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11 UNITED STATES DISTRICT COURT
 12 EASTERN DISTRICT OF CALIFORNIA
 13 SACRAMENTO DIVISION
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15 SECURITIES AND EXCHANGE COMMISSION,
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 17 Plaintiff,
 18 v.
 19 ANTHONY VASSALLO, KENNETH KENITZER
 and EQUITY INVESTMENT MANAGEMENT
 20 AND TRADING, INC.,
 21 Defendants.

Case No.2:09-CV-00665-LKK-DAD

STIPULATION AND ORDER TO
 SHORTEN TIME ON PLAINTIFF'S
 MOTION TO APPOINT TEMPORARY
 RECEIVER FOR DEFENDANT
 EQUITY INVESTMENT
 MANAGEMENT AND TRADING,
 INC.

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 23 WHEREAS Plaintiff Securities and Exchange Commission ("Commission") intends to
 24 move the Court for an order appointing a temporary receiver for defendant Equity Investment
 25 Management and Trading, Inc. ("EIMT");

26 WHEREAS the Commission will request that the Court hear its motion on shortened
 27 time, on April 20, 2009, at 9:00 a.m., or as soon thereafter as the matter may be heard;

1 WHEREAS counsel for defendants Anthony Vassallo and Kenneth Kenitzer agree, as
2 indicated by their signatures below, to have this matter heard on such shortened time;

3 WHEREAS defendant EIMT failed to respond to a request that it also agree to have
4 the motion heard on shortened time;

5 THEREFORE, counsel for the Commission and defendants Vassallo and Kenitzer
6 hereby stipulate to have the Commission's motion for appointment of a temporary receiver for
7 defendant EIMT heard by the Court on Monday, April 20, 2009, at 9:00 a.m., or as soon
8 thereafter as possible, and ask that the Court adopt this stipulation as its order.

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10 Dated: April 13, 2009

/s/ Robert L. Mitchell

Robert L. Mitchell

Attorney for Plaintiff

SECURITIES AND EXCHANGE COMMISSION

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14 Dated: April 13, 2009

/s/ Edward Gelfand

Edward Gelfand

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Attorney for Defendant

KENNETH KENITZER

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20 Dated: April 14, 2009

/s/ David R. Chase

David R. Chase

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Attorney for Defendant

Anthony Vassallo

ORDER

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2 Good cause appearing, the application of plaintiff Securities and Exchange
3 Commission to shorten time on its motion to appoint a temporary receiver for defendant
4 Equity Investment Management and Trading, Inc., is granted. The Court will hear the
5 Commission's motion on April 24, 2009, at 10:00 a.m.

6 Any opposition to the Commission's motion for a temporary receiver shall be filed no
7 later than Friday, April 17, 2009, and served on that date on all parties by personal service,
8 email transmission or overnight mail (morning delivery). The Commission shall file any
9 reply papers in support of its motion on April 18, 2009, and serve them on that date by
10 personal service, email transmission or overnight mail (morning delivery).

11 DATED: April 14, 2009.

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14 LAWRENCE K. KARLTON
15 SENIOR JUDGE
16 UNITED STATES DISTRICT COURT
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