

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

U.S. COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

v.

Keith F. Simmons et al.,

Defendants, and

Lawrence Salazar et al.,

Relief Defendants.

CASE NO. 3:11-cv-00023-RJC

**CONSENT ORDER OF PRELIMINARY INJUNCTION  
AND OTHER EQUITABLE RELIEF AGAINST DEFENDANTS BRYAN COATS,  
GENESIS WEALTH MANAGEMENT, L.L.C., JONATHAN DAVEY, DIVINE  
CIRCULATION SERVICES, L.L.C., SAFE HARBOR VENTURES INC., SAFE  
HARBOR WEALTH INVESTMENTS, INC., DIVINE STEWARDSHIP, L.L.C.,  
AND SAFE HARBOR WEALTH, INC.**

Plaintiff, U.S. Commodity Futures Trading Commission (the "Commission") has filed a Complaint against Defendants Keith Simmons ("Simmons"), Black Diamond Capital Solutions, L.L.C. ("BDCS"), Black Diamond Holdings L.L.C. ("BD Holdings"), Deanna Salazar ("Salazar"), Life Plus Group, L.L.C. ("Life Plus"), Bryan Coats ("Coats"), Genesis Wealth Management, L.L.C. ("GWM"), Jonathan Davey ("Davey"), Divine Circulation Services, L.L.C. ("Divine Circulation"), Safe Harbor Ventures Inc. ("SHV"), Safe Harbor Wealth Investments, Inc. (SHWI), Divine Stewardship, L.L.C. ("Divine Stewardship"), and Safe Harbor Wealth, Inc. ("SHW"), and Relief Defendants Lawrence Salazar ("L. Salazar"), Eco-

Green, L.L.C. ("Eco-Green"), Black Diamond Associates, L.L.C. ("BD Associates"), High South Realty, L.L.C. ("High South"), The Gallery Group, L.L.C. ("Gallery Group"), Coats Estate Planning Services, Inc. ("Coats Estate, Inc."), Coats Wealth Management, Inc. ("Coats Wealth"), Sovereign Grace, Inc. ("Sovereign Grace"), and Shiloh Estate, L.L.C. ("Shiloh Estate") for Permanent Injunction, Civil Monetary Penalties, and Other Equitable Relief.

On January 19, 2011, the Court entered a Consent Statutory Restraining Order and Order of Preliminary Injunction and Other Equitable Relief Against Defendants Deanna Salazar and Life Plus Group L.L.C., and Relief Defendant Lawrence Salazar. On February 11, 2011, the Court entered an Order granting Plaintiff's Motion for a Statutory Restraining Order, Accounting, Expedited Discovery, Order to Show Cause Regarding Preliminary Injunction, and Other Equitable Relief against Defendants Simmons, BDCS, BD Holdings, Coats, GWM, Davey, Divine Circulation, SHV, SHWI, Divine Stewardship, and SHW, and Relief Defendants Eco-Green, BD Associates, High South, Gallery Group, Coats Estate, Inc., Coats Wealth, Sovereign Grace, and Shiloh Estate.

Defendants Coats, GWM, Davey, Divine Circulation, SHV, SHWI, Divine Stewardship, and SHW ("Defendants"), without an adjudication of the merits on any issue of fact or law, without waiving any privileges under the United States Constitution or any other rights or privileges, and without admitting or denying the allegations of the Complaint filed in this action except as to venue and the Court's jurisdiction over the Defendants for purposes of this Order of Preliminary Injunction and Other Equitable Relief ("Order"), consent to the entry of this Order and state that this consent is entered into voluntarily and that no promise or threat has been made by the Commission or any member, officer, agent or representative thereof, to induce them to consent to this Order.

**THE PARTIES AGREE AND THE COURT FINDS THAT:**

1. This Court has jurisdiction over the subject matter of this action and over the parties hereto pursuant to Section 6c of the Commodity Exchange Act ("Act"), 7 U.S.C. § 13a-1 (2006), and Section 2(c)(2) 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 ("CRA")), §§ 13101-13204, 122 Stat. 1651 (effective June 18, 2008), to be codified at 7 U.S.C. § 2(c)(2).

2. Venue lies properly within this District pursuant to Section 6c(e) of the Act, 7 U.S.C. § 13a-1(e) in that Defendants are found, inhabit or transact business in this district, and the acts and practices in violation of the Act have occurred, are occurring, or are about to occur within this district.

3. Defendants waive the entry of findings of fact and conclusions of law in this action pursuant to Fed. R. Civ. P. 52.

**RELIEF GRANTED**

**I. PROHIBITION FROM VIOLATIONS OF THE ACT**

**IT IS HEREBY ORDERED that:**

4. Defendants, and all persons insofar as they are acting in the capacity of agents, servants, employees, successors, assigns, or attorneys of Defendants, and all persons insofar as they are acting in active concert or participation with Defendants who receive actual notice of this Order by personal service or otherwise, are restrained and enjoined from, directly or indirectly, in or in connection with any order to make, or the making of, any contract of sale of any commodity for future delivery, or other agreement, contract, or transaction subject to paragraphs (1) and (2) of section 5a(g), that is made, or to be made, for or on behalf of, or with, any other person, other than on or subject to the rules of a designated contract market – (A)

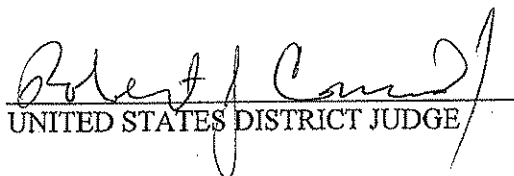
cheating or defrauding or attempting to cheat or defraud the other person; (B) willfully making or causing to be made to the other person any false report or statement or willfully entering or causing to be entered for the other person any false record; [or] (C) willfully deceiving or attempting to deceive the other person by any means whatsoever in regard to any order or contract or the disposition or execution of any order or contract, or in regard to any act of agency performed, with respect to any order or contract for or, in the case of paragraph (2), with the other person, in violation of Sections 4b(a)(1)(A)-(C) and 4b(a)(2)(A)-(C) of the Act as amended by the CFTC Reauthorization Act of 2008, § 13102, 122 Stat. 1651 (effective June 18, 2008), to be codified at 7 U.S.C. §§ 6b(a)(1)(A)-(C) and 6b(a)(2)(A)-(C).

## II. FORCE AND EFFECT


**IT IS FURTHER ORDERED** that:

5. This Order shall remain in full force and effect until further order of this Court and that this Court retains jurisdiction of this matter for all purposes. The Order Granting Plaintiff's Motion for a Statutory Restraining Order, Accounting, Expedited Discovery, Order to Show Cause Regarding Preliminary Injunction, and Other Equitable Relief, previously ordered by the Court on February 11, 2011, shall remain in full force and effect until further order of this Court, with the exception of those provisions of Section VI of the Order granting expedited discovery, which are stayed pursuant to the Court's Order of MARCH 15, 2011 staying discovery in this matter.

**SO ORDERED**, at Charlotte, North Carolina, on the 30 day of March, 2011.

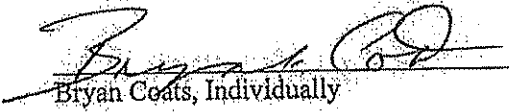
  
UNITED STATES DISTRICT JUDGE

CONSENTED AND APPROVED BY:



Alan Edelman  
Commodity Futures Trading Commission  
1155 21st Street, NW  
Washington, D.C. 20581  
202-418-5325  
Attorney for Plaintiff

Date: 3/23/11



Bryan Coats, Individually

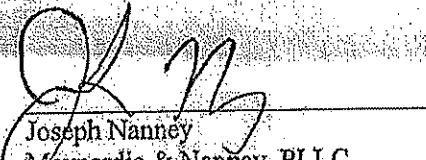
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Genesis Wealth Management, LLC, Authorized Representative


Date: 3/11/11

Approved for Entry:

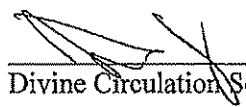


Joseph Nanney  
Meynardie & Nanney, PLLC  
333 Fayetteville Street, Suite 500  
Raleigh, NC 27601  
Phone: (919) 747-7374  
Attorney for Defendants Coats, Genesis Wealth Management, L.L.C., Coats Estate Planning  
Services, Inc., and Coats Wealth Management, Inc.

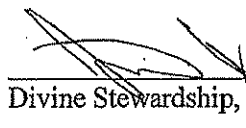
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Jonathan Davey, Individually

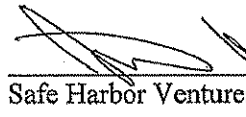
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Divine Circulation Services, L.L.C., Authorized Representative

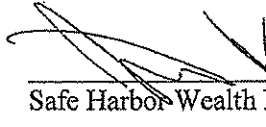
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Divine Stewardship, L.L.C., Authorized Representative

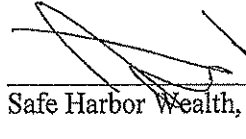
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Safe Harbor Ventures Inc., Authorized Representative

Date: 3/22/11

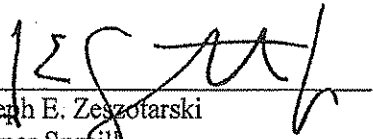
  
Safe Harbor Wealth Investments, Inc., Authorized Representative

Date: 3/22/11

  
Safe Harbor Wealth, Inc., Authorized Representative

Date: 3/22/11

Approved for Entry:



Joseph E. Zeszotarski  
Poyner Spruill  
301 Fayetteville Street, Suite 1900  
Raleigh, NC 27601  
(919) 783-1005

Attorney for Defendants Jonathan Davey, Divine Circulation Services, L.L.C., Divine Stewardship, L.L.C., Safe Harbor Ventures, Inc., Safe Harbor Wealth Investments, Inc., and Safe Harbor Wealth, Inc.

Date: 3/22/11