

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SECURITIES AND EXCHANGE)
COMMISSION,)
)
Plaintiff,)
)
v.)
)
BRYAN S. BEHRENS, and NATIONAL)
INVESTMENTS, INC.,)
)
Defendants.)

CASE NO. 8:08CV13

ORDER

This matter is before the Court on the Receiver’s Motion to Compel (Filing No. 160) and the Receiver’s Motion for Order Staying Proceedings/Litigation Designed to or Potentially Having an Effect on Receivership Entities and their Assets (hereinafter “Motion for Stay”) (Filing No. 164).

The Court received evidence and heard argument on the motions. Further, the Court reviewed and considered the briefs and evidence filed and offered by the Receiver and by Christopher A. Pfanstiel, counsel for Michelle Behrens, wife of the Defendant Bryan Behrens.

Consistent with the Court’s ruling from the bench,

IT IS ORDERED:

1. The Receiver’s Motion to Compel (Filing No. 160) is granted.
2. Michelle Behrens shall turn over the proceeds of the sale of a 2008 Chrysler Sebring, in the amount of \$15,500.00, by delivering a certified check or cashier’s check to the Receiver or to an attorney in the Receiver’s law firm, on or before noon on November 23, 2009;
3. Christopher A. Pfanstiel (NSBA Bar #21846) and the law firm of Lewis & Pfanstiel, PC, LLO, shall turn over the proceeds of the sale of a 2006

Chevrolet school bus (commonly known as “the Husker bus”), in the amount of \$17,250.00, by delivering a certified check or cashier’s check to the Receiver or to an attorney in the Receiver’s law firm, on or before noon on November 23, 2009;

4. This matter is set for a show cause hearing on November 24, 2009, at 8:30 a.m., at which time Mr. Pfanstiel and Ms. Behrens shall show cause why they should not be held in contempt of this Court’s Order of November 19, 2009, as well as the Court’s previous Order of July 28, 2008; said hearing will be cancelled in the event that the Court receives notice from the Receiver by the close of the business day on November 23, 2009, that Mr. Pfanstiel and Ms. Behrens are in full compliance with paragraphs 2 and 3 above;
5. The Receiver’s Motion for Stay (Filing No. 164) is denied;
6. The Receiver is directed to communicate with the District Court of Douglas County, Nebraska, with the purpose of informing that court of the proceedings in the current action before this Court, and further to provide the District Court for Douglas County, Nebraska, with a copy of this Court’s Order appointing the Receiver (Filing No. 85) and a copy of the entire docket sheet.

DATED this 19th day of November, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge