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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., Vincent J. Firth, and
Robert W. Shimer,
Defendants.

Hon. Robert B. Kugler

Civil Action No: 04-1512 (RBK)

Motion for Leave to File a 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.

Pursuant to Federal Rule of Civil Procedure 15(a), the Commodity Futures Trading Commission (“Plaintiff” or “CFTC”) respectfully requests leave to file its First Amended Complaint. In support Plaintiff states as follows:

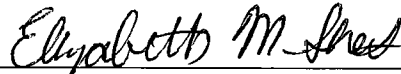
1. On April 1, 2004, upon learning that a fraud was being committed and that investor funds were in danger of being dissipated, Plaintiff filed on an emergency basis a Complaint for Injunctive and Other Equitable Relief and Civil Monetary Penalties Under the Commodity Exchange Act (“Complaint”), along with a Motion for an *Ex Parte* Statutory Restraining Order and Order Appointing A Receiver seeking to freeze assets, preserve books and records, appoint a receiver and otherwise maintain the status quo. Based on the allegations in the Complaint and supporting brief and declarations, this Court entered a Statutory Restraining Order and Order Appointing a Receiver against Defendants Equity Financial Group, LLC, Tech Traders, Inc., Vincent J. Firth and Robert W. Shimer the same day.

2. Plaintiff has now undertaken discovery in this matter and, as set out in the proposed First Amended Complaint, has learned that the fraud committed in this case was much more extensive than was originally known and that other parties besides the originally named Defendants are liable for that fraud under the Commodity Exchange Act, as amended 7 U.S.C. §§ 1 *et seq.* (2002). Justice requires that the complaint be amended to expand the charges and to name other responsible parties. Therefore, the Plaintiff seeks to amend the complaint to expand the charges against the originally named Defendants and to add as Defendants three entities – Tech Traders, Ltd., Magnum Investments, Ltd., and Magnum Capital Investments, Ltd. – and two individuals – Coyt E. Murray and J. Vernon Abernethy.

For the above reasons, Plaintiff respectfully requests leave of Court to file the attached
First Amended Complaint.

Date: June 24, 2004

Respectfully submitted,



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PROPOSED ORDER

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For The District Of New Jersey
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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)**

**PROPOSED ORDER GRANTING LEAVE TO FILE A FIRST AMENDED
COMPLAINT**

Upon motion of the Plaintiff Commodity Futures Trading Commission, and it appearing that justice so requires,

IT IS HEREBY ORDERED THAT leave is granted Plaintiff Commodity Futures Trading Commission to file the First Amended Complaint attached to its Motion seeking leave to amend.

SO ORDERED _____, 2004

Hon. Robert B. Kugler
UNITED STATES DISTRICT JUDGE

