

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 10-10572-GAO

GERALD CHOW and LILY CHOW,
Plaintiffs,

v.

MARK J. ZIMNY and IVYADMIT CONSULTING ASSOCIATES LLC,
Defendants.

ORDER

June 24, 2013

O'TOOLE, D.J.

The defendants request the Court to clarify its preliminary injunction order (dkt. no. 34) and confirm that they may pay defense counsel in this action and in USA v. Zimny, Criminal Action No. 13-10024-RWZ.

The Court is not convinced that Zimny needs to retain additional counsel in this case. Mr. Annen has entered an appearance on Zimny's behalf, and Mr. Sheketoff, who represents Zimny in the criminal case, has entered an appearance on IvyAdmit's behalf. Zimny is adequately represented by two capable attorneys in this matter.

The Court's preliminary injunction order enjoins the defendants from "directly or indirectly, transferring, assigning, pledging, hypothecating, causing to diminish in value, encumbering, selling . . . assets . . . up to the amount of \$2,155,000.00." (Order at 4 (dkt. no. 34).) Under this order, the defendants may not transfer any assets up to the amount of \$2,155,000.00 to attorneys as compensation for legal representation, either in this civil action or in the criminal action.

Accordingly, the defendants' Motion (dkt. no. 98) for Clarification is DENIED to the extent that the defendants seek an order confirming that payment of legal fees does not violate the preliminary injunction order.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.
United States District Judge