

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

**U.S. COMMODITY FUTURES TRADING
COMMISSION,**

Plaintiff,

v.

**BARKE, LLC, a North Carolina limited
liability company;
BRUCE C. KRAMER, an individual,**

Defendants, and

**RHONDA A. KRAMER, an individual, and
FOREST GLEN FARM, LLC, a North
Carolina limited liability company,**

Relief Defendants.

CASE NO. 3:09-CV-106 (GCM)

NOTICE OF FILING OF RECEIVER'S REPORT

Joseph W. Grier, III, the Court-appointed receiver in this action, through counsel and in accordance with the *Order Requesting Receiver's Report* entered on October 23, 2009, hereby files the attached chart that (1) sets out each investor's rolled-over distributions (defined as illusory profits) and (2) includes rolled-over distributions when calculating net investment.

This is the 3d day of November, 2009.

/s/ A. Cotten Wright

Joseph W. Grier, III (State Bar No. 7764)

A. Cotten Wright (State Bar No. 28162)

Anna S. Gorman (State Bar No. 20987)

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Barki, LLC Chart Showing (1) Rolled-Over Distributions (Illusory Profits) & (2) Distributions When Calculating Net Investment Including Illusory Profits

27.6170%

Customer Account Number	Date of Initial Investment	Total Investments	Total Withdrawals	Net Investment	Distribution per Net Distribution Method (assuming \$2.5M to distribute)	Total Illusory "Profits" (as of Feb 09)	Total Final Balance Including Illusory Profits	Distribution per Net Distribution Method (incl. Illusory profits)	% Received Pre Receivers hip	Rising Tide % Remaining (\$2.5M)	Rising Tide Distribution (\$2.5M)	Notes
1.04	6/1/2004	\$331,000.00	\$832,996.00	(\$501,996.00)	\$0.00	\$2,277,456.80	\$1,775,460.80	\$86,608.88	251.66%	0.00%	\$0.00	1
1.05	1/21/2005	\$2,700,000.00	\$2,740,000.00	(\$40,000.00)	\$0.00	\$1,150,168.31	\$1,110,168.31	\$54,155.20	101.48%	0.00%	\$0.00	1
2.05	2/10/2005	\$1,857,000.00	\$834,983.75	\$1,022,016.25	\$131,114.73	\$3,033,035.15	\$4,055,051.40	\$197,809.74	44.96%	0.00%	\$0.00	
3.05	4/15/2005	\$526,400.00	\$284,500.00	\$241,900.00	\$31,033.41	\$1,198,930.08	\$1,440,830.08	\$70,285.23	54.05%	0.00%	\$0.00	
4.05	5/10/2005	\$810,000.00	\$962,066.00	(\$152,066.00)	\$0.00	\$1,436,056.13	\$1,283,990.13	\$62,634.41	118.77%	0.00%	\$0.00	1
5.05	6/20/2005	\$300,000.00	\$114,500.00	\$185,500.00	\$23,797.84	\$335,340.62	\$520,840.62	\$25,407.16	38.17%	0.00%	\$0.00	
6.05	6/20/2005	\$125,000.00	\$232,591.00	(\$107,591.00)	\$0.00	\$107,591.00	\$0.00	\$0.00	186.07%	0.00%	\$0.00	1
7.05	7/1/2005	\$75,000.00	\$53,670.00	\$21,330.00	\$2,736.43	\$266,824.77	\$288,154.77	\$14,056.50	71.56%	0.00%	\$0.00	
8.05	?	\$260,000.00	\$351,820.00	(\$91,820.00)	\$0.00	\$279,487.59	\$187,667.59	\$9,154.63	135.32%	0.00%	\$0.00	1
9.05	?	\$75,000.00	\$146,200.00	(\$71,200.00)	\$0.00	\$188,402.71	\$117,202.71	\$5,717.27	194.93%	0.00%	\$0.00	1
10.05	8/16/2005	\$465,000.00	\$495,000.00	(\$30,000.00)	\$0.00	\$846,852.63	\$816,852.63	\$39,846.94	106.45%	0.00%	\$0.00	1
11.05	8/16/2005	\$670,000.00	\$400,000.00	\$270,000.00	\$34,638.37	\$515,739.10	\$785,739.10	\$38,329.19	59.70%	0.00%	\$0.00	
13.05	?	\$270,000.00	\$60,000.00	\$210,000.00	\$26,940.95	\$830,054.61	\$1,040,054.61	\$50,734.98	22.22%	5.39%	\$11,328.99	
14.05	8/16/2005	\$97,390.00	\$171,800.00	(\$74,410.00)	\$0.00	\$202,995.19	\$128,585.19	\$6,272.52	176.40%	0.00%	\$0.00	1
15.05	?	\$900,000.00	\$440,000.00	\$460,000.00	\$59,013.52	\$810,180.30	\$1,270,180.30	\$61,960.75	48.89%	0.00%	\$0.00	
16.05	?	\$329,430.64	\$100,000.00	\$229,430.64	\$29,433.72	\$466,381.84	\$695,812.48	\$33,942.48	30.36%	0.00%	\$0.00	
18.06	1/31/2006	\$230,000.00	\$117,500.00	\$112,500.00	\$14,432.65	\$284,822.69	\$397,322.69	\$19,381.83	51.09%	0.00%	\$0.00	
20.06	?	\$452,984.00	\$222,000.00	\$230,984.00	\$29,633.00	\$468,204.33	\$699,188.33	\$34,107.15	49.01%	0.00%	\$0.00	
21.06	?	\$927,000.00	\$705,000.00	\$222,000.00	\$28,480.44	\$590,117.23	\$812,117.23	\$39,615.95	76.05%	0.00%	\$0.00	
22.06	5/31/2006	\$300,000.00	\$94,000.00	\$206,000.00	\$26,427.79	\$445,802.83	\$651,802.83	\$31,795.64	31.33%	0.00%	\$0.00	
23.06	6/30/2006	\$270,209.00	\$477,592.00	(\$207,383.00)	\$0.00	\$543,588.00	\$336,205.00	\$16,400.44	176.75%	0.00%	\$0.00	1
24.06	6/30/2006	\$425,000.00	\$0.00	\$425,000.00	\$54,523.36	\$550,575.20	\$975,575.20	\$47,589.60	0.00%	27.62%	\$117,372.17	
25.06	6/30/2006	\$240,000.00	\$196,000.00	\$44,000.00	\$5,644.77	\$318,756.61	\$362,756.61	\$17,695.66	81.67%	0.00%	\$0.00	
26.06	7/31/2006	\$400,000.00	\$22,000.00	\$378,000.00	\$48,493.72	\$409,573.63	\$787,573.63	\$38,418.68	5.50%	22.12%	\$83,602.18	
27.06	?	\$335,000.00	\$369,000.00	(\$34,000.00)	\$0.00	\$331,859.29	\$297,859.29	\$14,529.89	110.15%	0.00%	\$0.00	1
28.06	8/31/2006	\$410,000.00	\$292,000.00	\$118,000.00	\$15,138.25	\$531,782.93	\$649,782.93	\$31,697.11	71.22%	0.00%	\$0.00	
29.06	9/30/2006	\$409,054.00	\$0.00	\$409,054.00	\$52,477.64	\$385,166.46	\$794,220.46	\$38,742.92	0.00%	27.62%	\$112,968.36	
30.06	3/12/2007	\$225,838.64	\$84,500.00	\$141,338.64	\$18,132.37	\$227,994.05	\$369,332.69	\$18,016.44	37.42%	0.00%	\$0.00	
31.06	4/10/2007	\$300,000.00	\$130,009.00	\$169,991.00	\$21,808.19	\$449,213.24	\$619,204.24	\$30,205.44	43.34%	0.00%	\$0.00	
32.06	6/19/2007	\$1,200,000.00	\$855,000.00	\$345,000.00	\$44,260.14	\$822,243.58	\$1,167,243.58	\$56,939.39	71.25%	0.00%	\$0.00	
34.06	3/27/2007	\$244,000.00	\$53,000.00	\$191,000.00	\$24,503.44	\$102,015.12	\$293,015.12	\$14,293.59	21.72%	5.90%	\$11,260.73	
35.07	1/31/2007	\$660,000.00	\$340,000.00	\$320,000.00	\$41,052.88	\$461,191.48	\$781,191.48	\$38,107.36	51.52%	0.00%	\$0.00	
36.07	1/?/07	\$820,900.00	\$415,500.00	\$405,400.00	\$52,008.87	\$309,256.07	\$714,656.07	\$34,861.69	50.62%	0.00%	\$0.00	
37.07	4/2/2007	\$308,733.00	\$180,000.00	\$128,733.00	\$16,515.19	\$267,178.27	\$395,911.27	\$19,312.97	58.30%	0.00%	\$0.00	
38.07	3/21/2007	\$950,000.00	\$607,322.00	\$342,678.00	\$43,962.25	\$228,132.87	\$570,810.87	\$27,844.76	63.93%	0.00%	\$0.00	
39.07	?	\$296,000.00	\$2,000.00	\$294,000.00	\$37,717.34			\$0.00	0.68%	26.94%	\$79,207.43	2
40.07	4/4/2007	\$1,349,996.55	\$649,152.03	\$700,844.52	\$89,911.53	\$752,155.48	\$1,453,000.00	\$70,878.89	48.09%	0.00%	\$0.00	
41.07	11/?/05	\$364,000.00	\$209,500.00	\$154,500.00	\$19,820.85	\$479,421.36	\$633,921.36	\$30,923.36	57.55%	0.00%	\$0.00	3
43.07	5/17/2007	\$535,000.00	\$430,000.00	\$105,000.00	\$13,470.48	\$384,216.69	\$489,216.69	\$23,864.51	80.37%	0.00%	\$0.00	
44.07	6/12/2007	\$250,000.00	\$178,816.74	\$71,183.26	\$9,132.12	\$178,816.74	\$250,000.00	\$12,195.27	71.53%	0.00%	\$0.00	

45.07	6/22/2007	\$475,600.00	\$405,000.00	\$70,600.00	\$9,057.29	\$291,447.15	\$362,047.15	\$17,661.05	85.16%	0.00%	\$0.00	
46.07	6/29/2007	\$213,500.00	\$12,000.00	\$201,500.00	\$25,850.49	\$60,291.49	\$261,791.49	\$12,770.47	5.62%	22.00%	\$44,322.69	
47.07	7/2/2007	\$100,000.00	\$0.00	\$100,000.00	\$12,829.03	\$97,249.20	\$197,249.20	\$9,622.03	0.00%	27.62%	\$27,616.98	
48.07	7/30/2007	\$370,000.00	\$0.00	\$370,000.00	\$47,467.40	\$256,317.95	\$626,317.95	\$30,552.46	0.00%	27.62%	\$102,182.83	
49.07	10/25/2007	\$329,248.06	\$85,000.00	\$244,248.06	\$31,334.65	\$234,467.90	\$478,715.96	\$23,352.28	25.82%	1.80%	\$4,397.88	
50.07	12/4/2007	\$469,248.06	\$161,500.00	\$307,748.06	\$39,481.08	\$270,097.75	\$577,845.81	\$28,187.94	34.42%	0.00%	\$0.00	
51.07	1/31/2006	\$490,000.00	\$253,250.00	\$236,750.00	\$30,372.72	\$608,730.78	\$845,480.78	\$41,243.46	51.68%	0.00%	\$0.00	4
53.07	8/25/2005	\$3,284,566.00	\$3,379,943.00	(\$95,377.00)	\$0.00	\$3,485,836.43	\$3,390,459.43	\$165,390.23	102.90%	0.00%	\$0.00	1,5
54.07	10/9/2007	\$275,000.00	\$145,000.00	\$130,000.00	\$16,677.73	\$151,613.45	\$281,613.45	\$13,737.41	52.73%	0.00%	\$0.00	
55.07-1	10/15/2007	\$200,000.00	\$0.00	\$200,000.00	\$25,658.05	\$146,447.89	\$346,447.89	\$16,900.10	0.00%	27.62%	\$55,233.96	
55.07-2	10/23/2007	\$250,000.00	\$54,000.00	\$196,000.00	\$25,144.89	\$168,956.56	\$364,956.56	\$17,802.97	21.60%	6.02%	\$11,793.28	
57.07	11/14/2007	\$250,000.00	\$138,500.00	\$111,500.00	\$14,304.36	\$153,406.12	\$264,906.12	\$12,922.40	55.40%	0.00%	\$0.00	
58.07	11/24/2007	\$250,000.00	\$0.00	\$250,000.00	\$32,072.56	\$157,087.93	\$407,087.93	\$19,858.18	0.00%	27.62%	\$69,042.45	
59.08	4/26/2007	\$913,000.00	\$30,000.00	\$883,000.00	\$113,280.30	\$301,443.61	\$1,184,443.61	\$57,778.43	3.29%	24.33%	\$214,843.69	6
60.08	1/7/2008	\$425,000.00	\$68,000.00	\$357,000.00	\$45,799.62	\$134,145.93	\$491,145.93	\$23,958.62	16.00%	11.62%	\$41,472.62	
61.08	1/14/2008	\$513,836.04	\$195,000.00	\$318,836.04	\$40,903.56	\$158,876.68	\$477,712.72	\$23,303.34	37.95%	0.00%	\$0.00	
62.08	1/16/2008	\$950,000.00	\$35,108.86	\$914,891.14	\$117,371.62	\$234,102.61	\$1,148,993.75	\$56,049.14	3.70%	23.92%	\$218,853.95	
63.08	1/28/2008	\$1,230,000.00	\$51,000.00	\$1,179,000.00	\$151,254.22	\$551,513.65	\$1,730,513.65	\$84,416.31	4.15%	23.47%	\$276,718.83	
64.08	1/28/2008	\$725,000.00	\$16,000.00	\$709,000.00	\$90,957.79	\$340,893.88	\$1,049,893.88	\$51,214.95	2.21%	25.41%	\$180,157.49	
65.08	6/4/2008	\$425,000.00	\$0.00	\$425,000.00	\$54,523.36	\$175,718.55	\$600,718.55	\$29,303.69	0.00%	27.62%	\$117,372.17	
66.08	2/28/2008	\$0.00	\$0.00	\$0.00	\$0.00	\$384,533.36	\$384,533.36	\$18,757.95	0.00%	27.62%	\$0.00	7
67.08	2/28/2008	\$120,000.00	\$35,000.00	\$85,000.00	\$10,904.67	\$434,402.82	\$519,402.82	\$25,337.02	29.17%	0.00%	\$0.00	
68.08	2/26/2008	\$750,000.00	\$350,000.00	\$400,000.00	\$51,316.10	\$205,035.07	\$605,035.07	\$29,514.26	46.67%	0.00%	\$0.00	
69.08	6/29/2007	\$415,500.00	\$318,000.00	\$97,500.00	\$12,508.30	\$337,061.24	\$434,561.24	\$21,198.36	76.53%	0.00%	\$0.00	
70.08	5/5/2008	\$348,000.00	\$140,000.00	\$208,000.00	\$26,684.37	\$107,085.25	\$315,085.25	\$15,370.20	40.23%	0.00%	\$0.00	
71.08	5/30/2008	\$500,000.00	\$0.00	\$500,000.00	\$64,145.13	\$146,701.37	\$646,701.37	\$31,546.78	0.00%	27.62%	\$138,084.90	
72.08	11/30/2006	\$723,000.00	\$206,500.00	\$516,500.00	\$66,261.92	\$619,462.26	\$1,135,962.26	\$55,413.45	28.56%	0.00%	\$0.00	8
73.08	11/25/2008	\$336,524.73	\$0.00	\$336,524.73	\$43,172.85	\$46,764.21	\$383,288.94	\$18,697.24	0.00%	27.62%	\$92,937.97	
74.08	10/14/2008	\$250,000.00	\$0.00	\$250,000.00	\$32,072.56	\$27,928.63	\$277,928.63	\$13,557.66	0.00%	27.62%	\$69,042.45	
75.08	11/5/2008	\$800,000.00	\$63,473.45	\$736,526.55	\$94,489.18	\$63,473.45	\$800,000.00	\$39,024.85	7.93%	19.68%	\$144,969.04	
76.08	11/7/2008	\$75,000.00	\$0.00	\$75,000.00	\$9,621.77	\$5,779.14	\$80,779.14	\$3,940.49	0.00%	27.62%	\$20,712.74	
77.09	9/19/2007	\$262,500.00	\$0.00	\$262,500.00	\$33,676.19	\$296,771.52	\$559,271.52	\$27,281.86	0.00%	27.62%	\$72,494.57	9
78.09	1/27/2009	\$659,052.17	\$0.00	\$659,052.17	\$84,549.97				0.00%	27.62%	\$182,010.31	10
Totals		\$39,073,510.89	\$20,992,293.83	\$18,081,217.06	\$2,500,000.00	\$34,121,224.81	\$51,249,389.70	\$2,500,000.00			\$2,500,000.65	

- Notes:
- 1-Negative Net Investment accounts represent potential "net-winner" claims for Receivership Estate.
 - 2-No final statement funds "transferred" to 66.08 and 67.08.
 - 3-Combined with 17.05 due to "transfer" of funds to this account.
 - 4-Combined with 19.06 due to "transfer" of funds to this account.
 - 5-Combined with 12.05 due to "transfer" of funds to this account.
 - 6-Combined with 42.07 due to "transfer" of funds to this account.
 - 7-Reconciled with 67.08 and 2.05 due to "transfer" of funds between accounts.
 - 8-Combined with 33.06 due to "transfer" of funds to this account.
 - 9-Combined with 52.07 due to "transfer" of funds to this account.
 - 10-No statements generated.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that copies of the *Notice of Filing of Receiver's Report* were served by email or the CM/ECF system upon the following parties:

Investors by email

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Gretchen L. Lowe
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This the 3d day of November, 2009.

/s/ A. Cotten Wright
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