

(Docket No. 285)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

_____	:	
COMMODITY FUTURES TRADING	:	
COMMISSION,	:	
	:	Civil No. 04-1512 (RBK)
Plaintiff,	:	
v.	:	
	:	ORDER
EQUITY FINANCIAL GROUP,	:	
et al.,	:	
	:	
Defendants.	:	
_____	:	

THIS MATTER having come before the Court on motion by Stephen T. Bobo, the Equity Receiver of Defendants Equity Financial Group, LLC, Tech Traders, Inc., Robert W. Shimer and others (the "Receiver") to Order a turnover of funds by McDermott Will & Emery ("MWE");

IT APPEARING TO THE COURT that Tech Traders, Inc., and Tech Traders, Ltd., retained MWE as legal counsel on December 31, 2003, that Coyt E. Murray retained MWE as legal counsel in February 13, 2004, and that, over the course of this representation, Tech Traders, Inc., transferred retainer funds in the amount of \$246,000.00 to MWE;

IT FURTHER APPEARING TO THE COURT that \$164,362.43 of this retainer currently remains in a frozen account in MWE's possession, that MWE claims entitlement to \$78,651.26 in attorney

fees for services provided in March and April 2004, and that the Receiver disputes the amount of fees, if any, to which MWE is entitled;

THE COURT NOTING that the Receiver served MWE with a third party subpoena on April 27, 2005, to obtain documents related to MWE's representation of Tech Traders, Inc., Tech Traders, Ltd., and Coyt E. Murray, and that the Receiver filed a motion to compel these documents from MWE on December 5, 2005, in the United States District Court for the District of Columbia;

THE COURT FINDING THAT these documents may bear on the reasonableness of MWE's fees and therefore it would be premature to grant the Receiver's motion and order a complete turnover of funds prior to the disposition of the currently pending motion to compel;

IT IS hereby **ORDERED** that the Receiver's motion for a turnover of funds by MWE is **DENIED without prejudice**.

Dated: April 17, 2006

S/Robert B. Kugler
ROBERT B. KUGLER
United States District Judge