

1. On December 18, 2006, this Court entered an Order approving the Receiver's Settlement Agreement with Robert Reese, individually and d/b/a Excel Financial, Inc. ("Reese"). [Dkt. No. 244] (3:05-CV-1328).

2. As part of that agreement, the parties consented to entry of the Agreed Judgment attached as Exhibit "A" and fully incorporated for all purposes. On February 7, 2007 counsel for the parties conferred and consented to entry of the Agreed Judgment at this time.

WHEREFORE, premises considered, the Receiver respectfully requests that this Court enter the attached Agreed Judgment against Robert Reese, individually and d/b/a Excel Financial, Inc., according to the parties' approved Settlement Agreement.

Respectfully submitted,

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

On the 7th day of February, 2007, a true and correct copy of the above and foregoing was served by the Court's electronic filing system to all interested parties.

/s/ Brent J. Rodine

CERTIFICATE OF CONFERENCE

Pursuant to Local Civil Rule 7.1, the undersigned held a telephone conference with Barry Zisman on February 7, 2007, and it was determined that the requested relief would be unopposed.

/s/ Brent J. Rodine