

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

THOMAS L. TAYLOR III, SOLELY IN
HIS CAPACITY AS COURT-APPOINTED
RECEIVER FOR KALETA CAPITAL
MANAGEMENT, INC.

Plaintiff,

v.

PROTECHNIK, INC. and BRIAN
DEARMAS,

Defendants.

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

**ALBERT FASE KALETA and KALETA
CAPITAL MANAGEMENT, INC.,**

Defendants,

**BUSINESSRADIO NETWORK, L.P.
d/b/a BizRadio and DANIEL
FRISHBERG FINANCIAL SERVICES,
INC., d/b/a DFFS CAPITAL
MANAGEMENT, INC.,**

**Relief Defendants,
Solely for the Purposes
of Equitable Relief.**

Civil Action No. 4:10-cv-1189

Related Action:

Civil Action No. 4:09-cv-3674

ORDER GRANTING RECEIVER’S UNAPPOSED MOTION TO CONSOLIDATE

On July 15, 2010, Thomas L. Taylor, III (the “Receiver”), Court appointed Receiver in *SEC v. Albert Fase Kaleta and Kaleta Capital Management, Inc., Defendants, and Businessradio*

Network, L.P. d/b/a BizRadio and Daniel Frishberg Financial Services, Inc., d/b/a DFFS Capital Management, Inc., Relief Defendants, Solely For The Purposes Of Equitable Relief, Civil Action No. 4:09-cv-3674, Southern District of Texas (the "SEC Action"), filed an Unopposed Motion to Consolidate the above-entitled action with the SEC Action. The Court has considered this motion and memorandum filed in support thereof, and having heard the arguments of counsel, finds that:

1. The SEC Action pending before this Court and the above-entitled action involve common questions of law and fact regarding assets of the Receivership Estate.

2. Consolidation will conserve judicial and receivership resources and reduce the time and expense to adjudicate these actions, therefore better preserving the value of the Receivership Estate for the benefit of its defrauded investors.

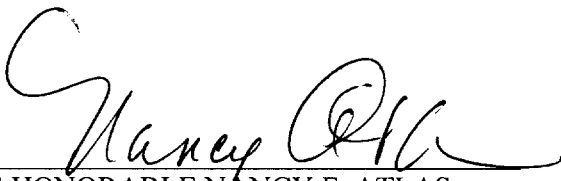
3. Furthermore, consolidation will not result in an unfair advantage for or prejudice against any party in the two actions.

4. Accordingly, pursuant to Federal Rule of Civil Procedure 42(a), the above-entitled action shall be consolidated with the SEC Action.

IT IS HEREBY ORDERED that Receiver's Unopposed Motion to Consolidate is **GRANTED** and that the above-entitled action shall be consolidated with the SEC Action for all purposes.

DONE and ORDERED at the United States District Courthouse, Houston, Texas, this

19th day of July, 2010.


THE HONORABLE NANCY F. ATLAS
UNITED STATES DISTRICT JUDGE