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6 **UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF NEVADA**

8 SECURITIES AND EXCHANGE  
9 COMMISSION,

10 Plaintiff,

v.

11 MATTHEW WADE BEASLEY; BEASLEY  
12 LAW GROUP PC; JEFFREY J. JUDD;  
13 CHRISTOPHER R. HUMPHRIES; J&J  
CONSULTING SERVICES, INC., an Alaska  
14 Corporation; J&J CONSULTING SERVICES,  
INC., a Nevada Corporation; J AND J  
15 PURCHASING LLC; SHANE M. JAGER;  
16 JASON M. JONGEWARD; DENNY  
SEYBERT; ROLAND TANNER; LARRY  
17 JEFFERY; JASON A. JENNE; SETH  
JOHNSON; CHRISTOPHER M. MADSEN;  
18 RICHARD R. MADSEN; MARK A.  
MURPHY; CAMERON ROHNER; AND  
WARREN ROSEGREEN;

19 Defendants; and

20 THE JUDD IRREVOCABLE TRUST; PAJ  
CONSULTING INC; BJ HOLDINGS LLC;  
21 STIRLING CONSULTING, L.L.C.; CJ  
INVESTMENTS, LLC; JL2 INVESTMENTS,  
22 LLC; ROCKING HORSE PROPERTIES,  
LLC; TRIPLE THREAT BASKETBALL,  
23 LLC; ACAC LLC; ANTHONY MICHAEL  
ALBERTO, JR.; and MONTY CREW LLC;

24 Relief Defendants.

Case No.: 2:22-cv-00612-CDS-EJY

**PLAINTIFF SECURITIES AND  
EXCHANGE COMMISSION'S  
MOTION AND MEMORANDUM OF  
POINTS AND AUTHORITIES IN  
SUPPORT OF MOTION TO AMEND  
RECEIVERSHIP ORDER TO  
INCLUDE NEWLY ADDED  
DEFENDANTS.**

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1 **INTRODUCTION**

2 Plaintiff Securities and Exchange Commission (the “SEC”) respectfully requests that the  
3 Court enter an amended receivership order that includes the eight defendants newly added to the  
4 SEC’s Amended Complaint. Like certain of the original defendants, the eight newly added  
5 defendants—Larry Jeffery, Jason Jenne, Seth Johnson, Christopher Madsen, Richard Madsen,  
6 Mark Murphy, Cameron Rohner, and Warren Rosegreen (collectively herein, the “New  
7 Defendants”)—worked as promoters for the “purchase agreement” investment scheme and  
8 obtained, collectively, at least \$40 million dollars in investor assets in violation of the federal  
9 securities laws. Extending the Court’s receivership order to the New Defendants is necessary to  
10 address the preservation and disposition of the real estate and personal property controlled by the  
11 New Defendants that are the product of Defendants’ offering fraud, administer those assets, and  
12 prevent asset devaluation and waste.

13 **STATEMENT OF FACTS**

14 The SEC incorporates herein the facts set forth in its contemporaneously filed Motion  
15 and Memorandum of Points and Authorities in Support of Motion to Amend Preliminary  
16 Injunction Order to Include Newly Added Defendants (the “Preliminary Injunction Motion”), as  
17 well as the supporting declarations and exhibits in support of the same. As detailed in that  
18 motion, the SEC’s investigation has shown that the eight newly added defendants in the SEC’s  
19 Amended Complaint—Larry Jeffery, Jason Jenne, Seth Johnson, Christopher Madsen, Richard  
20 Madsen, Mark Murphy, Cameron Rohner, and Warren Rosegreen—worked as promoters for  
21 Defendants’ fraudulent “purchase agreement” investment scheme and obtained, collectively, at  
22 least \$40 million dollars in investor assets in violation of the federal securities laws.  
23 Additionally, and as detailed in that motion, the SEC’s investigation has determined that the New  
24 Defendants control millions of dollars’ worth of real estate and personal property that is at risk of  
25 dissipation in value if not administered by the Receiver already appointed in this case to  
26 administer and manage the assets of the original Defendants. (*See* Preliminary Injunction  
27 Motion at 7–8.)

1 **ARGUMENT**

2 The Court should extend the existing receivership to encompass the assets of the New  
3 Defendants. As detailed in the SEC’s contemporaneously-filed Preliminary Injunction Motion  
4 and the declarations and exhibits submitted in support of that motion, the New Defendants have  
5 attempted to dissipate assets, including by selling or transferring assets to non-defendants and by  
6 attempting to insulate other assets from collection. (*See* Preliminary Injunction Motion at 7–8.)  
7 Much of the tens of millions of dollars the New Defendants received from the scheme is  
8 currently held in expensive real estate and luxury vehicles—and as at least one of the New  
9 Defendants has admitted, the New Defendants could not afford these luxuries without the  
10 millions of dollars in commissions they received in violation of the federal securities laws. (*See,*  
11 *e.g.*, Preliminary Injunction Motion at Ex. A, Ostler Decl. ¶ 18.) Furthermore, the evidence  
12 shows that each of the New Defendants was integrally involved in a wide-ranging, fraudulent  
13 offering scheme that obtained, at a minimum, over \$400 million by deceiving hundreds of  
14 investors. (*See* Preliminary Injunction Motion at 6–7.)

15 The Court has broad discretion, pursuant to its general equity powers, to order ancillary  
16 relief—including the appointment of a receiver—to effectuate the purpose of the federal  
17 securities laws, to preserve assets, and to ensure wrongdoers do not profit from unlawful  
18 conduct. *SEC v. United Fin. Grp., Inc.*, 474 F.2d 354, 358–59 (9th Cir. 1973) (“[Where a *prima*  
19 *facie* case of fraud has been established] [t]he district court has broad powers and wide discretion  
20 to frame the scope of appropriate equitable relief.”); *see also SEC v. Wencke*, 622 F.2d 1363,  
21 1365 (9th Cir. 1980); *SEC v. Capital Consultants, LLC*, 397 F.3d 733, 738 (9th Cir. 2005).  
22 Courts look to several factors in determining whether to appoint a receiver, including the  
23 necessity of marshaling and preserving the assets and clarifying the financial affairs of entities  
24 owned or controlled by defendants. *See Wencke*, 622 F.2d at 1372. Other courts in SEC cases  
25 have also considered factors including “proper distribution of investor funds” and “protection of  
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1 the investors.” *See, e.g., SEC v. Credit First Fund*, 2006 WL 4729240, \*15 (C.D. Cal. Feb. 13,  
2 2006); *SEC v. Fifth Ave. Coach Lines, Inc.*, 289 F. Supp. 3, 42 (S.D.N.Y. 1968).<sup>1</sup>

3 Here, as discussed in the SEC’s Preliminary Injunction Motion, and as the Court has  
4 necessarily found in granting the SEC’s original motion for a receiver, the SEC has made a  
5 *prima facie* case that the New Defendants violated the federal securities laws in support of  
6 Defendants’ fraudulent “purchase agreement” investment scheme. The Court may appoint a  
7 receiver on such showing. *See SEC v. Keller Corp.*, 323 F.2d 397, 403 (7th Cir. 1963); *see also*  
8 *SEC v. Current Fin. Servs.*, 783 F. Supp. 1441, 1443 (D.D.C. 1992); *SEC v. Manor Nursing*  
9 *Ctrs. Inc.*, 458 F.2d 1082, 1105 (2d Cir. 1972). A receivership over the New Defendants’ assets  
10 is also necessary because many of the New Defendants’ assets consist of real and personal  
11 property that cannot be easily preserved awaiting final judgment. Because the New Defendants  
12 are unlikely to have sufficient assets to satisfy the full value of any judgment obtained in this  
13 case, any loss, dissipation or devaluation of their assets would irreparably harm the investors and  
14 prevent the SEC from obtaining meaningful remedies to punish unlawful conduct and deter  
15 future violations of the federal securities laws. As such, the SEC requests that the Court amend  
16 its receivership order to include the assets of the eight new individual defendants.

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19 <sup>1</sup> A receiver may be appointed over assets held by, for the benefit of, or under the control of an  
20 individual defendant, as well as over a corporate entity. *See, e.g., SEC v. Stanford, et al.*, No. 09-  
21 CV-0298 (N.D. Tex. Feb. 17, 2009) (appointing receiver to oversee assets owned or controlled  
22 jointly or individually by business entities and individual defendants); *see also In re Sanctuary*  
23 *Belize Litigation*, 408 F. Supp. 3d, 650, 663 (D. Md. 2019) (ordering receiver to take exclusive  
24 custody, control, and possession of all assets held by or for the benefit of individual defendants  
25 that the receiver values at \$1,000 or more); *FTC v. Business Card Experts, Inc.*, 2007 WL  
26 1266636 at \*8 (Apr. 27, 2007) (ordering transfer of assets to receiver held individually or jointly  
27 by any individual defendant, for the benefit of any individual defendant, or that are under the  
direct or indirect control of any individual defendant).

**CONCLUSION**

For the foregoing reason, the SEC respectfully requests that the Court enter the proposed Amended Receivership Order, attached hereto as Exhibit A, extending the receivership to cover the personal assets of the New Defendants. (*See* Ex. A, Proposed Order.)

DATED this 29th day of June, 2022.

/s/ Casey R. Fronk \_\_\_\_\_  
Tracy S. Combs  
Casey R. Fronk  
Attorney for Plaintiff  
SECURITIES AND EXCHANGE COMMISSION

**CERTIFICATE OF SERVICE**

1 I hereby certify that on the 29th day of June, 2022, I caused the **PLAINTIFF**  
2  
3 **SECURITIES AND EXCHANGE COMMISSION’S MOTION AND MEMORANDUM**  
4 **OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO AMEND**  
5 **RECEIVERSHIP ORDER TO INCLUDE NEWLY ADDED DEFENDANTS** to be served  
6 to all parties entitled to service through the Court’s ECF system and to the following individuals  
7 by the means indicated below:

8 *Sent to process server for personal service:*

9  
10 Larry Jeffery  
11 [REDACTED]  
Laguna Beach, CA [REDACTED]

12 Jason A. Jenne  
13 [REDACTED]  
Las Vegas, NV [REDACTED]

14 Seth Johnson  
15 [REDACTED]  
16 Gilbert, AZ [REDACTED]

17 Christopher M. Madsen  
18 [REDACTED]  
Henderson, NV 89052-3136

19 -OR-  
20 [REDACTED]  
Henderson, NV [REDACTED]

21 Richard R. Madsen  
22 [REDACTED]  
Las Vegas, NV [REDACTED]  
23 -OR-  
24 [REDACTED]  
Duck Creek Village, UT [REDACTED]  
(Kane County, UT, possibly Kanab)

25 Mark A. Murphy  
26 [REDACTED]  
Henderson, NV [REDACTED]

1 Cameron Rohner

2 [REDACTED]  
Gilbert, AZ [REDACTED]

3 Warren Rosegreen

4 [REDACTED]  
Henderson, NV [REDACTED]

5 *By U.S. Mail, first class, postage prepaid, to:*

6 BJ Holdings LLC  
7 c/o Beasley Law Group PC, c/o Matthew Wade Beasley  
8 Nevada Southern Detention Center  
9 2190 East Mesquite Avenue  
Pahrump, NV 89060

10 The Judd Irrevocable Trust  
11 c/o Trustee Matthew Wade Beasley  
12 Nevada Southern Detention Center  
2190 East Mesquite Avenue  
Pahrump, NV 89060

13 Jason M. Jongeward and JL2 Investments, LLC  
14 [REDACTED]  
15 Washington, UT [REDACTED]

16 PAJ Consulting, Inc  
17 21371 Estepa Cir.  
Huntington Beach CA 92648

18 Triple Threat Basketball, LLC  
19 c/o Warren Rosegreen  
[REDACTED]  
20 Henderson, NV [REDACTED]

21 The Judd Irrevocable Trust  
22 c/o Jeffrey Judd  
[REDACTED]  
23 Henderson, NV [REDACTED]

24 *By email to the following:*

25 Anthony Michael Alberto, Jr. and Monty Crew, LLC  
26 [REDACTED]

1 Dyke Huish  
2 Huish Law Firm  
3 huishlaw@mac.com  
4 *Counsel for Roland Tanner*

5 Daniel Hill  
6 Snow, Christensen & Martineau, P.C.  
7 DDH@scmlaw.com  
8 *Counsel for ACAC LLC*

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*/s/ Casey R. Fronk*  
Casey R. Fronk



# **Exhibit A**

## **Proposed Order Amending Receivership Order**

1 TRACY S. COMBS (California Bar No. 298664)  
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3 CASEY R. FRONK (Illinois Bar No. 6296535)  
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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

MATTHEW WADE BEASLEY; BEASLEY  
LAW GROUP PC; JEFFREY J. JUDD;  
CHRISTOPHER R. HUMPHRIES; J&J  
CONSULTING SERVICES, INC., an Alaska  
Corporation; J&J CONSULTING SERVICES,  
INC., a Nevada Corporation; J AND J  
PURCHASING LLC; SHANE M. JAGER;  
JASON M. JONGEWARD; DENNY  
SEYBERT; ROLAND TANNER; LARRY  
JEFFERY; JASON A. JENNE; SETH  
JOHNSON; CHRISTOPHER M. MADSEN;  
RICHARD R. MADSEN; MARK A.  
MURPHY; CAMERON ROHNER; AND  
WARREN ROSEGREEN;

Defendants; and

THE JUDD IRREVOCABLE TRUST; PAJ  
CONSULTING INC; BJ HOLDINGS LLC;  
STIRLING CONSULTING, L.L.C.; CJ  
INVESTMENTS, LLC; JL2 INVESTMENTS,  
LLC; ROCKING HORSE PROPERTIES,  
LLC; TRIPLE THREAT BASKETBALL,  
LLC; ACAC LLC; ANTHONY MICHAEL  
ALBERTO, JR.; and MONTY CREW LLC;

Relief Defendants.

Case No.: 2:22-cv-00612-CDS-EJY

**[PROPOSED] ORDER AMENDING  
RECEIVERSHIP ORDER (DKT. NO.  
88)**

1           **WHEREAS** this matter has come before this Court upon motion of the Plaintiff U.S.  
2 Securities and Exchange Commission (“SEC”, “Commission” or “Plaintiff”) to amend the  
3 receivership order previously entered by the Court (Dkt. No. 88), and for related relief;

4           **WHEREAS** the Court has found based on the evidence presented and record in this case  
5 that the Commission has made a proper *prima facie* showing that Defendants Larry Jeffery,  
6 Jason Jenne, Seth Johnson, Christopher Madsen, Richard Madsen, Mark Murphy, Cameron  
7 Rohner, and Warren Rosegreen directly and indirectly engaged in violations of the federal  
8 securities laws as alleged in the Amended Complaint, and thus, the equity jurisdiction of this  
9 Court has been properly invoked and the Court possesses the power and authority to fashion  
10 appropriate remedies and relief;

11           **WHEREAS** the Court finds that, based on the record in these proceedings, the  
12 appointment of a Receiver in this action is necessary and appropriate for the purposes of  
13 marshaling and preserving all assets of the New Defendants that: (a) are attributable to funds  
14 derived from investors or clients of the New Defendants; (b) are held in constructive trust for the  
15 New Defendants; (c) were fraudulently transferred by the New Defendants; and/or (d) may  
16 otherwise be includable as assets of the estates of the New Defendants; and

17           **WHEREAS** this Court has subject matter jurisdiction over this action and personal  
18 jurisdiction over the New Defendants, and venue properly lies in this district;

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1           **NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED**  
2 **THAT:**

3           1.       This Court hereby takes exclusive jurisdiction and possession of the personal  
4 assets, of whatever kind and wherever situated, of the following defendants: Larry Jeffery, Jason  
5 Jenne, Seth Johnson, Christopher Madsen, Richard Madsen, Mark Murphy, Cameron Rohner,  
6 and Warren Rosegreen (the “New Defendants”).

7           2.       Until further Order of this Court, **GEOFF WINKLER** of **AMERICAN**  
8 **FIDUCIARY SERVICES LLC** (the “Receiver”) is hereby appointed to serve without bond as  
9 receiver for the assets of the New Defendants.

10          3.       The Court’s June 3, 2022 Order Appointing Receiver (Dkt. No. 88) (herein, June  
11 3, 2022 Receivership Order) is amended, such that the personal assets of the New Defendants are  
12 hereby included as “Receivership Property” and “Receivership Estate” as defined and ordered in  
13 the June 3, 2022 Receivership Order; and the New Defendants are hereby included as the  
14 “Individual Receivership Defendants” and “Receivership Defendants” as defined and ordered in  
15 the June 3, 2022 Receivership Order. The New Defendants shall have the same obligations and  
16 duties as the Individual Receivership Defendants in the June 3, 2022 Order, except that the  
17 deadlines in Section II, paragraphs 9, 10, and 11 of the June 3, 2022 Order shall begin to run for  
18 the New Defendants upon the date of entry of this Order.

19  
20           **IT IS SO ORDERED.**

21  
22           Date: \_\_\_\_\_

23  
24           \_\_\_\_\_  
25           CRISTINA D. SILVA  
26           UNITED STATES DISTRICT JUDGE  
27  
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1 Presented by:  
2 Tracy S. Combs  
3 Casey R. Fronk  
4 Attorneys for Plaintiff  
5 Securities and Exchange Commission  
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