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**KENNY, SNOWDEN &
NORINE**
A LAW CORPORATION
P.O. BOX 994608
REDDING, CA 96099-4608

MARK NORCROSS, SBN: 130345

Attorneys for Defendants DONALD NEUHAUS
and KIMBERLY SNOWDEN

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE
COMMISSION,

Case No.: 2:07 – CV – 01724 – LEW - CMK

Plaintiff,

**DEFENDANTS' REQUEST FOR
ADEQUATE TIME TO RESPOND TO
TRO**

vs.

SECURE INVESTMENT SERVICES, INC.,
AMERICAN FINANCIAL SERVICES, INC.,
LYNDON GROUP, INC., DONALD FRED
NEUHAUS, and KIMBERLY SNOWDEN,

Defendants. _____/

Defendants Donald Neuhaus and Kimberly Snowden request an adequate opportunity to respond to the TRO application, but given its tremendous volume and the fact that Mr. Norcross is the only attorney in this small office responsible for this matter, a response within 24 hours on an application (that doesn't even announce that it is an "emergency" petition) is impossible. From what we can gather, not even Judge Lew has been able to plow through the voluminous filing within that time frame. Further, as the Court is probably aware, the U.S. Attorneys Office unsealed its indictment yesterday morning, adding to the difficulty of responding as those indicted have not yet

1 retained or been provided counsel.¹ This firm will not be representing any defendant in the criminal
2 action, but must act to preserve those defendants' Fifth Amendment privileges as if it did. Finally,
3 the SEC has a large staff and has undoubtedly spent weeks, perhaps even months, preparing this
4 paperwork, which, we note, includes a 22 page memorandum of points and authorities and multiple
5 declarations. Under the circumstance, we respectfully request a minimum of two weeks to respond
6 to the application. I will be available on short notice to appear at a telephone conference today.

7 This firm was advised that the SEC would file papers seeking a TRO at 9:00 a.m. on August
8 23, 2007, not that it would be seeing "emergency interim relief." The SEC began e-mailing
9 documents at 3:26 p.m., a process that continued for nearly an hour. The complaint was not e-
10 mailed until the next morning. Nor did the SEC give notice of the time and place of the hearing, an
11 impossibility given that no hearing had yet been set, or for that matter has yet to be set.

12 Finally, the Commission has not identified a simple investor loss by policy lapse, nor shown
13 that any policy will lapse if defendants are given due process of law.

14 DATED: August 24, 2007

KENNY, SNOWDEN & NORINE



MARK NORCROSS

Attorneys for Defendants Neuhaus and
Snowden

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27 ¹ Although it is true that this firm will not be representing these defendants in the criminal action, it does not mean that
28 we have had no involvement in that case; rather, Mr. Norcross spent most of the day dealing with issues arising from
that other case.