of the United States District Court, 221  
4 W. Broadway, San Diego, California 92101, in accordance with the Court's  
5 Standing Order for Civil Cases.

6           If you wish to review the Report, you may do so by accessing the Receiver's  
7 website at [totalwealthreceiver.com](http://totalwealthreceiver.com), or accessing the Report through the United  
8 States District Court's PACER (Public Access to Court Electronic Records) system  
9 (account required) at <http://pacer.uscourts.gov>. Alternatively, you may request to  
10 receive a copy of the Report via U.S. mail or electronic mail by registering your  
11 delivery preference on the Receiver's website (see the "subscribe to this case" link).  
12 This Notice and the Report will also be posted on the Receiver's website  
13 ([www.totalwealthreceiver.com](http://www.totalwealthreceiver.com)).

14                   **If you oppose the Report, you are required to file your**  
15                   **written opposition with the Office of the Clerk, United**  
16                   **States District Court, 880 Front Street, Suite 4290, San**  
17                   **Diego, CA 92101-8900, and serve the same on the**  
18                   **undersigned not later than fourteen (14) days prior to**  
19                   **the above-referenced hearing date.**

20  
21 Dated: August 10, 2016

ALLEN MATKINS LECK GAMBLE  
MALLORY & NATSIS LLP  
DAVID R. ZARO  
JOSHUA A. DEL CASTILLO  
TIM C. HSU

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24 By:           /s/          Joshua A. del Castillo            
25 JOSHUA A. DEL CASTILLO  
26 Attorneys for Permanent Receiver  
KRISTEN A. JANULEWICZ  
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28

**PROOF OF SERVICE**

*Securities and Exchange Commission v. Total Wealth Management, Inc., et al.*  
USDC, Southern District of California – Case No. 15-cv-226 BAS (DHB)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 865 S. Figueroa Street, Suite 2800, Los Angeles, California 90017-2543.

A true and correct copy of the foregoing document(s) described below will be served in the manner indicated below:

**NOTICE OF FILING OF THIRD INTERIM REPORT AND PETITION FOR INSTRUCTIONS OF RECEIVER, THOMAS A. SEAMAN**

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")** – the above-described document will be served by the Court via NEF. On **August 10, 2016**, I reviewed the CM/ECF Mailing Info For A Case for this case and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated below:

- **Vincent J. Brown**  
vince@vjblaw.com,vjblaw@gmail.com
- **John Bulgozdy**  
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**SERVED BY U.S. MAIL OR OVERNIGHT MAIL (indicate method for each person or entity served):** On **August 10, 2016**, I served the following person(s) and/or entity(ies) in this case by placing a true and correct copy thereof in a sealed envelope(s) addressed as indicated below. I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice it is deposited with the U.S. postal service on that same day in the ordinary course of business. I am aware that on motion for party served, service is presumed invalid if postal cancellation date or postage meter date is more than 1 (one) day after date of deposit for mailing in affidavit.

Mikel R. Bistrow, Esq. **Via U.S. First Class Mail**  
Ballard Spahr LLP  
655 W. Broadway, Suite 1600  
San Diego, CA 92101

Richard M. Kipperman **Via U.S. First Class Mail**  
PO Box 3010  
La Mesa, CA 91944-3010

I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on **August 10, 2016** at Los Angeles, California.

  
\_\_\_\_\_  
Martha Diaz