

DISTRICT COURT, DENVER COUNTY,  
COLORADO

1437 Bannock Street  
Denver, CO 80202

FRED J. JOSEPH, Securities Commissioner for the State  
of Colorado,

Plaintiff,

v.

JERRALD GREEN,  
WEALTH SYSTEMS INTERNATIONAL, LTD,  
DELGREENE CREDIT SERVICES, LLC,  
DELGREENE FINANCIAL SERVICES, LLC,  
AMERICAN PREMIUM FINANCIAL, LLC,  
DELGREENE CAPITAL MANAGEMENT, LLC,  
WEALTH ADMINISTRATION SERVICES, LLC,  
CARL TODD and RICHARD RINER d/b/a  
PLATINUM FINANCIAL ADVISORS, LLC, and  
CHRIS ANTHONY ZAAL d/b/a SOUTHWEST  
GROUP,

Defendants.

**BY THE COURT:**

DISTRICT COURT  
City and County of Denver, Colo.  
Certified to be a full and correct  
copy of the original in my custody.  
NOV 4 2009  
CLERK OF THE DISTRICT COURT  
By S Westman  
Deputy Clerk

▲ COURT USE ONLY ▲

Case No.:

09CV10504

Courtroom:

**TEMPORARY RESTRAINING ORDER, ORDER FREEZING ASSETS, ORDER OF  
NON-DESTRUCTION OF RECORDS, AND ORDER TO SHOW CAUSE WHY A  
PRELIMINARY INJUNCTION SHOULD NOT ISSUE**

This matter is before the Court on Plaintiffs Verified Combined Motion for Temporary Restraining Order, Order for Appointment of Receiver, Order Freezing Assets, Order of Non-Destruction of Records, and Preliminary Injunction (the "Verified Motion"), and the Court having reviewed the Verified Motion of the of the Plaintiff, the Complaint for Injunctive and Other Relief ("Complaint") filed in this matter, the evidence presented, and further being fully advised in the premises, the Court finds as follows:

1. It appears, from the specific facts shown by the Plaintiff's Complaint, Verified Motion, and supporting evidence, that immediate and future injury, loss or damage will result to investors if Defendants Jerrald Green ("Green"), Wealth Systems International, Ltd ("WSI"), DelGreene Credit Services, LLC ("DelGreene Credit"), DelGreene Financial Services, LLC ("DelGreene Financial"), American Premium Financial, LLC ("APF"), DelGreene Capital Management, LLC ("DelGreene Capital"), and Wealth Administration Services, LLC ("WAS") are not temporarily enjoined and restrained from engaging in conduct in violation of the Colorado Securities Act (the "Act"), and specifically, offering to sell or selling unregistered securities, engaging in unlicensed broker-dealer, sales representative, or investment adviser activity, and violating the antifraud provisions of the Act. Further, damage and loss may result if Defendants Green, WSI, DelGreene Credit, DelGreene Financial, APF, DelGreene Capital, and WAS, their agents or attorneys, receive notification of the Plaintiff's Verified Motion or this action prior to the entry of the *ex parte* Order.

2. The Commissioner is entitled to a temporary restraining order in this matter, pursuant to the provisions of § 11-51-602, C.R.S., C.R.C.P. 65, and the evidence in this matter. Based on the foregoing, the Court finds as follows:

a. The People of the State of Colorado will suffer real, immediate and future harm and injury if an *ex parte* temporary restraining order, order freezing assets, and order of non destruction of records is not granted, since it appears to the Court that the Defendants have and will continue to violate the Act if not so restrained and enjoined;

b. Defendants appear to have violated §§11-51-301, 401, and 501, C.R.S. of the Act;

c. The relief sought by the Plaintiff is provided by law.

**WHEREFORE, IT IS HEREBY ORDERED:**

1. Defendants Green, WSI, DelGreene Credit, DelGreene Financial, APF, DelGreene Capital, and WAS, their officers, agents, servants, employees, successors and attorneys, as may be; any person who, directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under the common control with Defendants Green, WSI, DelGreene Credit, DelGreene Financial, APF, DelGreene Capital, and WAS; and all those in active concert or participation with Defendants Green, WSI, DelGreene Credit, DelGreene Financial, APF, DelGreene Capital, and WAS who receive actual notice of the court's Order by personal service, facsimile transmission or otherwise, from engaging in the following acts:

- a. Offering to sell or selling any security to any person in or from Colorado, until further order of this Court;
- b. Engaging in the business of effecting purchases or sales of securities for the accounts of others, employing others to engage in the business of effecting purchases or sales of securities for the accounts of others, or engaging, for compensation, in the business of advising others, either directly or indirectly, as to the value of securities or the advisability of investing in, purchasing, or selling securities, until further order of this Court;
- c. In connection with the offer, sale, or purchase of any security or investment in Colorado, directly or indirectly:
  - (1) Employing any device, scheme, or artifice to defraud;
  - (2) Making any written or oral untrue statements of material fact, or omitting to state material facts necessary to make the statements made, in light of the circumstances under which they are made, not misleading; or
  - (3) Engaging in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person, in violation of § 11-51-501(1), C.R.S.;
- d. Engaging in any conduct in violation of any provision of the Colorado Securities Act;
- e. Destroying, mutilating, altering or in any other way dissipating the books and records of the Defendants Green, WSI, DelGreene Credit, DelGreene Financial, APF, DelGreene Capital, and WAS, including but not limited to any electronic documents such as e-mails, computer files, or any other electronic record kept in any form whatsoever; and
- f. Accepting funds from investors for investment in any investment program, taking control of, or depositing in any financial institution additional funds from any potential investors.

IT IS FURTHER ORDERED that:

1. The accounts, property, and assets of the following parties, wherever located, which are derived from any investor funds by or on behalf of the Defendants in connection with the scheme alleged in the Commissioner's Complaint for Injunctive and Other Relief, are to be frozen immediately and turned over to the Court Appointed Receiver, Andrew Snyder, who has been empowered by the Order Appointing Receiver signed

contemporaneously with this Order. Per this Order and the Order Appointing Receiver, Andrew Snyder is empowered to take immediate control and possession of the Estate (as defined in the Order Appointing Receiver), and to hold the Estate for this Court *in custodial egis*, including but not limited to:

a. All bank, trading, or other financial accounts in the name of the following defendants:

1. Jerrald Green
2. Wealth Systems International, Ltd.
3. DelGreene Credit Services, LLC
4. DelGreene Financial Services, LLC
5. American Premium Financial, LLC
6. DelGreene Capital Management, LLC
7. Wealth Administration Services, LLC

Any bank, financial or brokerage institution or other persons or entities holding any funds, securities or other assets derived from investor proceeds raised in the scheme alleged in the Complaint and/or held in the name of, for the benefit of, or under the control of any named Defendant, or their officers, directors, successor corporations, affiliates, agents, servants, employees, attorneys-in-fact, shall hold and retain within their control and prohibit the withdrawal, removal, transfer or other disposal of any such funds or other assets except as requested by the court appointed Receiver. The Receiver shall operate, manage, maintain, protect, and preserve the Estate in accordance with the Order Appointing Receiver.

2. Defendants Green, WSI, DelGreene Credit, DelGreene Financial, APF, DelGreene Capital, and WAS, or their officers, directors, successor corporations, affiliates, agents, servants, employees, attorneys-in-fact, and those persons in active concert or participation with them who receive actual notice of this order by personal service or otherwise, and each of them, shall hold and retain within their control, and otherwise prevent any disposition, transfer, pledge, encumbrance, assignment, dissipation, concealment, or other disposal whatsoever of any of their funds or other assets or things of value presently held by them, under their control, or over which they exercise actual or apparent investment or other authority, in whatever form such assets may presently exist and wherever located.

3. The Plaintiff or the Receiver may apply to this Court on an *ex parte* basis for an expedited Order freezing further accounts should additional affiliates of the Defendants be identified.

IT IS FURTHER ORDERED that discovery prior to conduct and completion of the preliminary injunction hearing is expedited as follows: pursuant to Rules 26, 30, 31, 33, 34,

36 and 45 of the Colorado Rules of Civil Procedure, and without the requirement of a case management order pursuant to C.R.C.P. 26, the parties may:

- a. Take depositions, subject to two calendar days' notice by facsimile or otherwise;
- b. Obtain the production of documents, within three calendar days from service by facsimile or otherwise of a request or subpoena from any person or entities, including non-party witnesses;
- c. Obtain other discovery, including further interrogatories, and requests to inspect files within three calendar days from the date of service by facsimile or otherwise of such discovery requests, interrogatories, or requests for inspection; and
- d. Service of any discovery requests, notices, or subpoenas may be made by personal service, facsimile, overnight courier, or first class mail on any individual, entity or the individual's or entity's attorney, provided that in the event that any service is made by first class mail, three additional days will apply to the response time.

IT IS FURTHER ORDERED that this *Ex Parte* Temporary Restraining Order shall expire on the 20<sup>th</sup> day of Nov, 2009 at 10:15 A.M., ~~at which time~~ Plaintiff's Motion for Preliminary Injunction shall be heard in Courtroom 2 of the Court. on Nov. 19, 2009 at 4:00 PM

DONE in open Court this 10<sup>th</sup> day of November, 2009 at 10:15 A.M.

BY THE COURT:

Hubert L. Stern<sup>TM</sup>  
District Court Judge