

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
04-CVS-8736

THOMAS F. MCCLEERY et al,)
)
Plaintiffs,)
)
v.)
)
JAMES CHARLES REIVES; LOUIS)
MICHAEL LAZORWITZ; JACKIE)
DOBSON PRITCHETT; LAZOR, LTD.;)
AND TRI-STAR INVESTMENT)
GROUP, LLC a/k/a TRI-STAR)
INVESTMENT GROUP)
)
Defendants.)

JUDGMENT

AND

ORDER

The Motion for Default Judgment in this action having been heard before the undersigned judge presiding on _____, 2005, the Court hereby makes the following findings of law and fact:

1. The Motion for Default Judgment was unopposed by the Defendants.
2. Adequate and proper service upon the Defendants of the Summons, Complaint and Amended Complaints was accomplished.
3. No answer or other responsive pleading to the Complaint has been filed by the Defendants.
4. The time within which an answer or other responsive pleading may be filed has expired.
5. No Defendant is an infant, an incompetent person, or in the military service of the United States.
6. Default was properly entered against all Defendants on May 26, 2005.
7. The Court finds in favor of the Plaintiffs and against the Defendants, jointly and severally, with respect to all factual allegations contained in the Plaintiffs' Complaint and all subsequent Amended Complaints.

8. The Defendants received from the Plaintiffs a sum total of Nine Million Ninety-One Thousand Sixty-Four Dollars and Five Cents (\$9,091,064.05). The Defendants promised to the Plaintiffs a sum total contracted investment return (including initial principal invested) of Fifty-Five Million Seven Hundred Ninety-Six Thousand Forty-Two Dollars and Twenty-One Cents (\$55,796,042.21). The individual amounts received from and promised to each Plaintiff are as follows:

| Plaintiff | Amount Received by Defendants from Plaintiff (\$) | Principal and Investment Return Promised by Defendants to Plaintiff |
|------------------------|---|---|
| Endalamaw Alamineh | 10,000.00 | 223,590.46 |
| William Allen | 70,000.00 | 274,000.00 |
| Arthur Anderson | 30,000.00 | 80,000.00 |
| David Anderson | 57,850.00 | 129,901.00 |
| Mary Anderson | 30,000.00 | 90,000.00 |
| John Anderson | 10,000.00 | 30,000.00 |
| Karen Andrews | 20,000.00 | 60,000.00 |
| Greg Armstrong | 10,000.00 | 76,000.00 |
| Charles Arnold | 60,000.00 | 180,000.00 |
| Jeffrey Arnold | 20,000.00 | 60,000.00 |
| Martin & Lanea Arnold | 28,543.00 | 369,000.00 |
| David Bailey | 145,000.00 | 435,000.00 |
| Thonas or Irene Bailey | 10,000.00 | 30,000.00 |
| Adrian Baker | 25,000.00 | 75,000.00 |
| Timothy Balvanz | 12,000.00 | 36,000.00 |
| Howard Bane | 20,000.00 | 60,000.00 |
| Orus Barker Jr. | 10,000.00 | 24,000.00 |
| Kurt Barwick | 10,000.00 | 186,000.00 |
| Charles Bass | 50,000.00 | 150,000.00 |
| Jeffrey D. Bateman | 10,000.00 | 186,000.00 |
| Brent Belcher | 10,000.00 | 30,000.00 |
| Edward Bellows | 50,000.00 | 332,000.00 |
| Jess Belsworth | 10,000.00 | 30,000.00 |
| Terry Bender | 10,000.00 | 30,000.00 |
| Donald Benson | 1,000.00 | 18,573.00 |
| Charles Bevil | 20,000.00 | 60,000.00 |
| Loren Bickel | 50,000.00 | 332,000.00 |
| Jeanne Blaack-Ehlert | 15,000.00 | 45,000.00 |
| Steve Blake | 10,000.00 | 30,000.00 |
| Elmer Blanton | 30,000.00 | 90,000.00 |
| Yolonda Boddie | 10,000.00 | 61,917.36 |
| Jim Brodhagen | 10,000.00 | 30,000.00 |
| Paul Brodhagen | 11,000.00 | 719,812.00 |
| Marvin/Marilyn Broglin | 87,000.00 | 261,000.00 |
| John Brouillette | 10,000.00 | 26,000.00 |

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|---------------------|------------|--------------|
| Doug Brown | 516,000.00 | 1,548,000.00 |
| Janey Brown | 30,000.00 | 90,000.00 |
| Gregory K. Brummet | 20,000.00 | 60,000.00 |
| Darrell Bruns | 10,000.00 | 30,000.00 |
| Rodney Buaas | 20,000.00 | 60,000.00 |
| Malone Buchanan | 10,000.00 | 61,917.36 |
| David Buker | 200,000.00 | 1,143,000.00 |
| Larry O. Campbell | 10,000.00 | 141,917.36 |
| Randall Calfee | 10,000.00 | 30,000.00 |
| Todd Calfee | 10,000.00 | 30,000.00 |
| W.J. Caraher | 10,000.00 | 30,000.00 |
| Pam Cardozo | 50,000.00 | 342,000.00 |
| Don Carpenter, Jr. | 10,000.00 | 30,000.00 |
| Martin Chanler | 80,000.00 | 240,000.00 |
| Jody Cochran | 20,000.00 | 60,000.00 |
| Davis Conky | 10,000.00 | 81,917.36 |
| Catherine L. Cottee | 20,000.00 | 60,000.00 |
| Richard Coupe | 10,000.00 | 30,000.00 |
| Robert Cranson | 10,000.00 | 30,000.00 |
| Nancy Davis | 15,000.00 | 232,876.00 |
| Lola DeHart | 10,000.00 | 30,000.00 |
| Patrick Donlan | 10,000.00 | 30,000.00 |
| Robert Dondlinger | 20,000.00 | 60,000.00 |
| Rich Donlinger | 30,000.00 | 88,000.00 |
| Glen Dorman | 10,000.00 | 46,000.00 |
| James Dorn | 10,000.00 | 185,752.08 |
| Phillip Dotson | 40,000.00 | 1,342,873.35 |
| Don & Vicki Drake | 12,000.00 | 224,000.00 |
| Dennis Driver | 10,000.00 | 30,000.00 |
| Billy Dunn | 40,000.00 | 120,000.00 |
| Donald Dunn | 10,000.00 | 30,000.00 |
| Paul Dunn | 10,000.00 | 30,000.00 |
| Ronald Dunn | 70,000.00 | 210,000.00 |
| John Eads | 30,000.00 | 90,000.00 |
| Les Eads | 12,000.00 | 52,917.00 |
| Paul Eby | 19,500.00 | 58,500.00 |
| J. Steven Ellis | 20,000.00 | 60,000.00 |
| Joe Fabian | 20,000.00 | 60,000.00 |
| Robert Fells | 10,000.00 | 30,000.00 |
| John Felton | 26,000.00 | 78,000.00 |
| Delores Fisher | 20,000.00 | 60,000.00 |
| Maryann Flynn | 10,000.00 | 30,000.00 |
| Craig Foss | 10,000.00 | 30,000.00 |
| Curtis Franzeen | 10,000.00 | 204,000.00 |
| Thomas Gaston | 5,000.00 | 121,400.00 |
| Don Gentile | 10,000.00 | 30,000.00 |

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| Don George | 75,000.00 | 150,000.00 |
| Laura Getty | 30,000.00 | 90,000.00 |
| Kyle Gifford | 10,000.00 | 30,000.00 |
| Robert Goff | 10,000.00 | 30,000.00 |
| Roger Goff | 10,000.00 | 30,000.00 |
| Betty Graber | 10,000.00 | 181,917.00 |
| Paula Walden Grace | 34,000.00 | 430,200.00 |
| Don Gray | 88,000.00 | 1,111,287.00 |
| Ronald Grebe | 150,000.00 | 374,000.00 |
| Hubert & Jane Green | 20,000.00 | 76,000.00 |
| Merle Grubbs | 10,000.00 | 30,000.00 |
| Frank Haag | 20,000.00 | 60,000.00 |
| Ryan Haag | 10,000.00 | 24,000.00 |
| Sanford Haine | 138,466.05 | 677,776.88 |
| Stanley Hanson | 20,000.00 | 60,000.00 |
| Marti Harbby | 10,000.00 | 30,000.00 |
| John Harris | 30,000.00 | 90,000.00 |
| Olivia Hawkins | 10,000.00 | 30,000.00 |
| Thomas Headley | 25,000.00 | 207,120.00 |
| James Hearn | 20,000.00 | 60,000.00 |
| Tim Heisterkamp | 20,000.00 | 60,000.00 |
| Fred Henderson | 10,000.00 | 61,900.00 |
| Warren Henderson | 90,000.00 | 270,000.00 |
| Timothy Henniger | 10,000.00 | 30,000.00 |
| Clarice Henning | 10,000.00 | 30,000.00 |
| Bonnie Henrickson | 10,000.00 | 30,000.00 |
| Gerald F. Herrick | 2,500.00 | 17,978.00 |
| Nina Hershberger | 50,000.00 | 793,000.00 |
| Walley Hess | 100,000.00 | 300,000.00 |
| Phillip Hightower | 80,000.00 | 240,000.00 |
| Mary Hill | 12,000.00 | 222,876.00 |
| Robert Hitsman | 2,000.00 | 37,146.00 |
| Jeff Hurst | 10,000.00 | 30,000.00 |
| Gerald Irving | 123,000.00 | 639,000.00 |
| Anderson Ivie | 50,000.00 | 886,308.58 |
| Lesa Jackson | 20,000.00 | 60,000.00 |
| Jimmy Jemigan | 20,000.00 | 60,000.00 |
| Martha L. Joerding | 10,000.00 | 185,740.00 |
| Ronald Johnson | 10,000.00 | 30,000.00 |
| Louis Jones | 10,000.00 | 30,000.00 |
| Douglas W. Jordan | 60,000.00 | 156,000.00 |
| Dalphas Jordon | 110,000.00 | 264,000.00 |
| Ken Karim | 47,000.00 | 150,000.00 |
| Suzanne/Todd Kelley | 10,000.00 | 30,000.00 |
| Duane Klein | 10,000.00 | 30,000.00 |
| Robert F. Knoeringer | 10,000.00 | 30,000.00 |

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| Dick V. Kuan | 10,000.00 | 30,000.00 |
| Rod Kuhns | 10,000.00 | 30,000.00 |
| Gloria Kush | 20,000.00 | 60,000.00 |
| Henry Kuster | 10,000.00 | 162,000.00 |
| Tom Kuster | 10,000.00 | 186,000.00 |
| Alan Lang | 10,000.00 | 30,000.00 |
| Wade Lang | 10,000.00 | 30,000.00 |
| Linda Laub | 10,000.00 | 156,000.00 |
| Frances Lear | 20,000.00 | 224,000.00 |
| Brandon Leffler | 10,000.00 | 30,000.00 |
| Paul Lienke | 10,000.00 | 30,000.00 |
| Marjorie Longfellow | 12,000.00 | 52,000.00 |
| Paul Luthy | 10,000.00 | 30,000.00 |
| Bernie Madison | 20,000.00 | 60,000.00 |
| Bruce Madison | 10,000.00 | 30,000.00 |
| Scott Madison | 10,000.00 | 30,000.00 |
| Ruth Mainor | 10,000.00 | 125,000.00 |
| Robert Mansueto, DDS | 10,000.00 | 30,000.00 |
| Gary Martin | 10,000.00 | 30,000.00 |
| Rick Martin | 15,000.00 | 45,000.00 |
| Craig Masin | 10,000.00 | 30,000.00 |
| Mel Masin | 60,000.00 | 341,917.00 |
| Tod Masin | 70,000.00 | 295,917.17 |
| Lovona McCarthy | 10,000.00 | 30,000.00 |
| David McCleery | 82,000.00 | 246,000.00 |
| Kurt McCleery | 40,000.00 | 120,000.00 |
| Tom McCleery | 50,000.00 | 1,516,504.10 |
| Carolyn & Elihue McGhee, Jr. | 30,000.00 | 901,211.50 |
| Percy McLamb | 50,000.00 | 815,102.27 |
| David J. McLeod | 80,000.00 | 240,000.00 |
| Linda L. McLeod | 74,350.00 | 214,350.00 |
| James McNeese | 40,000.00 | 120,000.00 |
| Phillip D. McPherson | 10,000.00 | 81,917.36 |
| Jackie Lee and Rene Meeks | 10,000.00 | 30,000.00 |
| Lynn Menz | 25,000.00 | 174,297.72 |
| John Miller, Jr. | 16,000.00 | 76,000.00 |
| Martin Miller | 10,000.00 | 30,000.00 |
| Bill Misko | 60,000.00 | 180,000.00 |
| Illene Moffitt | 20,000.00 | 60,000.00 |
| Fred Mohr | 120,000.00 | 360,000.00 |
| Mark C. Moler | 10,000.00 | 30,000.00 |
| Phill Montaque | 439,000.00 | 6,435,740.00 |
| Karen Moore | 20,000.00 | 60,000.00 |
| Sherrie Moultrie-Goodman | 10,000.00 | 30,000.00 |
| Allen D. Mynear | 10,000.00 | 186,000.00 |
| Deb Nabb | 10,000.00 | 24,000.00 |

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| James Nabb | 20,000.00 | 108,000.00 |
| Steve Neff | 20,000.00 | 60,000.00 |
| David Nelson | 10,000.00 | 104,300.85 |
| Lynn Nelson | 10,000.00 | 30,000.00 |
| Michael Nevrivy | 10,000.00 | 30,000.00 |
| William Nissen | 20,000.00 | 60,000.00 |
| Gary Novotny | 20,000.00 | 48,000.00 |
| Stephen H. Nusbaum | 190,000.00 | 593,900.00 |
| Mike Oliver | 10,000.00 | 30,000.00 |
| Peter M. Ormanovich | 90,000.00 | 653,421.55 |
| Richard Ormanovich | 68,000.00 | 1,129,120.71 |
| Thomas Pauter | 10,000.00 | 30,000.00 |
| Roy Parker | 10,000.00 | 30,000.00 |
| Douglas Pence | 10,000.00 | 30,000.00 |
| Donald Peterson | 20,000.00 | 60,000.00 |
| Dave Pfaltzraff | 10,000.00 | 30,000.00 |
| Barbara Phillips | 10,000.00 | 825,584.00 |
| Eunice Pierson | 70,000.00 | 337,669.46 |
| Thomas Pierson | 10,000.00 | 30,000.00 |
| Michale/Jeanne Plager | 10,000.00 | 30,000.00 |
| Charlene Potterbaum | 19,000.00 | 60,000.00 |
| Gene Potterbaum | 30,000.00 | 90,000.00 |
| James Potterbaum | 13,000.00 | 150,000.00 |
| Kimberly G. Preble | 30,000.00 | 90,000.00 |
| Butch Rabenstein | 5,000.00 | 56,000.00 |
| Jerry Rajewich | 10,000.00 | 26,000.00 |
| Mary Ann Rankin | 10,000.00 | 61,917.36 |
| Bruce Raper | 30,000.00 | 90,000.00 |
| Larry Rasmussen | 10,000.00 | 30,000.00 |
| Gary E. Redditt | 25,000.00 | 274,793.41 |
| Ann Richmond | 15,000.00 | 585,713.21 |
| Thomas J. Roellchen | 10,000.00 | 81,917.36 |
| William A. Rogers | 10,000.00 | 30,000.00 |
| Craig Runcie | 10,000.00 | 30,000.00 |
| Phyllis Sandstrom | 10,000.00 | 30,000.00 |
| Anam Cara Sanctuary | 134,000.00 | 2,008,000.00 |
| Brenda Scarborough | 20,000.00 | 54,000.00 |
| Richard C. Schaffer | 50,000.00 | 453,834.73 |
| David Schutz | 10,000.00 | 30,000.00 |
| Phebe Scott | 50,000.00 | 150,000.00 |
| Scott L. Seckback | 10,000.00 | 30,000.00 |
| Gail Shook | 10,000.00 | 50,000.00 |
| Genevieve C. Siemianowski | 10,000.00 | 24,000.00 |
| Michael Sirianni | 50,000.00 | 150,000.00 |
| Judy Slabaugh | 12,000.00 | 52,000.00 |
| Adele I. Smith | 10,000.00 | 30,000.00 |

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| Gregory Smith | 30,000.00 | 90,000.00 |
| Harold L. Smith | 20,000.00 | 360,000.00 |
| Lance Smith | 10,000.00 | 186,000.00 |
| Leath A. Smith | 10,000.00 | 186,000.00 |
| Dale Stender | 10,000.00 | 30,000.00 |
| Bertha Stockley | 10,000.00 | 76,000.00 |
| Clayton Stoering | 10,000.00 | 30,000.00 |
| Randall Sulhoff | 20,000.00 | 56,000.00 |
| Bill Sutton | 50,000.00 | 695,699.14 |
| Jim Sweat | 10,000.00 | 30,000.00 |
| Beverly A. Symons | 20,000.00 | 91,917.36 |
| Donald L. Symons | 20,000.00 | 91,917.36 |
| Frank Taylor | 10,000.00 | 30,000.00 |
| Ray Tefft | 10,000.00 | 30,000.00 |
| David P. Thain | 20,000.00 | 60,000.00 |
| Fred Thain | 42,000.00 | 122,250.00 |
| Huel Thain | 10,000.00 | 30,000.00 |
| Mark Thain | 10,000.00 | 30,000.00 |
| Larry Thiggen | 20,000.00 | 60,000.00 |
| Dean Thompson | 10,000.00 | 30,000.00 |
| James Toner | 15,000.00 | 45,000.00 |
| Larry Toner | 70,000.00 | 206,000.00 |
| Steven Toner | 15,000.00 | 45,000.00 |
| William Troutman | 10,000.00 | 30,000.00 |
| Ellen Uitoven | 12,000.00 | 52,917.00 |
| Doralyn Underburg | 13,000.00 | 315,778.76 |
| John Underburg | 45,855.00 | 1,150,715.30 |
| Sandi Underburg | 31,000.00 | 264,301.00 |
| Rich Van Langen | 5,000.00 | 92,880.00 |
| Rob Vandeguchte | 25,000.00 | 75,000.00 |
| John Vann Parker | 85,000.00 | 255,000.00 |
| Dee Vinson Jr. | 10,000.00 | 30,000.00 |
| Craig Vote | 50,000.00 | 825,000.00 |
| Harold Walker as Agent for Interlight Enterprises | 10,000.00 | 223,590.46 |
| J.E. Walker as Agent for J.E. Tweedy Enterprises | 30,000.00 | 684,354.74 |
| Charles L. Washington | 100,000.00 | 300,000.00 |
| Richard Weber | 20,000.00 | 60,000.00 |
| Emily Weinstein | 10,000.00 | 186,000.00 |
| Richard Welniak | 10,000.00 | 30,000.00 |
| James White | 25,000.00 | 958,477.54 |
| Tim White II | 5,000.00 | 20,000.00 |
| Tim White | 60,000.00 | 1,600,000.00 |
| Ryan Williams | 10,000.00 | 30,000.00 |
| Scott Williams | 970,000.00 | 2,773,000.00 |

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| Dean Wood | 30,000.00 | 90,000.00 |
| Powell W. Woods | 10,000.00 | 30,000.00 |
| Mike Wright | 73,000.00 | 750,000.00 |

9. The interests of justice require that the Defendants disgorge the ill-gotten gains by which they were unjustly enriched as a result of their fraudulent actions and breach of fiduciary duties. As the Defendants have not shown that they did not in fact earn the investment returns promised to the Plaintiffs, the total of the principal invested by the Plaintiffs and the contracted investment returns promised to the Plaintiffs is a reasonable approximation of the profits causally connected to the Defendants' fraudulent actions and breach of fiduciary duties.

10. Under Chapter 75 of the North Carolina General Statutes, the Nine Million Ninety One Thousand Sixty-Four Dollars and Five Cents (\$9,091,064.05) sum of damages fraudulently obtained from the Plaintiffs by the Defendants may be trebled. Such amount trebled is Twenty-Seven Million Two Hundred Seventy-Three Thousand One Hundred Ninety-Two Dollars and Fifteen Cents (\$27,273,192.15).

11. Under Chapter 75 of the North Carolina General Statutes, the Plaintiffs may recover attorneys' fees from the Defendants.

12. The Court is fully convinced by the clear and convincing evidence presented by the Plaintiffs that the fraudulent and willful conduct of the Defendants is the proximate cause of the Plaintiffs' damages proved in this action. With respect to Defendants Lazor, Ltd. and Tri-Star Investment Group, LLC, the Court finds that Defendant Lazorwitz as an officer, director and/or manager of Lazor, Ltd. and Tri-Star Investment Group, LLC participated in and condoned the conduct constituting the fraudulent and willful conduct of Defendants Lazor, Ltd. and Tri-Star Investment Group, LLC. The fraudulent and willful conduct of the Defendants warrants punitive damages to the maximum extent allowed by N.C. Gen. Stat. § 1D-15, being three times the compensatory damages.

IT IS THEREFORE ORDERED:

1. That the Plaintiffs recover from the Defendants, jointly and severally, trebled compensatory damages of One Hundred Sixty-Seven Million Three Hundred Eighty-Eight Thousand Forty-Two Dollars and Sixty-Three Cents (\$167,388,126.63), together with interest at the legal rate from the date this Judgment is docketed until paid;

2. That the Plaintiffs recover from the Defendants, jointly and severally, additional punitive damages of One Hundred Sixty-Seven Million Three Hundred Eighty-Eight Thousand Forty-Two Dollars and Sixty-Three Cents (\$167,388,126.63) together with interest at the legal rate from the date this Judgment is docketed until paid;

3. That costs of this action be taxed to Defendants including, without limitation, the Plaintiffs' attorneys' fees;

4. That all monies, funds and other assets of the Defendants are hereby frozen;
5. That the Defendants, their officers, agents, servants, employees, attorneys and those persons in active concert or participation with them who receive actual notice of this Order, by personal service or otherwise, are hereby restrained and enjoined from directly or indirectly:
 - a. Transferring, selling, assigning, pledging, dissipating, concealing or otherwise disposing of, in any manner, except by payment to the Clerk of Superior Court of Wake County, North Carolina as ordered in Section 9 of this Order, any monies, funds, assets, or other property belonging to, or in the possession, custody or control of the Defendants, wherever located, including any and all accounts and any financial institution in the name of any one or more of the Defendants, and any and all accounts at any financial institution in which any one or more of the Defendants, or any one or more of the Defendants' officers, agents, servants, or employees in active concert or participation with the Defendants, have signatory authority or a beneficial interest;
 - b. Opening or causing to be opened any safe deposit boxes, commercial mail boxes, or storage facilities titled in the name of any one or more of the Defendants, or in the name of any one or more of the Defendants' officers, agents, servants, or employees in active concert or participation with the Defendants, without providing the Plaintiffs prior notice and an opportunity to inspect the contents in order to determine that they contain no assets subject to this Order;
 - c. Transferring any monies, funds, or other assets subject to this Order for attorneys' fees or living expenses, except after providing prior written notice to the Plaintiffs and after obtaining prior approval by the Court;
6. That, within ten (10) days of this Order, each Defendant shall identify, value, and state in writing the current whereabouts of all of his, her, or its assets and funds having a value greater than \$1,000, including, but not limited to, all real and personal property;
7. That, within thirty (30) days of this Order, each Defendant shall provide the Court and Plaintiffs' counsel with an accounting of all assets and funds received, directly or indirectly, from all persons, including the Plaintiffs, for investment in Tri-Star and the other entities described in the Plaintiffs' Complaint, the uses to which assets and funds were put, and the amounts of any remaining assets and funds and their locations;
8. That, within thirty (30) days of this Order, each Defendant shall provide the Court and Plaintiffs' counsel with an accounting of his, her or its assets and liabilities;
9. That all persons and all others acting on behalf of any such persons, including sheriffs, marshals, other officers, deputies, servants, agents, employees and attorneys shall turn over to the Clerk of Superior Court of Wake County, North Carolina, for distribution by the Clerk to the Plaintiffs, any and all funds, and any and all records pertaining to such funds, of which any Defendant is the owner or in which any Defendant has an interest, immediately upon receiving notice of the entry of this Order;

10. That the Defendants, their officers, agents, servants, employees, attorneys, and those persons acting in active concert or participation with them who receive actual notice of this Order by personal service or otherwise, and each of them, be and hereby are permanently restrained and enjoined from destroying, mutilating, concealing, altering or disposing of, in any manner, any of the books, records, documents, correspondence, brochures, manuals, obligations, or other property, whether in tangible form or in the form of electronic data, of any Defendant or pertaining to the offer and sale of securities by any Defendant;

11. That copies of this Order may be distributed by first-class mail, overnight delivery, facsimile transmission, or personally by any Plaintiff or by counsel for any one or more Plaintiffs upon any bank, savings and loan institution, credit union, financial institution, broker-dealer, investment company, title company, commodities trading company, storage company, or any other person, partnership, limited liability company, corporation, or legal entity that may be subject to any provision of this Order. For purposes of notice on anyone in possession of documents, records, assets, funds, property, or property right subject to this Order, actual notice of this Order shall be deemed complete upon notification by any means, including, but not limited to, notice from distribution by facsimile transmission of the first page, Sections 4 through 11, and the final page of this Order, provided that such notice is followed within five (5) business days by delivery of a copy of this Order.

SO ORDERED, this _____ day of _____, 2005.

Presiding Judge