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IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES COMMODITY FUTURES
TRADING COMMISSION,

) Case No. 10-2654 SC

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Plaintiff,

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ORDER CONTINUING HEARING

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vs.

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HIGHLANDS CAPITAL MANAGEMENT,
L.P., a California limited
partnership; and GLENN KANE
JACKSON, an individual,

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Defendants.

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On June 17, 2010, the United States Commodity Futures Trading Commission ("CFTC" or "Plaintiff") filed a Complaint against Highland Capital Management, L.P., and Glenn Kane Jackson ("Mr. Jackson") (collectively, "Defendants"), alleging violations of the Commodity Exchange Act. ECF No. 1 ("Compl."). On the same day, the Court granted Plaintiff's request for a Statutory Restraining Order, restraining Defendants from withdrawing, transferring, dissipating or disposing of their assets; directing financial institutions to prohibit Defendants from doing so; and requiring Defendants to maintain all business records. ECF No. 8 ("June 17, 2010 Order").

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The Court also issued an order to show cause why the further relief requested in Plaintiff's Ex Parte Emergency Motion should not be granted. Among other requests for further relief, Plaintiff

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1 seeks expedited discovery, including the ability to depose
2 Defendants and non-parties, an accounting of all Defendants'
3 assets, Plaintiff wants Defendants to sign a Consent to Release of
4 Financial Records, and Plaintiff wants to be able to inspect and
5 copy Defendants' books, records, and other documents. See ECF 23
6 ("Proposed Order of Preliminary Injunction").

7 It is the Court's understanding that Mr. Jackson remains in
8 custody in Marin County, that he is not represented by an attorney
9 in this case, and that there are criminal proceedings pending
10 against him. Under these circumstances, the Court continues the
11 show-cause hearing so that Mr. Jackson has an opportunity to obtain
12 counsel to represent him at the hearing. The show-cause hearing is
13 continued until Friday, September 3, 2010, at 10:00 a.m. in
14 Courtroom 1, on the 17th floor, U.S. Courthouse, 450 Golden Gate
15 Avenue, San Francisco, CA 94102. The relief granted in the Court's
16 June 17, 2010 Order remains in effect until the September 3, 2010
17 show-cause hearing.

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1 The Court ORDERS Plaintiff to notify the Marin County
2 Sheriff's Department that Mr. Jackson should NOT be transported
3 from the Marin County Jail to the Federal Courthouse on August 13,
4 2010. The Court ORDERS Plaintiff to serve this Order on Defendants
5 and on the Marin County Sheriff's Department, and file a proof of
6 service with the Court within five (5) days of this Order. If Mr.
7 Jackson is still in custody, Plaintiff should petition the Court to
8 issue a Writ of Habeas Corpus Ad Testificandum at least seven (7)
9 days prior to September 3, 2010, to ensure Mr. Jackson's presence
10 at the show-cause hearing.

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IT IS SO ORDERED.

Dated: August 10, 2010


UNITED STATES DISTRICT JUDGE