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Attorneys for John A. Beckstead as Receiver
for Management Solutions, Inc., Wendell
A. Jacobson and Allen R. Jacobson

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

MANAGEMENT SOLUTIONS, INC., a
Texas Corporation; WENDELL A.
JACOBSON; ALLEN R. JACOBSON,

Defendants.

**MOTION FOR ORDER AUTHORIZING
RECEIVER TO TERMINATE CERTAIN
EMPLOYEES AND FOR EXPEDITED
RULING**

Civil Action No. 2:11-cv-01165
Judge Bruce S. Jenkins

John A. Beckstead, as receiver for Defendants Management Solutions, Inc. (“MSI”),
Wendell A. Jacobson, Allen R. Jacobson and others (the “Receiver”), hereby moves the Court
for authorization to terminate certain employees.

As described more fully in the Memorandum in Support of the Motion for Order
Authorizing Receiver to Terminate Certain Employees, the Receiver has determined that the

retention of certain employees of MSI is neither necessary for the Receiver's purposes nor beneficial to the Receivership Estate. Certain employees' duties and responsibilities are no longer needed due to appointment of the Receiver, other duties and responsibilities can be assumed by others, and others need to be terminated for suspected misconduct.

Section 2 of the Stipulation Regarding Amendment to Temporary Restraining Order, Order Accelerating Discovery, and Order to Show Cause and Order Appointing Receiver, Freezing Assets and Other Relief dated December 19, 2011, [Docket entry # 11], provides that employees will not be terminated without stipulation of the parties or approval of the Court. Due to the appearance, withdrawal, and new re-appearance of counsel for Defendant Wendell Jacobson, and qualifications put on that re-appearance, the Receiver has not sought a stipulation because of the uncertainty of the status of counsel for Mr. Jacobson.

The Receiver respectfully requests that this motion be decided on an expedited basis so that the employees can be terminated on December 31, 2011, which is the end of the payroll cycle.

DATED December 28, 2011.

HOLLAND & HART LLP

/s/ Romaine C. Marshall

Romaine C. Marshall

Attorneys for John A. Beckstead as Receiver

CERTIFICATE OF SERVICE

I hereby certify that on the _____ day of December, 2011, I caused a true and correct copy of the foregoing to be served in the following manner upon the addressee(s) listed below:

- | | | |
|-------------------------------------|----------------------------|--|
| <input type="checkbox"/> | U.S. Mail, postage prepaid | Daniel J. Wadley (#10358) |
| <input type="checkbox"/> | Hand Delivery | Thomas M. Melton (#4999) |
| <input type="checkbox"/> | Facsimile | SECURITIES & EXCHANGE COMMISSION |
| <input type="checkbox"/> | Overnight courier | 15 West South Temple, Suite 1800 |
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| | | Telephone: 801-524-5796 |
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| | | wadleyd@sec.gov |
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| | | <i>Attorneys for Plaintiff</i> |
| | | |
| <input type="checkbox"/> | U.S. Mail, postage prepaid | Mark W. Pugsley |
| <input type="checkbox"/> | Hand Delivery | Matthew R. Lewis |
| <input type="checkbox"/> | Facsimile | Loren E. Weiss |
| <input type="checkbox"/> | Overnight courier | Ray, Quinney & Nebeker |
| <input checked="" type="checkbox"/> | E-mail and/or CM/ECF | 36 South State Street |
| | | Suite 1400 |
| | | Salt Lake City, UT 84111 |
| | | Telephone: 801-532-1500 |
| | | Facsimile: 801-532-7543 |
| | | |
| <input checked="" type="checkbox"/> | U.S. Mail, postage prepaid | Neal A. Kaplan |
| <input type="checkbox"/> | Hand Delivery | Loren Washburn |
| <input type="checkbox"/> | Facsimile | CLYDE SNOW |
| <input type="checkbox"/> | Overnight courier | 201 South Main Street, Suite 1300 |
| <input type="checkbox"/> | E-mail and/or CM/ECF | Salt Lake City, UT 84111 |
| | | Telephone: 801-322-2516 |
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| | | |
| <input type="checkbox"/> | U.S. Mail, postage prepaid | R. Willis Orton |
| <input type="checkbox"/> | Hand Delivery | R. Gary Winger |
| <input type="checkbox"/> | Facsimile | Shawn T. Richards |
| <input type="checkbox"/> | Overnight courier | Kirton & McConkie |
| <input checked="" type="checkbox"/> | E-mail and/or CM/ECF | Kirton McConkie Building, Fourth Floor |
| | | 50 East South Temple |
| | | P.O. Box 45120 |
| | | Salt Lake City, UT 84145-0120 |

/s/ Christa L. Fries