Elizabeth M. Streit, Lead Trial Attorney Jennifer S. Diamond, Trial Attorney Rosemary Hollinger, Regional Counsel Commodity Futures Trading Commission 525 West Monroe Street, Suite 1100 Chicago, Illinois 60661 312-596-0537 ES-2235 JD-5642 RH-6870

Paul Blaine

Assistant United States Attorney for the District of New Jersey Camden Federal Building & U.S. Courthouse 401 Market Street, 4th Floor Camden, New Jersey 08101 856-757-5412 PB-5422

In The United States District Court For The District Of New Jersey Camden Vicinage

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.

Hon. Robert B. Kugler District Court Judge

Hon. Ann Marie Donio Magistrate

Civil Action No: 04-1512 (RBK)

Motion to Amend the Judgment

Pursuant to Federal Rule of Civil Procedure 59, the Commodity Futures Trading Commission ("the Commission") moves to amend the judgment entered February 4, 2008 (Docket Doc. 594) for the reasons set forth below:

- 1. In its Supplemental Post-Trial Brief (Docket Doc. 564), the Commission asked the Court to award the victims of the Defendants' fraud, the Shasta investors, restitution for the principal still owed to them after the Receiver's final distribution of the funds. *See* Post-Trial Brief at 17. Because the Receiver had not yet made his final distribution at the time the Commission filed its Brief, the Commission did not then have a final figure as to the amount of restitution owed by the Defendants. Therefore, it requested that the Court order restitution and pre-judgment interest in an amount to be fixed after the Receiver made his final distribution. *Id.*
- 2. The Receiver has now made his final distribution. *See* Affidavit of Stephen T. Bobo Concerning Final Distribution Schedules (Docket Doc. 595). Therefore, the Commission is now able to present to the Court a final, fixed restitution amount.
- 3. As set forth in the Declaration of Joy McCormack, the total restitution owed to Shasta pool investors after the final distribution is \$4,132,635.81. See Declaration of Investigator Joy McCormack In Support Of CFTC's Motion To Amend Judgment, attached as Exhibit A hereto ("McCormack Declaration") at 4. Ms. McCormack has computed prejudgment interest on that amount, on a quarterly basis from April 1, 2004 (the date the suit was filed) through January 31, 2008 at the underpayment rates established by the Internal Revenue Service, pursuant to 26 U.S.C. § 6621, for a total interest of \$1,193,124.35. The total amount of restitution and prejudgment interest owed to the Shasta investors is therefore \$5,325,760.16. See McCormack Declaration at 6.
- 4. The Commission requests therefore that the Court amend its judgment to award Shasta investors total restitution and prejudgment interest of \$5,325,760.16. The amounts owed individually to each investor from this total are set forth in Attachment A to the McCormack

Declaration. The Commission requests that this schedule be filed with and incorporated into an amended judgment.

- 5. Pursuant to Consent Orders of Permanent Injunction entered by the Court against Defendants Coyt E. Murray, Tech Traders, Inc., Tech Traders, Ltd., Magnum Capital Investments, Ltd. Magnum Investments, Ltd. ("the Murray Defendants") and J. Vernon Abernethy., these defendants also owe restitution to the Shasta investors. *See* Docket Doc. 377 and Docket Doc. 514. The Commission requests therefore that the restitution and prejudgment interest charged against Robert W. Shimer, Vincent J. Firth and Equity Financial Group be charged against them jointly and severally, with each other and also with the Murray Defendants, up to the total amount of \$5,325,760.16 and with Abernethy up to \$5,000,000.
- 6. The Court's Judgment also awards prejudgment interest from April 1, 2004 on the disgorgement and civil monetary penalties awarded against the Defendants. The Commission has now computed these amounts and requests that these amounts be added to an amended judgment as follows:

Disgorgement

- a. Violation amount as to Equity Financial Group, Inc. is \$612,500, plus interest of \$176,833.55, for a total disgorgement amount as to Equity of \$789,333.55;
- b. Violation amount as to Robert Shimer is \$1,452,117.00, plus interest of \$419,237.57, for a total disgorgement amount as to Shimer of \$1,871,354.57;
- c. Violation amount as to Vincent Firth is \$450,313, plus interest of \$130,008.90, for a total disgorgement amount as to Firth of \$580,321.90;

Civil Monetary Penalties

- **d**. Violation amount as to Equity Financial Group is \$1,725,040.00, plus interest of \$498,032.59, for a total civil penalty amount as to Equity of \$2,223,072.59;
- e. Violation amount as to Robert Shimer is \$2,904,234.00, plus interest of \$838,475.11, for a total civil penalty amount as to Shimer of \$3,742,709.11; and
- f. Violation amount as to Vincent Firth is \$900,626.00, plus interest of \$260,017.77, for a total civil penalty amount as to Firth of \$1,160,643.77. *See* McCormack Declaration at 6.
- 7. The Court's opinion notes that included in its award of disgorgement against Shimer are the amounts received by Kaivalya investors. *See* Opinion (Docket Doc. 593) at 34. The Commission requests that Shimer be ordered to pay a portion of his disgorgement obligation to these investors in the amounts set forth in Attachment B to the McCormack Declaration and that Attachment B be filed with and incorporated into the amended judgment.
- 8. The Court found that Shimer aided and abetted Tech Traders' violation of Commission Regulation 4.30, 17 C.F.R., § 4.30. See Opinion, Docket Doc, 593 at 31. However, the Commission neglected to include in its request for permanent injunctive relief in it Supplemental Post-Trial Brief a request that Defendant Shimer be prohibited from violating Regulation 4.30. Therefore, the Commission now requests that the Court's permanent injunction be extended to include a prohibition against Defendant Shimer engaging in conduct in violation of Regulation 4.30.
- 9. The Commission has filed with this motion a proposed Amended Judgment that sets forth everything requested in this Motion.

Date: February 12, 2008

Respectfully submitted,

Elizabeth M. Streit

Lead Trial Attorney

A.R.D.C. No. 06188119

Jennifer S. Diamond

Trial Attorney

A.R.D.C. No. 6278482

Commodity Futures Trading Commission

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EXHIBIT A DECLARATION OF JOY MCCORMACK

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856-757-5412
PB-5422

In The United States District Court For The District Of New Jersey Camden Vicinage

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.

Hon. Robert B. Kugler District Court Judge

Hon. Ann Marie Donio Magistrate

Civil Action No: 04-1512 (RBK)

DECLARATION OF INVESTIGATOR JOY MCCORMACK IN SUPPORT OF CFTC's MOTION TO AMEND JUDGMENT

EXHIBIT A

Declaration under penalty of perjury of Joy McCormack pursuant to 28 U.S.C. § 1746

I, Joy McCormack, hereby make the following declaration in support of CFTC's Motion to Amend Judgment:

- 1. I am the investigator assigned to the investigation conducted by the Division of Enforcement ("DOE") of the U.S. Commodity Futures Trading Commission ("CFTC") in the case of <u>CFTC v. Equity Financial Group</u>, et al.
- 2. In addition to various responsibilities in this matter, I participated extensively in the claims process conducted by the Receiver. I reviewed the final distribution schedules for the Shasta Capital Associates' commodity pool ("Shasta pool"), extensive bank records for Shasta, financial schedules prepared by the accountants of the Receiver, all court filings and orders, as well as the individual claim forms submitted by the investors of the Shasta pool.

Restitution

- 3. As a result of my review, I have prepared a final restitution schedule for the Shasta pool, attached as Attachment A, which is supported by the information contained in the Shasta Final Distribution Schedules filed by the Receiver at Docket No. 595 and with this Court's Orders found at Docket Nos. 580 and 585.
- 4. This schedule represents investors in the Shasta pool who had claims which were approved by this Court (see Attachment A, columns 1 and 2). It reflects the aggregated amount of their respective deposits (Attachment A, column 3), less withdrawals received from the Shasta pool prior to the filing of this matter (Attachment A, column 4), less distributions received directly or indirectly by the respective investor (Attachment A, column 5) for a net balance of principal still owed to the investor. The net balance of principal due to the investor is reflected as principal restitution owed (Attachment A, column 6). The total amount of principal owed to Shasta pool investors is \$4,132,635.81.

Disgorgement

5. Prior to the trial, I calculated the amount of money that Equity Financial Group, Robert Shimer and Vincent Firth, received directly or indirectly, from Tech Traders' for the operation of the Shasta pool. Those amounts constituted the disgorgement figures granted by this Court in its Judgment, Docket No. 594. The disgorgement does not constitute the principal lost by Shasta's investors. The principal still owed to Shasta's investors is reflected in the restitution amount stated in paragraph 4 above.

Prejudgment Interest

6. In accordance with the Judgment entered by this Court, I have calculated prejudgment interest on a quarterly basis from April 1, 2004 through January 31, 2008 at the underpayment rates established by the Internal Revenue Service, pursuant to 26 U.S.C. § 6621. Those amounts are as follows:

Restitution

a. Violation amount of \$4,132,635.81, plus interest of \$1,193,124.35. This interest amount has been prorated by the Shasta Investors' restitution amount as reflected in the Shasta Restitution Schedule, Attachment A at Columns 7 and 8. The total net restitution amount due to Shasta pool investors including balance of principal due, plus prejudgment interest is \$5,325,760.16 (Attachment A at Column 9);

Disgorgement

- b. Violation amount as to Equity Financial Group, Inc. is \$612,500, plus interest of \$176,833.55, for a total disgorgement amount as to Equity of \$789,333.55;
- c. Violation amount as to Robert Shimer is \$1,452,117.00, plus interest of \$419,237.57, for a total disgorgement amount as to Shimer of \$1,871,354.57;

d. Violation amount as to Vincent Firth is \$450,313, plus interest of \$130,008.90, for a total disgorgement amount as to Firth of \$580,321.90;

Civil Monetary Penalties

- e. Violation amount as to Equity Financial Group is \$1,725,040.00, plus interest of \$498,032.59, for a total civil penalty amount as to Equity of \$2,223,072.59;
- f. Violation amount as to Robert Shimer is \$2,904,234.00, plus interest of \$838,475.11, for a total civil penalty amount as to Shimer of \$3,742,709.11; and
- g. Violation amount as to Vincent Firth is \$900,626.00, plus interest of \$260,017.77, for a total civil penalty amount as to Firth of \$1,160,643.77.

Portion of Shimer's Disgorgement Obligation to the Investors

- 7. In addition, Shimer directed that certain Shasta and Universe pool participants receive repayments of funds traceable to Tech Traders for their earlier and Kaivalya and Edgar investments.
- a. As a result of those repayments, the distributions on their Shasta and Universe claim amounts were reduced, as recommended by the Receiver, Mr. Stephen Bobo, pursuant to orders of this Court;
- b. I analyzed the reduction in their distribution amounts and compiled a summary of the analysis in a chart.
- c. The chart, which is attached as Attachment B reflects the net reduction amounts of such investors' distributions. It also reflects the pro rata share of the total prejudgment interest on the disgorgement to be paid by Shimer for a net disgorgement due to these certain investors as reflected in the last column.

The Receiver and I have conferred about the information contained in these attachments 8. and he has not indicated any objections to the figures contained therein. Additionally, the information contained in this declaration and its attachments is consistent with the information found at Docket Nos. 580, 585, 594, and 595.

Dated:

February 12, 2008

ATTACHMENT A

U.S. CFTC v. EQUITY FINANCIAL GROUP, et. al. NJ Case No. 04-cv-1512

NJ Case No. 04-cv-1512
Restitution Schedule as to Shasta Commodity Pool Participants

 .010001	OTZ RORA	VID .					-,2000 1	age 15
Total Restitution F. Due		\$169,004.67	\$37,556.59	\$43,190.08	\$37,175.36	\$56,334.89	\$195,262.21	\$75,113.19
Prorated Prejudgment Interest Amount	Total Interest of \$1,193,124.35	\$37,861.94	\$8,413.76	\$9,675.83	\$8,328.36	\$12,620.65	\$43,744.38	\$16,827.53
Share of Restitution Owed		3.17%	0.71%	0.81%	%02'0	1.06%	3.67%	1.41%
Principal Restitution Owed	Total Restitution owed \$4,132,635.81	\$131,142.74	\$29,142.83	\$33,514.25	\$28,847.00	\$43,714.25	\$151,517.83	\$58,285.66
Total Distributions by Receivership		\$318,857.27	\$70,857.17	\$81,485.75	\$0.00	\$106,285.76	\$368,396.77	\$141,714.34
Total Previous Withdrawals		\$0.00	\$0.00	\$0.00	\$71,133.00	\$0.00	\$0.00	\$0.00
Aggregate Funds invested		\$450,000.00	\$100,000.00	\$115,000.00	\$99,980.00	\$150,000.00	\$519,914.60	\$200,000.00
Claimant		A Wall Street Fund c/o Thomas Buckley	Aaron, Susan D. c/o Vanguard Fiduciary Trust Company	Acacia Fund	Ardill, Thomas A.	Batchelar, Robert Scott	BPU Banca Populare Commercio, Industria International SA c/o Massimo Munzin	Broadtree Reinsurance Co. c/o John Evans
Claim No.		~	2	ო	4	9	7	∞

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ATTACHMENT A

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Restitution Schedule as to Shasta Commodity Pool Participants U.S. CFTC v. EQUITY FINANCIAL GROUP, et. al. NJ Case No. 04-cv-1512

iaim No.	Claimant	Aggregate Total Funds Invested With	Total Previous Withdrawals	Previous Total Distributions drawals by Receivership	Pro Rata Fotal Distributions Principal Share of by Receivership Restitution Owed Restitution Owed Owed	Pro Rata Share of Restitution Owed	Prorated Prejudgment Interest Amount	Total Restitution Due
6	Bubonovich, Michael and Carol					%00.0		
19	Bubonovich, Michael c/o First Regional Bank				AND	%00.0		
otals	otals for Claim Numbers 9 and 10	\$372,789.00	\$0.00	\$264,147.74	\$108,641.26	2.63% ·	\$31,365.58	\$140,006.85
7	Castle Rock Company Limited c/o Nesrin Gunkut	\$499,968.00	\$0.00	\$354,263.18	\$145,704.82	3.53%	\$42,066.12	\$187,770.95
12	Chambers, James F. and Iva N.	\$100,000.00	\$36,500.00	\$34,357.17	\$29,142.83	0.71%	\$8,413.76	\$37,556.59
4	Chen, Jun	\$100,000.00	\$0.00	\$70,857.17	\$29,142.83	0.71%	\$8,413.76	\$37,556.59
15	Chung, Anita Li	\$150,000.00	\$0.00	\$106,285.76	\$43,714.25	1.06%	\$12,620.65	\$56,334.89
17	Corcoran, Steve	\$200,000.00	\$0.00	\$141,714.34	\$58,285.66	1.41%	\$16,827.53	\$75,113.19
8	Dent, Thomas c/o Vanguard Fiduciary Trust Company					00:00%		
19	Dent, Thomas W. and Barbara L.					%00.0		

ATTACHMENT A

U.S. CFTC v. EQUITY FINANCIAL GROUP, et. al. NJ Case No. 04-cv-1512

Restitution Schedule as to Shasta Commodity Pool Participants

Claim No.	Claimant	Aggregate Total Previous	10	Total Distributions by Receivership	otal Distributions Principal by Receivership Restitution Owed	Pro Rata Share of Restitution Owed	Prorated Prejudgment Interest Amount	Total Restitution Due
tals	Totals for Claim Numbers 18 and 19	\$375,000.00	\$0.00	\$265,714.39	\$109,285.61	2.64%	\$31,551.61	\$140,837.23
20	Deverett, Howard/Elexis Capital	の できない できない できない かんかん かんかん かんかん かんかん かんかん かんかん かんかん かん				0.00%		
21	Deverett, Howard	The state of the s				0.00%		
otals	Totals for Claim Numbers 20 and 21	\$400,000.00	\$0.00	\$283,428.68	\$116,571.32	2.82%	\$33,655.05	\$150,226.37
23	Freda, Richard R. and Marcia c/o Charles Schwab & Co.	\$75,000.00	\$0.00	\$53,142.88	\$21,857.12	0.53%	\$6,310.32	\$28,167.45
25	Gambrell, Byron	\$60,000.00	\$0.00	\$42,514.30	\$17,485.70	0.42%	\$5,048.26	\$22,533.96
26	Green, Marsha	\$152,000.00	\$0.00	\$114,400.03	\$37,599.97	0.91%	\$10,855.41	\$48,455.38
28	Heller, William D. and Janet E.	\$100,000.00	\$0.00	\$70,857.17	\$29,142.83	0.71%	\$8,413.76	\$37,556.59
29	Hirsch, Norman	\$205,000.00	\$0.00	\$145,257.20	\$59,742.80	1.45%	\$17,248.22	\$76,991.02
33	Kalb, Austin	\$100,000.00	\$0.00	\$70,857.17	\$29,142.83	0.71%	\$8,413.76	\$37,556.59

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ATTACHMENT A

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U.S. CFTC v. EQUITY FINANCIAL GROUP, et. al.

NJ Case No. 04-cv-1512

Restitution Schedule as to Shasta Commodity Pool Participants

Claim No.	Claimant	Aggregate Total Previous Funds Invested Withdrawals	S.F. Shirt	Total Distributions Principal by Receivership Restitution Owed	Principal Restitution Owed	Pro Rata Share of Restitution Owed	Prorated Prejudgment Interest Amount	Total Restitution Due
34	KCL Corporation c/o Faith and Cengiz Ozcelebi	\$200,482.00	\$0.00	\$142,055.87	\$58,426.13	1.41%	\$16,868.08	\$75,294.21
35	Kraus, Stephen J. c/o Lincoln Trust Company	\$136,000.00	\$0.00	\$96,365.75	\$39,634.25	0.96%	\$11,442.72	\$51,076.97
36	Leveque, Laurent	\$100,000.00	\$0.00	\$70,857.17	\$29,142.83	0.71%	\$8,413.76	\$37,556.59
37	List, Thomas c/o Millennium Trust Company	\$95,000.00	\$0.00	\$67,314.31	\$27,685.69	0.67%	\$7,993.08	\$35,678.77
38	Lopez, Alfred	\$25,000.00	\$0.00	\$17,714.29	\$7,285.71	0.18%	\$2,103.44	\$9,389.15
39	Loucks, Richard	\$95,000.00	\$60,000.00	\$7,314.31	\$27,685.69	0.67%	\$7,993.08	\$35,678.76
40	Marrongelle, Dr. Jeffrey L. and Barbara	\$100,000.00	\$0.00	\$70,857.17	\$29,142.83	0.71%	\$8,413.76	\$37,556.59
14	McManigal, Paul G.					%00.0		
42	McManigal, Paul G. IRA c/o Millennium Trust Company					0.00%		
Totals	Totals for Claim Numbers 41 and 42	\$466,000.00	\$366,000,00	\$0.00	\$100,000.00	2.42%	\$28,870.78	\$128,870.78

February 12, 2008

ATTACHMENT A

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February 12, 2008

U.S. CFTC v. EQUITY FINANCIAL GROUP, et. al.

NJ Case No. 04-cv-1512

Restitution Schedule as to Shasta Commodity Pool Participants

\$58,285.66	\$58,285.66	\$141,714.34 \$58,285.66	\$0.00 \$141,714.34 \$58,285.66
0,		\$141,714.34	\$0.00 \$141,714.34
38,114.22 \$56,885.78 1.38%		\$56,885.78	\$138,114.22
\$116,571.32	\$116,571,32	\$283,428.68 \$116,571.32	\$0.00 \$283,428.68 \$116,571.32
		\$283,428.68	\$0.00 \$283,428.68 \$0.00 \$34,011.44
		\$34,011.44	\$0.00 \$34,011.44
3,428.68 4,011.44 9,840.01	\$138,114.22 \$283,428.68 \$34,011.44 \$19,840.01		\$0.00
$\Delta + (0) + (0) + (1) + $	\$2, \$2, \$2, \$3, \$2, \$3, \$3, \$3, \$3, \$3, \$3, \$3, \$3, \$3, \$3		\$0.00

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U.S. CFTC v. EQUITY FINANCIAL GROUP, et. al. NJ Case No. 04-cv-1512

NJ Case No. 04-cv-1512 Restitution Schedule as to Shasta Commodity Pool Participants

Total Restitution Due			\$115,997.43	\$22,533.96	\$37,556.59			\$84,502.34			\$201,280.49
Prorated Prejudgment Interest Amount			\$25,986.78	\$5,048.26	\$8,413.76			\$18,930.97			\$45,092.65
Pro Rata Share of Restitution Owed	%00:0	%00:0	2.18%	0.42%	0.71%	0.00%	%00'0	1.59%	%00.0	%00.0	3.78%
Principal Restitution Owed			\$90,010.65	\$17,485.70	\$29,142.83			\$65,571.37			\$156,187.84
Total Previous Total Distributions Principal Withdrawals by Receivership Restitution Owed			\$113,849.70	\$42,514.30	\$70,857.17			\$159,428.63			\$379,751.32
Total Previous Withdrawals			\$105,000.00	\$0.00	\$0.00			\$0.00			\$0.00
Aggregate Total Previous Funds Invested Withdrawals			\$308,860.35	\$60,000.00	\$100,000.00			\$225,000.00			\$535,939.16
Claimant	Schulz, William C. and Diana	Schulz, William C. c/o Millenium Trust Co.	Totals for Claim Numbers 61, 62, and 6	Seward, Charles	G.W. Bond Management, LLC	Shimer, Stephen D.	Shimer, Stephen/ SDS Defined Benefit Plan	Totals for Claim Numbers 68 and 69	Stevenson, Nicholas c/o Millennium Trust Company	Stevenson, Nicholas	Totals for Claim Numbers 77 and 78
Claim No.	62	63	Totals 1	64	99	89	69	Totals 1	22	78	Totals f

ATTACHMENT A

U.S. CFTC v. EQUITY FINANCIAL GROUP, et. al.

NJ Case No. 04-cv-1512 Restitution Schedule as to Shasta Commodity Pool Participants

Claim No.	Claimant	Aggregate Funds Invested	Total Previous Withdrawals	Total Distributions Principal by Receivership Restitution Owed	Principal Restitution Owed	Pro Rata Share of Restitution Owed	Prorated Prejudgment Interest Amount	Total Restitution Due
79	Taleb, Nazih and May c/o Karim Taleb	\$100,000.00	\$0.00	\$70,857.17	\$29,142.83	0.71%	\$8,413.76	\$37,556.59
80	Tate Family Limited Partnership	\$430,000.00	\$0.00	\$304,685.83	\$125,314.17	3.03%	\$36,179.18	\$161,493.35
84	Tate, Philip	\$300,000.00	\$0.00	\$212,571.51	\$87,428.49	2.12%	\$25,241.29	\$112,669.78
82	Triester International Trading Corporation	\$200,000.00	\$0.00	\$141,714.34	\$58,285.66	1.41%	\$16,827.53	\$75,113.19
83	Unger, Kathrin	\$238,000.00	\$66,600.00	\$102,040.06	\$69,359.94	1.68%	\$20,024.76	\$89,384.69
84	Unger, Samuel S.	\$125,000.00	\$0.00	\$88,571.46	\$36,428.54	0.88%	\$10,517.20	\$46,945.74
85	Universe Capital Appreciation, LLC c/o David Perkins	\$3,079,500.00	\$432,435.00	\$1,685,826.76	\$961,238.24	23.26%	\$277,517.01	\$1,238,755.25
86	Valbracht, Walter William and Janice	\$170,000.00	\$0.00	\$120,457.19	\$49,542.81	1.20%	\$14,303.40	\$63,846.21
87	Wood, Dennis c/o Charles Schwab & Co.	\$53,000.00	\$0.00	\$37,554.30	\$15,445.70	0.37%	\$4,459.29	\$19,904.99

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U.S. CFTC v. EQUITY FINANCIAL GROUP, et. al.

NJ Case No. 04-cv-1512

Restitution Schedule as to Shasta Commodity Pool Participants

Claim No.	Claimant	Aggregate Total Pi Funds Invested Withdo	Total Previous	Total Previous Total Distributions Principal Withdrawals by Receivership Restitution Owed	Principal Restitution Owed	Pro Rata Share of Restitution Owed	Prorated Prejudgment Interest Amount	Total Restitution Due
88	Zinman, Don	\$250,000.00	\$0.00	\$177,142.93	\$72,857.08	1.76%	\$21,034.41	\$93,891.48
89	Zwyssig, Marco	\$99,965.00	\$0.00	\$70,832.37	\$29,132.63	0.70%	\$8,410.82	\$37,543.45
06	Hirn, Ron c/o Ryan Allan Ltd.	\$100,000.00	\$0.00	\$70,857.17	\$29,142.83	0.71%	\$8,413.76	\$37,556.59
91	Chicago Freight Car Leasing	\$300,000.00	\$0.00	\$212,571.51	\$87,428.49	2.12%	\$25,241.29	\$112,669.78
TOTALS	S.	\$14,108,398.11	\$1,137,668.00	\$8,838,094.30	\$4,132,635.81	100.00%	\$1,193,124.35	\$5,325,760.16

ATTACHMENT A

ATTACHMENT B

U.S. CFTC v. EQUITY FINANCIAL GROUP, et al.

SCHEDULE OF SHIMER DISGORGMENT TO BE REPAID TO INVESTOR CLAIMANTS AFFECTED BY REPAYMENTS FROM KAIVALYA AND EDGAR

		Tech Traders Funds Received from Kaivalyan	Pro Rata	Prorated	Total
Pool Invested With	Name of Investor Claimant	or Edgar which reduced their respective claim amounts	Disgorgement Owed	Prejudgment Interest Amount	Disgorgement Due
		Total Disgorgement Amount: \$496,107.48		Total Prejudgment Interest on Disgorgement: \$143,230,12	
Universe Capital Appreciation	COOPER, ROBERT	\$35,000.00	7.05%	\$10,104.77	\$45,104.77
Universe Capital Appreciation	GRAVES, AMANDA	\$25,000.00	5.04%	\$7,217.70	\$32,217.70
Shasta Capital Associates	GREEN, MARSHA	\$84,280.00	16.99%	\$24,332.30	\$108,612.30
Universe Capital Appreciation	GUBLER, CORY	\$15,000.00	3.02%	\$4,330.62	\$19,330.62
Shasta Capital Associates	LIST, THOMAS & NANCY	\$46,605.00	9.39%	\$13,455.23	\$60,060.23
Shasta Capital Associates	MARRONGELLE, JEFFREY & BARBARA	\$51,605.00	10.40%	\$14,898.77	\$66,503.77
Shasta Capital Associates	OMAHA-BOY, NANCY	\$138,617.48	27.94%	\$40,019.95	\$178,637.43
Universe Capital Appreciation	SCHMALZ, HARRY	\$20,000.00	4.03%	\$5,774.16	\$25,774.16
Universe Capital Appreciation	TRINIDAD/VICO/PINNACLE	\$50,000.00	10.08%	\$14,435.39	\$64,435.39
Universe Capital Appreciation	WEDEL, HARLAND & DONNA	\$30,000.00	6.05%	\$8,661.24	\$38,661.24
TOTALS:		\$496,107.48	100:00%	\$143,230.12	\$639,337.60

February 12, 2008

Attachment B