Matthew H. Adler (MA-4720) Jeffrey A. Carr (JC-1103) Pepper Hamilton LLP 300 Alexander Park CN 5276 Princeton, NJ 08543-5276 Tel: (609) 452-0808

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

COMMODITY FUTURES TRADING COMMISSION,))
Plaintiff,)
vs.	Civil Action No.: 04CV 1512
EQUITY FINANCIAL GROUP, LLC, TECH TRADERS, INC., TECH) Honorable Robert B. Kugler)
TRADERS, LTD., MAGNUM INVESTMENTS, LTD., MAGNUM CAPITAL INVESTMENTS, LTD.,))
VINCENT J. FIRTH, ROBERT W. SHIMER, COYT E. MURRAY, and J.)
VERNON ABERNETHY)
Defendants.	,)

AFFIDAVIT OF STEPHEN T. BOBO CONCERNING THE PROPOSED DISTRIBUTION PLANS OF CMP FUND AND DRL TWENTY PLUS FUND

Stephen T. Bobo first being duly sworn, states as follows:

1. I am filing this affidavit in connection with CMP Fund and DRL Twenty Plus Fund's proposed distribution plans for allocating the provisional pro rata distribution to their respective Tier 3 investors, submitted to me on January 17, 2006 and January 24, 2006, respectively.

- 2. I have personal knowledge of the contents of this affidavit and I am competent to testify as to them.
- 3. I am the Equity Receiver appointed by the Court for the Defendants Tech Traders, Inc., Tech Traders, Ltd., Magnum Investments, Ltd., Magnum Capital Investments, Ltd., Equity Financial Group, LLC, Vincent Firth, and Robert Shimer.
- 4. On December 6, 2005, I filed a motion for authority to make an interim distribution to CMP Fund and DRL Twenty Plus Fund both Tier 2 Sterling Bank Ltd. investors.
- 5. On January 9, 2006, the Court entered an order granting my motion for authority to make a provisional pro rata distribution of \$2,542,248.78 to CMP Fund and \$337,093.76 to DRL Twenty Plus Fund.
- 6. On or about January 17, 2006, CMP Fund submitted to me a proposed distribution plan for allocating the provisional pro rata distribution amount of \$2,542,248.78 to its investors, attached as Exhibit A.
- 7. On or about January 24, 2006, DRL Twenty Plus Fund submitted to me a proposed distribution plan for allocating the provisional pro rata distribution amount of \$337,093.76 to its investors, attached as Exhibit B.
- 8. I have reviewed CMP Fund and DRL Twenty Plus Fund's proposed distribution plans, and approve these plans.
- 9. As discussed in these plans, CMP Fund and DRL Twenty Plus Fund will submit a declaration under oath to the Receiver within 45 days following the receipt of the distribution

attesting to the manner in which each fund has allocated the distribution among its investors.

STEPHEN T. BOBO

SWORN TO AND SUBSCRIBED before me

this 2nd day of February

NOTARY PUBLIC

"OFFICIAL SEAL"
HEIDI M. PETERSEN
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 8/16/2009

EXHIBIT A

Distribution Plan

For

CMP Fund, LP

- Upon receiving the funds from the Equity Receiver, ESMC, the General Partner of CMP Fund will immediately wire to Rydex Investments, Rockville, MD the amount that is to be distributed to the CMP Partners all of whom have accounts at Rydex Investments. This will be accompanied by the allocation list in EXHIBIT A showing the dollar amount to be distributed to each Partner's account based on that person's ownership percentage of the CMP Fund. Rydex will then transfer the directed amounts into each partner's account and send a confirmation to the Receiver and ESMC.
- Funds distributed from the Equity Receiver will be wired to the CMP Account at Bank of America. Wiring instructions are as follows: Bank of America, 3768 North Highway 16, Denver, N.C., 28037, ABA #026009593 for benefits of CMP FUND LIMITED PARTNERSHIP Account Number 000684670348.
- ESMC, the General Partner of CMP Fund, is treating the distribution procedure as an initial step in the "wind up" of the CMP Fund as described in section 7.03 of the Memorandum previously supplied. From paragraph (a): "the cash proceeds shall be applied in the following order of priority. (i) To the payment of all debts, taxes, obligations of the partnership including the expenses of liquidation; and (ii) To the payment to Partners of their remaining Capital accounts in proportion to the amounts thereof. From paragraph (b): In the winding up of the Partnership, the General Partner may establish a reserve for the contingent liabilities of the Partnership in an amount determined by the General Partner. This reserve will be held for future legal, accounting and other CMP Fund expenses. No management fees will be paid to the General Partner. Upon the satisfaction of such contingent liabilities, the amounts, if any, remaining in such reserves shall be distributed as provided in sub paragraph (a)(ii) of this section 7.03.

In following this "wind up" procedure, the General Partner will first pay the accumulated debts of the Partnership in accordance with EXHIBIT B. A reserve amount to cover future ongoing costs of the Fund such as legal and accounting expenses will retained in the CMP Fund account at Bank of America for this purpose. This amount will be \$100,000.00.

The balance will be wired to Rydex Investments and disbursed by Rydex to the Partners in the amounts and percentages as described in EXHIBIT A.

- The accumulated liabilities incurred by the CMP Fund as listed in EXHIBIT B includes unpaid expenses (legal, etc.) of the Fund and loans necessary to provide liquidity to the Fund after funds were deposited with Sterling Bank. As of this date, the CMP Fund has virtually no liquid assets (\$17.38). Note that no fees, commissions, or other compensation has ever been, or will be paid to the General partner or manager of the CMP Fund.
- David R. Loeser, the manager of the Fund, agrees to comply with your request to submit declaration under oath attesting to the manner in which the Fund allocated the distribution among its members. This will be done within a 45 day period following the receipt of the distribution. David R. Loeser, Sr. is the managing member of ESMC, LLC, General Partner, CMP Fund

ATTACHMENTS: EXHIBIT A. Percent and share unit ownership of Partners. EXHIBIT B. Allocation of funds.

January 17, 2006

Recording of Share Uniits Owned by Partner, Percentage Ownership on 12/31/06 and Distribution Allocation CMP FUND, LP

2,247,919.61	1st Receivership Dist.	37,005.16	37,760.37	21,145.81	35,733.44	20,138.86	64,268.02	46,319.39	17,621.51	50,375.62	12,586.79	15,104.15	23,663.16	59,157.91	12,586.79	20,138.86	25,173.58	62,933.95	90,624.89	31,466.97	35,243.01	46,571.12	24,033.43	56,640.55	62,933.95	38,511.92	22,656.22	25,173.58	12,586.79	14,601.01	7,552.07	12,586.79	30,550.55	12,586.79	16,614.56
↔	-	⇔ ∨∘	\$	⇔ ∾	⇔ ∾	\$	↔ √°	⇔ √°	⇔ √°	\$	⇔ √°	⇔ 、∘	⇔ 、∘	⇔ √°	\$	⇔ √°	⇔ 、∘	⇔ √°	⇔ 、∘	⇔ 、°	⇔ √°	⇔ √°	⇔ √°	⇔ √°	⇔ √°	⇔ √°	⇔ 、∘	⇔ 、∘	⇔ √°	⇔ √°	⇔ √∘	⇔ √°	\$	⇔ √°	⇔ √°
	Ownrshp %	1.6462%	1.6798%	0.9407%	1.5896%	0.8959%	2.8590%	2.0605%	0.7839%	2.2410%	0.5599%	0.6719%	1.0527%	2.6317%	0.5599%	0.8959%	1.1199%	2.7997%	4.0315%	1.3998%	1.5678%	2.0717%	1.0691%	2.5197%	2.7997%	1.7132%	1.0079%	1.1199%	0.5599%	0.6495%	0.3360%	0.5599%	1.3591%	0.5599%	0.7391%
	Share Units Owned	14,700.0000	15,000.0000	8,400.0000	14,194.8176	8,000.0000	25,529.9490	18,400.0000	7,000.0000	20,011.3070	5,000.0000	6,000.0000	9,400.0000	23,500.0000	5,000.0000	8,000.0000	10,000.0000	25,000.0000	36,000.0000	12,500.0000	14,000.0000	18,500.0000	9,547.0840	22,500.0000	25,000.0000	15,298.5460	9,000.0000	10,000.0000	5,000.0000	5,800.1326	3,000.0000	5,000.0000	12,135.9580	5,000.0000	6,600.0000
•	First Name	Richard	Thomas	Raymond	Marcia	George	Robert	Robert	Jon	Ann	Joline	Alex	Eugene	John	Frank or Sus	Paula	R. Glenn	Reed & Paul	Larny	Roselyn	Georgia	John	Marsha	Richard	Robert	David or Shii	Robert & Nai	Robert	Charles	James or Be	David	Paul	Lee	Francesca	Patricia
	<u>Last Name</u>	Abbott	Barron	Belding	Berny		Brodsky, TTEE	Brodsky	Canas	Canas	Casey, TTEE	Choquette	Cochrane	Crimaldi	Crotty	Daigle	Daigle	Daigle, TTEEs	Eccard	Eccard	Evans	Fernekees	Gadoury	Gilston	Graham	Grant	Henry, TTEE	量	Hoepf	Houle	Johnson	Kamakas	Knight	Lattuca	Lemoine

Lewis	Stuart	31,000.0000	3.4716% \$	78,038.10
_oeser	David	20,000.0000	2.2397% \$	50,347.16
Mansfield	H. Stanley	55,000.0000	6.1592% \$	138,454.69
McDonald	John	12,500.0000	1.3998% \$	31,466.97
McKee, TTEE	Betty	8,300.0000	0.9295% \$	20,894.07
McKown	Robert or Jei	12,017.0420	1.3457% \$	30,251.20
Meersman, TTEE	TEE Mary	18,574.0570	2.0800% \$	46,757.55
Moore	Thomas	5,000.0000	0.5599% \$	12,586.79
O'Brien	Nancy	16,000.0000	1.7918% \$	40,277.73
Pazaricky	Katherine	12,852.0080	1.4392% \$	32,353.10
Pescosolido, TTEI Elizabeth	l Elizabeth	20,232.6709	2.2658% \$	50,932.88
Piotte	Paul	15,000.0000	1.6798% \$	37,760.37
	Thomas or P	10,000.0000	1.1199% \$	25,173.58
Riley	Robin	9,843.2050	1.1023% \$	24,778.87
Riley	Gloria	4,871.2140	0.5455% \$	12,262.59
Ristine, TTEE	Susannah	17,500.0000	1.9598% \$	44,053.76
Smith	Mark	9,400.0000	1.0527% \$	23,663.16
Sauta	Betty	10,000.0000	1.1199% \$	25,173.58
Solomon, TTEE	David & She	18,500.0000	2.0717% \$	46,571.12
Supino	Joseph	10,000.0000	1.1199% \$	25,173.58
Swart	Dorothy	14,500.0000	1.6238% \$	36,501.69
Taylor	Darla Jean	600.0000	0.0672% \$	1,510.41
Frefethen	Daniel	6,400.0000	0.7167% \$	16,111.09
von Hobson	Ą.	70,808.3690	7.9296% \$	178,250.01
White	Keith or Phyl	8,451.4450	0.9464% \$	21,275.31
Williams	Edith	17,000.0000	1.9038% \$	42,795.09
Witham	Frank or Bari	20,600.0000	2.3069% \$	51,857.57
			↔	•
		892,967.8051	100.0000%	2,247,919.61

ACCOUNT	Liability \$	
FVLD-Graham	34,929.17	Unpaid invoices due Attorney
ESMC, G.P. CMP	5,400.00	Loaned to CMP to pay legal bills-FVLD
D.R. Loeser,Sr.	154,000.00	Loaned to CMP to pay legal bills and provide liquidity to the Fund (Note: CMP Fund currently has \$17.38 in liquid assets)
Total Liabilities	194,329.17	
Reserve for Future Expenses Total Withheld	<u>100,000.00</u> 294,329.17	Legal and Accounting
Total Distribution Received Less Total Withheld	2,542,248.78 -294,329.17	To be Received from Equity Receiver To cover Current and Future Liabilities
Total Distributed to Partners	2,247,919.61	See EXHIBIT A

on 12/31/2006

- Liabilities OF CMP FUND, LP

EXHIBIT B

EXHIBIT B

Distribution Plan

For

DRL Twenty Plus Fund Ltd.

- Upon receiving the funds from the Equity Receiver, David R. Loeser, Managing Director of DRL Twenty Plus Fund Ltd., will immediately wire to Rydex Funds, Rockville, MD the amount that is to be distributed to the DRL Twenty Plus shareholders. This will be accompanied by the allocation list in EXHIBIT A showing the dollar amount to be distributed to each shareholder based on that person's ownership percentage of the DRL Twenty Plus Fund, Ltd. Rydex will then wire the designated amounts to the shareholder's institutional accounts that are specified by the shareholders and provided to Rydex Funds. A confirmation of the wires will be sent to the Receiver.
- Funds distributed from the Equity Receiver will be wired to the DRL Twenty Plus account at Rydex Funds, Rockville, MD. Wiring instructions are as follows: : Wire to US Bank, Cincinnati, OH Routing Number 042000013; for transfer to Rydex Funds Wiring Acct No 480389030; for Rydex Funds account of DRL Twenty Plus Fund, Ltd., Acct No 041907572.
- David R. Loeser, Managing Director, DRL Twenty Plus Fund, Ltd. is treating the distribution procedure as an initial step in the "wind up" of the DRL Twenty Plus Fund. Ltd. The cash proceeds shall be applied in the following order of priority. (i) To the payment of all liabilities of the Fund including the expenses of liquidation; and (ii) To the payment to Shareholders in proportion to the percentage of their shares to the total shares outstanding (see EXHIBIT A). In the winding up of the Fund, David R. Loeser, Managing Director, intends to establish a reserve for the future liabilities of the Fund as specified in EXHIBIT B. This reserve will be held for future legal, accounting and other Fund expenses. No management fees will be paid to David R. Loeser, Managing Director of the Fund. Upon the satisfaction of such future liabilities, the amounts, if any, remaining in such reserves shall be distributed to the shareholders.
- The accumulated liabilities incurred by DRL Twenty Plus Fund are listed in EXHIBIT B
- David R. Loeser, the Managing Director of the DRL Twenty Plus Fund Ltd., agrees to comply with your request to submit declaration under oath attesting to the manner in which the Fund allocated the distribution among its members. This will be done within a 45 day period following the receipt of the distribution.

ATTACHMENTS: EXHIBIT A. Percent and share unit ownership of Shareholders. **EXHIBIT B. Allocation of funds**

Shareholder	Shares Owned	Ownership %	\$304,633.60 1st Receivership Dist'n
Penny Keneally	47.3619	4.35%	\$13,242.22
Audrey Watt	551.1432	50.58%	\$154,097.75
Gemini Company	42.6287	3.91%	\$11,918.84
Derek Louden	16.3665	1.50%	\$4,576.02
Gary Green	127.1663	11.67%	\$35,555.26
Hamish Hamilton	164.3296	15.08%	\$45,945.99
Nick Hamilton	8.1559	0.75%	\$2,280.36
Kate Hamilton	8.1559	0.75%	\$2,280.36
Guy Oury	109.8848	10.09%	\$30,723.41
DRL International	14.3542	<u>1.32</u> %	\$4,013.39
Total	1,089.5470	100.00%	\$304,633.60

EXHIBIT B - Liabilities of DRL Twenty Plus Fund Ltd.

Liability \$	18,600.16 Unpaid invoices due Attorney	600.00 Loaned to DRL Twenty Plus	to pay FVLD legal bills	13,260.00	32,460.16	337,093.76 To be Received from Equity Receiver 32,460.16 To cover Current Liabilities and Reserve
ACCOUNT	FVLD-Graham	ESMC LLC	Total Liabilities	Reserve for Future Expenses	Total Withheld	Total Distribution Received Less Total Withheld

CERTIFICATE OF SERVICE

I, Raven Moore, on oath hereby certify that I caused copies of the AFFIDAVIT OF STEPHEN T. BOBO CONCERNING THE PROPOSED DISTRIBUTION PLANS OF CMP FUND AND DRL TWENTY PLUS FUND to be served upon:

Elizabeth M. Streit, Lead Trial Attorney Scott R. Williamson, Deputy Regional Counsel Rosemary Hollinger, Regional Counsel Commodity Futures Trading Commission 525 West Monroe Street, Suite 1100 Chicago, Illinois 60661

Samuel F. Abernethy Paul M. Hellegers Menaker & Herrmann LLP 10 East 40th Street New York, New York 10016

J. Vernon Abernethy413 South Chester StreetGastonia, North Carolina 28052

Vincent J. Firth 3 Aster Court Medford, New Jersey 08055 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

Melvyn J. Falis Gusrae, Kaplan & Bruno PLLC 120 Wall Street New York, New York 10005

Robert Shimer 1225 W. Leesport Rd. Leesport, PA 19533

via U.S. Mail on this 2nd day of February, 2006.

Counsel for the Equity Receiver