

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL CASE NO. 3:09-CV-387-RJC-DCK**

UNITED STATES COMMODITY)	
FUTURES TRADING COMMISSION,)	
)	
Plaintiff,)	ORDER
v.)	
)	
CAPITALSTREET FINANCIAL, LLC)	
& SEAN F. MESCALL,)	
)	
Defendants, and)	
)	
GERALD T. MESCALL &)	
GAINCAPITAL, INC.,)	
)	
Relief Defendants.)	

THIS MATTER IS BEFORE THE COURT on the “First Motion for Compensation to Grier Furr & Crisp, PA, Attorneys for Temporary Receiver” (Document No. 19) filed on November 17, 2009. The motion has been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(A), and immediate review is appropriate. Having carefully considered the record, including the motion and itemized list of services, the undersigned finds as follows:

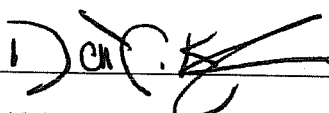
This Court appointed Joseph W. Grier, III, as Receiver for the assets of CapitalStreet Financial, LLC, Sean Mescall, Gerald Mescall, and Gaincapital, Inc. on September 16, 2009. (Document No. 14). Grier, Furr, & Crisp, PA has rendered valuable services to the Receiver during this civil proceeding and has received no compensation for these services. The reasonable value of the services, as set forth in the itemized list attached to the motion, is \$25,374.00. (Document No. 19, Ex. A). Grier Furr & Crisp, PA, has also incurred expenses in the amount of \$169.83. The Receiver served a “Notice of Motion for Compensation for Grier Furr & Crisp, PA” upon the parties

as required by law. (Document No. 19-1 "Notice"). The Receiver indicates, and the record reflects, that no party in interest has objected to or requested a hearing on the motion.

IT IS, THEREFORE, ORDERED that the reasonable attorneys' fees and expenses totaling **\$25,543.83** for Grier Furr & Crisp, PA shall be paid from the Receivership Estate; the Receiver is hereby authorized and directed to pay attorneys for the Receiver for these reasonable and necessary fees and expenses.

IT IS SO ORDERED.

Signed: January 8, 2010



David C. Keesler
United States Magistrate Judge



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

U.S. COMMODITY FUTURES
TRADING COMMISSION,

Plaintiff,

v.

CAPITALSTREET FINANCIAL, LLC,
And Sean F. Mescall,

Defendants, and

Gerald T. Mescall, and
Gaincapital, Inc.,

Relief Defendants.

CASE NO. 3:09-cv-00387 (RJC-DCK)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that copies of the *Order Granting Receiver's First Motion for Compensation to Grier Furr & Crisp, PA, Attorneys for Temporary Receiver*, were served by CM/ECF system, electronic mail or U.S. Mail as indicated below, upon the following parties:

Investors by email

August A. Imholz, III
Kassra Goudarzi
Michael Solinsky
U.S. Commodity Futures Trading Commission
Division of Enforcement
Three Lafayette Center
1151 21st St., NW
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Email: aimholtz@cftc.gov
Email: kgoudarzi@cftc.gov
Email: msolinsky@cftc.gov

Sean F. Mescall (individually)
4605 River Hills Drive
Denver, NC 28037

Sean F. Mescall (on behalf of CapitalStreet Financial, LLC)
4605 River Hills Drive
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Sean F. Mescall (on behalf of Gaincapital, Inc.)
4605 River Hills Drive
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Gerald Mescall
4605 River Hills Drive
Denver, NC 28037

This the 11th day of January, 2010.

/s/ Anna S. Gorman
Anna S. Gorman
Grier Furr & Crisp, PA
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