

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Honorable Marcia S. Krieger**

**Civil Action No. 14-CV-02182-MSK**

**UNITED STATES COMMODITY FUTURES TRADING COMMISSION,**

**Plaintiff,**

**v.**

**R2 CAPITAL GROUP, LLC,  
RAST INVESTOR GROUP, LLC,  
MADIGAN ENTERPRISES, INC.,  
BULLETPROOF VEST, INC.,  
RYAN TOMAZIN,  
RYAN MADIGAN, and  
RANDELL A. VEST,**

**Defendants.**

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***EX PARTE* RESTRAINING ORDER**

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**THIS MATTER** comes before the Court on the Plaintiff's, U.S. Commodity Futures Trading Commission ("Commission" or "CFTC"), Motion for *Ex Parte* Statutory Restraining Order (# 4). Having considered that motion and supporting documentation, the Court **GRANTS** the motion, in part, as follows.

1. This Court has subject-matter over this action pursuant to 7 U.S.C. § 13a-1(a).
2. The CFTC has made a *prima facie* showing that each of the Defendants are subject to personal jurisdiction in Colorado, and that the Court's personal jurisdiction over them shall be perfected upon service of process in this action as directed herein.
3. The CFTC has made an *ex parte* showing that the Defendants have engaged in, and may be continuing to engage in, violations of the Commodity Exchange Act, 7 U.S.C. § 1 *et seq.*

4. Accordingly, pursuant to 7 U.S.C. § 13a-1(a), the Defendants are hereby **ENJOINED**, pending the hearing scheduled herein, from directly or indirectly destroying, altering, concealing, or otherwise disposing of any documents, books, or other records reflecting the business practices or financial transactions of any Defendant.

5. Defendants R2 Capital Group, LLC; Rast Investor Group, LLC; Madigan Enterprises, Inc.; and Bulletproof Vest, Inc. are further **ENJOINED**, pending the hearing scheduled herein, from directly or indirectly transferring, selling, pledging, or otherwise alienating any tangible or intangible assets owned or controlled, directly or constructively, by those entities, or any such assets that shall come into these Defendants' possession or control prior to the hearing scheduled herein.

6. The CFTC shall effect the service of the Summons, Complaint, copies of all filings to date in this action, and a copy of this Order, on each Defendant pursuant to Fed. R. Civ. P. 4, at or before noon on Monday, August 11, 2014.

7. The Court will hold a non-evidentiary hearing on **Thursday, August 7, 2014 at 4:00 p.m.** to address: (i) whether this *ex parte* Order should be continued, modified, or vacated, in whole or in part, with regard to any or all of the named Defendants; and (ii) whether an

evidentiary hearing is necessary on the CFTC's request for continuing provisional injunctive relief against all Defendants, and, if so, to schedule such a hearing.

Dated this 7th day of August, 2014 at 1:30 P.M.

**BY THE COURT:**



*Marcia S. Krieger*

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Marcia S. Krieger  
Chief United States District Judge