

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

COMMODITY FUTURES TRADING )  
COMMISSION, )  
 )  
Plaintiff, )  
 )  
v. ) No.: 3:09-CV-88  
 ) (VARLAN/SHIRLEY)  
DENNIS R. BOLZE and CENTURION )  
ASSET MANAGEMENT, INC., )  
 )  
Defendants, )  
 )  
and )  
 )  
ADVANCED TRADING SERVICES, INC., )  
 )  
Relief Defendant. )

**RESTRAINING ORDER**

This Court having read the Complaint for Injunctive and Other Equitable Relief, the *Ex Parte* Motion for Entry of a Statutory Restraining Order, the brief in support thereof, the Declarations of Bill Allen, Don Cason, Scott Galyon, Michael Potter, Michael Tallarico, and Ray Whaley as well as the exhibits thereto, and all other papers filed herein by the Plaintiff, Commodity Futures Trading Commission ("Commission"), it appearing that this Court has jurisdiction over the subject matter and that Section 6c of the Commodity Exchange Act, as amended ("Act"), 7 U.S.C. § 13a-1, permits this Court to grant an *ex parte* restraining order; it further appearing to the satisfaction of the Court that there is good cause to believe that Defendants Dennis R. Bolze ("Bolze") and Centurion Asset Management ("CAM")

(collectively referred to as "Defendants"), have engaged, are engaging in and are about to engage in violations of Section 4b of the Act as amended by the Food, Conservation, and Energy Act of 2008, Pub. L. No. 110-246, Title XIII (the CFTC Reauthorization Act of 2008 ("CRA")), § 13102, 122 Stat. 1651 (effective June 18, 2008), to be codified at 7 U.S.C. § 6b, and Section 40(1) of the Act, 7 U.S.C. § 60(1) and Regulation 4.20(c), 17 C.F.R. § 4.20(c) (2008), and it further appearing to the satisfaction of the Court that this is a proper case for granting a restraining order to preserve the status quo and to protect public customers and pool participants from loss and damage;

1. **IT IS HEREBY ORDERED** that Bolze and CAM, and all persons insofar as they are acting in the capacity of agents, servants, employees, successors, assigns or attorneys of the Defendants and all persons insofar as they are acting in active concert or participation with them, who receive actual notice of this Order by personal service, facsimile, electronic mail, Federal Express or otherwise, shall be restrained, enjoined and prohibited from directly or indirectly:

- a. Dissipating, withdrawing, transferring, removing, concealing or disposing of cash, cashier's checks, funds, assets or other property of, or within the custody, control or possession of the Defendants, including funds or property of investors, wherever located, whether held in the name of Dennis R. Bolze, Centurion Asset Management, or Advanced Trading Services, or otherwise; and
- b. Destroying, mutilating, concealing, altering or disposing of, in any manner, any of the books and records, documents, correspondence, brochures, manuals, electronically stored data, tape records or other property of the Defendants and/or Relief Defendant wherever located, including all such records concerning the Defendants' and Relief Defendant's business operations, until further order of the Court.

2. **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 Dennis R. Bolze or Centurion Asset Management, whether held in the name of Dennis R. Bolze, Centurion Asset Management or Advanced Trading Services or otherwise, 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 the Court.

3. **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 Defendants, Dennis R. Bolze or Centurion Asset Management, and relief Advanced Trading Services Inc., and their agents, including all such records of Defendants' business operations, wherever they are situated and whether they are in the hands of the Defendants or others and to copy said documents, data, and records either on or off the premises where they may be situated.

4. **IT IS FURTHER ORDERED** that copies of this Order may be served by any means, including electronic mail, facsimile transmission and Federal Express, upon any financial institution or other entity or person that may have possession, custody, or control of any documents or assets of the Defendants or Relief Defendant, or that may be subject to any provision of this Order. The U.S. Marshal's service and all employees of the CFTC, are hereby specially appointed to serve process, including this Order and all other papers in this cause.

5. **IT IS FURTHER ORDERED** that the Defendants and Relief Defendant shall serve all pleadings, correspondence, and notices required by this Order, and other materials on the Plaintiff Commission by delivering a copy to Jon J. Kramer, Senior Trial Attorney, Division of Enforcement, Commodity Futures Trading Commission, 525 W. Monroe, Suite 1100, Chicago, Illinois 60661.

6. **IT IS FURTHER ORDERED** that Plaintiff is an agency of the United States of America and, accordingly, no bond need be posted by the Commission.

7. **IT IS FURTHER ORDERED** that this Statutory Restraining Order shall remain in full force and effect until the earlier of 10 days from entry of this Order or further order of this Court, and that this Court retains jurisdiction of this matter for all purposes.

8. **IT IS FURTHER ORDERED** that Plaintiff's Motion for a Preliminary Injunction is set for hearing on **Wednesday, March 18, 2009, at 10:30 a.m.**, in Courtroom 3C, of the U.S. Courthouse at 800 Market Street, Knoxville, Tennessee, 37902.

ENTER:

s/ Thomas A. Varlan  
UNITED STATES DISTRICT JUDGE