

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

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

U.S. SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

THE REGENCY GROUP, LLC,
SCOTT F. GELBARD,
JEFFREY S. KOSLOSKY,
AARON S. LAMKIN,
JOHN J. COUTRIS,
J. COUTRIS PARTNERS, LP,
JOSEPH S. FERNANDO,
WELLINGTON CAPITAL ENTERPRISES, INC.,
JAMES J. COUTRIS, and
DIMITRIOS I. GOUNTIS,

Defendants.

ORDER

This matter arises on **Plaintiff's Combined Emergency Motion and Supporting Memorandum to Compel the Deposition of Defendant Joseph S. Fernando** [Doc. # 26, filed 10/6/2009] (the "Motion"). I held a hearing on the Motion this afternoon and made rulings on the record, which are incorporated here. In summary and for the reasons stated on the record:

IT IS ORDERED that the Motion is GRANTED. Defendant Joseph S. Fernando is ordered to appear for his deposition at the Denver Regional Office of the Securities and Exchange Commission, 1801 California Street, Suite 1500, Denver, Colorado, on October 26, 2009, at 9:30 a.m., and continuing until completed.

IT IS FURTHER ORDERED that the discovery cut-off date is extended to and including

November 27, 2009, solely to allow the depositions of Mr. Eiten and Dr. Slaga.

Dated October 16, 2009.

BY THE COURT:

s/ Boyd N. Boland

United States Magistrate Judge