

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES SECURITIES)
AND EXCHANGE COMMISSION,)
)
Plaintiff,)
)
v.)
)
VEROS PARTNERS, INC.,)
MATTHEW D. HAAB,)
JEFFERY B. RISINGER,)
VEROS FARM LOAN HOLDING LLC,)
TOBIN J. SENEFELD,)
FARM GROWCAP LLC, and)
PINCAP LLC)
)
Defendants,)
)
PIN FINANCIAL LLC,)
)
Relief Defendant.)

CASE NO. 1:15-cv-00659-JMS-MJD

**AGREED MOTION TO MODIFY ASSET FREEZE ORDER
AND LIFT FREEZE OF JEFFERY AND AMY RISINGER’S
JOINT CHECKING AND SAVINGS ACCOUNTS AT CHASE BANK**

Defendant, Jeffery B. Risinger, (“Risinger”) by counsel, respectfully moves this Court to modify the asset freeze portion of the Court’s Temporary Restraining Order (Docket No. 12a) and lift the freeze of Jeffery and Amy Risinger’s (a) Joint Checking Account, account number xxx8507, at Chase Bank, and (b) Joint Savings Account, account number xxx1050, at Chase Bank, and as grounds therefor states that:

1. On April 23, 2015, this Court issued a Temporary Restraining Order (“TRO”) which, inter alia, in section IIIA ordered the defendants, which includes Jeffery B. Risinger, “to hold and retain funds and assets of defendants and presently hold them . . . and shall prevent any

withdrawal, sale, payment . . . transfer, dissipation, assignment, pledge, alienation, encumbrance, disposal . . . of any such funds or other assets, which are hereby frozen” (Doc. 12 pp. 5-6).

2. Additionally, at Doc. 12 p. 5, in section IIIB of the TRO, the Court ordered that “All banks, brokerage or other financial institutions . . . shall hold and retain within their control and prohibit the withdrawal, removal, sale, payment . . . transfer, dissipation, assignment, pledge, alienation, encumbrance . . . or other disposal of any such funds or other assets; and that such funds and assets are hereby frozen.”

3. Non-party, Amy Risinger, the wife of Jeffery Risinger, deposited and continues to deposit her paychecks for teaching into said accounts which she owns as a joint tenant with rights of survivorship, but, as a result of the freeze order, is unable to withdraw funds or issue checks to pay the mortgage and regular monthly expenses (e.g., utilities, insurance, car payments).

4. Robert M. Moye, Esq., counsel for the plaintiff, United States Securities and Exchange Commission (“SEC”) and Ronald E. Elberger, counsel for Risinger and the non-party, Amy Risinger, have agreed to vacate and lift the freeze on the joint checking account, account number xxx8507, and on the joint savings account, account number xxx1050, of Jeffery and Amy Risinger, both of which joint accounts are at Chase Bank. (Doc. 12 at p. 5).

5. It is the intent of the aforementioned agreement that Jeffery and Amy Risinger may each individually or jointly withdraw funds from said accounts, deposit funds into said accounts, issue checks on the joint checking account and otherwise may transfer, dissipate, pledge, alienate, encumber or dispose of the funds, money and assets in said accounts.

6. It is the further intent of said parties that Chase Bank shall permit Jeffery and Amy Risinger to have the full and unconditional use of all funds in the aforementioned joint checking account and savings account.

7. SEC's attorney, who has read this motion, agrees to the foregoing matters.

WHEREFORE, Defendant Risinger, by counsel, respectfully moves this Court for an order vacating and lifting the freeze of Jeffery and Amy Risinger's (a) Joint Checking Account, account number xxx8507, at Chase Bank, and (b) Joint Savings Account, account number xxx1050, at Chase Bank, and granting such further relief as the Court may deem just and proper.

Respectfully submitted,

s/Ronald E. Elberger

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Attorneys for Defendant, Jeffery B. Risinger

CERTIFICATE OF SERVICE

I hereby certify that on May 1, 2015 a copy of the foregoing “Agreed Motion To Vacate and Lift Freeze of Jeffery and Amy Risinger’s Joint Checking and Savings Accounts at Chase Bank” was filed electronically. Notice of this filing will be sent to the following counsel by operation of the Court’s electronic filing system. Parties may access this filing through the Court’s system.

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s/Ronald E. Elberger

Ronald E. Elberger

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ORDER

Upon consideration of the Agreed Motion To Modify Asset Freeze Order and Lift Freeze of Jeffery and Amy Risinger’s Joint Checking and Savings Accounts at Chase Bank, good cause having been shown, and the Court being duly advised in the premises, it is

ORDERED that the freeze previously imposed by sections IIIA and B of this Court’s April 23, 2015, Temporary Restraining Order, Doc 12 at pp. 5-6, of Jeffery and Amy Risinger’s (a) Joint Checking Account, account number xxx8507, at Chase Bank, and (b) Joint Savings Account, account number xxx1050, at Chase Bank, are hereby vacated and lifted; and it is further

ORDERED that Jeffery and Amy Risinger may each individually or jointly withdraw funds from said accounts, deposit funds into said accounts, issue checks on the joint checking

account and otherwise may transfer, dissipate, pledge, alienate, encumber or dispose of the funds, money and assets in said accounts. Chase Bank shall permit Jeffery and Amy Risinger to have the full and unconditional use of all funds in the aforementioned joint checking account, account number xxx8507, and savings account, account number xxx1050, at Chase Bank.

Dated this ___ day of May, 2015.

Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

Distribution:

All Electronically Registered Counsel

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