
UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

U.S. COMMODITY FUTURES
TRADING COMMISSION,

Plaintiff(s)

Case No: 09-cv-3332 MJD/JJK

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/JJK

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 RECEIVER R.J. ZAYED IN SUPPORT OF
MOTION TO AUTHORIZE SALE OF AND TRANSFER OF
TITLE TO SPECIFIC ASSETS OF THE RECEIVERSHIP**

I, R.J. Zayed, hereby declare as follows:

1. I make this application based on personal knowledge and offer it in support of the proposed Order authorizing the Receiver to sell and transfer title to specific assets of the Receivership described more fully herein.

2. I am a partner with the law firm of Carlson, Caspers, Vandenburg & Lindquist (“CCVL”).

3. On November 23, 2009 the Court entered an order appointing me Receiver in this matter for (1) the estates of Defendants Trevor G. Cook, Patrick J. Kiley; (2) Defendants UBS Diversified Growth LLC, Universal Brokerage FX Management, LLC, Oxford Global Advisors, LLC, Oxford Global Partners, LLC; (3) Relief Defendants 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, UBS Diversified FX Advisors, LLC, UBS Diversified FX Growth L.P., and UBS Diversified FX Management LLC; (4) all funds, accounts, and other assets held by or for Relief Defendants Clifford Berg and Ellen Berg, which were received, directly or indirectly, from the Defendants or were acquired with funds or other assets received, directly or indirectly, from the Defendants; and (5) every other corporation, partnership, trust and/or other entity (regardless of form) which is directly or indirectly owned by or under the direct or indirect control of Cook and Kiley (collectively the “Receiver

Estates”). *Order Appointing Receiver*, Docket No. 13, at 4 (Nov. 23, 2009); *see also Amended Order Appointing Receiver*, Docket No. 18, at 4 (Nov. 24, 2009); *Second Amended Order Appointing Receiver*, Docket No. 68 (Dec. 11, 2009).

4. I have also been appointed Receiver in the case of *CFTC v. Cook*, No. 09-cv-3332 MJD/JJK (D. Minn. Nov. 23, 2009). *Ex Parte Statutory Restraining Order*, Docket No. 21, at 7; *see also Order Continuing Appointment of Temporary Receiver*, Docket No. 96 (Dec. 11, 2009).

5. On January 28, 2010 the Court entered an order authorizing me to seize assets in the possession or control of Gina and Trevor Cook, including but not limited to a 2004 Lexus L43, a 1997 BMW 328ic and a 2005 Lexus R33. *Order Authorizing Receiver to Seize Assets*, Docket No. 189, at 2 (Jan. 28, 2010); *see also Order Authorizing Receiver to Seize Assets*, Docket No. 183, at 1 (Jan. 28, 2010)

6. Attached hereto as **Exhibit 1** is a true and correct copy of the Department of Public Safety records production regarding the 2004 Lexus LS 430 (VIN: JTHBN36F340162412).

7. Attached hereto as **Exhibit 2** is a true and correct copy of the Department of Public Safety records production regarding the 1997 BMW 328ic (VIN: WBABK832XVEY85894).

8. Attached hereto as **Exhibit 3** is a true and correct copy of the Department of Public Safety records production regarding the 2005 Lexus R33 (VIN: 2T2HA31U15C086611).

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

Executed on March 2, 2010.

Dated: March 15, 2010

s/ R.J. Zayed
R.J. Zayed (MN Bar No. 309,849)
Tara C. Norgard (MN Bar No. 307,683)
Russell J. Rigby (MN Bar No. 323,652)
Brian W. Hayes (MN Bar No. 294,585)
Carlson, Caspers, Vandenburg &
Lindquist, P.A.
225 South Sixth Street, Suite 3200
Minneapolis, MN 55402
Telephone: (612) 436-9600
Facsimile: (612) 436-9605
Email: rzayed@ccvl.com