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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

VESCOR CAPITAL CORP., et al.,

Defendants.

RECEIVER'S STATUS REPORT

(August 23, 2010)

Case No. 1:08cv00012

Judge Dee Benson

The Receiver submits this Report to apprise the Court of the status of the VesCor receivership. It is being filed in the *SEC v. VesCor* matter, Civil No. 1:08-cv-00012, and will be sent to counsel of record through the Court's electronic filing system. A copy is also being posted on the Receiver's website, www.vescorreceivership.com, so that investors and other interested parties have access to the information included.

The receivership was created on May 5, 2008. The Receiver filed the last status report on March 1, 2010.

LITIGATION

As disclosed previously, the Receiver has filed approximately forty two (42) suits to recover assets that were transferred by VesCor. The current status of each case is listed below:

Case	Filed	Answer	Motions	Ruling	Scheduling Order	Status
<i>Wing v. Hammons</i> 2:08-cv-620*	08/15/08	06/01/09	Motion to Dismiss 01/28/2009 Appeal of 05/14/09 Ruling 06/11/09 Motion for Certificate of Appealability 6/26/09	Denied 05/14/09 Dismissed 09/21/09 Denied 08/8/09	Entered 09/03/2009 Trial set for 10/18/2010	Motion for Partial Summary Judgment filed by Hammons and Motion for Summary Judgment filed by Receiver pending before Judge Benson
<i>Wing v. Southwick, et al</i> 2:08-cv-676*	09/08/08	12/12/08			Pending	Case on hold pending attorney conference after rulings on litigation filed in Main Case
<i>Wing v. Layton, et al</i> 2:08-cv-708	09/19/08 Amended 01/26/09	Craig 12/12/08 Layton 12/19/08 Plise 06/23/09 Malan 07/10/09	Layton Filed Counterclaim 12/19/08 Malan filed Motion to Change Venue 03/10/09 Malan filed Counterclaim 07/10/09 Motion to Consolidate <i>Wing v. Wahoo</i> 2:09- <i>cv-405</i> 06/04/09 Motion for Partial Summary Judgment filed by Layton	Answer filed 01/16/09 Denied 05/14/09 Answer filed 10/02/09 Case Settled Granted in part 12/28/09	Scheduling Order entered 10/19/09. Trial set for 1/24/2011	Hearing re: Motion to Consolidate <i>Wing v.</i> <i>Wahoo</i> Set heard 12/28/09. Motion granted in part re: discovery. Settlement with Defendant Malan approved 01/21/10 Case proceeding per Scheduling Order

* Have also litigated in *SEC v. VesCor, et al.* Civil No. 1:08-cv-00012 (the "Main Case").

<i>Wing v. Jonathan Horne, et al.</i> 2:08-cv-717*	09/22/08	11/05/08	Motion for Summary Judgment 01/30/09 Motion to Recuse Judge Benson 02/13/09 Motion for Declaratory Judgment	Denied 09/04/09 Denied 05/14/09 Denied 09/04/09	Entered 12/18/09 Trial 01/04/2010	Case Settled
<i>Wing v. Dockstader</i> 2:08-cv-776	10/06/08	02/10/09	Motion for Summary Judgment filed by Receiver	Pending Hearing 09/23/10 @ 2:30 pm	Entered 03/24/09	Hearing on Receiver's Motion for Summary Judgment set for 09/23/2010
<i>Wing v. Brian Horne, et al.</i> 2:08-cv-780	Complaint 10/08/08 Amended 04/22/09	Horne 12/12/09 Kunz 12/15/09			Entered 04/29/10 Trial 01/24/11	Case currently ongoing per Amended Scheduling Order
<i>Wing v. Alvey, et al.</i> 2:08-cv-796	10/14/08	Alvey 01/15/09 Barben 04/01/09 Child 02/12/09 Dennis 12/05/08 Guter 12/18/08 C.Hansen 1/21/09 J.Hansen 11/17/08 Hevia 11/13/08 Hudak 2/12/09 Irwin 11/10/08 James 2/12/09 Pace 12/22/08 Romera 1/15/08 Stacey 1/15/08 Summers 1/15/08 VanAmen 1/5/08 Zockoll 1/29/09 Zimet 1/29/09	Motion to Dismiss 01/05/09 - Barben	Denied 05/14/09	Entered 10/20/09 Trial 2/22/11	Pretrial Conference scheduled Settlement approved as to Defendants Guter and Alvey, Romera, and Steven Summers. Case dismissed against all. Clive Pace, John Scott Irwin, David James, Michael Child, Travis Hudak, Glen Stacey Dismissed Case proceeding as per scheduling order on all Defendants not named above

<i>Wing v. Buchanan, et al.</i> 2:08-cv-803	10/16/08	02/13/09	Motion for Summary Judgment filed by Receiver 02/05/10	Hearing set 10/22/10	Entered 07/06/09 Trial 07/19/2010	Receiver's Summary Judgment Motion Scheduled
<i>Wing v. Heritage, et al.</i> 2:08-cv-835 *	Complaint 10/30/08 Amended 05/04/09	12/26/08	Motion for Partial Summary Judgment filed by Receiver 07/13/09 Rule 56(f) filed by Covenant 10/01/09 Motion for Partial Summary Judgment filed by Receiver 06/15/10	Denied 12/28/09 but will be reconsidered when discovery is complete. Granted 12/28/09	Entered 02/05/09 Trial 04/27/2010	Proceeding with discovery Receiver's Motion for Partial Summary Judgment pending
<i>Wing v. Wharton, et al.</i> 2:08-cv-887	11/18/09	06/01/09	Motion to Dismiss filed 03/06/2009	Denied 05/14/09	Entered 07/22/09 Trial 05/02/2011	Case proceeding per Scheduling Order
<i>Wing v. Kendrick, et al.</i> 2:08-cv-1002	12/31/08	05/29/09	Motion to Dismiss filed 02/17/09 Motion to Reconsider 05/14/09 Order Denying Motion to Dismiss 06/09/09	Denied 04/20/09 Denied 08/08/09	Entered 09/11/09 Trial 08/01/2011	Case proceeding per Scheduling Order
<i>Wing v. Apex Holding et al.</i> 2:09-cv-22	01/13/09	05/15/09	Motion to Dismiss or Change Venue 03/02/09	Denied 08/27/09	Entered 10/09/09 Trial 08/22/11	Case proceeding per Scheduling Order
<i>Wing v. Nathenson, et al.</i> 2:09-cv-109	02/05/09	04/01/09	Motion for Partial Summary Judgment (Nathenson)		04/23/09 Trial 07/27/2010	Settlement negotiations proceeding
<i>Wing v. Bell, et al.</i> 2:09-cv-116	02/10/09					Case Dismissed
<i>Wing v. Winnick</i> 2:09-cv-117	02/10/09		Motion for Service by Publication 06/18/09 Motion for Default Judgment 09/11/09	Granted 06/23/09 Default Certificate Granted 12/10/09, Default Judgment Pending	None	Default Certificate issued, Motion for Default Judgment Pending Default Judgment entered, case on hold pending Debtor Bankruptcy filing
<i>Wing v. Holder, et al.</i> 2:09-cv-118	02/10/09	08/22/09	Motion for Summary Judgment filed by Receiver 04/15/10	Hearing set 09/23/10 @ 2:30 pm	Entered 11/06/09 Trial 09/20/10	Motion for Summary Judgment Pending

<i>Wing v. Fulbright & Jaworski, et al.</i> 2:09-cv-200	03/05/09	Fulbright 05/15/09 Paul Hastings 08/03/09	Motion to Dismiss or More Definite Statement 05/15/09 (Paul Hastings) Motion to Compel Discovery Responses of Fulbright & Jaworski 01/18/10 Motion for Partial Summary Judgment filed by Fulbright 03/10/10	Withdrawn 09/28/09	Entered 09/03/09	Case proceeding per Scheduling Order Waiting for response on pending Motion to Compel Motion for Partial Summary Judgment pending
<i>Wing v. Advanced Planning Advisory Group, et al.</i> 2:09-cv-247	03/19/09		Motion for Summary Judgment 06/03/09 (Dergance) Request for Entry of Default Certificate as to Defendant Strebeck filed 12/17/09	Withdrawn Default entered 12/22/09		Settlement with Dergance Approved 10/06/2009 Settlement with Del Guercio approved 10/23/09 Default Certificate entered against Alan Strebeck, 4149-M, LLC, Advanced Planning Advisory Group, LLC
<i>Wing v. Stirland, et al.</i> 2:09-cv-304	04/08/09	09/22/09	Motion to Dismiss	Denied 08/28/09	Filed 12/04/09	Case Settled as to Ryan Stirland and continuing per scheduling order as to Shaun Stirland
<i>Wing v. Gillis</i> 2:09-cv-314	Complaint 04/09/09 Amended 06/15/09	05/12/2010	Motion for Summary Judgment 05/29/09 (Gillis) Motion for Summary Judgment on Amended Complaint 07/02/09 (Gillis) Motion to Strike Portions of Affidavit of Bruce S. Gillis (Receiver)	Hearing set for all Motions 02/26/10 Denied	Filed 06/30/10 Trial 01/10/12	Gillis Motion for Summary Judgment Denied Case proceeding per scheduling order

<i>Wing v. Nelson, et al.</i> 2:09-cv-326	04/15/09					Settlement reached and approved as to Hochfilzer/Netconstructor. Counsel waiting for Answers from Nelson & Advisory Services Group
<i>Wing v. Prosperity Education Institute</i> 2:09-cv-341	04/20/09	12/02/09			Entered 01/04/10 Trial 07/26/10	Case proceeding per Scheduling Order
<i>Wing v. Horn</i> 2:09-cv-342	04/20/09		Motion to Dismiss 06/12/09 Motion to Approve Settlement 01/25/10	Denied 08/28/09 Approved 01/26/10	Initial Pretrial Conference 10/14/09	Case settled and dismissed
<i>Wing v. Kaye Scholer</i> 2:09-cv-371	04/28/09	06/19/09	Motion for Summary Judgment by Kaye Scholer 05/25/10 Motion to Strike Untimely Report by Kaye Scholer 07/12/10		Entered 09/16/09 Trial 10/25/2010 Amended 02/22/10	Case proceeding per Scheduling Order Summary Judgment Motion Pending
<i>Wing v. Lee</i> 2:09-cv-377	04/29/09	05/26/09	Motion for Summary Judgment filed by Receiver	05/17/10	Entered 07/09/09 Trial 07/26/2010	Parties are engaged in settlement negotiations
<i>Wing v. Lionel Sawyer & Collins</i> 2:09-cv-389*	04/30/09	06/30/09	Motion to Compel Arbitration & Stay Proceedings 06/30/09	Determined Moot 07/29/09		Case is stayed for stipulated arbitration
<i>Wing v. Titus, et al</i> 2:09-cv-390	Complaint 04/30/09 Amended 08/10/09 Counter 02/19/10	02/19/10 Answer to Counterclaim 04/07/10	Motion to Dismiss or Transfer Venue 7/16/09 Motion to Dismiss or Transfer Venue First Amended Complaint 09/11/09	Denied 12/28/09 Denied 12/28/09	Entered 06/28/10 Trial 10/24/11	Case proceeding per Scheduling Order
<i>Wing v. Engberson</i> 2:09-cv-392	04/30/09					Case settled and dismissed
<i>Wing v. Gamett & King, et al</i> 2:09-cv-393	4/30/09					Settlement Agreement reached w/ Defendants Bruce Gamett, Shawn King and Jared Shafer individually and approved by the Court 9/22/09; all other defendants voluntarily dismissed

<i>Wing v. Moore, et al.</i> 2:09-cv-394	05/01/09	06/29/09			Entered 08/10/09 Trial 12/15/2010	Case on hold pending outcome of Moore criminal case.
<i>Wing v. American Express Company, et al.</i> 2:09-cv-396	5/04/09	AMEX 07/28/09 Capital One 07/07/09 Chase 06/19/09 Keybank 06/18/09			Entered 10/01/09 Trial 02/07/11 Amended 06/23/10	Case proceeding per Scheduling Order
<i>Wing v. JC Compact, et al.</i> 2:09-cv-397	05/04/09	08/22/09			Report of Attorney Planning Meeting filed 09/21/09; Scheduling Order pending	Deposition of Defendant taken August 24, 2008. Case Settled and Dismissed 11/30/09
<i>Wing v. Mather, et al.</i> 2:09cv-398	05/04/09	06/22/09	Counterclaim 06/22/09		Entered 07/22/09 Trial 09/07/2010	Case Dismissed 04/30/10
<i>Wing v. Williams</i> 2:09-cv-399	05/04/09	05/26/09	Motion to Amend Scheduling Order 6/24/10		Entered 07/20/09 Trial 08/16/2010	Case proceeding pre Scheduling Order Waiting for Judge Benson to sign Amended Scheduling Order w/ new Trial Date
<i>Wing v. Oliver, et al.</i> 2:09-cv-401	05/04/09					Settled with Defendants William G. Oliver and Gerry Oliver. Voluntarily dismissed Defendants David S. Oliver, Robert S. Oliver, Three Wise Guys, LLC, Delta Lodge, LLC and Shelby Oliver Corporation. Case Settled
<i>Wing v. Woodbury & Kesler</i> 2:09-cv-402	05/04/09	07/23/09			Entered 10/13/09 Trial 01/24/11	Case proceeding per Scheduling Order
<i>Wing v. Johnson Folsom & Assoc.</i> 2:09-cv-404	05/04/09	07/09/09			Entered 08/03/09 Trial 10/18/2010	Case Settled and Closed
<i>Wing v. Wahoo Investment, LLC</i> 2:09-cv-405	05/04/09		Motion to Consolidate with <i>Wing v. Layton, et al.</i> filed in <i>Layton</i> 06/04/09	Granted in part 12/28/09		Case consolidated for discovery purposes and proceeding per <i>Wing v. Layton</i> Scheduling Order

<p><i>Wing v. Allen, et al</i> 2:09-cv-407</p>	<p>05/04/09</p>	<p>Barlow 08/18/09 Bunker 08/03/09 Drabing 08/11/09 Hunter 07/22/09 Kattleson 09/23/09 Murphy 08/30/09 Payne 08/07/09 Petersen 08/26/09 R.C. Hunter 07/22/09 Williams' 08/20/09 Wilson 08/06/09</p>				<p>The following defendants are deceased: Norm Fickett, Marcelo Flores, Marvin Freeman, Edward Hashimoto, Louise Helton and Vern Petersen.</p> <p>The following defendants were dismissed from the case 08/31/09: K&L Allred Investments, William T. Leck, Dorothea Leck and Michael Perkins.</p> <p>The following defendants will be dismissed: Maxine J. Flores, Kim C. Moore and Anita Northrop, William Northrop</p> <p>The following Defendants have settled: Rackham Wilcox, Neilson, Williams, Weaver, Barlow, Hunter, and Okney</p> <p>The following Defendants have been issued a Certificate of Default: Steven W. Allen, DMHSC Limited Partnership, Diane S. Matthews, Ronald Whitlatch, Linda Whitlach</p> <p>The following defendants are currently in settlement negotiations: Gary A. Weaver, Claude Thacker and John Pritchard.</p>
<p><i>Wing v. Snow Christensen & Martineau</i> 2:09-cv-546</p>	<p>06/16/09</p>	<p>05/04/10</p>			<p>Entered 07/07/10 Trial 11/14/11</p>	<p>Case proceeding per Scheduling Order</p>

<i>Wing v. Anderson</i> 2:09-cv-563	06/24/09					Settlement negotiations ongoing
<i>Wing v. Grubb & Ellis Realty Investors</i> 2:09-cv-595*	07/06/09	08/05/09	Counterclaim 08/05/09		Amended Scheduling Order entered 12/18/09	Case proceeding per Scheduling Order. Mediation Set for 9/20/10
<i>Wing v. BV Land Company</i> 2:09-cv-1057	12/02/09	02/19/10			Entered 03/30/10 Trial 08/08/11	Case proceeding per Scheduling Order
<i>Wing v. Barnes</i> 2:10cv189	05/17/10		Motion for Service by Email 05/11/10	Granted 05/17/10		Waiting for Answer

The Receiver has also been litigating issues filed in the Main Case. Since the last report (March 1, 2010) the following motions have been filed:

Motion	Movant	Date	Ruling
Status Report	Receiver	03/01/10	
Seventh Declaration & Payorder	Receiver	03/01/10	Granted 03/11/10
Motion to Continue Appointment of Gil A. Miller and His Colleagues	Receiver	03/01/10	Granted 05/13/10
Eighth Declaration and Payorder	Receiver	05/13/10	Granted 06/07/10
Complaint in Interpleader	Stewart Title of California	05/20/10	

Two appeals have been filed. *Wing v. Hammons* was dismissed on jurisdictional grounds, as previously reported, and *Wing v. Heritage* was argued before the Tenth Circuit on September 23, 2009 and the USCA Affirmed the District Court's Ruling on May 24, 2010.

SETTLEMENT

As detailed in the last status report, the Receiver settled claims totaling \$1,757,576.40 through March 1, 2010. Since then, the Receiver settled additional claims totaling \$530,014.61 as follows:

1. Steven R. Summers in the amount of \$30,000;
2. James R. Romera in the amount of \$13,000;

3. Ralph and Ellen Williams in the amount of \$30,000;
4. Gary A. Weaver, Trustee of the Gary A. Weaver Family Trust in the amount of \$25,000;
5. Brad C. Hunter/RC Hunter Enterprises in the amount of \$220,000;
6. Roger G. Kettleson, Trustee of the Kettleson Family Trust in the amount of \$10,000;
7. John Drabing in the amount of \$40,000;
8. Ryan Stirland in the amount of \$21,267.61;
9. Patricia Peterson in the amount of \$8,766; and,
10. Dale Ray Engberson in the amount of \$131,981.

The Receiver has recovered a total of \$2,287,591.01 through settlement with defendants.

The Receiver is negotiating with several other parties and is in the process of scheduling some of the cases for alternative dispute resolution.

REAL ESTATE

The receivership has the following parcels of property:

1. Apex Industrial Property (Lots 1-6 & 23): VesCor has an interest in industrial and commercial real property located in Nevada. VesCor's industrial property is located within the Apex Industrial Park, which is situated approximately 15 miles north of Las Vegas along Interstate 15. Lots 1-6 total approximately 12.8 acres of industrial real estate. Lot 23 is approximately 10.6 acres in size.
2. Siena Office Park Building: VesCor's commercial property is located within the Siena Office Park in Henderson, Nevada. The receivership claims an interest in a commercial

office building located at 871 Coronado Center Drive in the Siena Office Park. This claim is in litigation in this Court. *See* Case No. 2:08cv708, *Wing v. Christopher D. Layton, Douglas R. Malan, William W. Plise, Casey Craig, ATG Capital, LLC, Cromwell Property Management, LLC, D&J Properties, LLC, Icarus Holdings, Inc., Moriarty, LLC, Siena Office Park 2, LLC, Siena Office Park 3, LLC, Siena Vista, LLC, SOP 871, LLC, SOP Equity, LLC, 360M Investments, LLC.*

3. Siena Office Park Undeveloped Land: The receivership also has an interest in undeveloped commercial real property within the Siena Office Park, which is located adjacent to the building at 871 Coronado Center Drive. This property consists of five parcels of undeveloped property zoned for office development. It is approximately 13 acres in size.

All of the Nevada real estate was earlier listed for sale with NAI. The listings lapsed and were not renewed, based in part on the Court's ruling on April 20, 2009 that the Las Vegas real estate market may improve. The Receiver has been contacted by several potential buyers and has had discussions with several brokers regarding the market conditions in Nevada. Recently, an offer was made on one parcel of property. Given the nature of the Nevada real estate market and status of the litigation the Receiver is no actively marketing the property.

4. Home in Layton, Utah: The Receiver located a home at 1697 West Davis Drive, Layton, Utah, that is titled in the name of Val Southwick. The home is unoccupied and is unencumbered. The Receiver is in the process of dealing with claims and then intends to sell this property pursuant to the statute.

REAL ESTATE TAXES

During the term of the receivership, the Receiver has paid \$642,859.12 in real property taxes, \$629,673.86 of that on Nevada real property taxes. Property taxes continue to accrue and the Receiver recently paid Nevada property tax bills for 2009 totaling \$243,419.46.

FORENSIC ACCOUNTING

Gil Miller and his colleagues at Rocky Mountain Advisory continue to analyze accounting records and provide support for the Receiver in the various lawsuits.

DATED this 23rd day of August, 2010.

PRINCE, YEATES & GELDZAHLER

/s/ Robert G. Wing
Robert G. Wing
Receiver

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of August, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which sent notification of such filing to the following:

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