

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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R.J. ZAYED, IN HIS CAPACITY AS  
COURT- APPOINTED RECEIVER FOR  
TREVOR G. COOK, ET AL.,  
Petitioner,

Case No. 11-CV-01042 SRN/FLN

vs.

DAVID BUYSSE, STEVEN AND  
PAMELA CHENEY, WALTER DEFIEL,  
JOHN DZIK, TERRY FRAHM,  
STEVEN AND JENENE FREDELL,  
WILLIAM HARRIS, MICHAEL HEISE,  
MICHAEL AND CYNTHIA HILLESHEIM,  
LARRY HOPFENSPIRGER, STEVEN  
KAUTZMAN, JAMES MCINTOSH,  
GEORGE AND KAREN MORISSET,  
AND REYNOLD SUNDSTROM, AND  
DOT ANDERSON,

Respondents.

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**DECLARATION OF STEVEN FREDELL**

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I, Steven Fredell, hereby declare:

1. I never requested that Clifford Berg act as my agent, and Clifford Berg never agreed to act as my agent. I did not believe that Clifford Berg would act as an independent agent on my behalf, and Clifford Berg never led me to believe that he would act as an independent agent on my behalf. I never believed I had the legal duty to control

Berg's actions, nor did Berg ever tell me that he was assuming a legal duty to act according to my instructions.

2. In my discussions with Trevor Cook and Clifford Berg, I was not asking them to act as my independent agents in dealing with the Cook Currency Entities. I understood that I was informing both of them in the course of their duties as employees/owners of the Cook Currency Entities of my request that they repay my loans if they became aware of any problems which could impact my loans, no matter how small. Thus, when my money was returned, I believed that the Cook Currency Entities were acting at my instruction to exercise caution with regard to the repayment of my loans because of the importance of this money to my family. I trusted Berg as my best friend, but I did not have any belief that he was my independent agent in any legal sense.

I state under penalty of perjury that the foregoing is true and correct.

Dated: January 6, 2012.

s/Steven Fredell  
Steven Fredell