

**ROBB EVANS**  
**Receiver of**  
**Assets of James P. Lewis, Jr.,**  
**Financial Advisory Consultants,**  
**Income Fund Ltd. &**  
**Growth Fund Ltd.**

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**Securities and Exchange Commission v. James P. Lewis, Jr., et al.**  
**CASE No. CV 03-9354 ABC (VBKx)**

**Order to Show Cause as to Why James J. Warner and Blakney Boggs  
Should Not be Held in Contempt of Court**

**Filed February 25, 2005**

**COPY**

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FILED  
CLERK, U.S. DISTRICT COURT  
FEB 25 2005  
CENTRAL DISTRICT OF CALIFORNIA  
BY

6 Attorneys for Receiver, ROBB  
7 EVANS

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FEB 24 PM 1:10  
RECEIVED  
CENTRAL DISTRICT OF CALIFORNIA  
LOS ANGELES

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9 UNITED STATES DISTRICT COURT

10 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

11  
12 SECURITIES AND EXCHANGE  
COMMISSION,

13 Plaintiff,

14 v.

15 JAMES P. LEWIS, JR.,  
16 individually and doing business  
as FINANCIAL ADVISORY  
17 CONSULTANTS, INCOME FUND, LTD.  
AND GROWTH FUND, LTD.,

18 Defendants.  
19

CASE NO. CV 03-9354 ABC (VBKx)

~~PROPOSED~~ ORDER TO SHOW CAUSE  
AS TO WHY JAMES J. WARNER AND  
BLAKNEY BOGGS SHOULD NOT BE  
HELD IN CONTEMPT OF COURT

DATE:  
TIME:  
PLACE: Courtroom 680

20  
21 The Court having reviewed and considered the Ex Parte  
22 Application for Order to Show Cause as to Why James J. Warner and  
23 Blakney Boggs Should Not Be Held in Contempt of Court ("Ex Parte  
24 Application") filed by Robb Evans as Receiver for the assets of  
25 James P. Lewis, Jr., individually and doing business as Financial  
26 Advisory Consultants, Income Fund, Ltd., and Growth Fund, Ltd.  
27 ("Receiver") and the pleadings submitted in support thereof, and  
28 good cause appearing therefor,

1 IT IS ORDERED that James J. Warner ("Warner") and Blakney  
2 Boggs ("Boggs"), and each of them, shall appear in Courtroom 680  
3 of this Court located at 255 East Temple Street, Los Angeles,  
4 California at 10:00 a.m. on March 2, 2005 and there  
5 and then show cause as to why Warner and Boggs, and each of them,  
6 should not be held in contempt of court for violation of the  
7 Preliminary Injunction Order and Orders: (1) Freezing Assets; (2)  
8 Prohibiting the Destruction of Documents; (3) Granting Expedited  
9 Discovery; (4) for Accountings; and (5) Order Appointing a  
10 Permanent Receiver ("Receivership/Asset Freeze Order") filed by  
11 the Court on January 22, 2004 in this action; and it is  
12

13 FURTHER ORDERED that opposition or response to the Ex Parte  
14 Application and this Order to Show Cause shall be filed with the  
15 Court and served on counsel for the Receiver and counsel for  
16 plaintiff Securities and Exchange Commission not later than March  
17 9, 2005; and it is  
18

19 FURTHER ORDERED that reply to any opposition or response may  
20 be filed by the Receiver and served not later than March 3,  
21 2005.  
22

23 DATED: Feb. 25, 2005

AUDREY COLLINS

AUDREY B. COLLINS, United States  
District Judge

28

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PROOF OF SERVICE

I, the undersigned, declare and certify as follows:

I am over the age of eighteen years, not a party to the within action and employed in the County of Los Angeles, State of California. I am employed in the office of FRANZEL ROBINS BLOOM & CSATO, L.C., members of the Bar of the above-entitled Court, and I made the service referred to below at their direction. My business address is 6500 Wilshire Boulevard, Seventeenth Floor, Los Angeles, California 90048-4920.

On February 24, 2005, I served true copy(ies) of the **[PROPOSED] ORDER TO SHOW CAUSE AS TO WHY JAMES J. WARNER AND BLAKNEY BOGGS SHOULD NOT BE HELD IN CONTEMPT OF COURT**, the original(s) of which is(are) affixed hereto, to the party(ies) listed on the attached service list.

**BY MAIL:** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing with the United States Postal Service. Under that practice, it would be deposited with the United States Postal Service that same day in the ordinary course of business. Such document(s) were placed in envelopes addressed to the person(s) served hereunder for collection and mailing with postage thereon fully prepaid at Los Angeles, California, on that same day following ordinary business practices.

**BY OVERNIGHT DELIVERY:** I deposited such document(s) in a box or other facility regularly maintained by the overnight service carrier, or delivered such document(s) to a courier or driver authorized by the overnight service carrier to receive documents, in an envelope or package designated by the overnight service carrier with delivery fees paid or provided for, addressed to the person(s) served hereunder.

I certify under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed on February 24, 2005, at Los Angeles, California.

  
BONITA ZEIER

