

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

美國地方法院內  
伊利諾州北區  
東分部

UNITED STATES COMMODITY  
FUTURES TRADING COMMISSION

Plaintiff,  
美國商品期貨管理委員會  
原告

v. 對

LAKE SHORE ASSET MANAGEMENT  
LIMITED, et al.,

Defendants  
湖岸資產管理有限公司以及其他  
被告

07 C 3598

**ORDER APPOINTING RECEIVER**

指定接管人之裁定

On August 28, 2007, after conducting an evidentiary hearing, the Court issued an Order (“Preliminary Injunction Order”) granting in part and denying in part the CFTC’s motion for a preliminary injunction and asset freeze. On October 4, 2007, the Court issued an Order addressing the rationale for its appointment of a receiver. Based on those orders, the Court, having considered the submissions of the parties and being advised in the premises, hereby orders as follows:

二〇〇七年八月二十八日，進行過舉證聽證會後，本法庭發出裁定（「初步禁制令」），部分同意、部分否決美國商品期貨管理委員會（CFTC）對於初步禁制與財產凍結之請求。二〇〇七年十月四日，本法庭針對指定某一接管人的立論根據，發出裁定。根據那些裁定，本法庭在考慮過各方提出之資料，並詢問相關人員有關前述事項後，茲此裁定：

I.

*Appointment of Receiver*

指定接管人

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that Robb Evans & Associates LLC is appointed as temporary equity Receiver (“Receiver”), with the full powers of an equity receiver, for the Lake Shore Common Enterprise (“LS Common Enterprise”), including Lake Shore Asset Management Limited (“LSAM”), Lake Shore Group of Companies Inc. Ltd. (“Lake Shore Group”), Lake Shore Asset Management Inc. (“lake Shore Inc.”), Lake Shore Alternative Financial Asset Limited, Lake Shore Alternative Financial Asset Limited Account I Limited, Lake Shore Alternative Financial Asset Limited Account II Limited, Lake Shore Alternative Financial Asset Fund III Limited, and Geneva Corp. Funds World Limited (formerly known as Lake Shore Alternative Financial Asset Fund IV Limited), and their affiliates and subsidiaries, all funds, properties, premises, accounts and other assets directly or indirectly owned, beneficially or otherwise, by the Lake Shore Alternative Financial Asset Funds (“LSAFA Funds”), individually or collectively, including, but not limited to, investors’ funds, for the purpose of marshalling, preserving, accounting for, and liquidating the assets that are subject to this Order for the sole purpose of making a distribution of such funds to the Lake Shore clients and directing, monitoring and supervising the LS Common Enterprises’ activities in accordance with the provisions of this Order set forth below. The Receiver shall be the agent of this Court and solely the agent of this Court in acting as Receiver under this Order. The Receiver shall be accountable directly to this Court. The Receiver shall comply with all Local Rules of this Court governing receivers, except as expressly modified herein or by further order of this Court. The Receiver shall not marshal funds and assets for the express purpose of paying fines or penalties.

本法庭裁定、宣告與命令 羅義文有限責任公司 (Robb Evans & Associates LLC) 為 Lake Shore Common Enterprise (「LS Common Enterprise」) 淨資產之指定暫時接管人 (「接管人」)，被授與資產接管人的全部權限，LS Common Enterprise 包括 Lake Shore Asset Management Limited (「LSAM」)、Lake Shore Group of Companies Inc. Ltd. (「Lake Shore Group」)、Lake Shore Asset Management Inc.

(「Lake Shore Inc.」)、Lake Shore Alternative Financial Asset Limited、Lake Shore Alternative Financial Asset Limited Account I Limited、Lake Shore Alternative Financial Asset Limited Account II Limited、Lake Shore Alternative Financial Asset Fund III Limited，和 Geneva Corp. Funds World Limited（前稱 Lake Shore Alternative Financial Asset Fund IV Limited），以及前述各機構之子公司與分支，Lake Shore Alternative Financial Asset Funds（「LSAFA Funds」）所有的基金、財產、土地建物、帳冊與其他資產，不論由 LSAFA Funds 直接或間接擁有，或受益者為 LSAFA Funds者，不論屬於個人或團體，包括但不限於投資者基金，此接管人之指派意圖為整理、保存、說明或清算所有受制於本裁定之下的資產，以成就唯一目的，亦即將這些基金分配予 Lake Shore 之客戶，並根據本裁定設立之下列規定，指導、監控與督導 LS Common Enterprises 之行爲。接管人爲本法庭之代理人，也是本裁定下本法庭之唯一代理人。接管人必須恪遵本法庭治理接管人之所有地區規定（Local Rules），惟本裁定或本法庭未來發出之裁定中明白變更的事項除外。接管人不可爲了加速償付罰金或罰款之目的而整理基金與資產。

## II.

### *Duties and Powers of Receiver*

**IT IS FURTHER ORDERED** that the Receiver is directed and authorized to accomplish following:

**本法庭進一步裁定**，指示並授權接管人完成下列事項：

- A. Take exclusive custody, control, and possession of all the funds, property, mail and other assets of Lake Shore, in the possession of, or under the control of the LS Common Enterprise wherever situated. The Receiver shall have full power to sue for, collect, receive and take possession of all goods, chattels, rights, credits, moneys, effects, land, leases, books, records, work papers, and records of accounts, including computer-maintained information and digital or meta data and other papers and documents of the LSAFA Funds, including documents related to customers or clients whose interest are now held by or under the direction, possession, custody or control of the LSAFA Funds;  
獨家監護、控制與掌握 Lake Shore 之所有基金、財產、郵件與其他資產，以及 LS Common Enterprise 所擁有、控制的所有基金、財產、郵件與其他資產，不論地點何在。接管人具有完全的權力提訟、收集、收受與取得所有的貨物、動產、購得股票之權利、貸出之款項、金錢、動產、土地、租約、帳冊、紀錄、工作文件、帳戶紀錄，包括LSAFA Funds 由電腦管理之資訊、數位化資料、後設資料（meta data）與其他的報告與文件，也包括其權益目前由 LSAFA Funds 所持有、主導、擁有、監護或控制的顧客或客戶的相關文件；
- B. Conserve, hold and manage all receivership assets, and perform all acts necessary or advisable to preserve the value of those assets, in order to prevent any irreparable loss, damage, or injury to investors, customers or to creditors of the LSAFA Funds, including, but not limited to, obtaining an accounting of the assets and preventing transfer,

withdrawal, or misapplication of assets, and including the authority to liquidate or close out any open securities or commodity futures positions of the LSAFA Funds;

保存、掌握並管理所有受到監管的資產，並進行所有必要或適當的行動，保存這些資產的價值，以避免造成任何 LSAFA Funds 之投資者、客戶或債權人無法挽救的損失、損害、傷害，這些行動包括但不限於取得資產帳冊、防止資產移轉或抽提或不當的使用，也包括有權清算、結清所有 LSAFA Funds 以證券或大宗物資期貨方式所開設之帳戶；

- C. Perform all acts necessary or advisable to assure the distribution of pool funds in an equitable fashion to the investors in a prompt and efficient manner;  
進行所有必要或適當的行動，確保以公正、快速以及高效率之方式將所有受到保管的基金分配予投資者；
- D. Prevent the withdrawal or misapplication of LSAFA Funds, and otherwise protect the interests of customers or clients;  
防止對 LSAFA Funds 之抽提與不當使用，並保護顧客或客戶之權益；
- E. Collect all money owed to the LSAFA Funds;  
收取所有積欠 LSAFA Funds 的款項；
- F. Initiate, defend, compromise, adjust, intervene in, dispose of, or become a party to any actions or proceedings in state, federal or foreign jurisdictions necessary to preserve or increase the assets of the LSAFA Funds or to carry out his or her duties pursuant to this Order;  
擬定、防衛、協調、調整、介入、處分，或在必要時，針對任何發生在洲、聯邦或外國司法管轄區的判決與訴訟程序，以當事人身份保護或增加 LSAFA Funds 的資產，或執行任何依據本裁定的義務；
- G. Choose, engage and employ attorneys, accountants, appraisers, and other independent contractors and technical specialists, as the Receiver deems advisable or necessary in the performance of duties and responsibilities under the authority granted by this Order;  
在這份裁定所賦予的權力範圍之內，接管人於履行義務或責任時，認為適當或必要時，可選擇、延聘、雇用律師、會計師、鑑價師與其他獨立承攬人與技術人員；
- H. Issue subpoenas to obtain documents and records pertaining to the receivership, and conduct discovery in this action on behalf of the receivership estate in a manner consistent with applicable law;  
發出傳票以取得受到監管資產的文件或紀錄，並在適用的法律之下，持續在此行動中，代表受到監管的資產進行了解與發現；
- I. Open one or more bank accounts as designated depositories for the LSAFA Funds. The Receiver shall deposit all monies of the LSAFA Funds in such designated accounts and shall make all payments and disbursements from the receivership estate from such accounts;  
開設一個或多個銀行帳戶作為 LSAFA Funds 的指定保管處。接管人必須將 LSAFA Funds 所有的金錢存入這些指定帳戶中，並由這些帳戶中受到監管之資產，支付所有的費用與開銷；
- J. Make payments and disbursements from the receivership estate that are necessary or advisable for carrying out the directions of, or exercising the authority granted by, this Order. The Receiver shall apply to the Court for prior approval of any payment of any debt or obligation incurred by the LSAFA Funds prior to the date of entry of the Preliminary Injunction Order, except for payments that the Receiver deems necessary or

advisable to secure assets of the LSFAFA Funds. The Receiver shall also apply to the Court for prior approval of any payments to Lake Shore customers;

由監管之資產支付必要或適當的費用與開銷，以執行本裁定之指示，或行使本裁定所賦予之權力。接管人必須就任何 LSFAFA Funds 因任何債務或義務所衍生的任何費用，在禁制令裁定登錄日之前，事先向法院申請，惟若接管人認定是爲了確保 LSFAFA Funds 資產，所必要或適當的費用除外。接管人於支付任何 Lake Shore 客戶款項時，也必須事先向法院提出許可申請；

- K. Liquidate all assets of the LSFAFA Funds and hold such assets pending further Order of the Court; and  
清算所有 LSFAFA Funds 資產並暫時保管這些資產，等待法庭進一步的裁示；
- L. Consolidate all records and other assets by moving assets and records, if any, currently located outside of this District to a secure facility maintained within this District; and  
整合目前在本管轄區之外的所有紀錄與其他資產，並移至本轄區內之一安全地點；
- M. Prevent the inequitable distribution of assets and to determine, adjust, and protect the interests of customers or investors who have transacted business with the LSFAFA Funds;  
防止資產的不公分配，並決定、調整和保護與 LSFAFA Funds 有業務往來的客戶或投資者的權益；

The Receiver is further authorized to apply to any court, tribunal, regulatory or administrative body, wherever located, for the recognition of this Order and for assistance in carrying out the terms of this Order. It also may apply to this court as necessary for directions in discharging its powers and duties under this Order.

接管人進一步被授權向位於任何地點的任何法庭、裁判庭、一般或行政機構申請對本裁定的承認，以及對本裁定內容的執行。接管人也可於必要時向本法庭申請指示，取消本裁定所授權之權力與任務。

### III. *Delivery to Receiver* 交遞予接管人

**IT IS FURTHER ORDERED** that, immediately upon service of this Order upon them, the LS Common Enterprise and any other person or entity served with a copy of this order shall, immediately or within such time as permitted by the Receiver in writing, deliver over to the Receiver;

**本法庭進一步裁定**，自本裁定生效起，收到本裁定的 LS Common Enterprise 與其他個人或法人都應立即或在接管人書面同意的期限之內，將下列事物交遞予接管人；

- A. Possession and custody of all funds, assets, property, and all other assets, owned beneficially or otherwise, wherever situated, of the LSFAFA Funds, including but not limited to the funds on deposit at the financial institutions listed on Schedule A attached hereto;

擁有與保管的所有基金、資產、所有物與其他所有財產，其受益人爲 LSAFA Funds 或屬於 LSAFA Funds者，不論地點，包括但不限於存放於附表A上所列之金融機構的基金；

- B. Possession and custody of documents of the LSAFA Funds, including but not limited to, all books and records of accounts, all financial and accounting records, balance sheets, income statements, bank records (including monthly statements, canceled checks, records of wire transfers, and check registers), client lists, title documents and other papers;  
擁有與保管的 LSAFA Funds 文件，包括但不限於所有的帳冊與帳務紀錄、所有的財務與會計紀錄、資產負債表、損益表、銀行紀錄（包括每月的對帳單、取消付款的支票、轉帳紀錄與兌現的支票）、客戶名單、所有權文件與其他文件紀錄；
- C. Possession and custody of all precious metals, other commodities, funds and other assets belonging to members of the public now held by the LSAFA Funds;  
擁有與保管的所有貴重金屬、其他商品、基金或其他資產，其屬於大眾會員但現在由 LSAFA Funds 保管者；
- D. All keys, computer passwords, entry codes, PIN numbers and combinations to locks necessary to gain or to secure access to any of the assets or documents of the LSAFA Funds, including but not limited to, access to the LS Common Enterprise's business premises, means of communication, accounts, computer systems, or other property; and  
所有取得或確保 LSAFA Funds 的任何資產或文件所必要之鑰匙、電腦密碼、開機或檔案密碼、PIN號碼以及數字鎖的開鎖密碼，包括但不限於使用 LS Common Enterprise 的商業營業場所、通訊方式、帳戶、電腦系統或其他財產；
- E. Information identifying the accounts, employees, properties or other assets or obligations of the LSAFA Funds.  
可判讀 LSAFA Funds 帳戶、員工、財產與其他資產或義務的資料。

#### IV.

#### *Cooperation with Receiver*

#### 與接管人合作

**IT IS FURTHER ORDERED** that the LS Common Enterprise and its agents, employees, independent contractors, attorneys and all other persons or entities served with a copy of this Order shall cooperate fully with and assist the Receiver in the performance of his duties. This cooperation and assistance shall include, but not be limited to, providing any information to the Receiver that the Receiver deems necessary to exercising the authority and discharging the responsibilities of the Receiver under this order; providing any password required to access any computer or electronic files in any medium; and advising all persons who owe money to the LSAFA Funds that all debts should be paid directly to the Receiver.

**本法庭進一步裁定**，收到本裁定的 LS Common Enterprise 與其代理人、員工、獨立承攬人、律師與其他所有的個人、法人，必須完全配合與協助接管人執行其任務。配合與協助範疇，包括但不限於在本裁

定之下，提供任何接管人認為必要行使權力與取消接管人責任的資料；提供任何需要取得任何電腦或任何媒介物中之電子檔案的密碼；以及告知所有積欠 LSAFA Funds 金錢的個人，所有的債務都將直接給付予接管人。

However, the requirement of cooperation does not impinge on the right to assert any applicable privilege. It also does not impinge on the right of any person or entity to access any court exercising jurisdiction over a territory in which any assets affected by this Order are situated for the purpose of raising with that court any questions regarding the recognition or enforcement of this Order in respect of such assets.

然而，配合之要求並不侵犯任何適用權益的主張，同時也不侵犯任何個人或法人至任何本裁定影響所及之任何資產所在地管轄法院，就本裁定對這些資產的處置，提出任何有關認定與執行的問題。

#### V. *Stay*

#### 延緩

**IT IS FURTHER ORDERED** that except by leave of the Court, and except as provided with regard to the Canadian Receiver, during the pendency of the receivership ordered herein, the LS Common Enterprise, and all other persons and entities be and hereby are stayed from taking any action to establish or enforce any claim, right or interest for, against, on behalf of, or in the name of the LSAFA Funds, the Receiver, receivership assets, or the Receiver's duly authorized agents acting in their capacities as such, including but not limited to, the following actions:

**本法庭進一步裁定**，除了本法庭和加拿大接管人（the Canadian Receiver）所提供的相關許可外，在裁定受到監管的資產處置尚未決定期間，LS Common Enterprise 以及其他所有個人與團體，都必須延緩採取任何行動去建立或執行任何主張、權利或權益，不論這些行動是對抗、代表或以 LSAFA Funds、接管人、監管之資產，或接管人正式授權代表之代理者的名義進行，這些行動包括但不限於下列範疇：

- A. Commencing, prosecuting, litigating or enforcing any suit, except that actions may be filed to toll any applicable statute of limitations;  
控告、告發、爭訟或執行任何訴訟，惟可申請依任何適當規定延長追訴時效期；
- B. Accelerating the due date of any obligation or claimed obligation, enforcing any lien upon, or taking or attempting to take possession of, or retaining possession of, property

of the LSFA Funds or any property claimed by the LSFA Funds, or attempting to foreclose, forfeit, alter or terminate any of the LSFA Funds' interests in property, whether such acts are part of a judicial proceeding or otherwise;

將任何義務或主張義務之期限日提前，執行任何抵押權，或取得、試圖擁有或保留 LSFA Funds 的所有物、財產，或任何 LSFA Funds 所主張擁有的任何資產，或試圖喪失取回贖回抵押品之權利、喪失取得資產之權利、更改或終結任何 LSFA Funds 對資產的權益，不論這些行為是否屬於正在進行的司法程序；

- C. Using self-help or executing or issuing, or causing the execution or issuance of any court attachment, subpoena, replevin, execution or other process for the purpose of impounding or taking possession of or interfering with, or creating or enforcing a lien upon any property, wherever located, owned by or in the possession of the LSFA Funds, or the Receiver or any agent of the Receiver; and

利用自助方式、執行、發出或取得任何法院執行或發出之令狀、傳票、扣押物回復令、執行令或利用其他過程，以扣留、取得、干預、造成或強加扣押權於任何屬於 LSFA Funds、接管人或任何接管人代理者名下或所擁有的資產，不論資產地點何在；

- D. Doing any act or thing to interfere with the Receiver taking control, possession or management of the property subject to the receivership, or to in any way interfere with the Receiver or the duties of the Receiver, or to interfere with the exclusive jurisdiction of this Court over the property and assets of the LSFA Funds. This Paragraph does not stay the commencement or continuation of an action or proceeding by a governmental unit to enforce such governmental unit's police or regulatory power.

進行任何行動或事情干預接管人取得、擁有或管理依法應屬監管的資產，或以任何方式干預接管人，或接管人履行之責任，或干預本法庭對 LSFA Funds 所有物與資產的唯一管轄權。惟本段文字並不延緩政府機構為了貫徹該機構之政策或規定權所開始或繼續的任何行動或訴訟。

## VI.

### *Receiver's Report to the Court and Compensation*

#### 接管人對法庭與償付之報告

**IT IS FURTHER ORDERED** that the Receiver maintain written accounts, itemizing receipts and expenditures, describing properties held or managed, and naming the depositories of receivership funds; make such written accounts and supporting documentation available to the Commission for inspection, and, within sixty (60) days of being appointed and periodically thereafter, as directed by the Court, file with the Court and serve on the parties a report summarizing efforts to marshal and collect assets, administer the receivership estate, and otherwise perform the duties mandated by this Order.

**本法庭進一步裁定**，接管人維持書面報告、將收據與費用項目化、描述保管或管理的資產，並妥善命名監管基金之保管處；這些書面報告與附件資料必須可供委員會（the commission）檢閱，接管人在接受指派的六十日內，以及之後由法庭指定的定期時間，將所有書面報告與附件資料送交法院存查，並另外提供



各當事人一份報告，概述接管人整理與收集資產、管理監控之財產以及依本裁定執行之任務成果。

**IT IS FURTHER ORDERED** that the Receiver and all personnel hired by the Receiver as herein authorized, including counsel to the Receiver, are entitled to reasonable compensation for the performance of duties pursuant to this Order and for the cost of actual out-of-pocket expenses incurred by them for those services authorized by this Order that when rendered were (1) reasonably likely to benefit the receivership estate or (2) necessary to the administration of the estate. The receiver and all personnel hired by the receiver shall be compensated solely out of funds now held by or in the possession or control of or which may in the future be received by the receivership and shall not be entitled to any compensation from the Commission. All requests for compensation are subject to the approval of the Court. The Receiver shall file with the Court and serve on the parties periodic requests for the payment of such reasonable compensation, with the first such request filed no more than thirty (30) days after the date of this Order and subsequent requests filed monthly thereafter. The requests for compensation shall itemize the time and nature of services rendered by the receiver and all personnel hired by the receiver. The Receiver shall not increase the hourly rates used as the bases for such fee applications without prior approval of the Court.

**本法庭進一步裁定**，由法院授權之接管人與所有接管人雇用之員工，包括接管人之法律顧問，均可因本裁定所執行的任務，獲得合理之報酬，另因本裁定授權之服務所衍生的實際預付費用，若符合（一）極可能對監管之資產有益，或（二）對管理資產有其必要性，也可獲得償還。接管人與所有接管人雇用的員工只能由目前受到保管或掌控的基金，或未來監控資產可能獲得的基金中獲得償付，不應自委員會處得到任何償付。所有償付申請均需得到法庭同意。接管人需定期向法庭提出這類合理償付之申請，並送達各當事人，這類償付的首次申請，需於本裁定日期的三十日之內，之後應每月提出償付申請。償付申請需詳列接管人與接管人雇用員工提供服務的時間與性質。這類以時數為費用償付基準的申請，未經法庭同意，接管人不得擅自提高每小時的收費金額。

**VII.**  
***Bond***

**契約**

**IT IS FURTHER ORDERED** that the Receiver is appointed without bond at this time. No bond is needed until the receiver obtains customer funds. Once this is imminent, the Court, with input from the parties, will set the bond at an appropriate amount.

**本法庭進一步裁定**，接管人此時為無契約指派。在接管人取得客戶基金之前，不需簽訂契約。一旦有此需要，本法庭在參酌各當事人意見後，會以適當金額設立契約。

**VIII.**  
***Service of Order***

**裁定之送達**

**IT IS FURTHER ORDERED** that, copies of this Order may be served by any means, including facsimile transmission, electronic mail or data transfer; upon any financial institution or other entity or person that may have possession, custody or control of any documents or assets of the LSFA Funds or that may be subject to any provision of this Order.

**本法庭進一步裁定**，本裁定可由任何方式傳達，包括傳真、電子郵件、資料傳送；本裁定有效之對象，為可能擁有、保管或控制 LSFA Funds 任何文件或資產，或受制於本裁定任何條款之任何財務機構、其他機構或個人。

**IX.**  
***Service on the Commission***

**委員會之效用**

**IT IS FURTHER ORDERED** that the LS Common Enterprise shall serve all pleadings, correspondence, notices required by this Order, and other materials relating to this case or Order on the Commission by delivering a copy to Diane M. Romaniuk or Ava M. Gould, Senior Trial Attorneys, Division of Enforcement, Commodity Futures Trading Commission, 525 W. Monroe, Suite 1100, Chicago, Illinois 60661.

本法庭進一步裁定，LS Common Enterprise 應處理所有本裁定所需之訴辯狀、來往信件、通知，以及與本案或委員會的裁定相關的其他資料，其方式為將文件送交美國商品期貨管理委員會執行處(Division of Enforcement, Commodity Futures Trading Commission)之資深訴訟律師(Senior Trial Attorneys)Diane M. Romaniuk 或 Ava M. Gould，地址為 525 W. Monroe, Suite 1100, Chicago, Illinois 60661。

**X.**  
***Canadian Receiver***

**加拿大接管人**

Notwithstanding anything to the contrary contained herein, Ernst & Young Inc. (the “Canadian Receiver”), the Receiver appointed by the Ontario Superior Court of Justice-Commercial List (“Canadian Court”) as Receiver for Lake Shore Alternative Financial Asset Corporation Limited and Lake Shore Alternative Financial Asset Corporation 2006 Limited shall not be required to comply with the terms of this order to the extent that doing so violates the orders of the Canadian Court or is inconsistent with its obligations as a Receiver for Lake Shore Alternative Financial Asset Corporation Limited and Lake Shore Alternative Financial Asset Corporation 2006 Limited.

儘管有違本裁定，安大略高等法院 — 商業法相關案件處 (the Ontario Superior Court of Justice-Commercial List, 亦即「加拿大法庭」) 指派之 Lake Shore Alternative Financial Asset Corporation Limited 與 Lake Shore Alternative Financial Asset Corporation 2006 Limited 接管人 Ernst & Young Inc. (「加拿大接管人」)，在不違背加拿大法庭之裁定或其身為 Lake Shore Alternative Financial Asset Corporation Limited 與 Lake Shore Alternative Financial Asset Corporation 2006 Limited 接管人之職責的情況下，不需配合本裁定的條款。

The Receiver appointed by this Court shall not be deemed to be a receiver over Lake Shore Alternative Financial Asset Corporation Limited and Lake Shore Alternative Financial Asset Corporation 2006 Limited, but with the written consent of the Canadian Receiver can act on its behalf.

本法庭指派之接管人不應認定為 Lake Shore Alternative Financial Asset Corporation Limited 與 Lake Shore Alternative Financial Asset Corporation 2006 Limited 之接管人，惟若持有加拿大接管人之書面同意書，可代為行使職權。

The funds currently on deposit in the account in the name of the Canadian Receiver at the Royal Bank of Canada are excluded from the coverage of this Order as are amounts that have been or will be paid by investors/donors pursuant to programs as referred to in the materials presented to the Canadian Court.

目前存放於加拿大皇家銀行（the Royal Bank of Canada）加拿大接管人名下帳戶中的基金，不在本裁定所涵蓋的範圍之內，依據送交加拿大法庭資料之相關計畫，該基金為投資者/捐款者已支付或即將支付的款項。

**XI**  
***Court Maintains Jurisdiction***  
**法庭保持管轄權**

**IT IS FURTHER ORDERED** 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.

**本法庭進一步裁定**，本裁定具有完全的效力，直到本法庭出具下一個裁定為止，而本法庭對本案保有完全之管轄權。

DATE: October 4, 2007

日期：二〇〇七年十月四日

/s/Blanche M Manning  
Blanch M. Manning  
United States District Judge  
美國地區法官 Blanch M. Manning