

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

R.J. ZAYED, In His Capacity
As Court-Appointed Receiver
For Oxford Global Partners, LLC,
Universal Brokerage FX, and Other
Receiver Entities,

Plaintiff

Case No: 13-cv-1896 (SRN/SER)

v.

David and Dao Allen, Judith Averett, Patricia and
Jasper Calandra, Rose Furner, Mark Hanby, Adel
("A.K.") Hilal, Geraldine Jackman, Norma Johnson,
Willis Wayne King, Don and Pamela Labbee,
Andrew Lyon, Jeffrey Lyon, Jeffrey Maki, Steven
Perkins, Richard Plantan, Douglas Reed, David
Sherman, John Sterback, Mark Stoltenberg, Jane
Wamsley as trustee for the Glen Van Lehn Living
Trust, Michael ("Bruce") Wu, Robert and Dianne
Birk, Margaret Anderson, Mary Francoeur, George
and Shirley Janssen, Joseph Koehnen, and Katherine
Sobieck,

Defendants.

**DECLARATION OF BRENTON A. ELSWICK IN SUPPORT OF
PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT
AGAINST DEFENDANT JEFFREY MAKI**

I, Brenton A. Elswick, hereby declare:

1. I am an attorney for Plaintiff R.J. Zayed, the Court-appointed Receiver in the civil cases of *United States Securities and Exchange Commission v. Trevor Cook et al.*, Civil Action No. 09-cv-3333 (D. Minn. 2009) and *United States Commodity Futures Trading Commission v. Trevor Cook et al.*, Civil Action No. 09-cv-3332 (D. Minn. 2009)

(“Plaintiff” or “Receiver”). I submit this Declaration in support of the Plaintiff’s Motion for Default Judgment against Defendant Jeffrey Maki. This declaration is submitted on my personal knowledge except as otherwise indicated.

2. Defendant Maki did not file an answer or otherwise responded to the Receiver’s Complaint, nor did Defendant seek an extension of time to answer or respond, and the Clerk of Court recorded an Entry of Default against Defendant Maki on December 10, 2013. (*Clerk’s Entry of Default*, 13-cv-1896, Dkt. No. 116 (D. Minn. Dec. 10, 2013).)

3. Defendant Maki received transfers from Receivership Entities totaling \$168,080.00. Attached hereto as **Exhibit 1** are true and correct (redacted) copies of bank records of transfers to Defendant Maki from Receivership Entities. (*See also Complaint*, Dkt. No. 1, ¶92.)

4. Defendant Maki transferred a total of \$152,164.28 to Receivership Entities. Attached hereto as **Exhibit 2** are true and correct (redacted) copies of bank records of transfers by Defendant Maki to Receivership Entities. (*See also Dkt. No. 1, ¶93.*)

5. Defendant Maki remitted payment of \$400 to the Receiver on or about December 25, 2013. Attached hereto as **Exhibit 3** is a true and correct (redacted) copy of a check from Defendant Maki to the Receiver.

I declare under penalty of perjury, in accordance with 28 U.S.C. §1746, that the foregoing is true and correct. Executed on the 2nd day of October 2014.

s/ Brent Elswick
Brenton A. Elswick