
UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

U.S. COMMODITY FUTURES
TRADING COMMISSION,

Plaintiff(s)

Case No: 09-cv-3332 MJD/FLN

v.

TREVOR COOK d/b/a CROWN
FOREX, LLC, PATRICK KILEY d/b/a
CROWN FOREX, LLC, UNIVERSAL
BROKERAGE FX and UNIVERSAL
BROKERAGE FX DIVERSIFIED, OXFORD
GLOBAL PARTNERS, LLC, OXFORD
GLOBAL ADVISORS, LLC, UNIVERAL
BROKERAGE FX ADVISORS, LLC f/k/a
UBS DIVERSIFIED FX ADVISORS, LLC,
UNIVERSAL BROKERAGE FX
GROWTH, L.P. f/k/a UBS DIVERSIFIED FX
GROWTH L.P., UNIVERSAL BROKERAGE
FX MANAGEMENT, LLC f/k/a UBS
DIVERSIFIED FX MANAGEMENT, LLC
and UBS DIVERSIFIED GROWTH, LLC,

Defendant(s)

R.J. ZAYED,

Receiver.

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,

Case No: 09-cv-3333 MJD/FLN

Plaintiff(s)

v.

TREVOR G. COOK,
PATRICK J. KILEY,
UBS DIVERSIFIED GROWTH, LLC,
UNIVERSAL BROKERAGE FX
MANAGEMENT, LLC,
OXFORD GLOBAL ADVISORS, LLC,
and OXFORD GLOBAL PARTNERS, LLC,

Defendants

and

BASEL GROUP, LLC,
CROWN FOREX, LLC,
MARKET SHOT, LLC,
PFG COIN AND BULLION,
OXFORD DEVELOPERS, S.A.,
OXFORD FX GROWTH, L.P.,
OXFORD GLOBAL MANAGED
FUTURES FUND, L.P., UBS DIVERSIFIED
FX ADVISORS, LLC, UBS DIVERSIFIED
FX GROWTH, L.P., UBS DIVERSIFIED
FX MANAGEMENT, LLC, CLIFFORD
BERG, and ELLEN BERG,

Relief Defendants.

R.J. ZAYED,

Receiver.

**DECLARATION OF PETER KOHLHEPP IN SUPPORT OF RECEIVER'S
MEMORANDUM OF LAW IN OPPOSITION TO THE RESPONDENTS' MOTION TO
COMPEL AND STAY PROCEEDINGS**

I, Peter M. Kohlhepp, hereby declare:

1. I am an attorney with the law firm of Carlson, Caspers, Vandenburg and Lindquist ("CCVL"), counsel for the Court-appointed Receiver R.J. Zayed ("the Receiver"). I submit this declaration in support of the Receiver's Memorandum of Law in Opposition to the Respondents' Motion to Compel and Stay Proceedings. This declaration is submitted on my personal knowledge except as otherwise indicated.

2. Attached hereto as **Exhibit 1** is a true and correct copy of correspondence from Tara C. Norgard to William F. Mohrman and Gregory Erickson dated February 7, 2011, with attached Appendices and Exhibits.

3. Attached hereto as **Exhibit 2** is a true and correct copy of correspondence from Peter M. Kohlhepp to Gregory M. Erickson dated March 2, 2011.

4. Attached hereto as **Exhibit 3** is a true and correct copy of the Receiver's Objections and Responses to Investor Respondents Steven and Pamela Cheney, David Buysse, Walter Defiel, Steven and Jenene Fredell, Michael and Jennifer Heise, Michael and Cynthia Hillesheim, Larry Hopfenspirger, Steven Kautzman, James McIntosh, George and Karen Morisset, Terry Frahm, and Reynold and Judith Sundstrom's First Set of Requests for Production (Nos. 1-41).

5. During an April 7, 2011 telephonic meet and confer, I informed counsel for Respondents that the Receiver's interview of Clifford Berg was entirely non-substantive because Mr. Berg merely asserted his Fifth Amendment right throughout the entirety of the interview. I also informed counsel for the Respondents that no transcripts or recordings of that interview existed.

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

Dated: April 18, 2011

s/ Peter Kohlhepp

Peter M. Kohlhepp