

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

**COMMODITY FUTURES TRADING)
COMMISSION,)
)
Plaintiff,)
)
v.)
)
)
**WALL STREET UNDERGROUND, INC.,)
et al.,)
)
Defendants.)**
_____)**

CIVIL ACTION

No. 03-2193-CM

SHOW CAUSE ORDER

On January 19, 2007, Robb Evans and Associates LLC as Receiver for Wall Street Underground, Inc, filed a Verified Motion for Order Setting Bar Date for Filing Proofs of Claims against Wall Street Underground, Inc. and Approval of Notice of Bar Date and Manner of Service and Memorandum in Support. To date, defendants Frank Asaro nor Web Fulfillment have timely responded to this Motion. Rule 7.4 of the Rules of Practice provides that the “failure to file a brief or response within the time specified within [Rules 6.1 and 7.1(c)] shall constitute the waiver of the right thereafter to file such brief or response, except upon a showing of excusable neglect.” D. Kan R.7.4.

Defendants are therefore directed to show cause, in writing, on or before February 28, 2007, why receiver’s motion (Doc. 270) should not be granted. Defendants are further directed to file a response to defendant’s motion on or before March 2, 2007. Where defendants fail to respond to this order, the court will consider the motion (Doc. 270) without the benefit of a response, as set out in Rule 7.4.

IT IS SO ORDERED.

Dated this h day of February 2007, at Kansas City, Kansas.

s/ Carlos Murguia
CARLOS MURGUIA
United States District Judge