

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)
TRADERS, LTD., MAGNUM)
INVESTMENTS, LTD., MAGNUM)
CAPITAL INVESTMENTS, LTD.,)
VINCENT J. FIRTH, ROBERT W.)
SHIMER, COYT E. MURRAY, and J.)
VERNON ABERNETHY,)

Honorable Robert B. Kugler

Defendants.)

**ORDER GRANTING EQUITY RECEIVER'S MOTION TO
DISALLOW CERTAIN UNIVERSE INVESTOR CLAIMS**

This motion having been brought before the Court by Stephen T. Bobo, the Equity Receiver ("Receiver"), and the Court having considered the motion and papers filed in support of it, and for good cause shown,

IT IS ORDERED THAT:

1. The Equity Receiver's Motion to Disallow Certain Universe Investor Claims is granted.
2. The Receiver is authorized and directed to move the claims of Brad and Diana Baetz, Cary Maclin, Mitchell Rabin, and the Sherman Family Trust to the Revised Agreed Interim Distribution Schedule, attached hereto as Exhibit 1,

and make an interim distribution to these investors in accordance with this schedule.

3. The Receiver is authorized and directed to treat the disputed claims of Universe investors Robert Cooper, Amanda Graves, Cory Gubler, Joan Nixon, Harry Schmalz, the George Shimer Trust, Vico, Inc., and Harland and Donna Wedel in accordance with the Revised Disputed Claims Interim Reserve Schedule, attached hereto as Exhibit 2.
4. The sum of \$55,753 shall be transferred from the Shasta general account to the Tech Traders' general account so that Tech Traders may recover the value of its previous payments to the Kaivalya investors.

DATED: _____, 2006

BY THE COURT

DISTRICT COURT JUDGE

Exhibit 1

**UNIVERSE CAPITAL APPRECIATION
REVISED AGREED INTERIM DISTRIBUTION SCHEDULE**

| Name of Claimant | Funds Invested | 28.5% of Total Funds Invested | Previous Withdrawals | Net Distribution Amount to Universe Tier 3 Investor (28.5% of Total Funds Invested Less Total Previous Withdrawals) |
|--------------------------------------|-----------------------|--------------------------------------|-----------------------------|--|
| ALBRINK, J. & V. | \$160,000 | \$45,600 | \$0 | \$45,600.00 |
| ANDERSON, H. | \$22,000 | \$6,270 | \$0 | \$6,270.00 |
| ANDERSON, J. | \$30,000 | \$8,550 | \$0 | \$8,550.00 |
| BAETZ, D. & P. | \$10,000 | \$2,850 | \$0 | \$2,850.00 |
| BAETZ, J. & W. | \$5,000 | \$1,425 | \$0 | \$1,425.00 |
| CONDON, R. | \$160,000 | \$45,600 | \$12,500 | \$33,100.00 |
| COOK, R. | \$75,000 | \$21,375 | \$0 | \$21,375.00 |
| DONOHUE, J | \$95,000 | \$27,075 | \$0 | \$27,075.00 |
| FISHER, C | \$87,000 | \$24,795 | \$0 | \$24,795.00 |
| FISHER TRUST | \$25,000 | \$7,125 | \$0 | \$7,125.00 |
| FISHER, S | \$70,000 | \$19,950 | \$0 | \$19,950.00 |
| FREEMAN, G. | \$100,000 | \$28,500 | \$0 | \$28,500.00 |
| FURST, J. & S. | \$57,750 | \$16,459 | \$25,000 | \$0.00 |
| GEIB, D. & L. | \$31,990 | \$9,117 | \$0 | \$9,117.15 |
| HUTCHINGS, D. & B. | \$230,000 | \$65,550 | \$68,000 | \$0.00 |
| MACLIN, C. | \$25,000 | \$7,125 | \$0 | \$7,125 |
| MASTER MARKETERS (STOLFUZ, D. & E.) | \$35,000 | \$9,975 | \$5,000 | \$4,975.00 |
| MILLER, O. & J. | \$20,000 | \$5,700 | \$0 | \$5,700.00 |
| MOOKERJEE, P. | \$220,000 | \$62,700 | \$0 | \$62,700.00 |
| NELSON, L. | \$50,000 | \$14,250 | \$0 | \$14,250.00 |
| NIXON, J. | \$8,000 | \$2,280 | \$0 | \$2,280.00 |
| PINARD, A. & B. | \$70,104 | \$19,980 | \$0 | \$19,979.59 |
| PTAK, A. & C. | \$352,800 | \$100,548 | \$0 | \$100,548.00 |
| RABIN, M. | \$2,000 | \$570 | \$0 | \$570.00 |
| RICHARDSON, R. & T. | \$90,000 | \$25,650 | \$25,000 | \$650.00 |
| ROONEY, A. & P. | \$95,000 | \$27,075 | \$0 | \$27,075.00 |
| ROONEY, P. GREG & L. | \$87,500 | \$24,938 | \$30,000 | \$0.00 |
| SEDLACEK, B. & M. | \$50,000 | \$14,250 | \$0 | \$14,250.00 |
| SHEETS, C. | \$10,000 | \$2,850 | \$0 | \$2,850.00 |
| SHEETS, R. | \$10,000 | \$2,850 | \$0 | \$2,850.00 |
| SHEETS, T. | \$3,000 | \$855 | \$0 | \$855.00 |
| SHERMAN FAMILY TRUST C/O SHERMAN, M. | \$50,000 | \$14,250 | \$4,000 | \$10,250.00 |
| SIMPSON, T. | \$50,000 | \$14,250 | \$0 | \$14,250.00 |
| THOMPSON, REECE | \$50,000 | \$14,250 | \$0 | \$14,250.00 |
| WATT, M. | \$47,000 | \$13,395 | \$0 | \$13,395.00 |

**UNIVERSE CAPITAL APPRECIATION
REVISED AGREED INTERIM DISTRIBUTION SCHEDULE**

| Name of Claimant | Funds Invested | 28.5% of Total Funds Invested | Previous Withdrawals | Net Distribution Amount to Universe Tier 3 Investor (28.5% of Total Funds Invested Less Total Previous Withdrawals) |
|-------------------------|-----------------------|--------------------------------------|-----------------------------|--|
| YAMANE | \$100,000 | \$28,500 | \$0 | \$28,500.00 |
| ZULIANI | \$10,000 | \$2,850 | \$0 | \$2,850.00 |
| TOTALS: | \$2,594,144 | \$739,331 | \$169,500 | \$585,885 |

Exhibit 2

UNIVERSE CAPITAL APPRECIATION
REVISED DISPUTED CLAIMS INTERIM RESERVE SCHEDULE

| Name of Claimant | Funds Invested | 28.5% of Total Funds Invested | Previous Withdrawals | Receiver's Proposed Reserve (28.5% of Total Funds Invested Less Total Previous Withdrawals) | Reason for Objection | Tech Traders Funds Received from Kaivalya | Receiver's Proposed Treatment | Receiver's Proposed Distribution (28.5% of Total Funds Invested, Including Tech Traders' Funds Received from Kaivalya) |
|--------------------------|------------------|-------------------------------|----------------------|---|---|---|--|--|
| COOPER, ROBERT | \$50,000 | \$14,250 | \$24,000 | \$0 | Received Tech Traders funds through Kaivalya | \$35,000 | Subtract Tech Traders funds received through Kaivalya | \$0 |
| GRAVES, AMANDA | \$100,000 | \$28,500 | \$0 | \$28,500 | Received Tech Traders funds through Kaivalya | \$25,000 | Subtract Tech Traders funds received through Kaivalya | \$3,500 |
| GUBLER, CORY | \$175,000 | \$49,875 | \$175,000 | \$0 | Received Tech Traders funds through Kaivalya | \$15,000 | Subtract Tech Traders funds received through Kaivalya | \$0 |
| NIXON, JOAN | \$8,000 | \$2,280 | \$6,000 | \$0 | Failure to provide supporting documents | \$0 | Disallow | Disallow |
| SCHMALZ, HARRY | \$140,000 | \$39,900 | \$0 | \$39,900 | Received Tech Traders funds through Kaivalya | \$20,000 | Subtract Tech Traders funds received through Kaivalya | \$19,900 |
| SHIMER, GEORGE TRUST | \$35,000 | \$9,975 | \$54,834 | \$0 | Received Tech Traders funds through Kaivalya | \$22,000 | Subtract Tech Traders funds received through Kaivalya | \$0 |
| TRINIDAD/MICO/PINNACLE | \$199,200 | \$56,772 | \$108,100 | \$0 | Entities related to Universe and to each other that received funds through Kaivalya | \$50,000 | Aggregate claims and subtract Tech Traders funds received through Kaivalya | \$0 |
| WEDEL, HARLAND AND DONNA | \$65,800 | \$18,753 | \$8,000 | \$10,753 | Received Tech Traders funds through Kaivalya | \$30,000 | Subtract Tech Traders funds received through Kaivalya | \$0 |
| TOTALS: | \$773,000 | \$220,305 | \$375,934 | \$79,153 | | \$197,000 | | \$23,400 |