

From:

11/30/2009 06:41

#355 P.001/005

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

U.S. COMMODITY FUTURES)	
TRADING COMMISSION and)	
OKLAHOMA DEPARTMENT OF)	CASE NO. 09-cv-1284
SECURITIES <i>ex rel.</i> IRVING L.)	
FAUGHT,)	
)	
Plaintiffs,)	
)	
v.)	
)	
PRESTIGE VENTURES CORP., a)	
Panamanian corporation, FEDERATED)	
MANAGEMENT GROUP, INC., a Texas)	
corporation, KENNETH WAYNE LEE,)	
an individual, and SIMON YANG (a/k/a)	
XIAO YANG a/k/a SIMON CHEN), an)	
individual,)	
)	
Defendants.)	

**██████████ CONSENT ORDER OF PRELIMINARY
INJUNCTION AND OTHER EQUITABLE RELIEF**

Plaintiffs U.S. Commodity Futures Trading Commission ("Commission") and the Oklahoma Department of Securities, ex rel. Irving L. Faught ("ODS") have filed a Complaint for Injunctive Relief, Civil Monetary Penalties, and Other Equitable Relief and the Commission has moved for a preliminary injunction against defendants Prestige Ventures Corp., Federated Management Group (also doing business as Federated Management, Federated Management Group, USA and Federated Management Corp.), and individual defendants Kenneth Wayne Lee and Simon Yang (a/k/a Simon Chen a/k/a Xiao Yang) ("Defendant Yang").

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Defendant Yang, without admitting or denying the allegations of the Complaint for the purpose of this Consent Order of Preliminary Injunction and Other Equitable Relief ("Order"), but admitting to allegations referring to jurisdiction and venue as stated under Section I below, consents to entry of this Order and states that this Order is entered into voluntarily and that no promise or threat has been made by the Commission or ODS or any member, officer, agent or representative thereof, to induce him to consent to this Order.

I.

Jurisdiction and Venue

THE PARTIES AGREE AND THE COURT FINDS that:

1. The Court has jurisdiction over the transactions at issue in this case pursuant to Section 6c of the Commodity Exchange Act, 7 U.S.C. § 1 et seq. (2006) (the "Act"), 7 U.S.C. § 13a-1 (2006), which authorizes the Commission to seek injunctive relief against any person whenever it shall appear that such person has engaged, is engaging, or is about to engage in any act or practice constituting a violation of any provision of the Act or any rule, regulation, or order thereunder.
2. This Court has supplemental jurisdiction over the state law claims pursuant to 28 U.S.C. § 1367(a) (2006).
3. Venue properly lies with this Court pursuant to Section 6c(e) of the Act, 7 U.S.C. § 13a-1(e) (2006), in that Defendants are found, inhabit, or transact business in this district, and the acts and practices in violation of the Act have occurred, are occurring, or are about to occur within this district.

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II.

Prohibition from Violations of the Act

THE PARTIES AGREE AND THE COURT FINDS that:

Defendant Yang, all persons insofar as they are acting in the capacity of agents, servants, employees, successors, assigns, or attorneys of Defendant Yang, and all persons insofar as they are acting in active concert or participation with Defendant Yang who receive actual notice of this Order by personal service or otherwise, shall be prohibited and restrained from directly or indirectly engaging in conduct in violation of the Act and the Oklahoma Uniform Securities Act of 2004, Okla. Stat. tit. 71, §§1-101 through 1-701 (Supp. 2004) as alleged in the Complaint.

III.

Force and Effect

THE PARTIES AGREE AND THE COURT FINDS that:

This Order shall remain in full force and effect until further order of this Court and that this Court retains jurisdiction of this matter for all purposes. The Order Granting Plaintiff's *Ex Parte* Motion for Statutory Restraining Order, Appointment of Temporary Receiver, Expedited Discovery, Accounting, Order to Show Cause re Preliminary Injunction, and Other Equitable Relief previously ordered by the Court shall remain in full force and effect until further order of this Court.

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CONSENTED TO AND APPROVED BY:

Dated: 12/2, 2009

ATTORNEYS FOR THE PLAINTIFF
U.S. COMMODITY FUTURES TRADING
COMMISSION



Gretchen L. Lowe
James H. Holl, III
Katherine S. Driscoll
1155 21st Street NW
Washington, DC 20581

Dated: 12/2, 2009

ATTORNEYS FOR THE PLAINTIFF OKLAHOMA
DEPARTMENT OF SECURITIES
Irving L. Faught, Administrator



Terra Shamas Bonnell, OBA # 20838
Patricia A. Labarthe, OBA # 10391
Oklahoma Department of Securities
120 North Robinson Avenue, Suite 860
Oklahoma City, Oklahoma 73102

Dated: 11-29, 2009


Simon Yang

From:

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SO ORDERED, this 2nd day of Dec, 2009, at Oklahoma City,
Oklahoma.


UNITED STATES DISTRICT JUDGE