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Attorneys for the Receiver Robert G. Wing

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

SECURITIES AND EXCHANGE
COMMISSION

Plaintiff,

vs.

VESCOR CAPITAL CORP., a Nevada
corporation, VESCOR CAPITAL, INC.,
a Nevada corporation, VESCORP
CAPITAL, LLC, a Nevada limited
liability company, VESCORP CAPITAL
IV-A, LLC, a Nevada limited liability
company, VESCORP CAPITAL IV-M,
LLC, a Nevada limited liability company,
and VAL E. SOUTHWICK,

Defendants.

**MEMORANDUM IN SUPPORT OF
RECEIVER'S *EX PARTE* MOTION TO
TAKE CONTROL OF ACCOUNT,
TRANSFER RECEIVERSHIP FUNDS,
AND OBTAIN RECORDS**

Civil No. 1:08cv00012

Judge Dee Benson

Shortly before Val Southwick was sentenced to prison, he transferred money to an account in the name of MMS Capital Investments, LLC. Mr. Southwick's wife, Marilyn, is the signatory on that account. Some of the money

has been withdrawn, but about \$165,000 remains. The money is in a Key Bank account. The Order Appointing a Receiver directs Robert Wing, the Receiver, to take possession of all assets related to the Vescor entities. The Order further directs all financial institutions which have possession, custody, or control of any assets, funds or accounts in the name or for the benefit of the entities in receivership to cooperate expeditiously in transferring those assets to the Receiver. Key Bank requests the Receiver to obtain a specific order directing it to release these funds. The Receiver does so in the motion filed herewith. He also asks the Court to direct Key Bank to provide the Receiver with the records of this, and any other, account it holds related to Mr. Southwick, Mrs. Southwick, their son John Southwick, and any Vescor entity.

28 U.S.C. § 754 vests the Receiver with complete jurisdiction over all property, real or mixed, subject to the Receivership, with the right to take possession of that property. This statutory jurisdiction is echoed by the Order, directing the Receiver to take control of all assets and records of the Vescor entities and entities related to them.

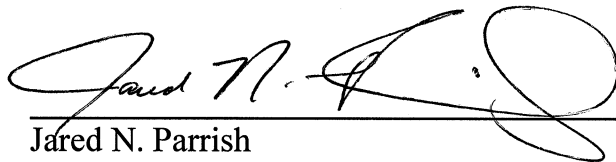
MMS Capital Investments, LLC is an entity related to Vescor. According to the Articles of Organization of MMS Capital Investments, LLC, its Manager is an entity called Signatory LLC. The Business Entity Information records of the State of Nevada list Val E. Southwick as the Manager of Signatory LLC. A copy of these documents is attached.

Because MMS Capital Investments, LLC is covered by the Order, the

Receiver seeks an Order from this Court directing Key Bank to give control over this account to the Receiver, and to immediately transfer the funds in the Key Bank account to the Receiver as he directs. The Court also directs Key Bank to provide the Receiver with information regarding this account, and any other account it holds related to Val E. Southwick, his wife Marilyn Southwick, or their son, John D. Southwick.

Respectfully submitted this 25TH day of August, 2008.

PRINCE, YEATES & GELDZAHLER

A handwritten signature in black ink, appearing to read "Jared N. Parrish", is written over a horizontal line. The signature is fluid and cursive.

Jared N. Parrish
Attorneys for Receiver, Robert G. Wing

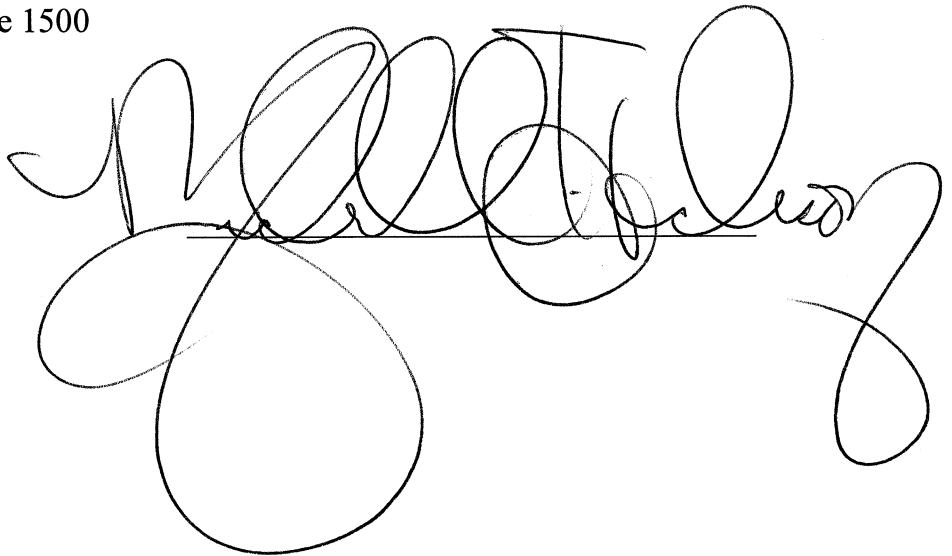
CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of August, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which sent notification of such filing to the following:

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A large, stylized handwritten signature in black ink, likely belonging to Jerome Romero, is written across the bottom right portion of the page. The signature is highly cursive and loops, with the name 'Jerome Romero' being the most legible part.