

FILED  
U.S. DISTRICT COURT  
FOR THE DISTRICT OF UTAH

~~2011 DEC 19 P 2:22~~

SECURITIES AND EXCHANGE COMMISSION  
DISTRICT OF UTAH

Civil No. 2:11CV00357

PLAINTIFF, BY: \_\_\_\_\_  
DEPUTY CLERK

Judge Tena Campbell  
Magistrate Judge David Nuffer

v.

**ORDER DENYING  
MOTION TO REMOVE  
RECEIVER**

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

DEFENDANTS.

On October 12, 2011, the Court held a hearing on Defendants Patrick Merrill Brody's ("Brody") and Laura A. Roser's ("Roser") (collectively, the "Defendants") Motion to Remove Receiver (Docket # 109). In connection with that motion, the Court also addressed the court-appointed Receiver's First Application for Professional Fees and Expenses for Receiver and Counsel (the "Fee Application") (Docket # 104) and Defendants' objections to the Fee Application (Docket # 108).

The court overruled Defendants' objections to the Fee Application; however, based on the amount of funds in the Receiver's account, the court determined not to authorize full payment of the professional fees and services set forth in the Fee Application at this time. Subsequent to the hearing, the court-appointed Receiver submitted a Special Interim Status Report together with a proposed Order (Docket # 141) seeking partial payment of the fees and expenses detailed in the Fee Application in the amount of \$50,000. Based on that submission, the Court shall address payment of the Receiver's Fee Application in a separate order.

Based on the parties' pleadings, together with the oral argument presented at the hearing, and for good cause appearing, the Court **DENIES** Defendants' Motion to Remove Receiver.

**IT IS SO ORDERED.**

Dated this 16th day of December, 2011.



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Honorable Tena Campbell  
United States District Judge  
District of Utah

**Submitted:**

Thomas M. Melton  
Daniel J. Wadley  
Attorneys for Plaintiff

**Approved, as to form,**

Jennifer James, Esq.  
Attorney to Court-appointed Receiver

Steven Paul, Esq.  
Attorney for Defendants Patrick Merrill Brody and Laura A. Roser