STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
COUNTY OF RICHLAND	)	
HENRY D. MCMASTER, in his official capacity as SECURITIES COMMISSIONER for the State of SC ☒ Plaintiff	)	CASE NO. 2007-CP-40-3116
v.	)	MOTION AND ORDER INFORMATION FORM AND COVER SHEET
Capital Consortium Group, 3 Hebrew Boys, et al. ☐ Defendant.	)	

Plaintiff's Attorney:	Defendant's Attorney:
Warren V. Ganjehsani, Bar No. 17040 Address: SC Atty. Gen., PO Box 11549, Columbia SC 29211 phone: 803-734-9916 fax: 803-734-3677 e-mail: other:	, Bar No. Address: phone: fax: e-mail: other:

☒ **MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)**
☐ **FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)**
☐ **PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)**

SECTION I: Hearing Information

Nature of Motion: Plaintiff's Motion for Temp. Injunction, for Appt. of Receiver & for Expedited Hearing
Estimated Time Needed: 45 min. Court Reporter Needed: ☒ YES / ☐ NO

SECTION II: Motion/Order Type

☒ Written motion attached
☐ Form Motion/Order

I hereby move for relief or action by the court as set forth in the attached proposed order.

Signature of Attorney for ☒ Plaintiff / ☐ Defendant — June 22, 2007 Date submitted

SECTION III: Motion Fee

☒ PAID – AMOUNT: $25.00
☐ EXEMPT: (check reason)
- ☐ Rule to Show Cause in Child or Spousal Support
- ☐ Domestic Abuse or Abuse and Neglect
- ☐ Indigent Status ☐ State Agency v. Indigent Party
- ☐ Sexually Violent Predator Act ☐ Post-Conviction Relief
- ☐ Motion for Stay in Bankruptcy
- ☐ Motion for Publication ☐ Motion for Execution (Rule 69, SCRCP)
- ☐ Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions
  Name of Court Reporter:
- ☐ Other:

JUDGE'S SECTION	
☐ Motion Fee to be paid upon filing of the attached order. ☐ Other:	_____ JUDGE CODE: _____ Date: _____

CLERK'S VERIFICATION

Date Filed:

Collected by: _____

☐ MOTION FEE COLLECTED: _____
☐ CONTESTED – AMOUNT DUE: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

C.A. No. 07-CP-40-3116

HENRY D. MCMASTER,
in his official capacity as the
SECURITIES COMMISSIONER FOR
THE STATE OF SOUTH CAROLINA,

Plaintiff,

-vs-

CAPITAL CONSORTIUM GROUP, LLC; 3 HEBREW BOYS, LLC; TONY POUGH a/k/a TONY BERNARD POUGH; TIM MCQUEEN a/k/a TIMOTHY MCQUEEN; JOSEPH BRUNSON a/k/a JOSEPH B. BRUNSON; DANIEL DEVELOPMENT GROUP, LLC; FIRST CITIZENS BANK AND TRUST CO., INC.;

Defendants.

2007 JUN 22 PM 12: 11
BARBARA ... C.C.C. & G.S.

NOTICE OF MOTION AND MOTION FOR TEMPORARY INJUNCTION, MOTION FOR APPOINTMENT OF RECEIVER & MOTION FOR EXPEDITED HEARING

TO: DEFENDANTS ABOVE-NAMED

PLEASE TAKE NOTICE THAT Henry D. McMaster, in his official capacity as the Securities Commissioner for the State of South Carolina ("Plaintiff"), moves the Court for the following:

MOTION FOR TEMPORARY INJUNCTION

Pursuant to § 35-1-603(b) of the South Carolina Uniform Securities Act of 2005 ("Securities Act"), Plaintiff seeks an asset freeze and a temporary injunction enjoining defendants Capital Consortium Group, LLC ("CCG"); 3 Hebrew Boys, LLC ("3HB"); Tony

Pough a/k/a Tony Bernard Pough ("Pough"), Tim McQueen a/k/a Timothy McQueen ("McQueen"), Joseph Brunson a/k/a Joseph B. Brunson ("Brunson") and Daniel Development Group, LLC ("Daniel Development") (collectively, "Defendants") from selling, transferring, concealing, damaging, altering, encumbering or otherwise disposing of any real or personal property ("Assets")—including but not limited to withdrawing or transferring funds out of accounts of any kind held in any financial institution or brokerage house—which, as of the date of the filing of this motion, are titled in the name of, controlled by, owned by or otherwise in the possession of Defendants 3HB, CCG or Daniel Development.

Plaintiff requests that such asset freeze and injunction be binding upon the Defendants, their officers, agents, members, managers, directors, organizers, principals, shareholders, servants, employees, and attorneys, and upon those persons in active concert or participation with them who receive actual notice of the order for the asset freeze and temporary injunction by personal service or otherwise.

Plaintiff further requests that, upon actual notice being provided of an order issued pursuant to the present asset freeze and injunction motion, any individual or entity not already a party to this case shall be enjoined from selling, transferring, concealing, damaging, altering, encumbering or otherwise disposing of Assets should such person(s) have, come into possession of or otherwise gain access to the Assets.

Plaintiff further requests that, upon service of an order issued pursuant to the present asset freeze and injunction motion upon any financial institution, including but not limited to any bank, savings bank, credit union or brokerage house, that such institution(s) shall immediately freeze all accounts in the name of CCG, 3HB and Daniel Development.

In support of the instant motion, Plaintiff craves reference to the Circuit Court's findings in granting a temporary injunction on May 31, 2007 to freeze funds deposited by Defendants in certain bank accounts located at First Citizens Bank and Trust Company, Inc.

Plaintiff has made a proper showing for the foregoing relief in accordance with § 35-1-603(b) of the Securities Act and applicable federal law, namely, that there is a reasonable likelihood that Defendants, if not so enjoined, will continue violating the securities laws of this State.

Plaintiff moves for this asset freeze and injunction without the posting of a bond or other security. S.C. CODE ANN. § 35-1-603(c) (providing that the "Securities Commissioner may not be required to post a bond in an action or proceeding under [the Securities Act]").

MOTION FOR APPOINTMENT OF A RECEIVER

Pursuant to § 35-1-603(b) of the Securities Act, Plaintiff moves for the appointment of a receiver for Defendant(s) and for an order conferring upon the receiver all powers and authority allowed by law.

MOTION FOR EXPEDITED HEARING

Plaintiff asks that the above-described motions be heard on an expedited basis and prior to Defendants' motion to stay (filed and served on June 21, 2007), as the relief Plaintiff seeks is equitable in nature and is designed to preserve the status quo until there is a trial on the merits. If Defendants' motion is heard and granted before a hearing on Plaintiff's motions, Plaintiff will be unjustly deprived of an opportunity to preserve the Assets for an unknown but potentially prolonged period of time, during which Defendants may squander or hide such Assets with impunity.

Respectfully submitted,

HENRY D. MCMASTER
Securities Commissioner
TRACY A. MEYERS
Assistant Attorney General
T. PARKIN HUNTER
Assistant Attorney General
WARREN V. GANJEHSANI
Assistant Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-4731

BY: _____

June 22, 2007

RULE 11, SCRCP CERTIFICATION:

Undersigned counsel certifies that consultation would serve no useful purpose as to the foregoing motions.

BY: _____
Warren V. Ganjehsani

June 22, 2007