

(just over 1/3 in number) against whom the Receiver seeks to recover just under \$140,000,000 (roughly 2/3 of the total amount claimed). Doc. 329 at 5 of 35.

ARGUMENT

The Examiner does not wish to burden the Court with repetitive arguments, and is mindful of the Court's admonition to avoid duplicating the efforts of the Receiver. *See* Doc. 322 at 3. The Examiner is confident that the Receiver's briefing has addressed, and will address, all of the issues raised by the former Employee Defendants in their various Responses to the Receiver's Application.

In brief, the Examiner supports the relief sought by the Receiver in his Application. Unlike the Receiver's prior effort to freeze the accounts of admittedly innocent Investors, which the Examiner opposed, the Receiver's current request has been appropriately narrowed such that it serves the interests of the public and the Investors without placing an undue burden on the Respondents. Absent the relief sought by the Receiver, the Examiner shares the Receiver's belief that the currently frozen assets will be promptly dissipated, such that any judgment the Receiver might ultimately receive against the Former Employees will be of little value to the Estate or the Investors.

Respectfully submitted,

/s/ John J. Little

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CERTIFICATE OF SERVICE

On May 24, 2010, I electronically submitted the foregoing document with the clerk of the court of the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or pro se parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ John J. Little