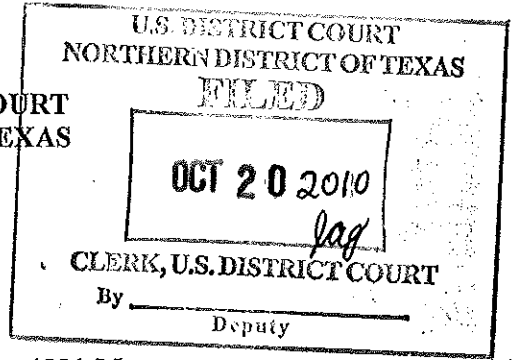


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



U.S. COMMODITY FUTURES TRADING §
COMMISSION, §

Plaintiff, §

v. §

M25 INVESTMENTS, INC., M37 §
INVESTMENTS, LLC, SCOTT P. KEAR, §
SR., JEFFREY L. LYON and DAVID G. §
SEAMAN, §

Defendants. §

No.: 3-09-cv-1831-M

CONSENT ORDER ENDING CASE AS TO
DEFENDANT DAVID G. SEAMAN

WHEREAS, on September 29, 2009, the United States Commodity Futures Trading Commission (the "Commission") filed its Complaint against the Defendants listed above (Docket Entry 1);

WHEREAS, on September 29, 2009, at the request of the Commission, the Court entered a Statutory Restraining Order ("SRO") pursuant to Section 6c of the Commodity Exchange Act, as amended, 7 U.S.C. § 13a-1 (Docket Entry 6). Among other things, the SRO froze assets of Defendant David G. Seaman ("Seaman");

WHEREAS, the SRO remains in effect through the present;

WHEREAS, the Commission agrees to dismiss all claims against Seaman contained in the Complaint dated September 29, 2009, effective upon signing of this Order by the Court;

WHEREAS, Seaman waives: (a) any and all claims that he may possess under the Equal Access to Justice Act (EAJA), 5 U.S.C. § 504 (2006) and 28 U.S.C. § 2412 (2006),

and/or Part 148 of the Commission's Regulations, 17 C.F.R. §§ 148.1, *et seq.* (2009), relating to, or arising from, this action; (b) any and all claims that he may possess under the Small Business Regulatory Enforcement Fairness Act of 1996, Pub. L. No. 104-121, §§ 201-253, 110 Stat. 847, 857-868 (1996), as amended by Pub. L. No. 110-28, § 8302, 121 Stat. 112, 204-205 (2007), relating to, or arising from, this action; (c) any claim of Double Jeopardy based upon the institution of this action; and (d) any and all rights of appeal from this action;

WHEREAS, Seaman agrees that he has read and agrees to this Consent Order voluntarily,;

WHEREAS, this Court has jurisdiction over the subject matter of this action pursuant to 7 U.S.C. § 13a-1;

WHEREAS, the Court finds that there is good cause for the entry of this Consent Order and that there is no just reason for delay;

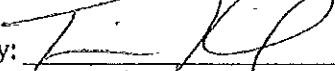
THEREFORE, the SRO shall have no further force and effect upon entry of this Consent Order;

THEREFORE, Receiver Kelly M. Crawford hereby releases Seaman from any and all claims that could or may be made by the Receiver against Seaman; and

THEREFORE, pursuant to this Consent Order, the Court hereby dismisses any and all allegations and claims against Seaman contained in the Commission's Complaint dated September 29, 2009.

APPROVED FOR ENTRY BY:


PLAINTIFF U.S. COMMODITY FUTURES TRADING COMMISSION

By: 

Dated: 7/23/2010

Gretchen L. Lowe
Associate Director
Luke B. Marsh
Kevin Battah
Chief Trial Attorneys
Glenn I. Chernigoff
Timothy M. Kirby
Trial Attorneys
Division of Enforcement
U.S. Commodity Futures Trading Commission
1155 21st Street, N.W.
Washington, D.C. 20581
Telephone - (202) 418-5300
Facsimile - (202) 418-5523

RECEIVER KELLY M. CRAWFORD

By: 

Dated: 6/23/2010


Kelly M. Crawford
Scheef & Stone, L.L.P.
500 N. Akard Street, Suite 2700
Dallas, Texas 75201
Telephone: 214.706.4200
Telecopier: 214.706.4242
Attorneys for Receiver

DEFENDANT DAVID G. SEAMAN



Dated: 5/4/2010

IT IS SO ORDERED, at 9:00 am on this 20th day of October,
2010.


BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS