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 8 **UNITED STATES DISTRICT COURT**
 9 **EASTERN DISTRICT OF CALIFORNIA**
 10 **SACRAMENTO**

11 SECURITIES AND EXCHANGE
 COMMISSION,

12 *Plaintiff*

13 v.

14 ANTHONY VASSALLO, et al,

15 *Defendants.*

Case No. CV 09-000665 LKK-DAD

**ORDER DIRECTING CHARLES
 JARVIS AKA "CHARLIE" JARVIS AND
 WILLIAM WHEELER TO PROVIDE
 INFORMATION AND DOCUMENTS TO
 RECEIVER CONCERNING EIMT
 FUNDS TRANSFERRED TO JEFF
 DENNIS FERENTZ AND/OR JEFF
 DENNIS FERENTZ, INC.**

Judge Lawrence K. Karlton

18 On April 30, 2009, this Court filed the Order Appointing Temporary Receiver for Equity
 19 Investment Management and Trading, Inc. ("EIMT") and Order to Show Cause for Appointment
 20 of Permanent Receiver ("OAR") and on July 31, 2009, the Court filed an Order permanently
 21 appointing Receiver. Pursuant to the OAR, for good cause shown, and in order to empower and
 22 authorize the Receiver to carry out his duties and obligations,

23 **THE COURT HEREBY FINDS AND ORDERS AS FOLLOWS:**

24 On November 7, 2007, and November 8, 2007, \$2,000,000 of EIMT investor funds were
 25 transferred to Jeff Dennis Ferentz (a California attorney) and/or Jeff Dennis Ferentz, Inc.
 26 (collectively "Ferentz"), in connection with a "bank sanctioned high yield project funding
 27 program." The funds were deposited into the Jeff Dennis Ferentz, Inc. Client Trust Account (the
 28

1 “Ferentz Account”). The unsigned joint venture agreement located by Receiver for this
2 investment lists the parties as Defendant Anthony Vassallo as the investor and Jon Fragosa, Jeff
3 Dennis Ferentz, and Charles Jarvis (aka “Charlie” Jarvis) as the “Facilitator”.

4 This Court previously issued orders authorizing banks and financial institutions to assist
5 Receiver in tracing the EIMT investor funds transferred to Ferentz including funds transferred
6 from Jeffrey Dennis Ferentz, Inc. to entities to entities including “JD Centuries, LLC” and “USR
7 Site Acquisition, LLC” (Doc. Nos. 149 and 219), which remain in full force and effect.

8 Receiver has determined that \$800,000 from the Ferentz Account was transferred to a
9 Wells Fargo business money market account in the name of “JD Centuries, LLC - Contractor Sub
10 Account” on November 7, 2007. In addition to Mr. Ferentz, William Wheeler is a signatory and
11 “Owner/Key Individual” for that account. Money removed from that account was paid to Mr.
12 Wheeler. Mr. Jarvis is a managing member of JD Centuries, LLC along with Mr. Ferentz.

13 Receiver has also determined that another \$700,000 was transferred from the Ferentz
14 Account to a Wells Fargo savings account in the name of “USR Site Acquisition, LLC” on
15 November 26, 2007. In addition to Mr. Ferentz, Mr. Jarvis is a signatory and “Owner/Key
16 Individual” on the USR Site Acquisition, LLC account. Mr. Jarvis was a managing member of
17 USR Site Acquisition, LLC along with Mr. Ferentz. Mr. Jarvis was also named as a “Faciliator”
18 in the unsigned transaction document concerning EIMT’s investment which resulted in the
19 transfer of \$2 million of EIMT funds to the Ferentz Account.

20 Receiver believes that Mr. Wheeler and Mr. Jarvis are in possession of information and
21 documents that will assist him to understand the various entities receiving funds from the Ferentz
22 Account and which will permit him to trace EIMT funds transferred from the Ferentz Account to
23 other accounts related to Mr. Ferentz and Mr. Jarvis.

24 To further assist Receiver’s investigation in tracing the EIMT funds transferred to Ferentz,
25 the Court directs Charles Jarvis aka “Charlie” Jarvis and William Wheeler each to provide
26 information and documents to assist Receiver to marshal EIMT assets, and to trace and recover
27 the \$2 million EIMT transferred to the Ferentz Account.

28 Charles Jarvis aka “Charlie” Jarvis and William Wheeler are further directed to cooperate

1 fully with Receiver in Receiver's activities, investigation and inquiries on behalf of this Court.

2 **IT IS SO ORDERED.**

3 Dated: April 27, 2010

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

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