



against Daryl C. Hoegel ("Relief Defendant"). Relief Defendant has admitted to personal service by the Commission of a copy of the Summons, Complaint, and emergency motion filed in the above captioned matter; has agreed for purposes of this action only to the entry of this Order, without admitting or denying the allegations contained in the Complaint; has agreed that this Court has jurisdiction over him and subject matter of this action; and has agreed to waive a hearing and the entry of findings of fact and conclusions of law. Based on the pleadings and documents filed in this case and the agreement of the parties, the Court orders the following:

IT IS THEREFORE ORDERED:

1. Relief Defendant, his officers, agents, servants, employees, attorneys, and all persons in active concert or participation with him who receive actual notice of this Order by personal service or otherwise are restrained and enjoined from, directly or indirectly, making any payment or expenditure of Relief Defendant's funds, incurring any additional liability on behalf of Relief Defendant (including, specifically, by advances on any existing line of credit and any charges on any existing credit card), or effecting any sale, gift, hypothecation or other disposition of any asset existing as of the date of entry of this Order, pending provision of sufficient proof to the Court of sufficient funds or assets to satisfy all claims alleged in the Commission's Complaint, or the posting of a bond or surety sufficient to assure payment of any such claim.

2. Further, any bank, trust company, broker-dealer, depository institution, entity, or individual holding accounts or assets existing on or before the date this Order for or on behalf of the Relief Defendant shall make no transactions in such assets or securities (excepting liquidating transactions necessary as to wasting assets) and no disbursement of such assets or securities (including extensions of credit, or advances on existing lines of credit), including the honor of any

negotiable instrument drawn any account existing on or before the date of this order (including, specifically, any check, draft, or cashier's check) purchased by or for the Relief Defendant.

3. Relief Defendant, unless having previously complied with the Court's prior order, is hereby required to make an interim accounting, under oath and filed with the Court, within ten days of the entry of this order, (1) detailing all monies and other benefits which each received, directly and indirectly, as a result of the activities alleged in the Complaint (including the date on which the monies or other benefit was received and the name, address and telephone number of the person paying the money or providing the benefit), (2) listing all current assets wherever they may be located and by whomever they are being held (including the name and address of the holder and the amount or value of the holdings) and (3) listing all accounts with any financial or brokerage institution maintained in the name of, on behalf of or for the benefit of the Relief Defendant (including the name and address of the account holder and the account number) and the amount held in each account at any point during the period from January 1, 2006, through the date of the accounting.

4. Relief Defendant and each of his agents, servants, employees and attorneys, and those persons in active concert or participation with him, who receive actual notice of this Order by personal service or otherwise, and each of them, shall, within five (5) days of receiving actual notice of this order, take such steps as are necessary to repatriate and deposit in accordance with the direction of the Receiver in this case, any and all funds or assets that were obtained directly or indirectly from investors that presently may be located outside of the United States. The Receiver is directed to accept these funds, to keep a record of them, and to deposit them into an interest bearing account, pending further order of this Court.

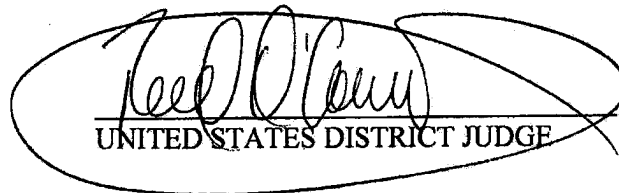
5. Relief Defendant, his agents, servants, employees, attorneys and other persons in active concert or participation with him who receive actual notice of this order, by personal service or otherwise, are hereby restrained and enjoined from destroying, removing, mutilating, altering, concealing and/or disposing of, in any manner, any books and records owned by or pertaining to the financial transactions and assets of Relief Defendant.

6. To effectuate the provisions of this Order, the Commission may cause a copy of this Order to be served on any bank, trust company, broker-dealer, depository institution, entity, or individual either by United States mail, by electronic mail, or by facsimile as if such service were personal service, to restrain and enjoin any such institution, entity, or individual from disbursing assets, directly or indirectly, to or on behalf of Relief Defendant or any companies or persons or entities under his control.

7. The Commission is authorized to serve process on, and give notice of these proceedings and the relief granted herein, to the Relief Defendant by U.S. Mail, electronic mail, facsimile, or by any other means authorized by the Federal Rules of Civil Procedure.

8. The provisions of this order shall remain in effect until the Court has ruled on all of the Commission's claims on the merits.

Signed: 3<sup>rd</sup> day of April, 2009.

  
UNITED STATES DISTRICT JUDGE

Agreed to Form and Entry Requested:

/s/Daryl C. Hoegel

Daryl C. Hoegel, Relief Defendant

/s/Jennifer D. Brandt

Jennifer D. Brandt  
Attorney for Plaintiff