

United States District Court, District of Oregon
Case No. 09-cv-6056-HO

SECURITIES AND EXCHANGE COMMISSION, Plaintiff,
v.
SUNWEST MANAGEMENT, INC., CANYON CREEK
DEVELOPMENT, INC., CANYON CREEK FINANCIAL, LLC. and
JOHN M. HARDER, Defendants

DARRYL E. FISHER, J. WALLACE GUTZLER, KRISTIN HARDER,
ENCORE INDEMNITY MANAGEMENT, LLC, SENENET LEASING
COMPANY, FUSE ADVERTISING, INC. KDA CONSTRUCTION,
INC., CLYDE HAMSTREET, and CLYDE A. HAMSTREET &
ASSOCIATES, LLC, Relief Defendants.

**NOTICE OF
CLAIMS BAR
DATE, PROOF OF
CLAIM FORM AND
NOTICE OF
ELECTION FORMS**

PLEASE TAKE NOTICE that the United States District Court, District of Oregon, by the Honorable Michael Hogan, has set **January 15, 2010**, as the **Claims Bar Date** for the submission of Proofs of Claims in the above-referenced case. Michael A. Grassmueck is the Court-appointed Receiver and is responsible for reviewing Proof of Claim Forms, and when appropriate, objecting to Proofs of Claim, and making distributions on account of Allowed Claims. The purpose of the Proof of Claim Form is to help the Receiver learn who you are, how much you are owed, the reason(s) you have a claim, and how the Receiver can contact you. All of the forms you will need are enclosed with this notice.

Proof of Claim Form

If you believe you are owed money from any of the Sunwest-related entities, or its employees or any of the Defendants or Relief Defendants related to the Sunwest enterprise, **you must complete a Proof of Claim Form in the form enclosed** in order to receive a distribution on your Claim. *For each separate obligation owed to you by a Sunwest-related entity, employee, or the Defendants or Relief Defendants, please complete a separate Proof of Claim Form.* You may attach them to each other into a single document. The more information you provide, the

more quickly and cheaply the Proof of Claim Form can be reviewed. An example of a complete Proof of Claim form may be reviewed on the following website: www._____.

If you previously filed a Bankruptcy Proof of Claim in the Jon Harder chapter 11 bankruptcy case, please attach a copy of it to your Proof of Claim Form and provide any additional information requested in the Proof of Claim Form that was not previously included.

Your completed Proof of Claim Form and supporting documentation (*do not send originals of supporting documentation*) may be submitted to the Receiver by e-mail to _____, or on paper to "Receiver, Sunwest Enterprise, c/o Grassmuck Group, P.O. Box 3649, Portland, OR 97208-5248" **no later than January 15, 2010, in order to be considered timely. Failure to submit a timely Proof of Claim Form may result in you being denied the right to share in distributions under the Distribution Plan.** If transmittal to the Receiver is by email, you will receive an automatic notice of receipt. If you do not receive the notice within 24 hours of submission, please contact _____. If the Receiver has questions about or objections to your Proof of Claim Form, you will be contacted by the Receiver.

Do not file your Proof of Claim Form with the Court.

Notice of Election Forms

If you wish to exercise any of the Investor Elections provided for under the Distribution Plan (PM and LLC Election, TIC Election and Bare Land Investor Election), you must submit to the Receiver a completed Notice of Election Form in the form enclosed by the Claims Bar Date

of **January 15, 2010**. If you made a TIC Election and wish to cancel that election, you must submit to the Receiver by **November 30, 2010**, a Notice of TIC Election Cancellation in the form enclosed.

Dated: August 25, 2009

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

By: /s/ David L. Osias

David L. Osias
Attorneys for Receiver, Michael
Grassmueck