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U.S. DISTRICT COURT

2014 JUN 30 P 3: 27

DISTRICT OF UTAH

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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 DENYING
CLAIM NO. 1095**

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

Judge Bruce S. Jenkins

The Court held a hearing on June 25, 2014 with respect to the Plan of Distribution recommended by the Receiver in the above-referenced matter. The Court also discussed Claim No. 1095, which was filed by Zaman Ali ("Ali").

Ali has submitted a claim to the Receiver, which was denied. *See* Receiver's Report On and Response to Objections to the Receiver's Recommendations of the Claims Process, Doc. No. 246. The Receiver denied Ali's claim because it was untimely, because the Receiver believes that Ali may have received more money than he invested either from Winsome or money given to him by other investors and retained by him or his companies, and because Ali has failed to provide documentation to allow the Receiver to determine if Ali is overpaid and has failed to respond to requests from the Receiver for financial information relating to his investment transactions. *Id.* at 17 – 23

On May 20, 2013, the Court held a hearing wherein the Court ordered, *inter alia*, that Ali produce to the Receiver's counsel and file with the Court an accounting of the transactions involving Winsome Investment Trust and MCubed Financial Corp. ("MCubed"), one of Ali's companies that received money from third parties for investment in the Winsome scheme. Order re Claim No. 1095, dated May 21, 2013, Doc. No. 268. The Court sought information regarding the role played by MCubed in assembling and submitting to Winsome pooled funds of money received from other investors in Winsome. *Id.*

The record was subsequently supplemented by each party. Order re Claim of Zaman Ali, dated March 7, 2014, Doc. No. 331. Despite the supplementation, the Court was in doubt regarding the accuracy of the accounting provided to it following this hearing, and ordered Ali to provide supplemental information to support his claim. *Id.*

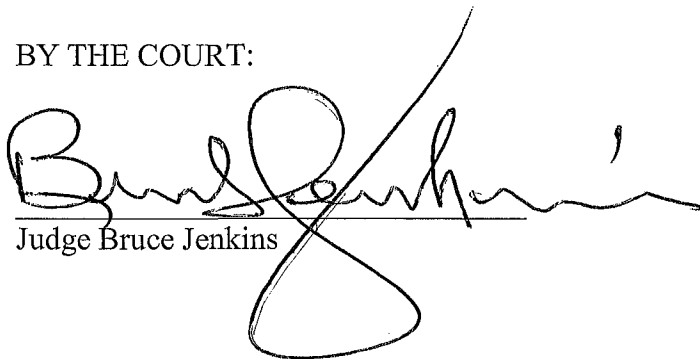
Ali's response included only one document, a copy of a previously-submitted payment order showing that he sent \$100,000.00 directly to Winsome. *See generally* Receiver's Response to Supplemental Information and Documents Submitted by Zaman Ali on March 25, 2014, Doc. No. 339. Ali has not provided any accounting for MCubed or any bank records for MCubed. *Id.* Ali has failed to provide the information sought by the Court and the Receiver despite being given multiple opportunities to do so.

WHEREFORE, based upon argument of the parties and good cause appearing,

IT IS HEREBY ORDERED that Claim No. 1095 of Zaman Ali is denied.

DATED this 30 day of June, 2014.

BY THE COURT:



Judge Bruce Jenkins