

Vincent J. Firth  
3 Aster Court  
Medford, NJ 08055  
(609) 714-1981

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

Hon. Ann Marie Donio

vs.

**Civil Action No. 04-1512**

EQUITY FINANCIAL GROUP LLC, et al

Hearing Date: April 20, 2007

Defendants.

-----X

**MOTION FOR STAY OF ORDER COMPELLING PRODUCTION OF TAX RETURNS  
PENDING APPEAL**

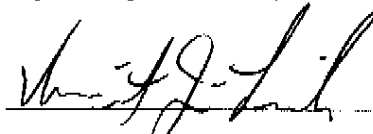
In accordance with the Local Civil Rules of the District Court for the District of New Jersey defendant Vincent J. Firth ("Firth"), acting *pro se* respectfully moves for stay of Magistrate Ann Marie Donio's Order filed September 1, 2006 pending Firth's current joint appeal to the Third Circuit Court of Appeals.

In support thereof, Firth relies upon and refers Magistrate Donio to the brief filed Tuesday, March 27, 2007 by Defendant Robert W. Shimer, Esq. in support of this Motion for Stay.

For all of the reasons stated in Shimer's brief filed March 27, 2007 in support of said motion defendant Firth respectfully requests that his current Motion for Stay be granted.

Dated: Monday, March 26, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Vincent J. Firth", written over a horizontal line.

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COMMODITY FUTURES TRADING  
COMMISSION,

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Plaintiff,

vs.

**Civil Action No. 04-1512**

EQUITY FINANCIAL GROUP LLC, et al

NOTICE OF MOTION FOR STAY OF  
ORDER COMPELLING PRODUCTION OF  
TAX RETURNS PENDING APPEAL

Defendants.

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TO: Elizabeth Streit, Esq.  
Commodity Futures Trading Commission  
525 West Monroe St., Suite 1100  
Chicago, Illinois 60661

AUSA Paul Blaine, Esq.  
Camden Federal Building  
401 Market Street, 4<sup>th</sup> Floor  
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Stephen T. Bobo, Esq. (Receiver)  
Bina Sanghavi, Esq.  
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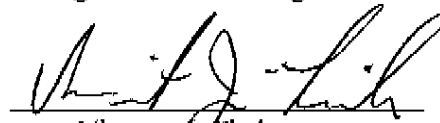
Cirino M. Bruno, Esq.  
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Samuel F. Abernethy, Esq.  
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10 E. 40<sup>th</sup> Street, 43<sup>rd</sup> Floor  
New York, New York 10016-0301

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

PLEASE TAKE NOTICE that on Friday, April 20, 2007 at 10:00 A.M., or as soon thereafter as movant may be heard, the undersigned *pro se* defendant, Vincent J. Firth ("Firth") will move pursuant to the Local Civil Rules of the District Court for the District of New Jersey before the Honorable Ann Marie Donio., sitting at the U.S. District Courthouse at 4<sup>th</sup> and Cooper Streets, Camden, New Jersey, for an order granting defendant Firth's Motion for Stay of Magistrate Donio's Order dated September 1, 2006 compelling production of certain tax returns to the Equity Receiver pending the joint appeal by Firth to the Third Circuit Court of Appeals of both the district court's order dated December 18, 2006 denying Firth's motion for reconsideration of the district court's order denying Firth's motion dated April 6, 2006 for summary judgment with respect to all counts of Plaintiff's amended complaint and the district court's order dated December 18, 2006 granting partial summary judgment in favor of Plaintiff.

In support of this motion, movant relies upon the brief submitted by Robert W. Shimer, Esq in support thereof. A proposed form of order granting the Motion sought is also submitted.

  
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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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COMMODITY FUTURES TRADING  
COMMISSION,

Hon. Ann Marie Donio

Plaintiff,

vs.

**Civil Action No. 04-1512**

EQUITY FINANCIAL GROUP LLC, et al.

Defendants.

-----X

**PROPOSED ORDER GRANTING DEFENDANT VINCENT J. FIRTH'S  
MOTION TO STAY PENDING APPEAL TO THE THIRD CIRCUIT COURT THE  
DISTRICT COURT'S PREVIOUS ORDER DATED SEPTEMBER 1, 2006  
COMPELLING THE PRODUCTION OF CERTAIN TAX RETURNS**

Having read the brief of Robert W. Shimer ("Shimer") dated March 26, 2007 filed in support of both Vincent J. Firth's ("Firth") and Shimer's separate respective motions for stay pending appeal and having reviewed and considered the Receiver's response thereto;

**THE COURT FINDS:**

1. That until the Third Circuit Court determines whether appellate jurisdiction exists with respect to Firth's current joint appeal and, if appellate jurisdiction is granted, until an Opinion of the Third Circuit Court is issued with respect to the legal question that is potentially dispositive of all counts against Firth in the CFTC's amended complaint it is appropriate and well considered to grant defendant Firth's motion for stay.

**IT IS HEREBY ORDERED THAT:**

Defendant Firth's motion for stay of the Court's previous order dated September 1, 2006 compelling production of certain tax returns is hereby granted.

SO ORDERED \_\_\_\_\_ May, 2007

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UNITED STATES MAGISTRATE

**CERTIFICATE OF SERVICE**

The undersigned does hereby certify that on March 26, 2007 he caused a true and correct copy of the foregoing Notice of Motion, Motion for Stay, Certificate of Service and Proposed Order to be sent via regular U.S. Mail to the following.

Elizabeth M. Streit, Esq.  
Commodity Futures Trading Commission  
525 West Monroe St., Suite 1100  
Chicago, Illinois 60661

AUSA Paul Blaine, Esq  
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Bina Sanghavi, Esq.  
Raven Moore, Esq.  
ReedSmith Sachnoff & Weaver  
10 South Wacker Drive, Suite 4000  
Chicago, Illinois 60606-7507

*On behalf Coyt E. Murray, Tech Traders, Inc. Ltd.,  
Magnum Investments, Ltd., & Magnum  
Capital Investments, Ltd.*  
Cirino M. Bruno, Esq.  
Martin H. Kaplan, Esq.  
Melvyn J. Falis, Esq.  
Gusrae, Kaplan, Bruno & Nusbaum, PLLC


*On behalf of Equity Financial Group, LLC* 120 Wall Street

Samuel F. Abernethy, Esq.  
Menaker and Herrmann  
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New York, NY 10016-0301

New York, New York 10005

*Defendant Robert W. Shimer, pro se*

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



Vincent Firth, *pro se*  
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