

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

CIVIL ACTION NO. 06 CV 2431

vs.

PINNACLE DEVELOPMENT  
PARTNERS, LLC, and GENE A.  
O'NEAL

Defendants.

**[PROPOSED] ORDER**

On January 16, 2008, S. Gregory Hays, the court-appointed Receiver for Pinnacle Development Partners, LLC, filed a Notice of Sale of Real Properties by Public Sale and Motion for Order Designating Remaining Real Properties as Part of the Receiver Estate.

Objections to the Receiver's Motion for Order Designating the Remaining Real Properties as Part of the Receiver Estate were due to be filed on or before February 4, 2008. No objections were filed in response to the Receiver's motion.

Having considered the Receiver's motion and all exhibits in support thereof, as well as previous pleadings filed by the Receiver, including, but not limited to,

the Receiver's Second Interim Report and Appendix thereto, filed on January 26, 2007, the Court finds that, based upon the Receiver's investigation, the following properties are currently titled in the name of Pinnacle, partnerships created and controlled by it in furtherance of its investment program, or non-existent partnerships in which Pinnacle placed title:

- a. Old Alabama and Cardell, Austell, Georgia 30168
- b. 1171 South Gordon Road, Austell, Georgia 30168
- c. 00 Davis Drive, Austell, Georgia 30106
- d. 2990 Jones Road, Atlanta, Georgia 30318
- e. 000 Bankhead Highway, Atlanta, Georgia 30318
- f. 000 Adeline Avenue, Atlanta, Georgia 30314
- g. 1 Sandpiper Lane, Austell, Georgia 30106
- h. 3440 Boulder Park Drive, Atlanta, Georgia 30331
- i. 2990 Mt. Zion Road, Atlanta, Georgia 30354
- j. 1051 Regis Road, Atlanta, Georgia 30315
- k. 1484 and 1500 Columbia Drive, Decatur, Georgia 30032
- l. 1967 Brian Way, Atlanta, Georgia 30033
- m. 5927 Rockbridge Road, Stone Mountain, Georgia 30032
- n. 2062 Poplar Falls Road, Lithonia, Georgia 30058

- o. 2139 Poplar Falls Road, Lithonia, Georgia 30058
- p. 6175 Old National Highway, College Park, Georgia 30349
- q. 8 & 16 Clifton Way, Atlanta, Georgia 30317
- r. 1459 E. Mercer Avenue, College Park, Georgia 30337

Therefore, and in accordance with the Court's October 11, 2006 Order appointing the Receiver, the Receiver's motion is hereby GRANTED, and

IT IS HEREBY ORDERED that each of the properties listed above is part of the Receiver Estate and subject to the control and sale by the Receiver.

SO ORDERED this \_\_ day of January, 2008.

---

Jack T. Camp, Judge  
United States District Court for the  
Northern District of Georgia  
Atlanta Division