

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,

Plaintiff,

v.

KENNETH R. PAYNE, JOHANN M. SMITH,
DANIEL G. DANKER, CONSTANCE
BROOKS-KIEFER, HEARTLAND
FINANCIAL SERVICES, INC., JMS
INVESTMENT GROUP, LLC,

Defendants.

CIVIL ACTION
FILE NO.

1 P 0 0 - 1 2 6 5 C - T /

ORDER PRESERVING FUNDS AND OTHER ASSETS

On the basis of Plaintiff, Securities and Exchange Commission's ("Commission"), Motion for an Order Preserving Funds and Other Assets and Order to Financial Institutions Freezing Funds, Motion for an ex parte Temporary Restraining Order and a Memorandum in Support of Motion for an ex parte Temporary Restraining Order with supporting declaration of Scott J. Hlavacek and the allegations as pled in its the Complaint for an ex parte Temporary Restraining Order, Orders of Preliminary and Permanent Injunction and Other Equitable Relief:

IT IS ORDERED that all funds, assets or other property belonging to or in the possession custody or control of Defendants Kenneth Payne, Johann Smith, Daniel Danker, Constance Brooks-Kiefer, Heartland Financial Services, Inc., JMS Investment Group, LLC, their officers, agents, servants, employees, attorneys and those persons in active concert or participation with Defendants, including, but not limited to, 21st Century Banking Ltd.,

Caribbean Federal Ltd., Lincoln Fidelity Escrow Fund LLC and Lincoln Fidelity Escrow, who receive actual notice of the order, by personal service or otherwise, be preserved and are prohibited, directly or indirectly, from being transferred, assigned, encumbered, pledged, dissipated, concealed or otherwise disposed of.

SO ORDERED:

John Daniel Tinder
UNITED STATES DISTRICT COURT JUDGE

Dated: Aug 16, 2000