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Attorneys for Court-Appointed Receiver,  
Diane A. Thompson

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION**

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<b>SECURITIES AND EXCHANGE COMMISSION,</b>	<b>AMENDED CLARIFYING ORDER</b>
<b>Plaintiff,</b>	<b>Case No.: 2:14-CV-00309-RJS-DBP</b>
v.	<b>Judge Robert J. Shelby</b>
<b>AMERICAN PENSION SERVICES, INC., a Utah Corporation and CURTIS L. DeYOUNG, an individual,</b>	<b>Magistrate Judge Dustin B. Pead</b>
<b>Defendants.</b>	

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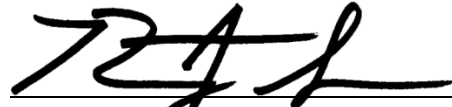
Based on the Receiver’s Motion and supporting Memorandum (Dkt. 410) concerning the need to amend this court’s Order Clarifying Order Appointing Receiver, Freezing Assets, and Other Relief entered May 21, 2014 (Dkt. 79) (“Clarifying Order”) so as to allow the Receiver to properly execute her duties pursuant to the court’s Order Appointing Receiver, Freezing Assets, and Other Relief entered April 24, 2014 (Dkt. 9), the court:

**DOES HEREBY ORDER, ADJUDGE AND DECREE THAT** the last paragraph of the Clarifying Order [Dkt. 79] is hereby amended to read as follows (changes emphasized):

In authorizing the **preceding** types of transactions, the Receiver may further require that account holders maintain or reach a ratio of **10%** cash to asset value following any reinvestments **based on the client's account valuation as recorded on the date the Receiver took over operations of APS, April 25, 2014,** and/or that account holders be permitted to make reallocation investments only after written acknowledgment and agreement of the possible requirement to liquidate some of the self-directed investments to generate cash in the future when a Court approved Plan of Liquidation is implemented.

IT IS SO ORDERED, this 6<sup>th</sup> day of February, 2015.

BY THE COURT



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Honorable Robert J. Shelby  
United States District Court