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Attorneys for Defendants Equity Financial Group LLC,
Vincent J. Firth and Robert W. Shimer

**UNITED STATES DISTRICT COURT
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. :
-----X

Civil Action No. 04-1512

**CROSS-CLAIMS OF
DEFENDANTS EQUITY
FINANCIAL GROUP LLC,
VINCENT J. FIRTH AND
ROBERT W. SHIMER**

Defendants Equity Financial Group LLC, Vincent J. Firth and Robert W. Shimer,
by their attorneys, Witman, Stadtmauer & Michaels, P.A., for their cross-claims against

defendants Tech Traders, Inc., Tech Traders, Ltd., Magnum Investments, Ltd., Magnum Capital Investments, Ltd., Coyt E. Murray and J. Vernon Abernethy, allege as follows:

AS AND FOR A FIRST CROSS-CLAIM AGAINST CO-DEFENDANTS

1. If investors in Shasta Capital Associates, LLC (“Shasta”) sustained losses as alleged in the Amended Complaint, such damages on information and belief were due to and caused solely by the breach of contract, obligation or warranty, culpable conduct, negligence, fault, want of care, or fraud of defendants Tech Traders, Inc., Tech Traders, Ltd., Magnum Investments, Ltd., Magnum Capital Investments, Ltd., Coyt E. Murray and J. Vernon Abernethy (hereinafter, “co-defendants”), who either converted the funds invested with them by Shasta, or misrepresented Tech Traders, Inc.’s trading performance, or both, and on whose representations regarding Tech Traders, Inc.’s trading performance defendants Equity Financial Group LLC, Vincent J. Firth and Robert W. Shimer reasonably relied.

2. If a verdict or judgment is rendered against any of defendants Equity Financial Group LLC, Vincent J. Firth or Robert W. Shimer by reason of any of the acts or omissions alleged in the Amended Complaint, such verdict or judgment on information and belief will have been brought about by the breach of contract, obligation or warranty, culpable conduct, negligence, fault, want of care or fraud of co-defendants.

3. By reason of the foregoing, Equity Financial Group LLC, Vincent J. Firth and Robert W. Shimer are entitled to indemnification from, and to have judgment against co-defendants, together with the costs and disbursements of this action.

AS AND FOR A SECOND CROSS-CLAIM AGAINST CO-DEFENDANTS

4. If investors in Shasta Capital Associates, LLC (“Shasta”) sustained losses as alleged in the Amended Complaint, such damages on information and belief were due to and caused by the breach of contract, obligation or warranty, culpable conduct, negligence, fault, want of care, or fraud of defendants Tech Traders, Inc., Tech Traders, Ltd., Magnum Investments, Ltd., Magnum Capital Investments, Ltd., Coyt E. Murray and J. Vernon Abernethy (hereinafter, “co-defendants”), who either converted the funds invested with them by Shasta, or

misrepresented Tech Traders, Inc.'s trading performance, or both, and on whose representations regarding Tech Traders, Inc.'s trading performance defendants Equity Financial Group LLC, Vincent J. Firth and Robert W. Shimer reasonably relied.

5. If a verdict or judgment is rendered against any of defendants Equity Financial Group LLC, Vincent J. Firth or Robert W. Shimer by reason of any of the acts or omissions alleged in the Amended Complaint, such verdict or judgment on information and belief will have been brought about by the breach of contract, obligation or warranty, culpable conduct, negligence, fault, want of care or fraud of co-defendants.

6. By reason of the foregoing, Equity Financial Group LLC, Vincent J. Firth and Robert W. Shimer are entitled to apportionment and contribution from co-defendants.

WHEREFORE defendants Equity Financial Group LLC, Vincent J. Firth and Robert W. Shimer respectfully request judgment in their favor (i) dismissing the Amended Complaint as to them, (ii) awarding them judgment, if necessary, against co-defendants on their cross-claims, (iii) awarding them their costs and disbursements incurred in this action, and (iv) granting them such other and further relief as the Court may deem just and proper.

Dated: Florham Park, New Jersey
February 2, 2005

WITMAN, STADTMAUER
& MICHAELS, P.A.

By: ___s/Lewis Cohn_____
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