



On November 9, 2010, upon the Commission's *Motion for an Ex Parte Statutory Restraining Order and for an Order to Show Cause*, the Court entered a statutory restraining order ("SRO"), without bond, that (a) froze the assets of Defendant and Relief Defendant, (b) required Defendant and Relief Defendant to provide a full accounting to the Commission, (c) prohibited Defendant and Relief Defendant from destroying documents, (d) authorized the Commission to immediately inspect and copy books and records, and (e) permitted expedited discovery. Additionally, the Court ordered the Defendant to appear before the Court on November 17, 2010, and show cause, if there be any, why an Order for Preliminary Injunction should not be granted to prohibit further violations of the Act, as amended by the CRA, and the Regulations and why the other relief requested by the Commission should not be granted pending trial on the merits of this action. On November 10, 2010, the Court issued a Notice rescheduling the preliminary injunction hearing in this matter to November 23, 2010, at 8:30 a.m.

Defendant and Relief Defendant, without admitting or denying the allegations of the Complaint, consent to the entry of this Order of Preliminary Injunction and Other Equitable Relief ("Order"). For the purposes of this Order, Defendant and Relief Defendant waive the entry of findings of fact and conclusions of law pursuant to Rule 52 of the Federal Rules of Civil Procedure.

As it appears to the Court that there is good cause to believe that Defendant has engaged, is engaging in, or is about to engage in violations of the Act, that there is good cause to believe that Relief Defendant received funds and/or property as a result of Defendants' unlawful conduct, has no legitimate entitlement to or interest in such funds and/or property received and has been unjustly enriched thereby, and that this is a proper case for granting a preliminary

injunction to preserve the status quo, protect public customers from further loss and damage, and enable the Commission to fulfill its statutory duties, the Court finds as follows:

I.

*Jurisdiction and Venue*

**THE PARTIES AGREE AND IT IS HEREBY ORDERED that:**

1. The Court has jurisdiction over Defendant and Relief Defendant and the subject matter of this case pursuant to Section 6c(a) of the Act, 7 U.S.C. § 13a-1(a), which authorizes the Commission to seek injunctive relief against any person whenever it shall appear that such person has engaged, is engaging, or is about to engage in any act or practice constituting a violation of any provision of the Act or any rule, regulation, or order thereunder.

2. Venue properly lies with this Court pursuant to Section 6c(e) of the Act, 7 U.S.C. § 13a-1(e), in that one or more of the defendants are found, inhabit, or transact business in this district, and the acts and practices in violation of the Act have occurred, are occurring, or are about to occur within this district.

II.

*Prohibition From Violations of the Act*

**THE PARTIES AGREE AND IT IS FURTHER ORDERED that:**

3. Defendant, all persons insofar as they are acting in the capacity of agents, servants, employees, successors, assigns, or attorneys of Defendant, and all persons insofar as they are acting in active concert or participation with Defendant who receive actual notice of this Order by personal service or otherwise, shall be prohibited and restrained from directly or indirectly:

a. in connection with any order to make, or the making of, any contract of sale of any commodity for future delivery, or any agreement, contract or transaction in foreign currency that is margined or leveraged (“forex”), made, or to be made, for or on behalf of or with any persons,

(1) cheating or defrauding or attempting to cheat or defraud others;

(2) willfully making or causing to be made to such other person any false report or statement thereof; or

(3) willfully deceiving or attempting to deceive other persons by any means whatsoever in regard to any such order or contract or the disposition or execution of any such order or contract, or in regard to any act of agency performed with respect to such order or contract for such persons, in violation of Sections 4b(a)(2)(A)-(C) of the Act as amended by the CRA, to be codified at 7 U.S.C. § 6b(a)(2)(A)-(C);

b. engaging in any activity related to trading in any commodity interest, as that term is defined in Section 1a(4) of the Act, 7 U.S.C. § 1a(4), or forex, including but not limited to, the following:

(1) trading on or subject to the rules of any registered entity, as that term is defined in Section 1a(29) of the Act, 7 U.S.C. § 1a(29);

(2) engaging in, controlling, or directing the trading of any commodity interest or forex accounts, whether by power of attorney or otherwise;

(3) soliciting any person or entity in connection with the purchase or sale of any commodity interest or forex contract, accounts for the purchase or sale of commodity interest or forex contracts and/or any system related to the purchase or sale of commodity interest or forex contracts;



- (4) placing orders or giving advice, price quotations, or other information in connection with the purchase or sale of commodity interest or forex contracts;
- (5) introducing customers or clients to any other person or entity engaged in the business of commodity interest or forex trading; and
- (6) engaging in any business activities related to commodity interest or forex trading by or on behalf of others.

### III.

#### *Continued Force and Effect of Statutory Restraining Order*

**THE PARTIES AGREE AND IT IS FURTHER ORDERED that:**

4. The SRO entered by the Court on November 9, 2010, in this action shall continue in full force and effect against Defendant and Relief Defendant until further order of the Court, subject only to the following modifications:

- a. Defendant Nicholas Bos (“Mr. Bos”) and Relief Defendant Patricia L. Bos (“Mrs. Bos”) shall be permitted to open and maintain one new, personal checking account at Macatawa Bank for the sole purpose of depositing funds received from the Social Security Administration. This account may be accessed as needed by Mr. Bos and Mrs. Bos for future reasonable living and medical expenses during the pendency of this matter. Mr. Bos and Mrs. Bos shall identify the new account to the Commission immediately after opening the account and shall provide a full, detailed accounting of the disposition and use of funds deposited into such account to the Commission within seven (7) days after the end of each calendar month.

- b. Mr. Bos shall be permitted to make one withdrawal in the amount of \$1670.00 from account \*\*\*\*0120 at Macatawa Bank in order to access funds deposited in this account by the Social Security Administration on November 17, 2010, for future reasonable living and medical expenses.
- c. Mrs. Bos shall be permitted to make one withdrawal in the amount of \$770.00 from account \*\*\*\*\*3544 at PNC Bank in order to access funds deposited in this account by the Social Security Administration on November 24, 2010, for future reasonable living and medical expenses.

**IV.**

*Identification of Customers and Associates*

**THE PARTIES AGREE AND IT IS FURTHER ORDERED that:**

5. Within fourteen (14) days of the date of this Order, Defendant shall provide the Commission a full and complete list of:

a. all individuals, groups, organizations, businesses, or agent(s) of such individuals, groups, organizations or businesses that gave Ronald E. Satterfield, Graham Street Forex Group, LLC, Shore-2-Summit, LLC, or Nicholas Bos funds to trade in or in connection with forex, including, without limitation, the names, addresses, telephone numbers and amount of investment of each individual, group, organization, business, or agent(s) of such individual, group, organization or business; and

b. all individuals, groups, organizations, businesses, or agent(s) of such individuals, groups, organizations or businesses that solicited, accepted, or received funds, securities, or property on behalf of Ronald E. Satterfield, Graham Street Forex Group, LLC, Shore-2-Summit, LLC, or Nicholas Bos to trade in or in connection with forex, including,

without limitation, the names, addresses, and telephone numbers of each individual, group, organization, business, or agent(s) of such individual, group, organization or business.

V.

*Service of Order*

**THE PARTIES AGREE AND IT IS FURTHER ORDERED that:**

6. Copies of this Order may be served by any means, including facsimile transmission, upon any financial institution or other entity or person that may have possession, custody, or control of any documents or assets of Defendant or Relief Defendant, or that may be subject to any provision of this Order.

VI.

*Bond Not Required of Plaintiff*

**THE PARTIES AGREE AND IT IS FURTHER ORDERED that:**

7. The Commission is an agency of the United States of America and, accordingly, no bond need be posted by the Commission.

VI.

*Force and Effect*

**THE PARTIES AGREE AND IT IS FURTHER ORDERED that:**

8. This Order shall remain in full force and effect until further order of this Court and this Court retains jurisdiction of this matter for all purposes.

VII.

*Miscellaneous*

9. Consent to this Order may be executed in two or more counterparts, all of which shall be considered one and the same agreement and shall become effective when one or more


counterparts have been signed by each of the parties and delivered (by facsimile or otherwise) to the other party, it being understood that all parties need not sign the same counterpart. Any counterpart or other signature to this Agreement that is delivered by facsimile or electronic mail shall be deemed for all purposes as constituting good and valid execution and delivery by such party of this Agreement.

**SO ORDERED**, at Charleston, South Carolina, this \_\_\_\_ day of November, 2010.

\_\_\_\_\_  
RICHARD M. GERGEL  
UNITED STATES DISTRICT JUDGE

Consented to and  
approved for entry by:

Dated: 11-19-10

  
\_\_\_\_\_  
JENNIFER DIAMANTIS  
Attorney for Plaintiff U.S. Commodity Futures  
Trading Commission

Dated: \_\_\_\_\_

\_\_\_\_\_  
DAVID M. ZESSIN  
Cunningham Dalman PC  
321 Settlers Road  
Holland, MI 49422-1767  
Attorney for Defendant Nicholas Bos

Dated: \_\_\_\_\_

\_\_\_\_\_  
PATRICIA L. BOS



counterparts have been signed by each of the parties and delivered (by facsimile or otherwise) to the other party, it being understood that all parties need not sign the same counterpart. Any counterpart or other signature to this Agreement that is delivered by facsimile or electronic mail shall be deemed for all purposes as constituting good and valid execution and delivery by such party of this Agreement.

SO ORDERED, at Charleston, South Carolina, this 22<sup>nd</sup> day of November, 2010,



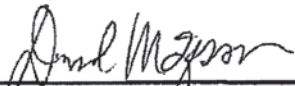
RICHARD M. GERGEL  
UNITED STATES DISTRICT JUDGE

Consented to and approved for entry by:

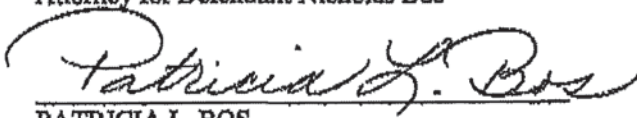
Dated: \_\_\_\_\_

JENNIFER DIAMANTIS  
Attorney for Plaintiff U.S. Commodity Futures Trading Commission

Dated: 11/19/10

  
DAVID M. ZESSIN  
Cunningham Delman PC  
321 Settlers Road  
Holland, MI 49422-1767  
Attorney for Defendant Nicholas Bos

Dated: 11/19/10

  
PATRICIA L. BOS