

FILED  
U.S. DISTRICT COURT

2014 MAY 30 A 7:22

DISTRICT OF UTAH

BY: \_\_\_\_\_  
DEPUTY CLERK

MANNING CURTIS BRADSHAW  
& BEDNAR LLC  
David C. Castleberry [11531]  
dcastleberry@mc2b.com  
Christopher M. Glauser [12101]  
cglauser@mc2b.com  
136 East South Temple, Suite 1300  
Salt Lake City, UT 84111  
Telephone (801) 363-5678  
Facsimile (801) 364-5678

*Attorneys for Plaintiff R. WAYNE KLEIN, the  
Court-Appointed Receiver of U.S. Ventures, LC,  
Winsome Investment Trust, and the assets of Robert  
J. Andres and Robert L. Holloway*

---

UNITED STATES DISTRICT COURT

DISTRICT OF UTAH

---

U.S. COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

- vs -

U.S. VENTURES LC, a Utah limited liability  
company, WINSOME INVESTMENT  
TRUST, an unincorporated Texas entity,  
ROBERT J. ANDRES and ROBERT L.  
HOLLOWAY,

Defendants.

**ORDER RE  
PRODUCTION OF  
SUPPLEMENTAL INFORMATION  
IN SUPPORT OF MOTION ON  
CLAIM NO. 1145**

Case No. 2:11-cv-00099-BSJ

Judge Bruce S. Jenkins

---

The Court held a hearing on May 20, 2014 related to a motion seeking approval of Claim No. 1145, which was filed by Susan Johnson ("Johnson") in the above-referenced case. David C. Castleberry appeared at the hearing for R. Wayne Klein, the court-appointed Receiver (the "Receiver"), and Sara E. Bouley appeared at the hearing on behalf of Johnson. At issue at this hearing was whether an evidentiary hearing is necessary to evaluate fully Johnson's claim, and whether further evidence from Johnson is necessary to enable the Court to consider fully Johnson's claim.

This matter was previously heard by the Court on February 21, 2014, wherein the Court ordered Johnson to produce supplemental information and documents as support for her claim. Following this February 21, 2014 hearing, Johnson submitted a declaration and bank records to the Court. In response, the Receiver renewed his objection to Johnson's claim, argued that the supplementation did not satisfy the Court's order, and also asked the Court to set an evidentiary hearing to consider whether Johnson's claim should be allowed, if the Court were inclined to consider Johnson's claim. Conditional Request for Evidentiary Hearing re Susan Johnson's Motion for Order Approving Claim, Doc. No. 332. Johnson opposed the Receiver's conditional request for an evidentiary hearing. Investor Susan Johnson's Objections to Receiver's Conditional Request for Evidentiary Hearing Regarding Her Motion for Order Approving Claim No. 1145, Doc. No. 333.

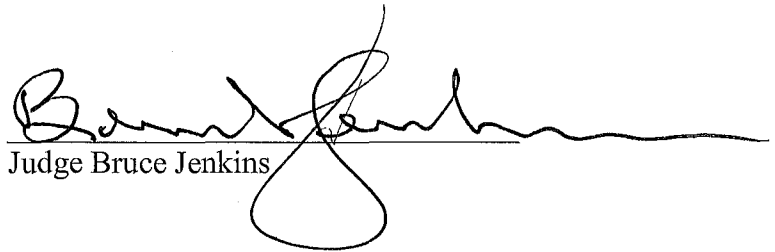
The Court has considered and reviewed the positions and filings by the parties, heard and considered oral argument, and based thereon and for good cause shown,

IT IS HEREBY ORDERED that:

1. Johnson shall produce to the Court and serve on the Receiver:
  - a. investment account and/or bank account records that show the source for each of the transfers Johnson sent to Winsome;
  - b. Johnson's Winsome account statement records; and
  - c. evidence concerning Johnson's receipt and notice of the claims process, including whether Johnson received the email from the Receiver regarding the claims process and when Johnson first became aware of the claims process.
2. Johnson shall provide this supplemental information and documents required by this Order by June 3, 2014.
3. The Court reserves its ruling on whether Johnson's claim should be allowed and whether an evidentiary hearing will be scheduled to consider this claim.

DATED this 29<sup>th</sup> day of May, 2014.

BY THE COURT:

  
\_\_\_\_\_  
Judge Bruce Jenkins