

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

| | | |
|---------------------------------|---|----------------------------|
| SECURITIES AND EXCHANGE |) | |
| COMMISSION, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 4:12-cv-00080-CEJ |
| |) | |
| BURTON DOUGLAS MORRISS, et al., |) | |
| |) | |
| Defendants, and |) | |
| |) | |
| MORRISS HOLDINGS, LLC, |) | |
| |) | |
| Relief Defendant. |) | |

**AMENDED REQUEST FOR ORDER DIRECTING CLERK’S OFFICE TO
POST ON DISTRICT COURT’S WEBSITE: (I) SUMMARY
INFORMATION ABOUT RECEIVERSHIP AND (II) HYPERLINK TO
RECEIVERSHIP’S EXTERNAL WEBSITE**

By its Order entered January 17, 2012, the Court appointed Claire M. Schenk as Receiver (the “Receiver”) over Acartha Group, LLC, MIC VII, LLC, Acartha Technology Partners, L.P. and Gryphon Investments III, LLC (collectively, the “Receivership Entities”).

The Receiver hereby files her amended request to the Court for the entry of an Order, substantially in the proposed form attached hereto as **Exhibit A**, directing the Clerk’s Office to post on the District Court’s website: (i) summary information about the Receivership and (ii) a hyperlink to the Receivership’s external website. The Receiver initially made this request on February 8, 2012, and re-files her request to address the matters raised by the Court in its March 22, 2012 Order (Dkt. No. 102).

On January 20, 2012, the Receiver launched a website to provide relevant information to investors, receive claim information from creditors and investors and otherwise facilitate

communication with investors, potential claimants and interested individuals. The website enables investors and other parties-in-interest to (i) access news and updates on the Receivership's activities, (ii) download Receivership status reports and statements, select Court orders and select documents filed by the Receiver and others in the above-captioned case (the "SEC Case"), (iii) receive instructions on submitting asset and claims information, and (iv) review information relevant to other proceedings affecting the Receivership. The Receivership website is maintained and updated by the Receiver and personnel of Thompson Coburn LLP. It is hosted separate and apart from the District Court's website. The Receivership website is located at <http://www.thompsoncoburn.com/news-and-information/acartha-receivership-information.aspx>. Copies of the website pages showing the current content of the website are attached hereto as **Group Exhibit B**. The Receiver's goal is to ensure that interested persons seeking information regarding the Receivership are able to locate the Receivership website. A page on the District Court's website providing a summary description of the Receivership and a hyperlink to the external Receivership website will assist the Receiver in meeting this objective. Therefore, the Receiver requests that the Court enter an Order directing the Clerk's Office to post on the District Court's website: (i) summary information about the Receivership and (ii) a hyperlink to the Receivership's external website.¹ To implement the Receiver's request, the Receiver suggests:

¹ A version of this request was implemented in the receivership proceedings initiated by the Securities and Exchange Commission and the U.S. Commodity Futures Trading Commission in *U.S. Commodity Futures Trading Commission and Securities and Exchange Commission v. Trevor Cook, et al.*, Case Nos. 09-cv-3332 and 09-cv-3333 (D. Minn.) (the "Cook Case"). In the Cook Case which involved a substantially larger number of investors, the Minnesota District Court's clerk's office added a tab to the District Court's main page with the name "SEC v. Trevor Cook et al." See **Exhibit C**, PDF copy of the District of Minnesota's main website. When users click on the tab, they are directed to a website containing, among other things, (i) the

- The addition of a link on the left-hand side of the Court’s main page entitled “Acartha Group, LLC, et al., Receivership”, below the link for Courtroom Camera Guidelines; and
- Summary information about the Receivership accessible by clicking on the “Acartha Group, LLC, et al., Receivership” link, using the proposed wording and structure as illustrated on the attached **Exhibit E**.

This request for an Order is administrative and not adversarial in nature.

Respectfully submitted,

THOMPSON COBURN LLP

By /s/ Brian A. Lamping

Stephen B. Higgins, #25728MO

Brian A. Lamping, #61054MO

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St. Louis, Missouri 63101

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case caption, (ii) a summary of the Receivership proceedings, (iii) the case number, and (iv) a hyperlink to the Receivership’s external website. *See Exhibit D*, PDF copy of the District of Minnesota’s website for the Cook Case. In the Cook Case, the District Court also posted receiver reports, orders entered in the pending cases, and important updates regarding distributions, all of which required the Clerk’s Office to routinely update the website. Here, the Receiver does not contemplate such a detailed website. Rather, the Receiver would like the Clerk’s Office to establish a hyperlink and page on the Court’s website that will not need periodic updating. The Receiver will rely on the Receiver’s personnel to keep the Receiver’s external website updated to include the latest information and documents.

CERTIFICATE OF SERVICE

I hereby certify that on March 30, 2012, I electronically filed the foregoing with the Clerk of the Court through the Court's CM/ECF system which will send a notice of electronic filing to the following:

Catherine Hanaway, Esq.
Ashcroft Hanaway LLC
222 South Central Ave., Suite 110
St. Louis, Missouri 63105
Counsel for Defendant Burton Douglas Morriss

Adam L. Schwartz
Robert K. Levenson
Brian T. James
Securities and Exchange Commission
801 Bricknell Avenue, Suite 1800
Miami, Florida 33131
Attorneys for Plaintiff

David S. Corwin
Vicki L. Little
Sher Corwin LLC
190 Carondelet Plaza
Suite 1100
St. Louis, Missouri 63105
Counsel for Morriss Holdings, LLC

/s/ Brian A. Lamping

EXHIBIT A

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

| | | |
|---------------------------------|---|----------------------------|
| SECURITIES AND EXCHANGE |) | |
| COMMISSION, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 4:12-cv-00080-CEJ |
| |) | |
| BURTON DOUGLAS MORRISS, et al., |) | |
| |) | |
| Defendants, and |) | |
| |) | |
| MORRISS HOLDINGS, LLC, |) | |
| |) | |
| Relief Defendant. |) | |

ORDER DIRECTING CLERK’S OFFICE TO POST ON DISTRICT COURT’S WEBSITE: (I) SUMMARY INFORMATION ABOUT RECEIVERSHIP AND (II) HYPERLINK TO RECEIVERSHIP’S EXTERNAL WEBSITE

This matter is before the Court on the *Amended Request for Order Directing Clerk’s Office to Post on District Court’s Website: (I) Summary Information About Receivership and (II) Hyperlink to Receivership’s External Website* (the “Request”) filed by Claire M. Schenk, the court-appointed receiver (the “Receiver”) for Acartha Group, LLC, MIC VII, LLC, Acartha Technology Partners, L.P. and Gryphon Investments III, LLC in this action; and

Having fully considered the Request and being duly advised as to the merits,

THE COURT DOES HEREBY ORDER THAT

1. The Receiver’s Request is granted in its entirety; and
2. The Clerk’s Office is directed to:
 - A. Add a link on the left-hand side of the District Court’s main website page entitled “Acartha Group, LLC, et al., Receivership”; and

B. Post (i) summary information about the Receivership and (ii) a hyperlink to the Receivership's external website, in the form and with the content proposed by the Receiver on **Exhibit E** to the Request, a copy of which is attached hereto.

SO ORDERED this the ____ day of _____, 2012.

THE HONORABLE CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE

EXHIBIT TO ORDER

Proposed Wording and Structure for Summary Information about
Acartha Group, LLC, et al. Receivership for Posting on District Court Website

QUICK LINKS

| Case Locator (PACER)

| E-Filing (CM / ECF)

| E-juror

E-Pro Se

Court Locator

Daily Docket

Forms

Alternative Dispute Resolution
(ADR)

Employment

Federal Judicial Center

Federal Judiciary YouTube
Channel

Financial Matters

Judicial Complaints
Information

Judicial Seminar Disclosure

Media Information

Multidistrict Litigation Cases
(MDL)

Procurement

Courtroom Camera Guidelines

Acartha Group, LLC, et al.

**Securities and Exchange Commission v. Burton
Douglas Morriss, Acartha Group, LLC, MIC VII, LLC,
Acartha Technology Partners, L.P., Gryphon
Investments III, LLC, and Morriss Holdings, LLC; Case
No. 4:12-cv-00080-CEJ**

On January 17, 2012, the Securities and Exchange Commission filed its *Complaint for Injunctive and Other Relief* against Defendants Burton Douglas Morriss, Acartha Group, LLC, MIC VII, LLC, Acartha Technology Partners, L.P., Gryphon Investments III, LLC, and Morriss Holdings, LLC, in the United States District Court for the Eastern District of Missouri (the "SEC Case").

Also on January 17, 2012, the United States District Court for the Eastern District of Missouri appointed Claire M. Schenk as Receiver over Acartha Group, LLC, MIC VII, LLC, Acartha Technology Partners, L.P., and Gryphon Investments III, LLC (collectively, the "Receivership Entities"). The Court's Order establishes the Receiver as the Receivership Entities' sole administrator and directs and empowers her to manage the business affairs, funds, and property of the Receivership Entities.

Receivership Website

Investors, creditors and other interested individuals can find out more information about the Receivership by visiting the Receiver's website: <http://www.thompsoncoburn.com/news-and-information/acartha-receivership-information.aspx>. The Receiver periodically will update the website to include notices to various categories of interested parties, news and updates on the Receivership's activities, copies of Receivership status reports and statements, select Court orders and pleadings filed by the Receiver and others in the SEC Case, instructions on submitting asset and claims information (when available), and other resources.

Contacting the Receiver

Investors, creditors and other interested individuals may leave a message for the Receiver at (314) 552-6152 or via email at acartha.receivership@thompsoncoburn.com.

Mail may be directed to the Receiver at 505 North 7th Street, St. Louis, MO 63101.

News & Information > Acartha Receivership Information

Acartha Receivership Information

On January 17, 2012, the United States District Court for the Eastern District of Missouri appointed Claire M. Schenk as Receiver over the following entities:

Acartha Group, LLC

MIC VII, LLC

Acartha Technology Partners, LP

Gryphon Investments III, LLC

The Court's Order establishes the Receiver as the companies' sole administrator and directs and empowers her to manage the business affairs, funds, and property of these entities. Investors, creditors, and other interested individuals may leave a message for the Receiver at (314) 552-6152 or via email at acartha.receivership@thompsoncoburn.com.

Mail may be directed to the Receiver at 505 North 7th Street, St. Louis, MO 63101.

Additional Information

[Notices to Interested Parties](#)

[Receivership Reports](#)

[Select Court Orders](#)

[Select Motions and Pleadings Filed with the Court](#)

[Burton Douglas Morris Chapter 7 Bankruptcy](#)

GROUP EXHIBIT B

Notices to Interested Parties

The Receiver continues in her efforts to provide notice to interested parties, as appropriate, including but not limited to: investors, creditors, banks and other financial institutions, investment concerns, management, employees and other service providers formerly engaged by the Receivership Entities.

- [Notice to Investors](#)
- [Notice to Creditors](#)
- [Notice to Banks and Other Financial Institutions](#)
- [Notice to Investment Concerns](#)

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News & Information > Acartha Receivership Information > Receivership Reports

Receivership Reports

The Receiver files periodic status reports with the Receivership Court. The status reports generally outline the Receiver's investigative efforts, identify the assets that the Receiver has secured to date, and provide a summary of the Receiver's activities with respect to the administration and management of the Receivership Entities

- First Status Report of Receiver (January 26, 2012)
- Second Status Report of Receiver (Pending)

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News & Information > Acartha Receivership Information > Select Court Orders

Select Court Orders

| <u>Order</u> | <u>Dkt. No.</u> | <u>Date</u> |
|---|-----------------|------------------|
| Order Appointing Receiver | 16 | January 17, 2012 |
| Asset Freeze Order and Other Emergency Relief | 17 | January 17, 2012 |
| Order Amending Asset Freeze Order | 30 | January 19, 2012 |
| Asset Freeze Order and Other Emergency Relief | 59 | January 27, 2012 |

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News & Information > Acartha Receivership Information > Select Motions and Pleadings Filed with the Court

Select Motions and Pleadings Filed with the Court

As necessary, the Receiver files motions and other pleadings with the Receivership Court to, among other things, request authorization for certain actions, apprise the Receivership Court of occurrences in the administration and operation of the Receivership and express the Receiver's position on matters at issue in the SEC Litigation.

Other parties, including but not limited to the Securities & Exchange Commission and the named defendants in the SEC Litigation, also file motions and pleadings with the Receivership Court. As the Receiver deems appropriate, she will post copies of motions and pleadings filed by parties other than the Receiver. To access all publicly available pleadings filed in the SEC Litigation, please visit www.pacer.gov and register for a PACER account.

| Pleading | Dkt. No. | Date |
|---|----------|-------------------|
| Complaint for Injunctive and Other Relief | 1 | January 17, 2012 |
| Request for Order Directing Clerk's Office to Post on District Court's Website: (i) Summary Information about Receivership and (ii) Hyperlink to Receivership's External Website | 67 | February 8, 2012 |
| Defendant Morriss's Motion for Entry of An Order Confirming that Insureds are Entitled to Advancement of Defense Expenses Under Insurance Policy Notwithstanding Asset Freeze Order | 72, 73 | February 16, 2012 |
| Receiver's Motion for Sale of Certain Personal Property | 76, 77 | February 22, 2012 |
| Receiver's Memorandum in Opposition to Defendant Morriss's Motion for Confirmation that Defendant Morriss is Entitled to Advancement of Defense Expenses Under Insurance Policy Notwithstanding Order Appointing Receiver or Asset Freeze Order | 81 | February 27, 2012 |
| Relief Defendant Morriss Holding, LLC's Motion to Dismiss or in the Alternative Motion for More Definite Statement | 83, 84 | February 28, 2012 |
| Defendant Morriss's Motion to Dismiss, or in Alternative, for a More Definite Statement | 86, 87 | February 28, 2012 |
| Plaintiff's Response in Opposition to Defendant Morriss's Motion for Confirmation that He is Entitled to Advancement of Defense Expenses Under Insurance Policy Notwithstanding Order Appointing Receiver or Asset Freeze | 91 | March 2, 2012 |
| Receiver's Notice of Filing of Consent of Defendants Acartha Group, LLC, MIC VII, LLC, Acartha Technology Partners, LP, and Gryphon Investments III, LLC | 94 | March 6, 2012 |
| Plaintiff's Notice of Filing Consent of Defendants Acartha Group, LLC, MIC VII, LLC, Acartha Technology Partners, LP, and Gryphon Investments III, LLC to Judgment of Permanent Injunction and Other Relief and Request for Entry of Judgment | 95 | March 6, 2012 |
| Defendant Morriss's Reply Memorandum in Further Support of Defendant's Motion for Entry of An Order | 96 | March 8, 2012 |

| | | |
|---|-----|----------------|
| Confirming that Insureds are Entitled to Advancement of Defense Expenses Under Insurance Policy Notwithstanding Asset Freeze Order | | |
| Defendant Morris's Reply Memorandum in Further Support of Defendant's Motion for Entry of An Order Confirming that Insureds are Entitled to Advancement of Defense Expenses Under Insurance Policy Notwithstanding Asset Freeze Order | 97 | March 12, 2012 |
| Receiver's Notice of No Objection and Request for Immediate Entry of an Order Approving Receiver's Sale of Certain Personal Property | 100 | March 12, 2012 |

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Burton Douglas Morriss Chapter 7 Bankruptcy

On January 9, 2012, Burton Douglas Morriss filed for bankruptcy protection under Chapter 11 of the Bankruptcy Code, in the United States Bankruptcy Court for the Eastern District of Missouri, Case No. 12-40164. Prior to the Receiver's appointment on January 17, 2012, Burton Douglas Morriss served as the chief executive officer and chairman of Acartha Group, LLC's board of directors, the managing member of MIC VII. Mr. Morriss also served as a manager of Gryphon Investments III, LLC, the general partner of Acartha Technology Partners, L.P., and as the chairman and controlling member of Morriss Holdings, LLC and a member of its board of directors. Mr. Morriss is a named defendant in the SEC Litigation, but the Receiver was not appointed as a receiver for Mr. Morriss.

On February 13, 2012, United States Bankruptcy Judge Kathy A. Surratt-States converted Mr. Morriss' bankruptcy case to one pending under Chapter 7 of the Bankruptcy Code. Also on February 13, 2012, Charles W. Riske was appointed as Chapter 7 trustee for Mr. Morriss's bankruptcy estate.

On March 28, 2012, beginning at 10:00 a.m. (CST), the Chapter 7 trustee will conduct the Section 341 first meeting of creditors in Mr. Morriss's bankruptcy case. Also on March 28, 2012, the Receiver will conduct a Rule 2004 examination of Mr. Morriss. Both the first meeting of creditors and Rule 2004 examination will take place at the offices of Thompson Coburn LLP, One US Bank Plaza, 35th Floor, Saint Louis, Missouri, 63101. The topics of the Rule 2004 examination may be found in the *Notice of Examination Pursuant to Federal Rule of Bankruptcy Procedure 2004 and Notice of Subpoena*, provided below.

As the Receiver deems appropriate and relevant to her management of the Receivership Entities, the Receiver will post select motions, pleadings and orders entered in Mr. Morriss's bankruptcy case. To access all publicly available pleadings filed in Mr. Morriss's bankruptcy case, please visit www.pacer.gov and register for a PACER account.

| <u>Pleading</u> | <u>Dkt. No.</u> | <u>Date</u> |
|---|-----------------|-------------------|
| Voluntary Petition | 1 | January 9, 2012 |
| U.S. Trustee's Motion to Dismiss Case or in the Alternative, Motion to Convert Case from Chapter 11 to 7 | 22 | January 31, 2012 |
| Receiver's Motion to Appoint Trustee or Alternatively, for Conversion of Case | 30 | February 6, 2012 |
| Receiver's Emergency Motion for 2004 Examination of Debtor Burton Douglas Morriss and Production of Certain Documents in Connection Therewith | 34 | February 6, 2012 |
| SEC's Joinder to, and Statement in Support of, Receiver's Motion for Appointment of Trustee, or Alternatively, for Conversion of Case | 43 | February 9, 2012 |
| Summary of Schedules with Attached Statement Concerning Debtor's Schedules and Statements | 44 | February 9, 2012 |
| Order Denying as Moot Motion to Appoint Trustee and Granting Motion to Convert Case from Chapter 11 to 7 | 50 | February 13, 2012 |
| Application for Order Pursuant to 11 U.S.C. § 327 of the Bankruptcy Code Authorizing Employment and Retention of the Ashcroft Law Firm, LLC as Counsel for Debtor <i>Nunc Pro Tunc</i> to January 20, 2012 or Alternatively, a Ruling that Retention of the Ashcroft Law Firm, LLC is Beyond the Scope of the Debtor's Estate (without exhibits)* | 57, 58 | February 21, 2012 |
| Order Granting Motion for 2004 Examination | 69 | March 6, 2012 |
| Notice of Examination Pursuant to Federal Rule of Bankruptcy Procedure 2004 and Notice of Subpoena | 70 | March 7, 2012 |
| Interested Party Eric Sarasin's Motion to Extend Deadline to Object to Debtor's Discharge or Challenge Dischargeability of Certain Debts | 78 | March 12, 2012 |

Receiver's Objection to Application for Order Pursuant to 11 U.S.C. § 327 of the Bankruptcy Code Authorizing Employment and Retention of the Ashcroft Law Firm, LLC as Counsel for Debtor *Nunc Pro Tunc* to January 20, 2012 or Alternatively, a Ruling that Retention of the Ashcroft Law Firm, LLC is Beyond the Scope of the Debtor's Estate

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March 12, 2012

Trustee's Objection to Application for Order Pursuant to 11 U.S.C. § 327 of the Bankruptcy Code Authorizing Employment and Retention of the Ashcroft Law Firm, LLC as Counsel for Debtor *Nunc Pro Tunc* to January 20, 2012 or Alternatively, a Ruling that Retention of the Ashcroft Law Firm, LLC is Beyond the Scope of the Debtor's Estate

80

March 12, 2012

*Note that Mr. Morriss withdrew the *Application for Order Pursuant to 11 U.S.C. § 327 of the Bankruptcy Code Authorizing Employment and Retention of the Ashcroft Law Firm, LLC as Counsel for Debtor Nunc Pro Tunc to January 20, 2012 or Alternatively, a Ruling that Retention of the Ashcroft Law Firm, LLC is Beyond the Scope of the Debtor's Estate* on March 16, 2012.



United States District Court DISTRICT OF MINNESOTA

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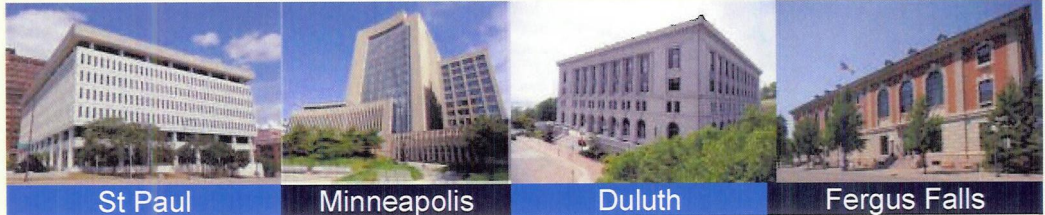
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PHONE SCAM: Citizens are being targeted in Minnesota by phone calls and threatened with prosecution for failing to comply with jury service in federal courts. Please read the following important warning, [click here](#).

EMAIL SCAM: If you receive an email from "subpoena@uscourts.com", please do not open the link inside the email. The link will install a virus on your PC or network. This email was NOT sent by the U.S. Courts. If you receive one of these emails, you are advised to delete it from your inbox. If you wish to view a "safe" example of one of these bogus emails, view the [Subpoena](#).



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PACER System Downtime

January 11, 2012 **NEW**

There will be nationwide maintenance on the PACER system **Saturday, January 14, 2012**. The disruptions will begin at 10 AM CT and may continue until 7 PM CT. PACER users may have sessions terminated or experience difficulty logging into the system. You should still be able to log into CM/ECF and file documents electronically, as long as you do not need to access PACER to complete the process. We apologize for the inconvenience.

New Bill of Costs Guide

November 15, 2011 **NEW**

The United States District Court for the District of Minnesota has updated its [Bill of Costs Guide](#). The updated Bill of Costs Guide may be found under the Information and Court Forms tabs.

Employment Opportunity

November 14, 2011

The U.S. Court of Appeals for the Eighth Circuit is accepting applications for the position of United States Bankruptcy Judge for the District of Minnesota. Information about the job can be found on the [Employment Opportunity](#) web page.

Clerk's Office Hours
Monday - Friday
8:00 AM to 5:00 PM

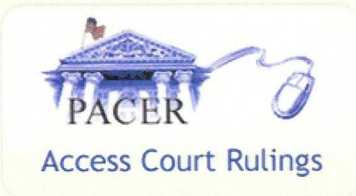


EXHIBIT C



Thanksgiving Holiday

November 7, 2011

The Office of the District Court of Minnesota will be closed for the Thanksgiving Holiday on Thursday, November 24 and Friday, November 25, 2011. The CM/ECF system will be available but the CM/ECF Helpdesk will not be staffed.



CM-ECF Downtime Notice and Upgrade

November 1, 2011

The United States District Court, District of Minnesota's CM/ECF system will be unavailable from 6:00pm Friday, November 4, 2011 until 6:00pm Saturday, November 5, 2011 for a planned upgrade. Please click on the [link](#) to view the changes to CM/ECF.

This interruption of CM/ECF access will affect all attorney e-filers and public (PACER)users. Please plan accordingly.



Increase in Miscellaneous Fees

October 31, 2011

The Judicial Conference of the United States increased certain miscellaneous fees for federal courts effective November 1, 2011. [Click here](#) for a list of affected fees.



Employment Opportunity

October 11, 2011

Office of the Federal Defender, District of Minnesota, is accepting applications for the position of Assistant Federal Defender. Information about the job can be found on the [Employment Opportunity](#) web page.



2012 Eighth Circuit Judicial Conference

September 23, 2011

Members of the Bar in the Eighth Circuit are invited to the 2012 Eighth Circuit Judicial Conference August 8 - 10, 2012 at the Kansas City Marriott Downtown. Please see click [here](#) to read the full announcement.



CM/ECF Version 5 Upgrade and Password Change

August 10, 2011

The U.S. District Court for the District of Minnesota will be upgrading the court's Case Management/Electronic Case Filing system (CM/ECF) on Saturday, August 27, 2011. After the upgrade, all users will be required to change their CM/ECF password as a security enhancement. Please click on the [link](#) to view directions on changing your password.



Second and Final Notice - Attorney Re-Registration

July 29, 2011

Second and final attorney re-registration notices were sent on July 29, 2011. If you are an A-G attorney admitted to the Bar of the District of Minnesota and have not re-registered, you must do

and will be unable to obtain certificates of good standing.

Attorneys are encouraged to re-register through ECF and pay their re-registration fees online using Pay.gov. Click [here](#) for more re-registration information.



Notice Regarding Court Operations

July 1, 2011

The United States District Court is open for business as usual. The Court is not affected by the state government shutdown in Minnesota.



Attorney Re-Registration 2011

June 23, 2011

Attorney re-registration notices were sent to attorneys with last names beginning with the letters A-G. If you are an A-G attorney admitted to the Bar of the District of Minnesota and have not re-registered, you must do so by July 22, 2011. Attorneys are encouraged to re-register through ECF and pay their re-registration fees online using Pay.gov.

Attorneys with last names beginning with the letters H-M and N-Z will re-register in 2012 and 2013 respectively. Also, attorneys admitted to the Bar of this Court in either 2009, 2010, or 2011 do not need to re-register at this time. Click [here](#) for more re-registration information.



Local Rule Amendments

May 09, 2011

The United States District Court for the District of Minnesota is implementing amendments to [Local Rule 83.5\(d\)-\(e\)](#), concerning the admission of nonresident attorneys and government attorneys. By statute, these amendments will become effective immediately on May 9, 2011 and are posted by the Court for public review and comment through June 9, 2011. Comments should be provided in writing to the Clerk of Court no later than June 9, 2011. For more information on the amendments to this rule, see the [public notice](#).



Tony N. Leung appointed U.S. Magistrate Judge

April 29, 2011

Chief U.S. District Court Judge Michael J. Davis is pleased to announce the appointment of Tony N. Leung to the position of United States Magistrate Judge for the District of Minnesota. Leung took the oath of office in the U.S. Courthouse in Minneapolis on April 29, 2011. Please click on the link to view the [Press Release](#).

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Building & U.S. Courthouse**

**Gerald W. Heaney Federal
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St. Paul, MN 55101
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United States District Court DISTRICT OF MINNESOTA

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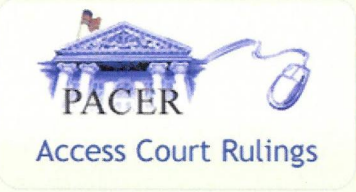
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- SEC v. Trevor Cook et al.**
- Seminars Disclosure
- Web Resources

U.S. Commodity Futures Trading Commission and U.S. Securities and Exchange Commission v. Trevor Cook, et al.

PLEASE TAKE NOTICE that on Tuesday, August 2, 2011, the Receiver, via the Clerk of Court for the United States District Court for the District of Minnesota, mailed checks to 710 claimants for their pro rata shares of the Receiver's Second Interim Distribution that was approved by the Court on July 22, 2011, totaling \$1,027,729.04.

The first interim distribution mailing of victim restitution checks will be assembled next week and put in the mail on November 12, 2010 for all victims in the Trevor Cook case. Identified victims may expect to receive checks starting the week of November 15, 2010.

Clerk's Office Hours
Monday - Friday
8:00 AM to 5:00 PM



Currently pending before Chief Judge Michael J. Davis are two related cases: S.E.C. v. Trevor Cook et al., Civ. No. 09-333 and C.F.T.C. v. Trevor Cook d/b/a Crown Forex, LLC et al., Civ. No. 09-3332. In both cases, Trevor Cook and Patrick Kiley, along with many business entities owned and/or controlled by Cook and Kiley, are charged with conducting a fraudulent investment scheme that has taken in approximately \$190 million from at least 1,000 victims. The Defendants allegedly represented to these investors that they were involved in a foreign currency trading venture by which the investors could earn annual returns of 10% to 12%. The Defendants further represented that each investors' funds would be kept in segregated accounts and that their funds could be withdrawn at any time. Instead, the Defendants are alleged to have pooled the investor funds they obtained, and diverted approximately \$51 million to pay ostensible returns and principal to other investors or misappropriated the funds for their own personal use, or used the funds for trading in foreign currencies that involved significant risks. At least \$48 million was lost in this trading.

Both the SEC and the CFTC moved for preliminary injunctive relief by which to freeze assets of the Defendants and to enjoin the Defendants from further engaging in wrongful trading. The Court granted the motions for injunctive relief, and as part of these orders, the Court appointed a Receiver in order to locate and preserve assets for later distribution to the investor victims. The Receiver, with the Court's permission, has established a website as a resource of information as to case updates and as a means for investor/victims to provide information to the Receiver. The following link is the [Receiver website](#). To contact the Cook Kiley Receivership, please call 877-316-6129 or 612-436-9664, or via email

EXHIBIT D

Cases:

Case # 09-cv-3332: U.S. Commodity Futures Trading Commission v. Trevor Cook, et al.
[Orders](#)

Case # 09-cv-3333: U.S. Securities and Exchange Commission v. Trevor Cook, et al.
[Orders](#)

Case # 11-cv-0574: U.S. Securities and Exchange Commission v. Jason Bo-Alan Beckman, et al.
[Orders](#)

Receivership Website:

NEW! [Notice of Bar Date for Filing Claims](#)

[Cook Kiley Receivership](#)

Receiver Reports:

[ELEVENTH STATUS REPORT OF RECEIVER R.J. ZAYED IN CFTC v. COOK, et. al.\(09-cv-3332\) AND SEC v. COOK, et. al.\(09-cv-3333\) and SEC v. BECKMAN, et al. \(11-574\).](#)

[TENTH STATUS REPORT OF RECEIVER R.J. ZAYED IN CFTC v. COOK, et. al.\(09-cv-3332\) AND SEC v. COOK, et. al.\(09-cv-3333\) and SEC v. BECKMAN, et al. \(11-574\).](#)

[NINTH STATUS REPORT OF RECEIVER R.J. ZAYED IN CFTC v. COOK, et. al.\(09-cv-3332\) AND SEC v. COOK, et. al.\(09-cv-3333\) and SEC v. BECKMAN, et al. \(11-574\).](#)

[Notice of Mailing of Receiver's Supplemental Interim Distribution to Claimants with Adjusted Claims \(Both cases - 09-3332 and 09-3333\).](#)

[EIGHTH STATUS REPORT OF RECEIVER R.J. ZAYED IN CFTC v. COOK, et. al.\(09-cv-3332\) AND SEC v. COOK, et. al.\(09-cv-3333\)](#)

[SEVENTH STATUS REPORT OF RECEIVER R.J. ZAYED IN CFTC v. COOK, et. al.\(09-cv-3332\) AND SEC v. COOK, et. al.\(09-cv-3333\)](#)

[SIXTH STATUS REPORT OF RECEIVER R.J. ZAYED IN CFTC v. COOK, et. al. \(09-cv-3332\) AND SEC v. COOK, et. al. \(09-cv-3333\)](#)

[STATUS REPORT FOR RECEIVER'S PETITION FOR RETURN OF RECEIVERSHIP ASSETS FROM RESPONDENT WELLS FARGO HOME MORTGAGE](#)

[STATUS REPORT FOR RECEIVER'S PETITION FOR RETURN OF RECEIVERSHIP ASSETS FROM RESPONDENT NEW YORK COMMUNITY BANK](#)

[JOINT STATUS REPORT RELATED TO RECEIVER'S PETITION FOR RETURN OF RECEIVERSHIP ASSETS FROM INVESTOR RESPONDENTS](#)

[FIFTH STATUS REPORT OF RECEIVER R.J. ZAYED IN CFTC v. COOK, et. al. \(09-cv-3332\) AND SEC v. COOK, et. al. \(09-cv-3333\)](#)

[THIRD STATUS REPORT OF RECEIVER R.J. ZAYED IN CFTC v. COOK, et. al. \(09-cv-3332\) AND SEC v. COOK, et. al. \(09-cv-3333\)](#)

[SECOND STATUS REPORT OF RECEIVER R.J. ZAYED IN CFTC v. COOK, et. al. \(09-cv-3332\) AND SEC v. COOK, et. al. \(09-cv-3333\)](#)

[U.S. Commodity Futures Trading Commission v. Trevor Cook, et al.](#)

[U.S. Securities and Exchange Commission v. Trevor Cook, et al.](#)

Upcoming Hearings:

Link to [PACER](#) (Public Access to Court Electronic Records - a fee based system that allows parties to access documents filed.)

[Home](#) | [CM/ECF](#) | [Jury Duty](#) | [MDL](#) | [Calendar](#) | [Information](#) | [Court Forms](#) | [New Cases](#)

United States Courthouse
300 South Fourth Street
Suite 202
Minneapolis, MN 55415
(612) 664-5000

**Warren E. Burger Federal
Building & U.S. Courthouse**
316 North Robert Street
Suite 100
St. Paul, MN 55101
(651) 848-1100

**Gerald W. Heaney Federal
Building & U.S. Courthouse
and Customhouse**
515 West First Street
Suite 417
Duluth, MN 55802-1397
(218) 529-3500

United States Courthouse
118 South Mill Street
Suite 212
Fergus Falls, MN 56537
(218) 739-5758

EXHIBIT E

Proposed Wording and Structure for Summary Information about Acartha Group, LLC, et al. Receivership for Posting on District Court Website

QUICK LINKS

| Case Locator (PACER)

| E-Filing (CM / ECF)

| E-juror

E-Pro Se

Court Locator

Daily Docket

Forms

Alternative Dispute Resolution (ADR)

Employment

Federal Judicial Center

Federal Judiciary YouTube Channel

Financial Matters

Judicial Complaints Information

Judicial Seminar Disclosure

Media Information

Multidistrict Litigation Cases (MDL)

Procurement

Courtroom Camera Guidelines

Acartha Group, LLC, et al.

Addition of link that will appear on main page of District Court website

Securities and Exchange Commission v. Burton Douglas Morriss, Acartha Group, LLC, MIC VII, LLC, Acartha Technology Partners, L.P., Gryphon Investments III, LLC, and Morriss Holdings, LLC; Case No. 4:12-cv-00080-CEJ

On January 17, 2012, the Securities and Exchange Commission filed its Complaint for Injunctive and Other Relief against Defendants Burton Douglas Morriss, Acartha Group, LLC, MIC VII, LLC, Acartha Technology Partners, L.P., Gryphon Investments III, LLC, and Morriss Holdings, LLC, in the United States District Court for the Eastern District of Missouri (the "SEC Case").

Also on January 17, 2012, the United States District Court for the Eastern District of Missouri appointed Claire M. Schenk as Receiver over Acartha Group, LLC, MIC VII, LLC, Acartha Technology Partners, L.P., and Gryphon Investments III, LLC (collectively, the "Receivership Entities"). The Court's Order establishes the Receiver as the Receivership Entities' sole administrator and directs and empowers her to manage the business affairs, funds, and property of the Receivership Entities.

Receivership Website

Investors, creditors and other interested individuals can find out more information about the Receivership by visiting the Receiver's website: http://www.thompsoncoburn.com/news-and-information/acartha-receivership-information.aspx. The Receiver periodically will update the website to include notices to various categories of interested parties, news and updates on the Receivership's activities, copies of Receivership status reports and statements, select Court orders and pleadings filed by the Receiver and others in the SEC Case, instructions on submitting asset and claims information (when available), and other resources.

Contacting the Receiver

Investors, creditors and other interested individuals may leave a message for the Receiver at (314) 552-6152 or via email at acartha.receivership@thompsoncoburn.com.

Mail may be directed to the Receiver at 505 North 7th Street, St. Louis, MO 63101.