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**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

**Civil Action No: 04-1512  
(RBK)(AMD)**

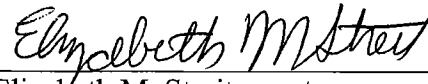
**CFTC'S  
MOTION FOR PARTIAL  
SUMMARY JUDGEMENT  
AGAINST DEFENDANTS  
EQUITY FINANCIAL  
GROUP, LLC, ROBERT. W.  
SHIMER AND VINCENT J.  
FIRTH**

**MOTION DATE: May 5,  
2006**

Pursuant to Fed. R. Civ. P. 56, plaintiff Commodity Futures Trading Commission ("CFTC" or "Commission") files this Motion for Summary Judgment ("Motion") against Defendants Equity Financial Group, LLC ("Equity"), Robert W. Shimer ("Shimer") and Vincent J. Firth ("Firth") on charges that they violated §§4k(2), §4m and 4o(1) of the Commodity Exchange Act ("the Act"), 7 U.S.C. §§ 6k(2), 6m and 6o(1) (2002). The Commission also moves for summary judgment on its charge that Shimer aided and abetted Equity's §4m violation and Tech Traders' violation of Regulation 4.30, 17 C.F.R. § 4.30 (2005). In support of this Motion, the Commission is filing a Statement Of Material Facts In Support Of The CFTC's Motion For Partial Summary Judgment Against Equity Financial Group, LLC, Robert W. Shimer And Vincent J. Firth; a Memorandum in Support of this Motion, and declarations and other materials in support of the Motion. Those items include the following: excerpts of the deposition transcripts of defendants Robert W. Shimer, Vincent J. Firth, and J. Vernon Abernethy, material witnesses Elaine Teague, Robert Collis, David Perkins and Susan Lee, and Shasta investors Nicholas Stevenson, Thomas List, Nancy Omaha Boy and Marcia Green; the Declaration of CFTC investigator Joy McCormack and the Affidavit of the Equity Receiver, Stephen T. Bobo; the Expert Report of Susan Koprowski, Vincent Firth's Response to the CFTC's Request to Admit, and various documents produced in discovery that were marked as exhibits in depositions.

Date: April 7, 2005

Respectfully submitted,



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