

IN THE UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF MICHIGAN

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

TODD JAMES SNIVELY,

COMMODITY CONSULTANTS
INTERNATIONAL, INC. AND

FUTUREWISE TRADING GROUP,
INC.

Defendants.

CIVIL ACTION NO. _____

02-40041

PAUL V. GADOLA

ORDER

MAGISTRATE JUDGE CAPEL,

STATUTORY RESTRAINING
ORDER BY CONSENT

The Court having read the Complaint for Injunctive and Other Equitable Relief, the Plaintiffs Motion for a Statutory Restraining Order ("SRO"), the Brief in Support of Plaintiff's Motion for a SRO, the Declarations of Donald Nash and Joy McCormack, and attachments thereto, and all other papers filed herein by the Plaintiff, Commodity Futures Trading Commission ("Commission"), it appearing that the Court has jurisdiction over the subject matter and that Section 6c of the Commodity Exchange Act, as amended ("Act"), 7 U.S.C. § 13a-1 (2001), permits this Court to grant a statutory restraining order by consent; it further appearing to the satisfaction of the Court that there is good cause to believe that defendants Todd James Snively ("Snively"), Commodity Consultants International, Inc. ("CCI") and FutureWise Trading Group, Inc. ("FutureWise") (collectively "the Defendants"), have engaged, are engaging in and are about to engage in violations of Sections 4b(a)(1), 4b(a)(2), 4b(a)(3) and 4e(a) of the

I hereby certify that this foregoing is a true copy of the original on file in this Office.

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

By:  Deputy

Commodity Exchange Act ("the Act"), 7 U.S.C. §§ 6b(a)(i), 6b(a)(ii), 6b(a)(iii) and 6g(a) (2001), and Commission Regulations 1.31 and 1.35 thereunder, 17 C.F.R. §§ 1.31 and 1.35 (2001), and it further appearing to the satisfaction of the Court that this is a proper case for granting a statutory restraining order by consent to preserve the *status quo* and to protect public customers from further loss and damage;

IT IS HEREBY ORDERED:

1. That Todd James Snively, Commodity Consultants International, Inc., FutureWise Trading Group, Inc., and all persons insofar as they are acting in the capacity of agents, servants, employees, successors, assigns or attorneys of the Defendants and all persons insofar as they are acting in active concert or participation with them, who receive actual notice of this Order by personal service or otherwise, shall be prohibited from directly or indirectly:

- a) Dissipating, withdrawing, transferring, removing, concealing or disposing of cash, cashier's checks, funds, assets or other property of, or within the custody, control or possession of the defendants, including funds or property of investors, wherever located, whether held in the name of Todd James Snively, Commodity Consultants International, Inc., FutureWise Trading Group, Inc., or otherwise; and
- b) Destroying, mutilating, concealing, altering or disposing of, in any manner, any of the books and records, documents, correspondence, brochures, manuals, electronically stored data, tape records or other property of the defendants, wherever located, including all such records concerning the defendants' business operations, until further order of the Court.

2. IT IS FURTHER ORDERED that each firm, corporation or other person or entity with notice which holds, or which is a depository of, funds, securities, property, or other assets of or under the control of Todd James Snively, Commodity Consultants International, Inc., FutureWise Trading Group, Inc., whether held in the name of Todd James Snively, Commodity Consultants International, Inc., FutureWise Trading Group, Inc., or otherwise, including funds

and property of investors, is prohibited from transferring, withdrawing, removing or disposing of any such funds, securities, property, or other assets until further order of the Court.

3. IT IS FURTHER ORDERED that representatives of the plaintiff Commission be allowed to immediately inspect the books, records and other electronically stored data, tape recording, and other documents of defendants Todd James Snively, Commodity Consultants International, Inc., FutureWise Trading Group, Inc., and their agents, including all such records of Defendants' business operations, wherever they are situated and whether they are in the hands of the Defendants or others and to copy said documents, data, and records either on or off the premises wherever they may be situated.

4. IT IS FURTHER ORDERED that this Order may be served by facsimile transmissions.

5. IT IS FURTHER ORDERED that this Statutory Restraining Order by Consent shall remain in full force and effect until further Order of this Court, upon application, notice and an opportunity to be heard.

6. IT IS FURTHER ORDERED that plaintiff's Motion for a Preliminary Injunction is set for hearing on FEB 13 2002, 2002, at 9:30 a.m.

7. IT IS FURTHER ORDERED that Donald Nash and Joy McCormack both employees of the Commission, and hereby specially appointed to serve process, including the summons and complaint, and all other papers in this cause.

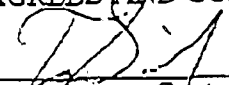
Date: FEB 08 2002

PAUL V. GADOLA


United States District Judge

Time: _____

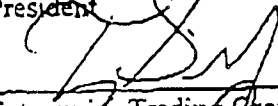
AGREED AND CONSENTED TO BY:



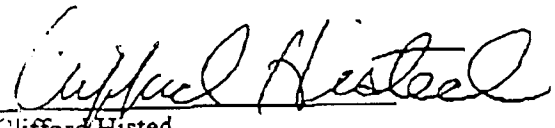
Todd James Shively



Commodity Consultant International, Inc.
By Todd James Shively
President



Futurewise Trading Group, Inc.
By Todd James Shively
President



Clifford Histed
Attorney for Plaintiff
Commodity Futures Trading Commission