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 CLERK, U.S. DISTRICT COURT
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12 UNITED STATES DISTRICT COURT
 13 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 14 SOUTHERN DIVISION

16 SECURITIES AND EXCHANGE
 COMMISSION,
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 Plaintiff,
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 vs.
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 20 LAMBERT VANDER TUIG (a/k/a
 LAMBERT VANDER TAG a/k/a DEAN L.
 VANDER TAG a/k/a DEAN L.
 21 VANDERTAG), THE CAROLINA
 DEVELOPMENT COMPANY, INC. (a/k/a
 22 THE CAROLINA COMPANY AT
 PINEHURST, INC.), AND JONATHAN
 23 CARMAN
 24 Defendants.

Case No.
 SACV06-172 AHS (ANx)

~~PROPOSED ORDER~~
 GRANTING ASSET FREEZE,
 ORDERING AN
 ACCOUNTING, AND
 PROHIBITING THE
 DESTRUCTION OF
 DOCUMENTS

I hereby attest and certify on FEB 16 2006
 that the foregoing document is a full, true
 and correct copy of the original on file in
 my office, and in my legal custody.

CLERK, U.S. DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA
 By *[Signature]* Deputy



0114

1 Upon the Application of Plaintiff Securities and Exchange Commission
2 ("Commission") for an order (1) freezing the assets of Lambert Vander Tuig,
3 Jonathan Carman, and The Carolina Development Company, Inc. ("Carolina
4 Company"); (2) ordering an accounting of investor proceeds, and (3) prohibiting
5 the destruction or alteration of any documents relating to the solicitation of
6 securities. The Court has considered the Commission's Complaint, the Declaration
7 of Scott R. Frost and the exhibits thereto, and the Memorandum in Support of
8 Plaintiff's Motion.

9 Based upon the foregoing, the Court finds that a proper showing has been
10 made for the relief granted herein, for the following reasons:

11 1. It appears from the evidence presented that Defendants, directly or
12 indirectly, have engaged, in transactions, acts, practices and courses of business, in
13 the offer or sale and in connection with the purchase or sale of securities, that have
14 constituted, are constituting, and would constitute violations of Sections 5(a), 5(c),
15 and 17(a) of the Securities Act, 15 U.S.C. § 77q(a) and Section 10(b) of the
16 Exchange Act, 15 U.S.C. § 78j(b), and Rule 10b-5, 17 C.F.R. § 240.10b-5.

17 2. It appears that the Defendants have fraudulently obtained more than
18 \$33 million as a result of such conduct.

19 3. It appears that an order freezing assets is necessary to preserve the
20 *status quo* and to protect this Court's ability to award equitable relief in the form
21 of disgorgement of illegal profits from fraud and civil penalties.

22 4. It appears that irreparable injury, loss or damage will result if
23 defendants are notified of the Commission's application prior to it being heard.

24 5. This Court has jurisdiction over the subject matter of this action and
25 over each of the Defendants, and venue properly lies in this district.
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1 **NOW, THEREFORE,**

2 **I.**

3 **IT IS HEREBY ORDERED** that, pending final adjudication of this matter,
4 Defendants, their agents, servants, employees, attorneys, and those persons in
5 active concert or participation with them who receive actual notice of such Order
6 by personal service, facsimile service, or otherwise, and each of them, hold and
7 retain within their control, and otherwise prevent any withdrawal, transfer, pledge,
8 encumbrance, assignment, dissipation, concealment, or other disposal of any
9 assets, funds, or other properties (including money, real or personal property,
10 securities, choses in action or property of any kind whatsoever) of Defendants
11 currently held by them or under their control, whether held in the name of
12 Defendants, or each of them, or for their direct or indirect beneficial interest
13 wherever situated, and directing each of the financial or brokerage institutions,
14 debtors, and bailees, or any other person or entity holding such assets, funds, or
15 other properties of Defendants to hold or retain within its control and prohibit the
16 withdrawal, removal, transfer, or other disposal of any such assets, funds, or other
17 properties without further order from this Court.

18 **II.**

19 **IT IS HEREBY FURTHER ORDERED** that all Defendants, their
20 officers, agents, servants, employees and attorneys, and those persons in active
21 concert or participation with them who receive actual notice of this Order by
22 personal service or otherwise, including by facsimile transmission or overnight
23 delivery service, and each of them shall be preliminarily restrained and enjoined
24 from destroying, mutilating, concealing, altering, or disposing of any and all items,
25 including, but not limited to, any books, records, documents, correspondence,
26 contracts, agreements, assignments, obligations, tape recordings, computer media
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1 or other property of the Defendants, relating to the Defendants or any of their
2 securities, financial or business dealings.

3 **III.**

4 **IT IS HEREBY FURTHER ORDERED** that Defendants shall each
5 submit to the Court and to the Plaintiff Commission within ten (10) business days
6 of service of this Order, information identifying all aliases, business and residence
7 addresses, postal box numbers, telephone numbers, and facsimile numbers used by
8 that Defendant.

9 **IV.**

10 **IT IS HEREBY FURTHER ORDERED** that Defendants shall each
11 submit to the Court and to the Plaintiff Commission within ten (10) business days
12 of service of this Order a full accounting of all funds invested in Carolina
13 Company and the uses thereof.

14 **V.**

15 **IT IS HEREBY FURTHER ORDERED** that this Order shall remain in
16 effect until entry of Final Judgment in, or other final disposition of, this action.

17 **VI.**

18 **IT IS HEREBY FURTHER ORDERED** that the Court shall retain
19 jurisdiction of this matter for all purposes.

20 Dated this 16th day of February 2006.

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23 _____
24 UNITED STATES DISTRICT COURT JUDGE
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