

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

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COMMODITY FUTURES
TRADING COMMISSION,

Plaintiff,

v.

*

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,

Civil Action No. 04-1512

Honorable Robert B. Kugler

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**NOTICE OF MOTION
FOR RELIEF FROM THE
COURT IMPOSED STAY**
Return Date:

Defendants.

TO: Elizabeth M. Streit, Lead Trial Attorney
Scott R. Williamson, Deputy Regional Counsel
Rosemary Hollinger, Regional Counsel
Commodity Futures Trading Commission
525 West Monroe Street, Suite 1100
Chicago, Illinois 60661

Paul Blaine
Assistant United States Attorney
for the District of New Jersey
Camden Federal Building & U.S. Courthouse
401 Market Street, 4th Floor
Camden, NJ 08101

Honorable Robert B. Kugler
Mitchell H. Cohen U.S. Courthouse
Room 6040
1 John F. Gerry Plaza
Camden, NJ 08101

Vincent J. Firth
3 Aster Court
Medford, New Jersey 08055

Sir/Madam:

PLEASE TAKE NOTICE that the undersigned counsel to Eastern Savings Bank, FSB (hereinafter "Secured Creditor") shall move before the Hon. Robert B. Kugler of the Federal District Court of New Jersey, at 1 John F. Gerry Plaza, Camden, New Jersey, on the 2nd day of December, 2005 at 9:00 a.m. or as soon thereafter as counsel may be heard, for the following relief:

A. For an Order for Relief from the Court Imposed Stay to permit movant to proceed against Vincent J. Nirth (hereinafter "Debtor(s)") and to foreclose upon residential real property upon which the Debtor(s) may have an interest, by reason of the failure of the Debtor(s) to make the regular mortgage payments; and

B. For such other and further relief as is just.

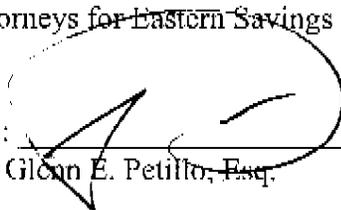
PLEASE TAKE FURTHER NOTICE that in support of this Motion, Petillo & Walters, P.A. will rely upon the Certification of the Secured Creditor.

STATEMENT REGARDING BRIEF

PLEASE TAKE FURTHER NOTICE that the undersigned believes that no brief is necessary because no real or complex issues of law are contemplated. Movant relies on clear statutory language as the basis for relief, and the moving papers give adequate notice of movant's theory of relief and relevant fact. Therefore, no brief is submitted.

PLEASE TAKE FURTHER NOTICE that unless timely responsive papers are filed in accordance with the appropriate rules, this Motion shall be deemed uncontested.

PETILLO & WALTERS, P.A.
Attorneys for ~~Eastern Savings Bank~~, FSB

BY: 

Glenn E. Petillo, Esq.

Dated: October 21, 2005