

**In The United States District Court
For The Northern District Of Illinois
Eastern Division**

<p>Commodity Futures Trading Commission, Plaintiff,</p> <p>vs.</p> <p>Charles Lee Harris and Tradewinds International, L.L.C., an Illinois Limited Liability Company, Defendants.</p>	<p>Civil Action No: 04C 5723</p> <p>The Honorable Judge Hart</p> <p>Magistrate Judge Schenkier</p> <p style="text-align:center"><u>RESTRAINING ORDER</u> <u>and ASSET FREEZE</u></p>
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EX PARTE STATUTORY RESTRAINING ORDER AND ASSET FREEZE

This Court is the Acting Emergency Judge. The Court having read the Complaint for Injunctive and Other Equitable Relief, the Plaintiff's Motion for *Ex Parte* Statutory Restraining Order ("SRO"), the Declarations of Robert Laskas, Roger Vail and Greg Stein, three pool participants, and Mary Beth Spear, Senior Futures Trading Investigator with the Commission, and exhibits thereto and the Brief in Support of Plaintiff's Motion for SRO and Preliminary Injunction submitted in support of its motions, and all other papers filed by the Plaintiff, Commodity Futures Trading Commission ("Commission"):

THE COURT FINDS:

1. The Court has jurisdiction over the subject matter.
2. Section 6c of the Commodity Exchange Act, as amended ("Act"), 7 U.S.C. § 13a -1 (2002), permits this Court to enter an *ex parte* statutory restraining order.
3. It appears to the satisfaction of the Court that there is good cause to believe that Defendants Charles Lee Harris and Tradewinds International, L.L.C. (collectively "the

Defendants”), have engaged, are engaging and are about to engage in violations of Sections 4b(a)(2)(i)-(iii), 4c(b), 4m(1), 4k(2) and 4o(1) of the Act, 7 U.S.C. §§ 6b(a)(2)(i)- (iii), 6c(b), 6m(1), 6k(2) and 6o(1), and Commission Regulation 33.10(b), 17 C.F.R. § 33.10(b) (2004).

4. It further appears to the satisfaction of the Court that this is a proper case for granting an *ex parte* restraining order to preserve the *status quo*.

IT IS HEREBY ORDERED THAT:

I.

Statutory Restraining Order and Asset Freeze

5. Defendants Charles Lee Harris, Tradewinds International, L.L.C., and all persons insofar as they are acting in the capacity of their agents, successors, assigns, and attorneys, and all persons insofar as they are acting in active concert or participation with them who receive actual notice of such order by personal service or otherwise, shall be prohibited from directly or indirectly:

- A. Withdrawing, transferring, removing, dissipating, concealing or disposing of funds, assets or other property, wherever situated, within or outside the United States, including but not limited to, all funds, personal property, money or securities held in safes, safety deposit boxes and all funds on deposit in any financial institution, bank or savings and loan account held by, under the control (directly or indirectly), or in the name of the Defendants including, but not limited to, any accounts in the name of or under the control of Tradewinds International, L.P., Tradewinds International II, L.P., and Charles L. Harris International. The assets affected by this Section shall include both existing assets and assets acquired after the issuance of this Order.
- B. Destroying, altering, concealing or disposing of any books, records, documents, correspondence, brochures, manuals, electronically stored data, meta data, tape recordings or other property, wherever stored or located concerning the Defendants and/or Tradewinds International, L.P., Tradewinds International II, L.P., and Charles L. Harris International.

6. **IT IS FURTHER ORDERED THAT:** Each firm, corporation or other person or entity with notice, including, but not limited to, Bank One, Burling Bank, and First Federal Bank of North Florida, which holds, or which is a depository of funds, securities, property, or other assets of or under the control of the Defendants and/or Tradewinds International, L.P., Tradewinds International II, L.P, and Charles L. Harris International, including funds and property of investors, is prohibited from transferring, withdrawing, removing or disposing of any such funds, securities, property, or other assets until further order of this Court.

II.
Service of Order

8. **IT IS FURTHER ORDERED** that, copies of this Order may be served by any means, including facsimile transmission, electronic mail or data transfer, upon any financial institution or other entity or person that may have possession, custody or control of any documents or assets of the Defendants or that may be subject to any provision of this Order.

9. **IT IS FURTHER ORDERED** that Hugh Rooney, Jr., Senior Futures Investigator with the Commodity Futures Trading Commission, or Mary E. Spear, Senior Futures Investigator with the Commodity Futures Trading Commission, is appointed to serve process, including the summons and complaint, and all other papers in this cause.

III.
Service on the Commission

10. **IT IS FURTHER ORDERED** that the Defendants shall serve all pleadings, correspondence, notices required by this Order, and other materials on the Commission by delivering a copy to Jennifer S. Diamond, Trial Attorney or Ava M. Gould, Senior Trial Attorney, Division of Enforcement, Commodity Futures Trading Commission, 525 W. Monroe, Suite 1100,

Chicago, Illinois 60661. Electronic Transmission of pleadings and correspondence to the Commission will not be accepted until expressly agreed to by Commission staff.

IV.

Order Shall Remain In Effect Until Court Orders Otherwise

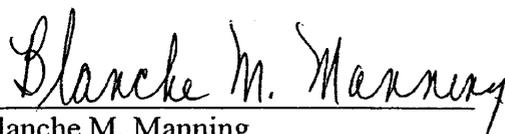
11. **IT IS FURTHER ORDERED** that this *Ex Parte* Statutory Restraining Order shall remain in full force and effect until further order of this Court.

V.

Further Hearings

12. **IT IS FURTHER ORDERED** that this matter is set for status hearing before Judge Hart on September 8, 2004 at 11:45 a.m. without further notice. All pending motions are entered and continued generally to this date.

DATE: September 1, 2004



Blanche M. Manning
United States District Judge