

MINUTES OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

JUDGE: Hon. Bruce S. Jenkins

COURT REPORTER: Becky Janke

COURTROOM DEPUTY: Michael R. Weiler

INTERPRETER: None

RECEIVED

CASE NO. 11-C-1165 BSJ

FEB 15 2012

SEC v. Management Solutions, et al

OFFICE OF U.S. DISTRICT JUDGE
BRUCE S. JENKINS

Approved By: _____

APPEARANCE OF COUNSEL

Pla Thomas M. Melton
Pla Daniel J. Wadley
Dft Stephen E. Quesenberry
Dft Jennifer A. James
Dft D. Loren Washburn
Mov Gregory N. Hoole
Rcvr John A. Beckstead

DATE: February 10, 2012, 9:30 AM - 10:10 AM

MATTER SET: re: to consider **(Dkt #152)** Stipulated Motion for Preliminary Injunction and other relief as to Defendant Wendell A. Jacobson; to consider **(Dkt #153)** Stipulated Motion for Leave to Appear Amicus Curiae filed by Movant MSI Investor Group; **(Dkt #54)** MOTION to Quash and for Protective Order; to consider **(Dkt #133)** Stipulation regarding Amendment to TRO, Order Accelerating Discovery and OSC and Order Appointing Receiver, Freezing Assets and other Relief; **(Dkt #134)** to consider Stipulation for Entry of Preliminary Injunction as to Allen R. Jacobson; and to consider **(Dkt #135)** MOTION to Withdraw Motion to Vacate Order Appointing Receiver; **(Dkt #36)** MOTION to Vacate Order Appointing Receiver as to Defendant Allen R. Jacobson. (40 mins), Rm 420

DOCKET ENTRY:

Argument & discussion heard. Crt rules:

- Grants, **(Dkt #54)** Motion for Protective Order. Mr. Quesenberry to prepare order & SEC to sign-off on the order.
- Strikes, **(Dkt #134)** Stipulated Motion for Preliminary Injunction as to Allen R. Jacobson; subject to resetting upon appropriate application.

- Grants, **(Dkt #153)** Stipulated Motion for Leave to Appear Amicus Curiae filed by Movant MSI Investor Group. Mr. Hoole to prepare & submit order.
- Strikes, **(Dkt #135)** MOTION to Withdraw Motion to Vacate Order Appointing Receiver & **(Dkt #36)** MOTION to Vacate Order Appointing Receiver as to Defendant Allen R. Jacobson. Mr. Washburn to prepare & submit order.
- Denied, **(Dkt #133)** Stipulation regarding Amendment to TRO, Order Accelerating Discovery and OSC and Order Appointing Receiver, Freezing Assets and other Relief; to continue TRO, suggested need to involve the Receiver & the SEC. Cnsl to submit stip order to the continuance of TRO..

Mr. Quesenberry agrees to consolidate 2/13/2012, motion for preliminary injunction hearing, with the hearing on the merits.

Mr. Washburn agrees to consolidate 2/13/2012, motion for preliminary injunction hearing, with the hearing on the merits.

Crt schedules:

- Motion for preliminary injunction hearing set on 2/13/2012, consolidated with the hearing on the merits, provisionally set 5/21/2012, at 9:30 AM, set for 5-10 days.

Cnsl to submit proposed order relating to the continuance & consolidation of hearings.