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**In The United States District Court
For The District Of New Jersey
Camden Vicinage**

Commodity Futures Trading Commission,
Plaintiff,

vs.

Equity Financial Group LLC,
Tech Traders, Inc., Tech Traders, Ltd.,
Magnum Investments, Ltd., Magnum
Capital Investments, Ltd., Vincent J. Firth,
Robert W. Shimer, Coyt E. Murray, and
J. Vernon Abernethy,
Defendants.

Hon. Robert B. Kugler

**Civil Action No: 04-1512
(RBK)**

First Amended Complaint For
Injunctive And Other Equitable
Relief And Civil Monetary
Penalties Under The
Commodity Exchange Act,
7 U.S.C. §§ 1 *et seq.*

I. The Parties

1. The parties to this action are as follows:

a. Plaintiff Commodity Futures Trading Commission (“Commission” or “CFTC”) is an independent federal regulatory agency that is charged with responsibility for administering and enforcing the provisions of the Commodity Exchange Act, as amended (the “Act”), 7 U.S.C. §§ 1 *et seq.* (2002), and the Regulations promulgated thereunder, 17 C.F.R. §§ 1 *et seq.* (2004). The agency’s principal office and headquarters is located at Three Layette Centre, 1155 21st Street, NW, Washington, DC 20581, although this matter is being prosecuted through its Chicago Regional Office at 525 West Monroe Street, Suite 1100, Chicago, Illinois 60661.

b. Defendant Equity Financial Group, LLC, (“Equity”) is a New Jersey limited liability company formed on September 1, 1998, with an address of 3 Aster Court, Medford, New Jersey 08055. Equity is not registered with the CFTC in any capacity. It is the commodity pool operator (“CPO”) and manager of a commodity pool organized as Shasta Capital Associates, LLC (“Shasta”), a Delaware company.

c. The Tech Traders Common Enterprise Defendants consist of at least two domestic and two foreign companies, identified below, which are controlled by the same persons, generally share ownership, offices, and employees, and commingle funds received from investors. In substance, there is no meaningful distinction among the entities, which operate as a common enterprise and are collectively referred to as “Tech Traders.”

i. Defendant Tech Traders, Inc. is a Delaware corporation located in Gastonia, North Carolina.

ii. Defendant Tech Traders, Ltd. is a foreign corporation organized under the laws of the Bahamas. It is a sister company to Tech Traders, Inc. and was party to a “Service Agreement” dated June 1, 2001, purportedly providing that Tech Traders, Ltd. would place investment funds with Tech Traders, Inc. for trading.

iii. Defendant Magnum Investments, Ltd. (“Magnum”) was incorporated as a South Carolina corporation in 1991, but is not in good standing. On information and belief, it is doing business as Magnum. Magnum was party to a “Service Agreement” dated June 1, 2001, purportedly providing that Magnum would place investment funds with Tech Traders, Inc. for trading.

iv. Defendant Magnum Capital Investments, Ltd. (“MCI”) is a foreign corporation organized under the laws of the Bahamas. It is a sister company to Magnum Investments, Ltd. and was party to a “Service Agreement” dated June 1, 1999, purportedly providing that MCI would send investment funds for placement with Magnum for trading.

d. Defendant Vincent J. Firth resides in Medford, New Jersey and is the President and sole shareholder of Equity.

e. Defendant Robert W. Shimer resides in Leesport, Pennsylvania and is legal counsel for Shasta and Equity.

f. Defendant Coyt E. Murray resides in or about Tega Cay, South Carolina and is President and Chief Executive Officer of Tech Traders, Inc., Chief Executive Officer of Tech Traders, Ltd., President of Magnum Capital Investments Ltd. and was a registered agent of Magnum Investments, Ltd.

