

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

U.S. COMMODITY FUTURES TRADING	)	
COMMISSION,	)	Civil Action No. 12-cv-00862-LY
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
SENEN POUSA, INVESTMENT	)	
INTELLIGENCE CORPORATION, <i>DBA</i>	)	
PROPHETMAX MANAGED FX, JOEL	)	
FRIANT, MICHAEL DILLARD, AND	)	
ELEVATION GROUP, INC.	)	
	)	
	)	
Defendants.	)	

SECURITIES AND EXCHANGE	)	
COMMISSION	)	Civil Action No. 1:12-cv-00863-LY
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
SENEN POUSA and	)	
INVESTMENT INTELLIGENCE	)	
CORPORATION PTY LLC	)	
	)	
Defendants.	)	

**U.S. COMMODITY FUTURES TRADING COMMISSION’S AND U.S. SECURITIES  
AND EXCHANGE COMMISSION’S JOINT MOTION FOR ENTRY OF DEFAULT  
PURSUANT TO RULE 55(A) AGAINST DEFENDANTS SENEN POUSA  
AND INVESTMENT INTELLIGENCE CORPORATION**

Plaintiffs U.S. Commodity Futures Trading Commission (“CFTC”) and U.S. Securities and Exchange Commission (“SEC”), through their respective undersigned counsel, respectfully

request entry of a clerk's default against Defendants Senen Pousa ("Pousa"), and Investment Intelligence Corporation, *dba* ProphetMax Managed FX ("IIC"), pursuant to Federal Rule of Civil Procedure 55(a). In support of this request, the Plaintiffs state as follows:

1. Defendants Pousa and IIC were served with a summons and a copy of the complaint in this matter on September 25, 2012. Proof of service of the CFTC's and SEC's complaints and summons were filed on September 26, 2012 (CFTC Docket Entry ("D.E.") # 12 and # 13; SEC D.E. #10 and #11).
2. Out of an abundance of caution, Plaintiffs waited until after the hearing on the Preliminary Injunction occurred on November 15, 2012 before filing the instant motion to allow Defendants to answer or otherwise appear. At present, more than sixty days have passed since the Defendants were served. As demonstrated by a review of the Court's docket in this matter, the Defendants have not answered the complaint or otherwise pled as provided by Rule 55(a) of the Federal Rules of Civil Procedure.

THEREFORE, Plaintiffs respectfully request that the Clerk enter default against Defendants Pousa and IIC in accordance with Federal Rule of Civil Procedure 55(a).

Dated: November 30, 2012

Respectfully submitted:

/s/ Timothy J. Mulreany  
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Attorneys for the Plaintiff  
U.S. Securities and Exchange Commission

**CERTIFICATE OF SERVICE**

The undersigned certify that on November 30, 2012, they electronically filed the foregoing U.S. COMMODITY FUTURES TRADING COMMISSION'S AND U.S. SECURITIES AND EXCHANGE COMMISSION'S JOINT MOTION FOR ENTRY OF DEFAULT JUDGMENT PURSUANT TO RULE 55(A) AGAINST DEFENDANTS SENEN POUSA AND INVESTMENT INTELLIGENCE CORPORATION with the Clerk of this Court in the respective actions using the CM/ECF system, and they are relying upon the transmission of the Clerk's Notice of Electronic Filing for service upon Defendants. Further, the undersigned have served Defendants Pousa and IIC via electronic mail at [senenpousa@gmail.com](mailto:senenpousa@gmail.com) and by Express Mail at: 218 Old Byron Bay Road, Newrybar, NSW AUSTRALIA

In CFTC v. Pousa et al., 12-cv-00862-LY

/s/ Timothy J. Mulreany

In SEC v. Pousa et al., 12-cv-00863-LY

/s/ Chris Davis