

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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UNITED STATES SECURITIES  
AND EXCHANGE COMMISSION,

Plaintiff,

Civ. No. 11-cv-574 (MJD/FLN)

v.

JASON BO-ALAN BECKMAN, et al.,

Defendants,

R.J. ZAYED,

Receiver.

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U.S. COMMODITY FUTURES  
TRADING COMMISSION,

Plaintiff,

Civ. No. 09-cv-3332 (MJD/JSM)

v.

TREVOR COOK, et al.,

Defendants.

R.J. ZAYED,

Receiver.

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UNITED STATES SECURITIES  
AND EXCHANGE COMMISSION,

Plaintiff,

Civ. No. 09-cv-3333 (MJD/JSM)

v.

TREVOR G. COOK, et al.,

Defendants,

R.J. ZAYED,

Receiver.

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**THE FINRA CLAIMANTS' RESPONSE TO THE MOTION TO INTERVENE AND STAY PROCEEDINGS FILED BY THE UNITED STATES OF AMERICA**

The FINRA Claimants do not oppose the United States' Motion to Intervene and Stay Proceedings ("Motion to Stay") based on their understanding that, if granted, the stay would not impede or otherwise preclude the Court from deciding the Receiver's motion to enjoin distribution of settlement proceeds to the FINRA Claimants ("Motion to Enjoin") currently pending before the Court. The hearing on the Motion to Enjoin took place on June 6, 2011 and was continued until September 16, at which time the Receiver would provide the Court with an update as to his due diligence and determinations relative to the Motion to Enjoin.

On August 30, 2011, undersigned counsel spoke with Assistant United States Attorney, Tracey Perzel, and attorney Sam Lockner of the Carlson, Caspers, Vandenburg and Lindquist law firm, counsel for the Receiver. Ms. Perzel and Mr. Lockner both conveyed their belief that the Motion to Stay was not intended to and would not disturb the Motion to Enjoin proceedings and, in fact, the exception included in the Motion to Stay "for any and all actions of the receiver to pursue claims, obtain assets, and disburse funds to investors" was included by the United States to exclude from the stay these precise types of issues being handled by the Receiver.

Accordingly, based on this understanding, the FINRA Claimants do not oppose the Motion to Stay.

Date: September 1, 2011

**LINDQUIST & VENNUM PLLP**

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CLAIMANTS**