
UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

U.S. COMMODITY FUTURES
TRADING COMMISSION,

Plaintiff(s)

Case No: 09-cv-3332 MJD/JJK

v.

TREVOR COOK d/b/a CROWN
FOREX, LLC, PATRICK KILEY d/b/a
CROWN FOREX, LLC, UNIVERSAL
BROKERAGE FX and UNIVERSAL
BROKERAGE FX DIVERSIFIED, OXFORD
GLOBAL PARTNERS, LLC, OXFORD
GLOBAL ADVISORS, LLC, UNIVERSAL
BROKERAGE FX ADVISORS, LLC f/k/a
UBS DIVERSIFIED FX ADVISORS, LLC,
UNIVERSAL BROKERAGE FX
GROWTH, L.P. f/k/a UBS DIVERSIFIED FX
GROWTH L.P., UNIVERSAL BROKERAGE
FX MANAGEMENT, LLC f/k/a UBS
DIVERSIFIED FX MANAGEMENT, LLC
and UBS DIVERSIFIED GROWTH, LLC,

Defendant(s)

R.J. ZAYED,

Receiver.

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,

Case No: 09-cv-3333 MJD/JJK

Plaintiff(s)

v.

TREVOR G. COOK,
PATRICK J. KILEY,
UBS DIVERSIFIED GROWTH, LLC,
UNIVERSAL BROKERAGE FX
MANAGEMENT, LLC,
OXFORD GLOBAL ADVISORS, LLC,
and OXFORD GLOBAL PARTNERS, LLC,

Defendants

and

BASEL GROUP, LLC,
CROWN FOREX, LLC,
MARKET SHOT, LLC,
PFG COIN AND BULLION,
OXFORD DEVELOPERS, S.A.,
OXFORD FX GROWTH, L.P.,
OXFORD GLOBAL MANAGED
FUTURES FUND, L.P., UBS DIVERSIFIED
FX ADVISORS, LLC, UBS DIVERSIFIED
FX GROWTH, L.P., UBS DIVERSIFIED
FX MANAGEMENT, LLC, CLIFFORD
BERG, and ELLEN BERG,

Relief Defendants.

R.J. ZAYED,

Receiver.

ORDER ALLOWING SUMMARY PROCEEDINGS

This matter came before the Court on the Receiver's Motion for an Order Allowing Summary Proceedings. The Court, being fully advised in the premises, hereby finds as follows:

- A. From on or about a date unknown through about November 2009, Trevor Gilson Cook, aided and abetted by others, knowingly and intentionally created, devised, executed, and attempted to execute a scheme and artifice to defraud, and to obtain money and other things of value, by means of materially false and misleading statements and representations (hereinafter the "Ponzi scheme").
- B. On April 13, 2010, Trevor Gilson Cook pled guilty to one count of mail fraud (18 U.S.C. § 1341) and one count of tax evasion (26 U.S.C. § 7201) in connection with his role in the Ponzi scheme.
- C. Cook has admitted under oath to, among other things, diverting investor funds to make payments of interest and principal to other investors and to pay personal expenses.
- D. All assets transferred from or by any Receivership entity named in the above-captioned lawsuits, through November 2009, were transferred pursuant to the Ponzi scheme.
- E. All assets transferred from or by Cook, from at least August 2005 through November 2009, were transferred pursuant to the Ponzi scheme.

F. Summary proceedings for the purpose of recovering investor assets transferred to third parties by Cook pursuant to the Ponzi scheme are appropriate as means to ensure consistent treatment of the various recipients of the transfers, promote judicial efficiency, and decrease litigation costs for the Receivership.

Accordingly, is hereby ORDERED that the Receiver's Motion is GRANTED, and the Receiver is authorized to proceed summarily against any third party recipient of asset transfers from Cook or any named Receivership entity, as follows:

- 1) The Receiver shall serve, pursuant to Rule 4 of the Federal Rules of Civil Procedure, a Summary Proceedings Application on the third party recipient of Receivership assets.
- 2) The Summary Proceedings Application shall state the grounds for the relief requested, as required by Rule 8(a) of the Federal Rules of Civil Procedure.
- 3) The third party recipient of Receivership assets shall, pursuant to Rule 12 of the Federal Rules of Civil Procedure, have twenty-one days from the date of service to answer or otherwise plead.
- 4) Within fourteen calendar days of the service of an answer, the Receiver and the third party recipient of Receivership assets shall schedule a status conference with the Court, the purpose of which is to establish an expedited discovery schedule.

- 5) Discovery shall be limited in scope to the following two issues:
 - i. The amount and/or value of Receivership funds or assets received; and
 - ii. any statutory or common law defenses the third recipient of Receivership assets may wish to raise.

- 6) The limited discovery authorized above shall be conducted according to the Federal Rules of Civil Procedure, as modified by the Court in its expedited discovery schedule.

IT IS SO ORDERED.

July 20, 2010
DATE

s/ Michael J. Davis
CHIEF JUDGE MICHAEL J. DAVIS
UNITED STATES DISTRICT COURT