

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No. 09-cv-00497-REB-BNB

UNITED STATES SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

THE REGENCY GROUP, LLC, et al,

Defendants.

ORDER DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Blackburn, J.

The matters before me are (1) **Plaintiff's Motion for Summary Judgment as to Defendants Regency Group, LLC; Scott Gelbard; Jeffrey Koslosky; Aaron Lamik; John Coutris; Michael Coutris; and J. Coutris Partners, LP on Claims Three Through Six** [#53]¹ filed December 30, 2009; and (2) the **Motion for Partial Summary Judgment Filed on Behalf of Defendants The Regency Group, Scott F. Gelbard and Aaron S. Lamkin** [#56] filed December 30, 2009. I have jurisdiction over this matter pursuant to 15 U.S.C. §§ 77t(d) & 77v(a) (violations of the Securities Act of 1933) and 15 U.S.C. §§ 78u(d), 77u(e), & 78aa (violations of the Securities Exchange Act of 1934). Having reviewed the arguments, authorities, and evidence presented by the parties, it is apparent that there exist genuine issues of material fact as to all claims presented in this lawsuit. Thus, summary judgment is not appropriate.

¹ “[#53]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court’s case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

THEREFORE, IT IS ORDERED as follows:

1. That **Plaintiff's Motion for Summary Judgment as to Defendants**

Regency Group, LLC; Scott Gelbard; Jeffrey Koslosky; Aaron Lamik; John Coutris; Michael Coutris; and J. Coutris Partners, LP on **Claims Three Through Six** [#53] filed December 30, 2009, is **DENIED**; and

2. That the **Motion for Partial Summary Judgment Filed on Behalf of Defendants The Regency Group, Scott F. Gelbard and Aaron S. Lamkin** [#56] filed December 30, 2009, is **DENIED**

Dated June 30, 2010, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge