

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS

COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

v.

ADEN RUSFELDT and  
RUSFELDT INVESTMENTS LLP  
d/b/a Currency Trading Made Easy,

Defendants.

Civil Action No. 07-130

~~RESTRAINING ORDER~~  
**STATUTORY RESTRAINING ORDER  
TO PRESERVE BOOKS AND RECORDS  
AND  
ORDER TO SHOW CAUSE WHY THIS COURT  
SHOULD NOT ENTER A PRELIMINARY INJUNCTION  
AGAINST THE DEFENDANTS**

Plaintiff, the Commodity Futures Trading Commission ("Commission"), has filed a complaint for permanent injunction and other relief, and moved *ex parte*, pursuant to Section 6c of the Commodity Exchange Act (the "Act"), 7 U.S.C. § 13a-1 (2002), for a Statutory Restraining Order prohibiting the Defendants Aden Rusfeldt and Rusfeldt Investments LLP from destroying, altering or disposing of, or refusing to permit authorized representatives of the Commission to inspect and copy, when and as requested, any books, records, electronically stored data, including computers and computer data, or other documents wherever they may be.

As it appears that the Court has jurisdiction over the subject matter of this case, that venue properly lies with this Court, that Section 6c of the Act, 7 U.S.C. § 13a-1 (2002), authorizes *ex parte* relief, that there is good cause to believe that the Defendants have engaged in, are engaging in or are about to engage in violations of the Act, and that this is a proper case

TRUE COPY I CERTIFY  
ATTEST: 3/13/07  
MICHAEL N. MILBY, Clerk  
By [Signature]  
Deputy Clerk

for granting an *ex parte* statutory restraining Order to preserve the status quo, protect public customers from loss and damage, and enable the Commission to fulfill its statutory duties, the Court orders as follows:

### **DEFINITIONS**

For the purposes of this Order, the following definitions apply:

1. The term "document" is synonymous in meaning and equal in scope to the usage of the term in Federal Rule of Civil Procedure 34(a), and includes, but is not limited to, writings, drawings, graphs, charts, photographs, audio and video recordings, computer records, and other data compilations from which information can be obtained and translated, if necessary, through detection devices into reasonably usable form. A draft or non-identical copy is a separate document within the meaning of the term.

2. "Defendants" means Aden Rusfeldt ("Rusfeldt") and Rusfeldt Investments LLP ("Rusfeldt Investments"), and any person insofar as he or she is acting in the capacity of an officer, agent, servant, employee, or attorney of Rusfeldt or Rusfeldt Investments, and any person who receives actual notice of this Order by personal service or otherwise insofar as he or she is acting in concert or participation with Rusfeldt or Rusfeldt Investments.

### **I.**

### **MAINTENANCE OF AND ACCESS TO BUSINESS RECORDS**

**IT IS HEREBY ORDERED** that the Defendants and all persons or entities who receive notice of this Order by personal service or otherwise, are restrained and enjoined from directly or indirectly destroying, mutilating, erasing, altering, concealing or disposing of, in any manner, directly or indirectly, any documents that relate to the business practices or business finances of any Defendant.

**II.**

**INSPECTION AND COPYING OF BOOKS AND RECORDS**

**IT IS FURTHER ORDERED** that representatives of the Commission be immediately allowed to inspect the books, records, and other documents of the Defendants and their agents including, but not limited to, paper documents, electronically stored data, tape recordings, and computer discs, wherever they may be situated and whether they are in the possession of the Defendants or others, and to copy said documents, data and records, either on or off the premises where they may be situated.

**III.**

**SERVICE OF ORDER**

**IT IS FURTHER ORDERED** that copies of this Order may be served by any means, including facsimile and e-mail transmission, upon any entity or person that may have possession, custody, or control of any documents of the Defendants or that may be subject to any provision of this Order, and, additionally, that representatives of the Commission are specially appointed by the Court to effect service. Service of the summons, Complaint or other process may be effected by U.S. Marshal or Deputy U.S. Marshal, or in accordance with Fed. R. Civ. P. 4.

**IV.**

**SERVICE ON THE COMMISSION**

**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 Christine M. Ryall, Division of Enforcement, Commodity Futures Trading Commission, 1155 21st Street, N.W., Washington, D.C. 20581.

V.

ASSISTANCE OF UNITED STATES MARSHAL SERVICE

IT IS FURTHER ORDERED that the United States Marshals Service is directed to assist the Commission in the service of the summons, complaint, and this statutory restraining order on the Defendants.

VI.

ORDER TO SHOW CAUSE

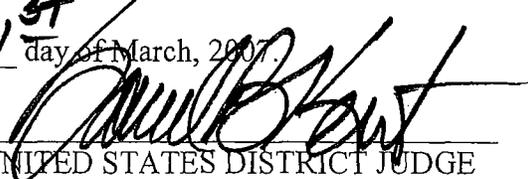
IT IS FURTHER ORDERED that the Defendants shall appear before this Court on the 21<sup>ST</sup> day of March, 2007, at 10:00A m., before the Honorable SAMUEL B. KENT at the United States Courthouse for the Southern District of Texas at Galveston, Texas, to show cause why this Court should not enter a preliminary injunction enjoining the Defendants from further violations of the Act and the Commission's Regulations, and ordering any additional relief this Court deems appropriate. Should any party wish to file a memorandum of law or other papers concerning the issuance of a preliminary injunction against the Defendants, such materials shall be filed, served and received by all parties at least two (2) days before the hearing ordered above.

VII.

FORCE AND EFFECT

IT IS FURTHER ORDERED that this Order shall remain in full force and effect until further order of this Court, and that this Court retains jurisdiction of this matter for all purposes.

SO ORDERED, at Galveston, Texas, this 21<sup>ST</sup> day of March, 2007.

  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF TEXAS