

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.

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: CIVIL ACTION  
: FILE NO.

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: P 00-1265 C - T/G  
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ORDER TO FINANCIAL INSTITUTIONS FREEZING ACCOUNTS OF  
DEFENDANTS

On the basis of Plaintiff, Securities and Exchange Commission's ("Commission"),  
Motion for an Order Preserving Funds and Other Assets and for an Order to Financial  
Institutions Freezing Accounts of Defendants, Motion for an ex parte Temporary  
Restraining Order and a Memorandum in Support of Motion for a 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 any account in the name of Defendants Kenneth Payne,  
Johann Smith, Daniel Danker, Constance Brooks-Kiefer, Heartland Financial Services, Inc.  
and JMS Investment Group, LLC , or in which any defendant has signatory authority or a  
beneficial interest, including but not limited to 21<sup>st</sup> Century Banking Ltd., Caribbean Federal

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Ltd., Lincoln Fidelity Escrow Fund LLC and Lincoln Fidelity Escrow is frozen until further order of the Court.

**SO ORDERED:**

John Daniel Tinder  
UNITED STATES DISTRICT COURT JUDGE

Dated: Aug 10, 2000