

BACKGROUND

1. On June 6, 2008, pursuant to Order of this Court, the United States Trustee appointed Mr. W. Grey Steed to serve as Interim Chapter 7 Trustee in the involuntary bankruptcy case of Luis Rivas, d/b/a The Forex Project.

2. Pursuant to his appointment as Interim Trustee, Mr. Steed is required by 11 U.S.C. §303(g) to take steps necessary to preserve the property of the estate, prevent loss to the estate and conduct any business as necessary to protect and preserve property of the estate.

THE DEFENDANTS

3. Each of the banks captioned above as the Defendants (the “Bank Defendants”) are believed to have accounts in the name of Debtor, The Forex Project, and other named individual Defendants related to the Debtor and captioned above, or in the name of other entities in which Debtor may be a signatory or identified in a corporate resolution.

4. The individual defendants captioned above are all associates, employees, agents or related persons and insiders of Debtor. The relationship of the individual Defendants to Debtor are as follows:

- a. Pamela E. Rivas - current wife of Debtor and agent of Debtor;
- b. Pam Green - girlfriend of Rivas and agent;
- c. Angie Jefferson - girlfriend of Rivas and agent, mother of Pam Green, believed to be in hiding with Debtor.

5. To the extent bank accounts exist at Defendant Banks in the names of Debtor, The Forex Project, the named individual Defendants related to Debtor, or in the name of other entities in which Debtor may be a signatory or identified in a corporate resolution, it is believed that these accounts contain funds obtained by Debtor from

investors in furtherance of a fraudulent Ponzi scheme and were transferred into such accounts by Debtor.

6. In addition, several of the named individual Defendants have received assets of Debtor, including vehicles, houses, jewelry and furniture for which there was no consideration and to which the Trustee is legally entitled, for which a separate complaint for recovery will be filed at a later date.

COUNT I
INJUNCTIVE RELIEF

7. The allegations of Paragraphs 1-6 are incorporated herein by reference.

8. The Trustee has belief that funds obtained by Debtor from investors in furtherance of his fraudulent Ponzi Scheme are located and held in accounts at the Defendant Banks in the name of Debtor, The Forex Project, the individual Defendants or accounts in which Debtor's name appears as a signatory on a signature card or on a corporate resolution.

9. If a temporary restraining order and temporary injunction is not granted immediately, the likelihood that, to the extent funds remaining in the Defendant Banks in the bank accounts of Debtor, The Forex Project and other named individual Defendants related to Debtor, and assets remain in possession of the named individual Defendants, such funds and assets shall be dissipated, disposed of or transferred outside of the Trustee's reach.

10. Immediate and irreparable injury, loss and damage will result to the estate before the Defendants can be notified or heard in opposition to this Motion.

WHEREFORE, the Trustee respectfully requests the Court:

A. To issue a Temporary Restraining Order

1. Requiring CapitalMark Bank and Trust, First Tennessee Bank, N.A., AmSouth Bank/Regions Bank, DuPont Community Credit Union, Northwest Georgia Bank, Bank Of America, Suntrust Bank, Interbank FX, Coastal Community Bank, Bank of the West and Zions Bank to freeze and not disburse or release any funds or monies in any account in the name of Luis H. Rivas and/or The Forex Project, in the name of any account owned or in control of, in whole or in part, by Luis H. Rivas and/or The Forex Project, any account in which Luis H. Rivas's name appears as a signatory on a signature card or on a corporate resolution, any account in the name of Pamela E. Rivas, Pam Green, Angie Jefferson;

2. Restraining Luis H. Rivas d/b/a The Forex Project, The Forex Project, Pamela E. Rivas, Pam Green, Angie Jefferson, CapitalMark Bank and Trust, First Tennessee Bank, N.A., AmSouth Bank/Regions Bank, DuPont Community Credit Union, Northwest Georgia Bank, Bank Of America, Suntrust Bank, Interbank Fx, Coastal Community Bank, Bank of the West and Zions Bank, from transferring or disposing of any funds in any bank accounts.

3. Restraining Pamela E. Rivas, Pam Green, and Angie Jefferson from transferring, encumbering or disposing of any assets received from Luis Rivas, The Forex Project or any related entity, including but not limited to vehicles, houses, furniture and jewelry, for which there was no or insufficient consideration.

B. That after notice and a hearing, the Court make the temporary restraining order a preliminary injunction to maintain the status quo pending outcome of the litigation.

C. Enter the judgment for such further and general relief as the Court deems just and equitable.

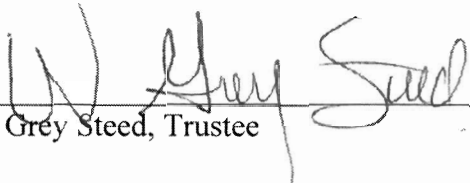
THIS IS THE FIRST APPLICATION FOR EXTRAORDINARY RELIEF.

Respectfully submitted,

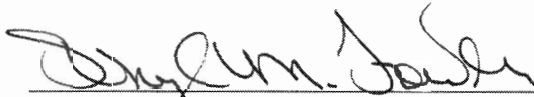
**PATRICK, BEARD, SCHULMAN &
JACOWAY, P. C.**

By: /s/ Cara J. Alday

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By: 
W. Grey Steed, Trustee

Sworn to and subscribed before me
this 9th day of June, 2008


Notary Public

My Commission expires: 6-11-2011

