

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)

**NOTICE OF THIRD MOTION FOR COMPENSATION TO GRIER FURR & CRISP,
PA, ATTORNEYS FOR TEMPORARY RECEIVER**

NOTICE IS HEREBY GIVEN that Joseph W. Grier, III, Temporary Receiver, has filed a *Second Motion for Compensation* for the period of January 19, 2010 through March 15, 2010 to Grier Furr & Crisp, PA, his law firm. The motion for compensation to his law firm seeks fees of \$4,389.78 and reimbursement of expenses of \$208.28, for a total of **4,389.78**.

If you do not want the Court to approve the Motion, or if you want the Court to consider your views, then on or before **May 3, 2010**, you or your attorney must do the following:

1. **File with the Court a written response explaining your position.** The response must be filed electronically with the United States District Court for the Western District of North Carolina, www.ncwd.uscourts.gov. Under certain circumstances, if you are an individual who is not represented by an attorney, you may hand deliver your response to the Clerk of the United States District Court, 401 West Trade Street, Charlotte, NC 28202. If you qualify to file by hand delivery, you must deliver the response to the Court on or before the date stated above.

2. **On or before the date stated above for filing your written response, you must also mail, fax or email a copy of your written response to:**

Joseph W. Grier, III
Grier, Furr & Crisp, P.A.

101 N. Tryon St., Suite 1240
Charlotte, NC 28246
Fax: 704 332-0215
Email: jgrier@grierlaw.com

If the Court schedules a hearing, you or your attorney must attend the hearing, which will be held at a time and date which will be noticed only to any party who files a response, at the United States District Court, 401 West Trade Street, Charlotte, NC 28202.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief the Receiver requests and may enter an order approving the motions for compensation.

Dated this 31st day of March, 2010.

/s/ Joseph W. Grier, III
Joseph W. Grier, III (State Bar No. 7764)
Grier Furr & Crisp, PA
101 North Tryon Street, Suite 1240
Charlotte, North Carolina 28246
Phone: 704.375.3720
Fax: 704.332.0215
jgrier@grierlaw.com