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U.S. DISTRICT COURT

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DISTRICT OF UTAH

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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

SECURITIES AND EXCHANGE COMMISSION,  
  
PLAINTIFF,

v.

Case: 2:11cv00357  
Assigned To : Campbell, Tena  
Assign. Date : 4/18/2011  
Description: SEC v. Art Intellect et al.

~~PROPOSED~~  
TEMPORARY  
RESTRAINING ORDER,  
ACCELERATING  
DISCOVERY AND ORDER  
TO SHOW CAUSE

Art Intellect, Inc., a Utah corporation, d/b/a Mason Hill and  
Virtual MG, Patrick Merrill Brody, Laura A. Roser,  
Gregory D. Wood

DEFENDANTS.

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Plaintiff, Securities and Exchange Commission (the "Commission"), has made an Ex Parte Motion for a Temporary Restraining Order and Other Relief to restrain Defendants Art Intellect, Inc. d/b/a Mason Hill and Virtual MG, Patrick Merrill Brody, Laura A. Roser and Gregory D. Wood (collectively, the "Defendants") from engaging in ongoing violations of the federal securities laws. The Court has considered the Commission's Memorandum in Support of the Ex Parte Motion for

Temporary Restraining Order and Other Relief, the exhibits filed therewith, and the supporting declarations and documentation, together with the argument of counsel. Based upon the foregoing, the Court makes the following findings:

1. This Court has jurisdiction over the subject matter of this action and over Defendants.
2. The Commission has made a sufficient and proper showing in support of the relief granted herein, as required by Section 20(b) of the Securities Act of 1933 (the "Securities Act") [15 U.S.C. § 77t(b)] and Section 21(d) of the Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. § 78u(d)] by evidence establishing a prima facie case of and a strong likelihood that the Commission will prevail at trial on the merits and that the Defendants, directly or indirectly, have engaged in and, unless restrained and enjoined by order of this Court, will continue to engage in acts, practices, and courses of business constituting violations of Sections 5(a), 5(c) and 17(a) [15 U.S.C. §§ 77e(a), 77e(c) and 77q(a)] and Sections 10(b) and 15(a) of the Exchange Act [15 U.S.C. §§ 78j(b) and 78o(a)] and Rule 10b-5 thereunder [17 C.F.R. § 240.10b-5].

**IT IS HEREBY ORDERED:**

**I.**

The Commission's Ex Parte Motion for a Temporary Restraining Order and Other Relief is granted.

**II.**

Pending the determination of the Commission's Motion for a Preliminary Injunction or hearing on the merits, Defendants and their officers agents, servants, employees, attorneys, and accountants, and those persons in active concert or participation with any of them, who receive actual notice of the order by personal service or otherwise, and each of them, are temporarily restrained and enjoined from engaging in transactions, acts, practices, and courses of business

described herein, and from engaging in conduct of similar purport and object in violation of Sections 5(a), 5(c) and 17(a) of the Securities Act, and Sections 10(b) and 15(a) of the Exchange Act and Rule 10b-5 thereunder.

### III.

Defendants shall appear before this Court at 11 o'clock in the A.M., on the 25<sup>th</sup> day of April, 2011, in Courtroom 236, of the United States District Court for the District of Utah, or as soon thereafter as they can be heard, to show cause, if any there be, why this Court should not enter a Preliminary Injunction and order preliminary relief against Defendants pursuant to Rule 65 of the Federal Rules of Civil Procedure, and extending the temporary relief granted in this Order until a final adjudication on the merits may be had.

### IV.

Pending the above-ordered preliminary injunction hearing, the Court hereby orders expedited discovery as detailed below:

- a. Discovery may commence immediately. The parties need not await the exchange of initial disclosures prior to initiating discovery through any other means permitted by the Federal Rules of Civil Procedure.
- b. Depositions may be scheduled on three days written notice to the parties, which notice must be served by facsimile and electronic mail.
- c. The parties must respond to interrogatories within 3 days of service thereof. Service of interrogatories must be made by facsimile and electronic mail.
- d. The parties must respond to requests for the production of documents and requests for admission within 5 days service thereof.

This Court shall retain jurisdiction over this action for the purposes of implementing and carrying out the terms of all orders and decrees which may be entered herein and to entertain any suitable application or motion for additional relief within the jurisdiction of this Court.

Dated this 18 day of April 2011.

*Jena Campbell*

United States District Judge  
District of Utah

*order remains in effect  
until preliminary injunction  
hearing April 25, 2011, at 11 A.M.*

*D.C*

I hereby certify that the annexed is a true and correct copy of a document or an electronic docket entry on file at the United States District court for the District of Utah.

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Date: 4/18/2011

D. MARK JONES, Clerk  
By: *[Signature]*  
Deputy Clerk