

[Doc. No. 391, 393]

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

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

EQUITY FINANCIAL GROUP, LLC,
et al.,

Defendants.

Civil No. 04-1512-RBK-AMD

ORDER

THIS MATTER having come before the Court by way of motions by Defendant Robert W. Shimer [No. 391] and Defendant Vincent J. Firth [No. 393] seeking a stay of the Court's Order of September 1, 2006 requiring Defendants Shimer and Firth to produce copies of certain income tax returns, pending appeal of the September 1, 2006 Order to the District Judge and pending resolution of Defendants' summary judgment motions; and

The Court noting that the District Court by Order dated November 16, 2006 denied Defendants' motions for summary judgment. Thereafter, Defendants Shimer and Firth filed motions for the reconsideration of the November 16, 2006 Order. By Order dated December 18, 2006 the District Court granted Defendants' motions for reconsideration, and upon reconsideration the District Court

denied Defendants' motions for summary judgment. By Order dated March 14, 2007, the District Court denied Defendants' appeal of this Court's September 1, 2006 Order compelling the production of certain tax records; and the Court finding that Defendants have asserted no other basis for the stay; and the Court having considered this matter pursuant to FED. R. CIV. P. 78; and for good cause shown,

IT IS on this 16th day of March, 2007

ORDERED that Defendants' motions to stay are hereby **DENIED** as moot.

s/ Ann Marie Donio

ANN MARIE DONIO
United States Magistrate Judge

cc: Hon. Robert B. Kugler