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2019 DEC 10 PM 3:11

CLERK OF DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY G
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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**UNITED STATES COMMODITY
FUTURES TRADING COMMISSION,
Plaintiff,**

v.

**IB CAPITAL FX, LLC (A/K/A IB
CAPITAL FX (NZ) LLP) D/B/A IB
CAPITAL, MICHEL GEURKINK, and
EMADE ECHADI,
Defendants.**

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CAUSE NO. A-12-CV-0862-LY

ORDER

On this day the Court considered the Joint Motion Regarding Turnover Order filed by the Receiver Guy Hohmann and Nonparty ING Bank, N.V. ("ING Bank") and enters the following orders:

IT IS ORDERED that the Court VACATES its Order of November 8, 2019 (DE 138).

Since the Receiver withdrew his request for this relief, this Order is without prejudice to refile the Receiver's Motion for Turnover Order and Supplemental Relief. Similarly, since this Order vacated the prior Order, the relief ING Bank sought in its request for relief in its Emergency Motion to Stay or Vacate Turnover Order dated November 15, 2019 (DE 143), and its notice of appeal dated December 6, 2019 (DE 154) are moot and are withdrawn by ING Bank.

Both sides and the Court acknowledge that the agreement reflected in the Joint Motion Regarding Turnover Order is expressly made without any waiver of any procedural or substantive rights of the Receiver or ING Bank, which they expressly reserve. Any further motion by the Receiver for turnover and/or other relief against nonparty ING Bank shall be on notice to ING Bank.

IT IS FUTHER ORDERED that The Receiver and ING Bank will jointly submit a report to the Court regarding this matter on or before the close of business on January 6, 2020.

SIGNED this the 10th day of December 2019.



LEE YEARKE
UNITED STATES DISTRICT JUDGE