

HEARING MINUTES AND ORDER

Cause Number: 09-3674

Style: Securities & Exchange Commission v. Albert FASE Kaleta, et al.,

Appearances:

Counsel:

Representing:

<u>Timothy McCole</u>	<u>Plaintiff</u>
<u>Deon Warner</u>	<u>Defendant Albert FASE Kaleta</u>
<u>Robert Axelrod</u>	<u>Defendants Business Radio Network, L.P.</u>
<u></u>	<u>D/B/A BizRadio and Daniel Frishberg</u>
<u></u>	<u>Financial Services, Inc. D/B/A DFFS</u>
<u></u>	<u>Capital Management, Inc. (DFFS)</u>
<u>Richard Fuqua II</u>	<u>Daniel Frishberg</u>
<u>Thomas Taylor III, Esq/Gene Besen</u>	<u>Receiver</u>

Date: May 6, 2010

ERO: Yes

Time: 1:50 p.m. - 3:30 p.m.

Interpreter:

At the hearing the Court made the following rulings:

Motion hearing held.

First Motion to Modify Order Appointing Receiver and for Emergency Asset Freeze by Thomas L Taylor III [Doc. #22] (“Motion”) is held in abeyance in accordance with the record in open court.

The Court Orders that discovery of Mr. Frishberg and related entities will take place on or before May 16, 2010.

Parties have agreed to a stay all transfers of assets by all entities implicated in the Receiver’s Motion pending the Court’s ruling on that Motion in accordance with the record in open court.


Mr. Taylor’s Amended Motion to Modify Order Appointing Receiver is due **June 14, 2010**. Responses due **June 18, 2010** by **12:00 p.m.**

Motion hearing set for **June 22, 2010 at 9:30 a.m.**

Amended docket control order to follow.

Mr. Warner's Oral Motion to Appear *Pro Hac Vice* is GRANTED in accordance with the record in open court.

SIGNED at Houston, Texas this 6th day of May, 2010.



Nancy F. Atlas
United States District Judge