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9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

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13 SECURITIES AND EXCHANGE  
COMMISSION,

14 Plaintiff,

15 vs.

16 PROFIT CONNECT WEALTH  
17 SERVICE, INC., JOY I. KOVAR, and  
18 BRENT CARSON KOVAR,

19 Defendants.  
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Case No.

**[PROPOSED] TEMPORARY  
RESTRAINING ORDER AND  
ORDERS: (1) FREEZING ASSETS; (2)  
REQUIRING ACCOUNTINGS; (3)  
PROHIBITING THE DESTRUCTION  
OF DOCUMENTS; (4) GRANTING  
EXPEDITED DISCOVERY; AND (5)  
APPOINTING A TEMPORARY  
RECEIVER; AND ORDER TO SHOW  
CAUSE RE PRELIMINARY  
INJUNCTION AND APPOINTMENT  
OF A PERMANENT RECEIVER**

**(Filed Under Seal)**

1 This matter came before the Court upon the *Ex Parte* Application for Temporary  
2 Restraining Order and Orders (1) Freezing Assets; (2) Requiring Accountings; (3)  
3 Prohibiting the Destruction of Documents; (4) Granting Expedited Discovery; (5)  
4 Appointing a Temporary Receiver; and (6) to Show Cause Re Preliminary Injunction  
5 and Appointment of a Permanent Receiver (the “TRO Application”).

6 The Court, having considered the SEC’s Complaint, the TRO Application and  
7 supporting memorandum of points and authorities, the supporting declarations and  
8 exhibits, and the other evidence and argument presented to the Court, finds that:

- 9 A. This Court has jurisdiction over the parties to, and the subject matter of,  
10 this action.
- 11 B. The SEC has made a sufficient and proper showing in support of the  
12 relief granted herein, as required by Section 20(b) of the Securities Act  
13 of 1933 (“Securities Act”) (15 U.S.C. s 77t(b)) and Section 21(d) of the  
14 Securities Exchange Act of 1934 (“Exchange Act”) (15 U.S.C. §  
15 78u(b)), by evidence establishing a *prima facie* case and reasonable  
16 likelihood that Defendants Profit Connect Wealth Services, Inc. (“Profit  
17 Connect”), Joy Irene Carson Kovar (“J. Kovar”), and Brent C. Kovar  
18 (“B. Kovar”) (collectively, “Defendants”) have engaged in, are engaging  
19 in, are about to engage in, and will continue to engage in unless  
20 restrained transactions, acts, practices and courses of business that  
21 constitute violations of Section 17(a) of the Securities Act, 15 U.S.C.  
22 § 77q(a); Section 10(b) of the Securities Exchange Act, 15 U.S.C. §  
23 78j(b), and Rule 10b-5 thereunder, 17 C.F.R. § 240.10b-5.
- 24 C. Good cause exists to warrant the appointment of a temporary receiver  
25 over Defendant Profit Connect and its subsidiaries and affiliates.
- 26 D. Good cause exists to believe that, unless restrained and enjoined by  
27 order of this Court, Defendants Profit Connect, J. Kovar, and B. Kovar,  
28 will dissipate, conceal, or transfer assets which could be the subject to an

1 order directing disgorgement or the payment of civil money penalties in  
2 this action. It is appropriate for the Court to issue this Temporary  
3 Restraining Order so that prompt service on appropriate financial  
4 institutions can be made, thus preventing the dissipation of assets.

5 E. Good cause exists to believe that an accounting of assets by each of the  
6 Defendants is necessary.

7 F. Good cause exists to believe that, unless restrained and enjoined by  
8 order of this Court, Defendants may alter or destroy documents relevant  
9 to this action.

10 G. Good cause exists to believe that expedited discovery is necessary.

11 **I.**

12 IT IS HEREBY ORDERED that the SEC's TRO Application is GRANTED.

13 **II.**

14 IT IS FURTHER ORDERED that Defendants Profit Connect, J. Kovar, and B.  
15 Kovar, and their officers, agents, servants, employees, attorneys, subsidiaries and  
16 affiliates, and those persons in active concert or participation with any of them, who  
17 receive actual notice of this Order, by personal service or otherwise, and each of  
18 them, be and hereby are temporarily restrained and enjoined from, directly or  
19 indirectly, in the offer or sale of any securities, by the use of any means or  
20 instruments of transportation or communication in interstate commerce or by the use  
21 of the mails:

22 A. employing any device, scheme or artifice to defraud;

23 B. obtaining money or property by means of any untrue statement of a  
24 material fact or any omission to state a material fact necessary in order to  
25 make the statements made, in light of the circumstances under which  
26 they were made, not misleading; or

27 C. engaging in any transaction, practice, or course of business which  
28 operates or would operate as a fraud or deceit upon the purchaser;

1 in violation of Section 17(a) of the Securities Act, 15 U.S.C. § 77q(a).

2 IT IS FURTHER ORDERED that, as provided in Federal Rule of Civil  
3 Procedure 65(d)(2), the foregoing paragraph also binds the following who receive  
4 actual notice of this Order by personal service or otherwise: (a) Defendants' officers,  
5 agents, servants, employees, and attorneys; and (b) other persons in active concert or  
6 participation with any of the Defendants or with anyone described in (a).

7 **III.**

8 IT IS FURTHER ORDERED that Defendants Profit Connect, J. Kovar, and B.  
9 Kovar, and their officers, agents, servants, employees, attorneys, subsidiaries and  
10 affiliates, and those persons in active concert or participation with any of them, who  
11 receive actual notice of this Order, by personal service or otherwise, and each of  
12 them, be and hereby are temporarily restrained and enjoined from, directly or  
13 indirectly, in connection with the purchase or sale of any security, by the use of any  
14 means or instrumentality of interstate commerce, or of the mails, or of any facility of  
15 any national securities exchange:

- 16 A. employing any device, scheme or artifice to defraud;
- 17 B. making any untrue statement of a material fact or omitting to state a  
18 material fact necessary in order to make the statements made, in the light  
19 of the circumstances under which they were made, not misleading; or
- 20 C. engaging in any act, practice, or course of business which operates or  
21 would operate as a fraud or deceit upon any person;

22 in violation of Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and Rule 10b-5  
23 thereunder, 17 C.F.R. § 240.10b-5.

24 IT IS FURTHER ORDERED that, as provided in Federal Rule of Civil  
25 Procedure 65(d)(2), the foregoing paragraph also binds the following who receive  
26 actual notice of this Order by personal service or otherwise: (a) Defendants' officers,  
27 agents, servants, employees, and attorneys; and (b) other persons in active concert or  
28 participation with any of the Defendants or with anyone described in (a).

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**IV.**

IT IS FURTHER ORDERED that, except as otherwise ordered by this Court, Defendants Profit Connect, J. Kovar, and B. Kovar, and their officers, agents, servants, employees, attorneys, subsidiaries and affiliate, and those persons in active concert with them, who receive actual notice of this Order, by personal service or otherwise, and each of them, be and hereby are temporarily restrained and enjoined from, directly or indirectly, transferring, assigning, selling, hypothecating, changing, wasting, dissipating, converting, concealing, encumbering, or otherwise disposing of, in any manner, any funds, assets, securities, claims or other real or personal property, including any notes or deeds of trust or other interest in real property, wherever located, of any one of the Defendants, or their subsidiaries or affiliates, owned by, controlled by, managed by or in the possession or custody of any of them and from transferring, encumbering dissipating, incurring charges or cash advances on any debit or credit card of the credit arrangement of any one of the Defendants or their subsidiaries and affiliates; including but not limited to the real property below:

<b>ADDRESS</b>	<b>OWNER</b>
Property located in North Las Vegas, NV 89084	Defendant Profit Connect

**V.**

IT IS FURTHER ORDERED that, except as otherwise ordered by this Court, an immediate freeze shall be placed on all monies and assets (with an allowance for necessary and reasonable living expenses to be granted only upon good cause shown by application to the Court with notice to and an opportunity for the SEC to be heard) in all accounts at any bank, financial institution or brokerage firm, or third-payment payment processor, all certificates of deposit, and other funds or assets, held in the name of, for the benefit of, or over which account authority is held by Defendants

Profit Connect, J. Kovar, and B. Kovar, including but not limited to the accounts listed below:

<b>BROKERAGE/ BANK NAME</b>	<b>ACCOUNT NAME</b>	<b>ACCOUNT NO.</b>
Bank of America	Profit Connect Wealth Services, Inc.	XXXXXXX8677
Bank of America	Profit Connect Wealth Services, Inc.	XXXXXXX6622
Bank of America	Profit Connect Wealth Services, Inc.	XXXXXXX7665
Bank of America	Profit Connect Wealth Services, Inc.	XXXXXXX7678
Bank of America	Profit Connect-Agent	XXXXXXX8722
Bank of America	Joy Kovar	XXXXXXX7043
JPMorgan Chase & Co.	Profit Connect Wealth Services, Inc.	XXXXXXX9032
JPMorgan Chase & Co.	Profit Connect Wealth Services, Inc.	XXXXXXX8820
Navy Federal Credit Union	Profit Connect Wealth Services, Inc.	XXXXXXX1215
Navy Federal Credit Union	Profit Connect Wealth Services, Inc.	XXXXXXX3304

<b>BROKERAGE/ BANK NAME</b>	<b>ACCOUNT NAME</b>	<b>ACCOUNT NO.</b>
HSBC Bank	Profit Connect Wealth Services, Inc.; Joy I. Kovar; or Brent C. Kovar	Account number unknown
Citibank	Profit Connect Wealth Services, Inc.; Joy I. Kovar; or Brent C. Kovar	Account number unknown
Wells Fargo Bank, N.A.	Profit Connect Wealth Services, Inc.; Joy I. Kovar; or Brent C. Kovar	Account number unknown

Any bank, financial institution or brokerage firm, or third-party payment processor holding such monies and assets described above shall hold and retain within their control and prohibit the withdrawal, removal, transfer or other disposal of any such funds or other assets except as otherwise ordered by this Court.

**VI.**

IT IS FURTHER ORDERED that Defendants Profit Connect, J. Kovar, and B. Kovar, within five days of the issuance of this Order, shall prepare and deliver to the SEC a detailed and complete schedule of all of their personal assets, including all real and personal property exceeding \$5,000 in value, and all bank, securities, and other accounts identified by institution, branch address and account number. The accounting shall include a description of the sources of all such assets. Such accounting shall be simultaneously be filed with the Court and a copy shall be delivered to the SEC to the attention of Kathryn C. Wanner, counsel for the SEC, by electronic mail at [wannerk@sec.gov](mailto:wannerk@sec.gov). After completion of the accounting, each of the Defendants shall produce to the SEC at a time agreeable to the SEC, all books, records and other documents supporting or underlying their accounting.

**VII.**

IT IS FURTHER ORDERED that any person who receives actual notice of this

1 Order by personal service or otherwise, and who holds, possesses or controls assets  
2 exceeding \$5,000 for the account or benefit of any one of the Defendants, shall within  
3 5 days of receiving actual notice of this Order provide counsel for the SEC with a  
4 written statement identifying all such assets, the value of such assets, or best  
5 approximation thereof, and any account numbers or account names in which the  
6 assets are held.

7 **VIII.**

8 IT IS FURTHER ORDERED that, except as otherwise ordered by this Court,  
9 each of the Defendants Profit Connect, J. Kovar, and B. Kovar, and their officers,  
10 agents, servants, employees, attorneys, subsidiaries and affiliates, and those persons  
11 in active concert or participation with any of them, who receive actual notice of this  
12 Order, by personal service or otherwise, and each of them, be and hereby are  
13 temporarily restrained and enjoined from, directly or indirectly: destroying,  
14 mutilating, concealing, transferring, altering, or otherwise disposing of, in any  
15 manner, any documents, which includes all books, records, computer programs,  
16 computer files, computer printouts, contracts, emails, correspondence, memoranda,  
17 brochures, or any other documents of any kind in their possession, custody or control,  
18 however created, produced, or stored (manually, mechanically, electronically, or  
19 otherwise), pertaining in any manner to Defendants Profit Connect, J. Kovar, and B.  
20 Kovar.

21 **IX.**

22 IT IS FURTHER ORDERED that the SEC's application for expedited  
23 discovery concerning Defendants and their assets and activities, is granted and that,  
24 commencing with the time and date of this Order, in lieu of the time periods, notice  
25 provisions, and other requirements of Rules 26, 30, 33, 34, 36, and 45 of the Federal  
26 Rules of Civil Procedure and the corresponding Local Rules of this Court, discovery  
27 shall proceed as follows:

28 A. Pursuant to Rule 30(a) of the Federal Rules of Civil Procedure, the SEC



1 may take video depositions of parties or any third parties upon oral  
2 examination on two days' notice of any such deposition. Depositions  
3 may be taken Monday through Saturday. As to Defendants, and their  
4 agents, servants, promoters, employees, brokers, associates, and any  
5 person who transferred money to or received money from the bank  
6 accounts identified above, the SEC may depose such witnesses after  
7 serving a deposition notice by facsimile, electronic mail, hand or  
8 overnight courier upon such individuals, and without serving a subpoena  
9 on such witness. Depositions that have not been signed by the witness  
10 may be used for purposes of the hearing on the SEC's application for  
11 preliminary injunction;

- 12 B. Pursuant to Rule 45 and the applicable provisions in the Securities Act  
13 and Exchange Act, each party may serve subpoenas to third parties; and  
14 C. All discovery requests and responses may be served via email, facsimile,  
15 or by hand on counsel for the parties.

16 **X.**

17 IT IS FURTHER ORDERED that \_\_\_\_\_ is appointed as  
18 temporary receiver of Defendant Profit Connect and its subsidiaries and affiliates,  
19 with full powers of an equity receiver, including, but not limited to, full power over  
20 all funds, assets, collateral, premises (whether owned, leased, occupied, or otherwise  
21 controlled), choses in action, books, records, papers and other property belonging to,  
22 being managed by or in the possession of or control of Defendant Profit Connect, and  
23 that such receiver is immediately authorized, empowered and directed:

- 24 A. to have access to and to collect and take custody, control, possession,  
25 and charge of all funds, assets, collateral, premises (whether owned,  
26 leased, pledged as collateral, occupied, or otherwise controlled), choses  
27 in action, books, records, papers and other real or personal property,  
28 wherever located, of or managed by Defendant Profit Connect and its

1 subsidiaries and affiliates (collectively, the “Assets”), with full power to  
2 sue, foreclose, marshal, collect, receive, and take into possession all such  
3 Assets (including access to and taking custody, control, and possession  
4 of all such Assets);

5 B. to assume full control of Defendant Profit Connect and its subsidiaries  
6 and affiliates by removing, as the receiver deems necessary or advisable,  
7 any director, officer, attorney, independent contractor, employee, or  
8 agent of Defendant Profit Connect and its subsidiaries and affiliates, and  
9 any named Defendant from control of, management of, or participation  
10 in, the affairs of Defendant Profit Connect and its subsidiaries and  
11 affiliates;

12 C. to have control of, and to be added as the sole authorized signatory for,  
13 all accounts of the entities in receivership, including all accounts at any  
14 bank, title company, escrow agent, financial institution or brokerage firm  
15 (including any futures commission merchant) which has possession,  
16 custody or control of any Assets, or which maintains accounts over  
17 which Defendant Profit Connect and its subsidiaries and affiliates,  
18 and/or any of its employees or agents have signatory authority;

19 D. to conduct such investigation and discovery as may be necessary to  
20 locate and account for all of the assets of or managed by Defendant  
21 Profit Connect and its subsidiaries and affiliates, and to engage and  
22 employ attorneys, accountants and other persons to assist in such  
23 investigation and discovery;

24 E. to take such action as is necessary and appropriate to preserve and take  
25 control of and to prevent the dissipation, concealment, or disposition of  
26 any Assets;

27 F. to choose, engage, and employ attorneys, accountants, appraisers, and  
28 other independent contractors and technical specialists, as the receiver

1 deems advisable or necessary in the performance of duties and  
2 responsibilities under the authority granted by this Order;

3 G. to make an accounting, as soon as practicable, to this Court and the SEC  
4 of the assets and financial condition of Defendant Profit Connect and its  
5 subsidiaries and affiliates, and to file the accounting with the Court and  
6 deliver copies thereof to all parties;

7 H. to make such payments and disbursements from the Assets taken into  
8 custody, control, and possession or thereafter received by him or her,  
9 and to incur, or authorize the making of, such agreements as may be  
10 necessary and advisable in discharging his or her duties as temporary  
11 receiver;

12 I. to investigate and, where appropriate, to institute, pursue, and prosecute  
13 all claims and causes of action of whatever kind and nature that may  
14 now or hereafter exist as a result of the activities of present or past  
15 employees or agents of Defendant Profit Connect and its subsidiaries  
16 and affiliates;

17 J. to institute, compromise, adjust, appear in, intervene in, or become party  
18 to such actions or proceedings in state, federal, or foreign courts, which  
19 (i) the receiver deems necessary and advisable to preserve or recover any  
20 Assets, or (ii) the receiver deems necessary and advisable to carry out  
21 the receiver's mandate under this Order; and

22 K. to have access to and monitor all mail, electronic mail, and video phone  
23 of the entities in receivership in order to review such mail, electronic  
24 mail, and video phone which he or she deems relates to their business  
25 and the discharging of his or her duties as temporary receiver.

26 **XI.**

27 IT IS FURTHER ORDERED that Defendants Profit Connect, J. Kovar, and B.  
28 Kovar, and their subsidiaries and affiliates, including all of the other entities in

1 receivership, and their officers, agents, servants, employees and attorneys, and any  
2 other persons who are in custody, possession or control of any assets, collateral,  
3 books, records, papers or other property of or managed by any of the entities in  
4 receivership, shall forthwith give access to and control of such property to the  
5 temporary receiver.

6 **XII.**

7 IT IS FURTHER ORDERED that no officer, agent, servant, employee or  
8 attorney of Defendants Profit Connect, J. Kovar, and B. Kovar shall take any action  
9 or purport to take any action, in the name of or on behalf of Defendant Profit Connect  
10 or its subsidiaries or affiliates without the written consent of the temporary receiver  
11 or order of this Court.

12 **XIII.**

13 IT IS FURTHER ORDERED that, except by leave of this Court, during the  
14 pendency of this receivership, all clients, investors, trust beneficiaries, note holders,  
15 creditors, claimants, lessors and all other persons or entities seeking relief of any  
16 kind, in law or in equity, from Defendant Profit Connect, or its subsidiaries or  
17 affiliates, and all persons acting on behalf of any such investor, trust beneficiary, note  
18 holder, creditor, claimant, lessor, consultant group or other person, including sheriffs,  
19 marshals, servants, agents, employees and attorneys, are hereby restrained and  
20 enjoined from, directly or indirectly, with respect to these persons and entities:

- 21 A. commencing, prosecuting, continuing or enforcing any suit or  
22 proceeding (other than the present action by the SEC or any other action  
23 by the government) against any of them;
- 24 B. using self-help or executing or issuing or causing the execution or  
25 issuance of any court attachment, subpoena, replevin, execution or other  
26 process for the purpose of impounding or taking possession of or  
27 interfering with or creating or enforcing a lien upon any property or  
28 property interests owned by or in the possession of Defendant Profit

1 Connect; and

2 C. doing any act or thing whatsoever to interfere with taking control,  
3 possession or management by the temporary receiver appointed  
4 hereunder of the property and assets owned, controlled or managed by or  
5 in the possession of Defendant Profit Connect, or in any way to interfere  
6 with or harass the temporary receiver or his or her attorneys,  
7 accountants, employees, or agents or to interfere in any manner with the  
8 discharge of the temporary receiver's duties and responsibilities  
9 hereunder.

10 **XIV.**

11 IT IS FURTHER ORDERED that Defendants Profit Connect, J. Kovar, and B.  
12 Kovar, and their subsidiaries, affiliates, officers, agents, servants, employees and  
13 attorneys, shall cooperate with and assist the temporary receiver and shall take no  
14 action, directly or indirectly, to hinder, obstruct, or otherwise interfere with the  
15 temporary receiver or his or her attorneys, accountants, employees or agents, in the  
16 conduct of the temporary receiver's duties or to interfere in any manner, directly or  
17 indirectly, with the custody, possession, management, or control by the temporary  
18 receiver of the funds, assets, collateral, premises, and choses in action described  
19 above.

20 **XV.**

21 IT IS FURTHER ORDERED that Defendants Profit Connect, J. Kovar, and B.  
22 Kovar, and their subsidiaries and affiliates, shall pay the costs, fees and expenses of  
23 the temporary receiver incurred in connection with the performance of his or her  
24 duties described in this Order, including the costs and expenses of those persons who  
25 may be engaged or employed by the temporary receiver to assist him or her in  
26 carrying out his or her duties and obligations. All applications for costs, fees, and  
27 expenses for services rendered in connection with the receivership other than routine  
28 and necessary business expenses in conducting the receivership, such as salaries, rent,

1 and any and all other reasonable operating expenses, shall be made by application  
2 setting forth in reasonable detail the nature of the services and shall be heard by the  
3 Court.

4 **XVI.**

5 IT IS FURTHER ORDERED that no bond shall be required in connection with  
6 the appointment of the temporary receiver. Except for an act of gross negligence, the  
7 temporary receiver shall not be liable for any loss or damage incurred by any of the  
8 defendants, their officers, agents, servants, employees and attorneys or any other  
9 person, by reason of any act performed or omitted to be performed by the temporary  
10 receiver in connection with the discharge of his or her duties and responsibilities.

11 **XVII.**

12 IT IS FURTHER ORDERED that representatives of the SEC and any other  
13 government agency are authorized to have continuing access to inspect or copy any  
14 or all of the corporate books and records and other documents of Defendant Profit  
15 Connect and its subsidiaries and affiliates, and the other entities in receivership, and  
16 continuing access to inspect their funds, property, assets and collateral, wherever  
17 located.

18 **XVIII.**

19 IT IS FURTHER ORDERED that this Temporary Restraining Order shall  
20 expire at \_\_\_\_\_ on \_\_\_\_\_, 2021 unless for good cause shown it is  
21 extended or the parties against whom it is directed consent that it may be extended for  
22 a longer period.

23 **XIX.**

24 IT IS FURTHER ORDERED that at \_\_\_\_\_ on \_\_\_\_\_, 2021, or  
25 as soon thereafter as the parties may be heard, the Defendants, and each of them, shall  
26 appear before the Honorable \_\_\_\_\_, Judge of the United States  
27 District Court of Nevada, to show cause, if there be any, why a preliminary injunction  
28 should not be granted and \_\_\_\_\_ be appointed as permanent

1 receiver. Any declarations, affidavits, points and authorities, or other submissions in  
2 support of, or in opposition to, the issuance of such an Order shall be filed with the  
3 Court and emailed to the Kathryn C. Wanner, counsel for the SEC, at  
4 wannerk@sec.gov, and the offices of the Defendants or their attorneys no later than  
5 \_\_\_\_\_ on \_\_\_\_\_, 2021. Any reply papers shall be filed with the Court and  
6 delivered to opposing counsel no later than \_\_\_\_\_ on \_\_\_\_\_, 2021.

7 **XX.**

8 IT IS FURTHER ORDERED that this Court shall retain jurisdiction over this  
9 action for the purpose of implementing and carrying out the terms of all orders and  
10 decrees which may be entered herein and to entertain any suitable application or  
11 motion for additional relief within the jurisdiction of this Court.

12  
13 IT IS SO ORDERED.

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15  
16 Dated: \_\_\_\_\_

\_\_\_\_\_   
17 UNITED STATES DISTRICT JUDGE  
18

19 Presented by:  
20 Kathryn C. Wanner  
21 Teri M. Melson  
Attorneys for Plaintiff  
Securities and Exchange Commission  
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