

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

FILED
U.S. DISTRICT COURT
INDIANAPOLIS DIVISION

2002 MAR 12 PM 1:44

SOUTHERN DISTRICT
OF INDIANA
LAURA A. BRIGGS
CLERK

**JAMES A. KNAUER as the Court Appointed
Receiver for HEARTLAND
FINANCIAL SERVICES, INC., and JMS
INVESTMENT GROUP, LLC,**

Plaintiff,

CAUSE NO. IP01-1168-C-T/K

v.

**JONATHON ROBERTS FINANCIAL
GROUP, INC.,
ALLIANCE CAPITAL MANAGEMENT
CORP.,
ANDOVER SECURITIES INC.,
FSC SECURITIES, CORPORATION, and
FFP SECURITIES, INC.,**

Defendants.

**PLAINTIFF'S PRELIMINARY
WITNESS & EXHIBIT LIST**

Plaintiff, James A. Knauer as the Court Appointed Receiver for Heartland Financial Services, Inc. et al, by counsel, hereby submits his Preliminary Witness & Exhibit List.

WITNESSES

1. Plaintiff
2. Erika Gaffin
Birk, Gross, Bell & Coulter, P.C.
3. Jeffrey L. Coulter
Birk, Gross, Bell & Coulter, P.C.
4. Kara M. Washington
United States Securities and Exchange Commission

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WGB
KJW*

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5. Scott J. Hlavacek
United States Securities and Exchange Commission
6. Kenneth R. Payne
7. Daniel G. Danker
8. Johann M. Smith
9. Constance Brooks-Kiefer
10. All representatives of Heartland Financial Services, Inc. with knowledge relevant to any of the issues involved in this litigation.
11. All representatives of JMS Investment Group, LLC with knowledge relevant to any of the issues involved in this litigation.
12. All representatives of Jonathon Roberts Financial Group, Inc. with knowledge relevant to any of the issues involved in this litigation.
13. All representatives of Alliance Capital Management Corp. with knowledge relevant to any of the issues involved in this litigation.
14. All representatives of Andover Securities, Inc. with knowledge relevant to any of the issues involved in this litigation.
15. All representatives of FSC Securities Corp. with knowledge relevant to any of the issues involved in this litigation.
16. All representatives of FFP Securities, Inc. with knowledge relevant to any of the issues involved in this litigation.
17. All persons identified on any witness list of Defendants.
18. All witnesses necessary to produce or authenticate any document.
19. All other witnesses whose identity is revealed through further investigation or discovery.

James A. Knauer, Receiver reserves the right to add or delete any witnesses from this witness list based upon further investigation or discovery that is conducted in this case.

EXHIBITS

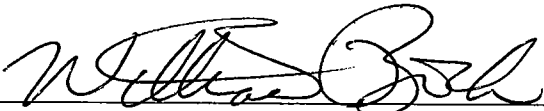
1. Any correspondences between any employees, agents, representatives of any of the Defendants and any employees, agents, representatives of Heartland Financial Services, Inc. and/or JMS Investment Group, LLC.
2. Any business records of Heartland Financial Services, Inc. related to the subject matter of this litigation.
3. Any business records of JMS Investment Group, LLC related to the subject matter of this litigation.
4. Any business records of Jonathon Roberts Financial Group, Inc. related to the subject matter of this litigation.
5. Any business records of Alliance Capital Management Corp. related to the subject matter of this litigation.
6. Any business records of Andover Securities, Inc. related to the subject matter of this litigation.
7. Any business records of FSC Securities Corp. related to the subject matter of this litigation.
8. Any business records of FFP Securities, Inc. related to the subject matter of this litigation.
9. Any and all records relating in any way to Kenneth Payne's license to sell securities.
10. Any and all documents related in any way to Daniel Danker's license to sell securities.
11. Any and all reports generated by any of the Defendants relating in any way to Heartland Financial Services, Inc. and/or JMS Investment Group, LLC.
12. All documents obtained from Defendants related to any of the issues involved in this litigation.
13. All pleadings in this case.
14. All documents produced in discovery by the Defendants.
15. All documents necessary for impeachment or rebuttal.

16. All other exhibits that may be listed or used by the Defendants.
17. All documents initially disclosed by parties in discovery in this case.
18. Any other documents located through further investigation or discovery.
19. Any and all recorded statements and/or depositions of any individuals with information relating to the subject matter of this litigation.
20. Any and all pleadings pertaining to the criminal cases against individuals relating to the subject matter of this litigation.
21. Any and all documents relating in any way to the SEC's investigation relating to the subject matter of this litigation.
22. Any and all documents relating in any way to the FBI's investigation relating to the subject matter of this litigation.
23. Any and all documents relating in any way to the U.S. Attorney's prosecution of individuals relating to the subject matter of this litigation.
24. Any and all documents and/or summaries of documents supporting plaintiff's computation of damages.

James A. Knauer, Receiver reserves the right to amend this exhibit list at any time based upon any further investigation or discovery that may be conducted in this case.

Respectfully submitted,

KROGER, GARDIS & REGAS, LLP

By: 
WILLIAM BOCK, # 14777-49
REYNOLDS B. BRISSENDEN, #19989-49
Attorneys for Plaintiff James A. Knauer, Receiver

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CERTIFICATE OF SERVICE

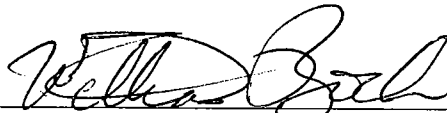
The undersigned hereby certifies that on the 11th day of March, 2002, a true and accurate copy of the above and foregoing pleading was served by depositing the same in the United States mail, first class, postage prepaid to:

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