

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE
HONORABLE ROBERT B. KUGLER

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

EQUITY FINANCIAL GROUP, LLC,
et al.,

Defendants.

Civil No. 04-1512 (RBK)

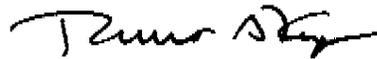
ORDER

This matter having come before the Court concerning an issue relating to the claims of Sterling ACS, Ltd., Sterling Alliance Ltd., Sterling Casualty & Insurance, Ltd., Sterling Bank Limited, Sterling (Anguilla) Trust, Ltd., Sterling Investment Management, Ltd., and Strategic Investment Portfolio, LLC (collectively the "Sterling entities") and the objection by Plaintiff, Commodity Futures Trading Commission, to any distribution of the receivership estate to the Sterling entities until these entities responded to the CFTC's requests for discovery; and the CFTC specifically seeking from Sterling the Colorado backup tape of two of the three computers of Defendant J. Vernon Abernethy that Abernethy made; and the Court having considered the arguments submitted by the CFTC and Sterling's responses thereto, and the Report and Recommendation submitted by the Honorable Ann Marie Donio, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(B) and (C); and the Court having made a de novo review; and for good cause shown:

IT IS on this 26th day of ~~September~~ ^{October}, 2005

ORDERED that the Report and Recommendation is **ADOPTED**; and it is further

ORDERED that the Sterling entities shall turn over the Colorado backup tape to the CFTC no later than ~~September~~ ^{November} 10, 2005.



ROBERT B. KUGLER,
UNITED STATES DISTRICT JUDGE