
UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

R.J. Zayed, in his Capacity as Court-Appointed
Receiver for Trevor G. Cook et al.,

Petitioner

Case No: 11-cv-01042 SRN/FLN

v.

David Buysse, Steven and Pamela Cheney,
Walter Defiel, John Dzik, Terry Frahm,
Steven and Jenene Fredell, William Harris,
Michael and Jennifer Heise,
Michael and Cynthia Hillesheim, Larry Hopfenspirger,
Steven Kautzman, James McIntosh,
George and Karen Morisset, Reynold Sundstrom, and
Dot Anderson,

Respondents.

**RECEIVER'S MOTION TO EXCLUDE
THE TESTIMONY OF STEVEN ADAMS**

R.J. Zayed, Receiver, hereby moves this Court, pursuant to Federal Rules of Evidence 403 and 702, to exclude the testimony of Steven Adams for all purposes in this action.

This motion is based on the files, records, and proceedings herein, including this Motion; the Receiver's Memorandum of Law, which will be submitted in accordance with Local Rule 7.1(b)(1) at least 42 days ahead of the hearing currently set for April 26, 2012; the Declaration(s) accompanying that Memorandum of Law; the argument of counsel at that hearing; and all other submissions and proceedings had in this action. A

Proposed Order granting this Motion will be e-mailed to the Court's chambers concurrent with the filing of the Memorandum of Law as set forth above.

Dated: January 11, 2012

Respectfully submitted,

s/ Russell J. Rigby

R.J. Zayed (MN Bar No. 309,849)

Tara C. Norgard (MN Bar No. 307,683)

Russell J. Rigby (MN Bar No. 323,652)

Marlee A. Jansen (MN Bar. No. 389,428)

Peter M. Kohlhepp (MN Bar No. 390,454)

Carlson, Caspers, Vandenburg & Lindquist

225 S. 6th Street, Suite 3200

Minneapolis, MN 55402

Telephone: (612) 436-9600

Facsimile: (612) 436-9605

Email: rrigby@ccvl.com