

<p>IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH, CENTRAL DIVISION</p>	
<p>SECURITIES AND EXCHANGE COMMISSION,</p> <p style="text-align: center;">Plaintiff,</p> <p>vs.</p> <p>AMERICAN PENSION SERVICES, INC., a Utah Corporation and CURTIS L. DeYOUNG, an individual,</p> <p style="text-align: center;">Defendants.</p>	<p><b>ORDER FOLLOWING ORAL RULING</b></p> <p><b>1) GRANTING MOTIONS FILED BY DEFENDANT CURTIS DeYOUNG (DKTS. 147 and 173) and</b></p> <p><b>2) DENYING MOTIONS FILED BY PUTATIVE INTERVENOR PAUL (DKTS. 199, 201 and 209)</b></p> <p style="text-align: center;">Case No: 2:14-cv-00309</p> <p style="text-align: center;">Judge Robert J. Shelby</p>

Before the court are five motions. Defendant Curtis DeYoung has filed: 1) Second Motion for Release of Funds (Dkt. 147); and 2) Supplement to Second Motion to Release Portion of Revenues and Assets of APS for Payment of Attorney Fees (Dkt. 173).

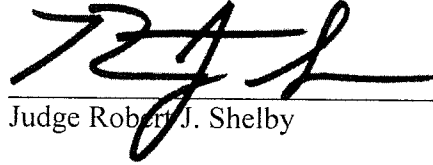
Putative Intervenor Kip Paul has filed three Motions: 1) Motion to Intervene (Dkt. 199); 2) Motion for Appointment of Client Committee (Dkt. 201); and 3) Response to Receiver's Request for Scheduling Conference (Dkt. 209), in which Mr. Paul requests that the court refrain from certain actions relating to the Receiver's Plan of Liquidation until Mr. Paul's other Motions are briefed and decided by the court.

For the reasons stated on the record at the hearing on September 12, 2014, the court:

1. GRANTS DeYoung's Motions (Dkts. 147 and 173), subject to the reduction of costs and fees from the amount requested to \$157,559.44; and
2. DENIES Paul's Motions (Dkts. 199, 201, and 209).

SO ORDERED this 15<sup>th</sup> day of September, 2014.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'RJS', is written over a horizontal line. The signature is stylized and cursive.

Judge Robert J. Shelby