

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

SECURITIES AND EXCHANGE COMMISSION)

Plaintiff,)

v.)

TODD ELLIOTT HITT,)
KIDDAR CAPITAL LLC, and)
KIDDAR GROUP HOLDINGS, INC.,)

Defendants,)

and)

KIDDAR HERNDON STATION LLC,)
KIDDAR HOMEBUILDING FUND I LLC,)
MELBOURNE RETREAT LLC,)
KIDDAR MASS AVE LLC,)
KIDDAR RIDGEVIEW LLC,)
ESA EMERSON LLC,)
ESA HIGHWOOD LLC, and)
KIDDAR AQ LLC a/k/a KIDDAR AQUICORE LLC)

Relief Defendants.)

CIVIL NO. 1:18-cv-01262 ✓

UNITED STATES OF AMERICA)

v.)

TODD ELLIOTT HITT,)

Defendant,)

CRIM. NO. 1:19-CR-43

SUBSTITUTION OF RECEIVER AND SPECIAL MASTER ORDER

WHEREAS, this matter has come before the Court upon the Joint Motion of the United States of America, the Securities and Exchange Commission, and Bruce H. Matson the Receiver of the estates of Kiddar Herndon Station, LLC, Kiddar Capital LLC, Kiddar Group Holdings, Inc., Kiddar Homebuilding Fund I LLC, Melbourne Retreat LLC, Kiddar Mass Ave LLC, Kiddar Ridgeview LLC, ESA Emerson LLC, ESA Highwood LLC, and Kiddar AQ LLC also known as Kiddar Aquicore LLC, by his counsel, Christopher L. Perkins, (SEC and US Docket #113);

WHEREAS, this matter was considered at the status conference noticed for and held December 13, 2019 in these cases (the “Hearing”), and at the Hearing the United States, the SEC, and the Receiver, by counsel, made a sufficient and proper showing of the need for the relief ordered herein;

WHEREAS, there was no objection made at the Hearing by any party to the relief ordered herein;

WHEREAS, on October 12, 2018, Bruce H. Matson was appointed Receiver over the defendants and relief defendant entities in the SEC case (SEC Docket #21), and on February 13, 2019, Mr. Matson was appointed Special Master in the criminal case (US Docket #89);

WHEREAS, Mr. Matson at the Hearing offered through his counsel, to resign in light of his removal as Trustee in *In Re Landamerica Financial Group, Inc.*, Case no. 08 Bankr. 35994 (E.D.Va.);

WHEREAS, the Receivership proceedings are far advanced and nearing the completion of the collections phase and the preparation and filing of a Plan of Distribution;

WHEREAS, Mr. Perkins has acted as counsel to the Receiver and the Special Master throughout the course of these proceedings in both the SEC and criminal cases and is familiar with

the facts and circumstances of the above-captioned cases;

WHEREAS, it is in the interests of judicial economy to have Mr. Matson replaced by Mr.

Perkins


NOW THEREFORE,

- I. IT IS HEREBY ORDERED, that Bruce H. Matson is discharged from his powers, duties, rights and responsibilities set forth in the Order Appointing Receiver (SEC Docket #21) and the Order Appointing Special Master (US Docket #89) and other orders of this Court.
- II. IT IS HEREBY ORDERED, that Christopher L. Perkins be appointed Substitute Receiver over all entities for which Bruce H. Matson served as Receiver (SEC Docket #21), including all entities identified in the original Order Appointing Receiver and all entities over which the receivership in this matter was ultimately extended;
- III. IT IS HEREBY ORDERED, that Christopher L. Perkins be appointed Special Master over all entities for which Bruce H. Matson served as Special Master, including over Defendant Todd Hitt and all entities identified in the original Order (US Docket #89);
- IV. IT IS HEREBY ORDERED, that Christopher L. Perkins have all powers, duties, rights and responsibilities over the equity receivership established in this case, including, but not limited to those set forth in the Order Appointing Receiver (SEC Docket#21) and other orders of this Court;
- V. IT IS HEREBY ORDERED, that Christopher L. Perkins have all

powers, duties, rights and responsibilities as Special Master established in this case, including, but not limited to those set forth in the Order Appointing Special Master (US Docket #89) and other orders of this Court;

- VI. IT IS HEREBY ORDERED, that control over all financial accounts holding Receivership assets and/or Special Mastership Estate assets be transferred forthwith from Bruce H. Matson to Christopher L. Perkins.
- VII. This Court shall retain jurisdiction over this action for the purposes of implementing and carrying out the terms of this Order and all other orders and decrees which have been and may be entered herein and to entertain any suitable application or motion for additional relief within the Court's jurisdiction.

DONE AND ORDERED in Alexandria, Virginia, this 13th day of December, 2019.

lsl 

Leonie M. Brinkema
United States District Judge

Copies to:

Counsel of Record (via CM-ECF)