

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

JOHN W. FEMENIA, SHAWN C. HEGEDUS,
DANIELLE C. LAURENTI, CORAM REAL
ESTATE HOLDING, INC., GOLDSTAR P.S. INC.,
ROGER A. WILLIAMS, , KENNETH M. RABY,
FRANK M. BURGESS, JAMES A. HAYES,
MATTHEW J. MUSANTE, ANTHONY C.
MUSANTE and AARON M. WENS,

Defendants,

and

KRISTINE LACK and CHRISTINE E. MUSANTE,

Relief Defendants.

Civil Action No.

3:12-cv-803

**ORDER CONTINUING AND PARTIALLY LIFTING ASSET FREEZE FOR
DEFENDANT KENNETH M. RABY**

The Securities and Exchange Commission ("Commission") having filed a Complaint and Emergency *Ex Parte* Application for a Temporary Restraining Order and Other Relief on December 5, 2012 ("December 5 Order") against, among others, Defendant Kenneth M. Raby ("Raby") (the Commission and Raby referred to herein as the "Parties"); the Court having entered an Order on December 11, 2012 lifting the asset freeze on two BB&T accounts of Raby Construction LLC, subject to certain limitations set forth therein ("December 11 Order"); Raby having, among other things, consented to the entry of a preliminary injunction against him, which the Court entered on

December 13, 2012 ("December 13 Order"), the Commission having made a Motion for a Continuance and Partial Lifting of the Asset Freeze for Raby, to which Raby has consented, and the Parties having shown good cause why this Order should be entered,

IT IS HEREBY ORDERED that the asset freeze with respect to the assets of Raby is hereby continued until further order of the Court, EXCEPT THAT:

1. The asset freeze with respect to the following business accounts shall be lifted so that the below-entities may use its accounts to act in its ordinary course of business, including payments to employees and third-party vendors in arms-length transactions:

- a. Gwinn Meadows, BB&T Bank account, account number xxxx-xxxx-3698;
- b. Wicker Commercial, BB&T Bank account, account number xxx-xxxx-9849;
- c. Raby Properties, BB&T Bank account, account number xxx-xxxx-8346;
- and
- d. Parker Financial, BB&T Bank account, account number xxxx-xxxx-9318;

but in no event shall the lifting of the freeze with respect to these accounts be construed to permit any withdrawal, transfer or payment from this account to Raby, any member of his family or any other Defendant or Relief Defendant in this action, whether directly or indirectly.

2. The asset freeze with respect to Raby's personal BB&T Bank account, account number xxxx-xxxx-8891 shall be partially lifted up to a maximum of Fifteen Thousand Dollars (\$15,000.00).

3. Raby shall provide to the Commission on a monthly basis an accounting of the withdrawals, transfers and payments made from aforementioned business bank accounts of Gwinn Meadows, Wicker Commercial, Raby Properties and Parker Financial.

All other terms and provisions of the Court's December 5 Order, December 11 Order and December 13 Order with respect to Raby shall remain in full force and effect pending further Order of the Court.

SO ORDERED this 10th day of December 2012.


U.S. DISTRICT COURT JUDGE