

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.)	

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 herein requests that this Court enter 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.

As the Receiver reported in her *First Interim Status Report as Receiver*, filed January 26, 2012, the Receiver is in the process of establishing a website to provide relevant information to investors, to receive claim information from investors and to otherwise facilitate communication with investors, potential claimants and other interested individuals. The Receiver intends to establish and maintain a fully functional website so that investors and other parties-in-interest

may (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) access government resources relevant to the Receivership. The Receiver further intends that the Receivership website will be established, maintained and updated by the Receiver and her personnel and also will be hosted separate and apart from the District Court's website. The Receiver, however, wants to ensure that all parties seeking information on the Receivership are able to locate the Receivership website and has determined that a page providing a summary description of the Receivership and a hyperlink to the external Receivership website is needed to accomplish this goal.

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. 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, 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 B**, 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 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 C**, 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.

If the Court grants the Receiver's request, the Receiver will work with the Clerk's Office to establish the hyperlink and page on the Court's website and will provide the necessary summaries and suggested formats for the page on the Court's website.

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

Respectfully submitted,

THOMPSON COBURN LLP

By /s/ Brian A. Lamping

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CERTIFICATE OF SERVICE

I hereby certify that on February 8, 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:

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/s/ Brian A. Lamping

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

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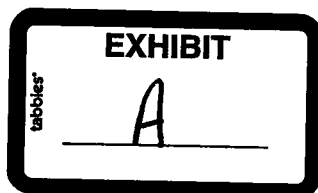
ORDER DIRECTING CLERK’S OFFICE TO POST ON DISTRICT COURT’S WEBSITE: (I) SUMMARY INFORMATION ABOUT RECEIVERSHIP AND (II) HYPERLINK TO RECEIVERSHIP’S EXTERNAL WEBSITE

Upon the 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 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 post on the District Court’s website: (i) summary information about the Receivership, which information the Receiver and her personnel will provide to the Clerk’s Office, and (ii) a hyperlink to the Receivership’s external website.



SO ORDERED this the ____ day of February, 2012.

THE HONORABLE CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE



United States District Court DISTRICT OF MINNESOTA

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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](#).






News & Announcements

[» View Archived Entries](#)

 **PACER System Downtime**

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.

January 11, 2012 **NEW**

 **New Bill of Costs Guide**

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.

November 15, 2011 **NEW**

 **Employment Opportunity**

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.

November 14, 2011

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



EXHIBIT

B

 **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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300 South Fourth Street

**Warren E. Burger Federal
Building & U.S. Courthouse**

**Gerald W. Heaney Federal
Building & U.S. Courthouse
and Customhouse**

United States Courthouse
118 South Mill Street

(612) 664-5000

St. Paul, MN 55101
(651) 848-1100

Duluth, MN 55802-1397
(218) 529-3500

(218) 739-5758



United States District Court
DISTRICT OF MINNESOTA



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

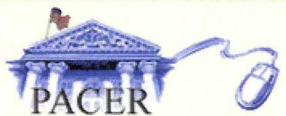
PLEASE TAKE NOTICE that on Tuesday, August 2, 2011, the Receiver, via the Clerk of Court for the United States District Court for the District of Minnesota, mailed checks to 710 claimants for their pro rata shares of the Receiver's Second Interim Distribution that was approved by the Court on July 22,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

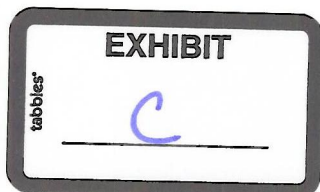
Monday - Friday
8:00 AM to 5:00 PM



Access Court Rulings

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



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.)

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Suite 202
Minneapolis, MN 55415
(612) 664-5000

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

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515 West First Street
Suite 417
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118 South Mill Street
Suite 212
Fergus Falls, MN 56537
(218) 739-5758