

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

UNITED STATES SECURITIES )  
AND EXCHANGE COMMISSION, )

Plaintiff, )

v. )

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

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. )

**AGREED MOTION TO VACATE AND REMOVE ASSET FREEZE REGARDING  
JEFFERY RISINGER’S ACCOUNTS AND ASSETS**

Defendant, Jeffery B. Risinger, (“Risinger”) by counsel, respectfully moves this Court to vacate and remove the asset freeze portion of the Court’s Temporary Restraining Order (Docket No. 12) and Preliminary Injunction Order (Doc. 48 at pp. 5-6) and the asset freeze on all remaining assets, accounts and real estate, if any there be, of Jeffery Risinger, and to permit the withdrawal of funds from all such remaining accounts and assets and to dispose of real estate, 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. By Order dated May 1, 2015 (Doc. 38), this Court 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, on 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, be vacated and lifted; and it was 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 account. 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.

4. In a Preliminary Injunction Order dated May 7, 2015, (Doc. 48 at pp. 5-6) this Court ordered Jeffery Risinger, inter alia, to “hold and retain funds and assets of defendants and presently held by 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” including the following accounts:

Equity Trust Account	xxx0491	Risinger Custodian IRA
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Millennium Trust Account	xxx6V24	Risinger IRA Account
Chase Bank	xxx1022	Risinger Traditional Account IRA Account
Chase Bank	xxx0084	Risinger Savings Account
Chase Bank	xxx0308	Risinger Savings Account
Fifth/Third Bank	xxx6561	Risinger Business Checking
Fifth/Third Bank	xxx5852	Risinger-Sun Pie LLC - Business Checking Account

5. Similar to the terms of the Temporary Restraining Order, the Preliminary Injunction Order, at Doc. 48, p. 6, in Section IIIB, 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.”

6. Defendant Risinger reached a settlement agreement with the Plaintiff under and by the terms of which, Risinger, inter alia, made a payment to the Plaintiff or its designee, in the sum of One Hundred Thousand Dollars (\$100,000.00), pursuant to the terms of a “Final Judgment As To Defendant Jeffery B. Risinger” (Doc. 272) filed on September 14, 2016. The aforementioned payment was made on September 16, 2016, through the Bose McKinney & Evans LLP trust account, the receipt for said payment being attached hereto as Exhibit “1” and incorporated herein by reference.

7. Pursuant to the terms of the Preliminary Injunction Order, Risinger provided the detailed accounting to the plaintiff as required in Doc. 48, Section IV at pp. 7-8; has fully cooperated with the Plaintiff and the Receiver, and has preserved documents required to be preserved by Doc. 48, Section V at p. 8.

8. Robert M. Moye, Esq., counsel for the plaintiff, United States Securities and Exchange Commission (“SEC”) and Ronald E. Elberger, counsel for Risinger, agreed to move to vacate and remove the freeze on the aforementioned IRA accounts, savings and business checking accounts, the latter containing minor amounts of funds, and all remaining assets of Jeffery Risinger (Doc. 48 at pp. 5-6) since Risinger paid the aforementioned payment.

9. It is the further intent of said parties that Chase Bank, Fifth/Third Bank, Equity Trust, Millennium Trust, and all other financial institutions, shall permit Jeffery Risinger to have the full and unconditional use of all funds in the aforementioned accounts.

10. 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 removing the freeze on all remaining assets, accounts and real estate of Jeffery Risinger including all Checking and Business Accounts, IRA accounts, Savings Accounts and all other assets to permit the withdrawal of funds from all such remaining accounts and assets and to dispose of real estate, if any there be, 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 October 20, 2016 a copy of the foregoing “Agreed Motion To Vacate and Remove Asset Freeze Regarding Jeffery Risinger’s Accounts and Assets” 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.

Robert M. Moyer, [MoyeR@sec.gov](mailto:MoyeR@sec.gov)  
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*s/Ronald E. Elberger*

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Ronald E. Elberger

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## Receipt

### Your payment is submitted

Pay.gov Tracking ID: 25TU705U  
Agency Tracking ID: 75093009844  
Form Name: SEC Enforcement Collections  
Application Name: SEC Enforcement Collections

### Payment Information

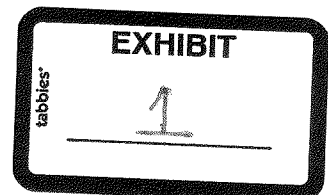
Payment Type: Bank account (ACH)  
Payment Amount: \$100,000.00  
Transaction Date: 09/16/2016 01:54:58 PM EDT  
Payment Date: 09/19/2016

### Account Information

Account Holder Name: Bose McKinney & Evans LLP  
Routing Number: 071025661  
Account Number: \*\*\*\*\*5203

### Email Confirmation Receipt

Confirmation Receipts have been emailed to:  
jeff@jbrinlaw.com  
relberger@boselaw.com



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SOUTHERN DISTRICT OF INDIANA  
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TOBIN J. SENEFFELD, )  
FARM GROWCAP LLC, and )  
PINCAP LLC )

Defendants, )

PIN FINANCIAL LLC, )

Relief Defendant. )

**ORDER VACATING AND REMOVING ASSET FREEZE REGARDING  
JEFFERY RISINGER’S ACCOUNTS AND ASSETS**

This matter comes before the Court on the Agreed Motion to Vacate and Remove Asset Freeze Regarding Jeffery Risinger’s Accounts and Assets filed by defendant, Jeffery B. Risinger (“Risinger”), with the agreement of Robert M. Moye, counsel for the United States Securities and Exchange Commission (“SEC”), and the court being duly advised that the plaintiff, SEC, and Risinger reached a settlement under and by the terms of which Risinger, *inter alia*, made a settlement payment in the sum of One Hundred Thousand Dollars (\$100,000.00) for the benefit of investors to the plaintiff or its designee, and good cause having been shown it is

ORDERED that the freeze placed by Sections IIIA and IIIB of the April 23, 2015, Temporary Restraining Order (Doc. 12 at pp. 5-6) and by Sections IIIA and IIIB of the May 7,

2015, Preliminary Injunction (Doc. 48 at pp. 5-6) on Risinger's accounts and assets including, but not limited to, the following:

Equity Trust Account	xxx0491	Risinger Custodian IRA
Millennium Trust Account	xxx6V24	Risinger IRA Account
Chase Bank	xxx1022	Risinger Traditional Account IRA Account
Chase Bank	xxx0084	Risinger Savings Account
Chase Bank	xxx0308	Risinger Savings Account
Fifth/Third Bank	xxx6561	Risinger Business Checking
Fifth/Third Bank	xxx5852	Risinger-Sun Pie LLC - Business Checking Account

is hereby vacated and removed so as to permit Jeffery B. Risinger to withdraw all funds from all of his accounts, and to sell any and all assets, and to dispose of real estate, if any there be, and it is further

ORDERED that Chase Bank, Fifth/Third Bank, Equity Trust and Millennium Trust and all other banks, brokerage and financial institutions, shall permit Jeffery B. Risinger to have the full and unconditional right to withdraw, transfer and use all of the funds and assets contained in the aforementioned accounts and in all other assets, if any there be.

Dated: \_\_\_\_\_

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

**Distribution via ECF only to all counsel of record.**