

of Sections 4b(a)(2)(i), 4b(a)(2)(ii), and 4d(a) of the Act, 7 U.S.C. §§ 6b(a)(2)(i), 6b(a)(2)(ii), and 6d(a) (2001).

4. It further appears to the satisfaction of the Court that this is a proper case for granting an *ex parte* restraining order to preserve the *status quo* and to protect public customers from further loss and damage.

IT IS HEREBY ORDERED THAT:

I.

Statutory Restraining Order and Asset Freeze

5. Defendant Krynski, and all persons insofar as they are acting in the capacity of his agent, successor, assigns, and attorneys, and all persons insofar as they are acting in active concert or participation with him who receive actual notice of such order by personal service or otherwise, shall be prohibited from directly or indirectly:

- A. Withdrawing, transferring, removing, dissipating or disposing of funds, assets or other property, wherever situated, including but not limited to, all funds, personal property, artwork, money or securities held in safes, safety deposit boxes and all funds on deposit in any financial institution, bank or savings and loan account held by, under the control, or in the name of the Defendant. The assets affected by this Section shall include both existing assets and assets acquired after the issuance of this Order;
- B. Destroying, mutilating, altering, concealing or disposing of any books, records, documents, correspondence, brochures, manuals, electronically stored data, tape recordings or other property, wherever stored concerning the Defendant; and
- C. Refusing to permit authorized representatives of the Commission to inspect; when and as requested, any books, records, electronically stored data or other documents, wherever stored concerning the Defendant.

6. **IT IS FURTHER ORDERED THAT:** Each firm, corporation or other person or entity with notice which holds, or which is a depository of funds, securities, property, or other assets of or under the control of the Defendant, including funds and property of investors, is prohibited from transferring, withdrawing, removing or disposing of any such funds, securities,

property, or other assets until further order of this Court. This Order may be served on any such entity by facsimile transmission.

7. IT IS FURTHER ORDERED that representatives of the plaintiff Commission be allowed to immediately inspect the books, records, and other electronically stored data, tape recordings, and other documents of the Defendant, and his agents and to copy said documents, data, and records either on or off the premises wherever they may be situated.

Service of Order and other Pleadings

8. IT IS FURTHER ORDERED that copies of this Order may be served by any means, including facsimile transmissions, electronic mail or data transfer, upon any financial institution or other entity or person that may have possession, custody or control of any documents or assets of the Defendant or that may be subject to any provision of this Order.

9. IT IS FURTHER ORDERED that Hugh J. Rooney and Joy H. McCormack, employees of the Commission, are hereby specially appointed to serve process, including the summons and complaint, and all other papers in this cause.

Service on the Commission

10. IT IS FURTHER ORDERED that the Defendant shall serve all pleadings, correspondence, notices required by this Order, and other materials on the Commission by delivering a copy to Jennifer S. Diamond, Trial Attorney or Elizabeth M. Streit, Senior Trial Attorney, Division of Enforcement, Commodity Futures Trading Commission, 525 W. Monroe, Suite 1100, Chicago, Illinois 60661.

Court Maintains Jurisdiction

11. IT IS FURTHER ORDERED that this *Ex Parte* Restraining Order shall remain in full force and effect until further Order of this Court, upon application, notice and an opportunity to be heard, and that this Court retains jurisdiction of this matter for all purposes.

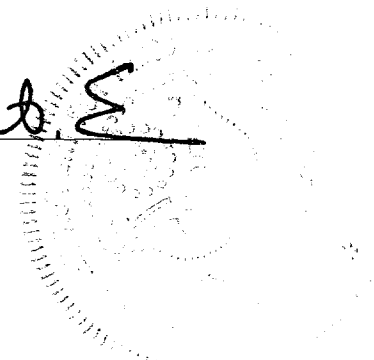
Further Court Hearings

13. IT IS FURTHER ORDERED that this matter is set for a status hearing on 12/8/03
9:30 A.M..

14. IT IS FURTHER ORDERED that plaintiff's Motion for a Preliminary Injunction is set for hearing on 12/8/03 at 9:30 A.M..

SO ORDERED:: NOV 26 2003

Amy J. St. E.



Time: 10:30 A.M.