

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 15-80446-CIV-COHN/SELTZER

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

ECAREER HOLDINGS, INC., ECAREER, INC.,
JOSEPH J. AZZATA, DEAN A. ESPOSITO,
JOSEPH DEVITO, and FREDERICK J. BIRKS,

Defendants,

VIPER ASSET MANAGEMENT, LLC, ESPO
CONSULTING, LLC, DJC CONSULTING, LLC,
J & D MARKETING, LLC, GRYPHON ASSET
MANAGEMENT, LLC, and CARLA AZZATA,

Relief Defendants.

**ORDER GRANTING RECEIVER'S MOTION TO
APPROVE PRE-SUIT SETTLEMENT AGREEMENT WITH AMERICAN
EXPRESS BANK, FSB AND AMERICAN EXPRESS CENTURION BANK**

THIS CAUSE is before the Court upon the Receiver's Motion to Approve Pre-Suit Settlement Agreement with American Express Bank, FSB and American Express Centurion Bank [DE 142] ("Motion"). The Court has reviewed the Motion, the Settlement Agreement, and the record in this case, and is otherwise advised in the premises. It is accordingly

ORDERED AND ADJUDGED as follows:

1. The Receiver's Motion to Approve Pre-Suit Settlement Agreement with American Express Bank, FSB and American Express Centurion Bank [DE 142] is **GRANTED**.

2. The Settlement Agreement (as defined in the Motion) is in the best interests of the receivership estate and eCareer's investors. Good cause exists to approve the Settlement Agreement. Therefore, the Settlement Agreement attached to the Motion as "Exhibit 1" is **APPROVED**.

3. The parties to the Settlement Agreement are directed to perform and consummate all terms and conditions set forth in the Settlement Agreement.

4. Each party shall bear its own costs and attorneys' fees except as the parties have otherwise agreed.

5. The Court will retain jurisdiction to enforce the terms of the Settlement Agreement.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this 28th day of April, 2016.



JAMES I. COHN
United States District Judge

Copies provided to:
Counsel of record via CM/ECF
Frederick J. Birks (*pro se*)