

UNITED STATES DISTRICT COURT  
for the  
NORTHERN DISTRICT OF ILLINOIS

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

RICHARD J. COLLINS, D/B/A CAPITAL  
INVESTMENT CONCEPTS, LTD., CUTTING  
EDGE MARKETING, LIGHT OF THE WORLD,  
AND MIDWEST FINANCIAL FUNDS

BILL WILSON,  
JEROME COPPAGE,  
THE GATEWAY ASSOCIATION, AND  
THE GATEWAY ASSOCIATION (ILLINOIS),

Defendants,

and

DAVID MORGENSTERN,  
WILLIAM J. WINDSOR,  
LINDA A. FEHL,  
MALCOLM SILVERMAN,  
JANET COLLINS, AND  
CHRISTINE TODD,

Relief Defendants.

01C 3085

JUDGE KENNELLY

MAGISTRATE JUDGE NOLAN

DOCKETED

MAY 01 2001

FILED-EDS

01 APR 30 PM 1:47

CLERK  
U.S. DISTRICT COURT

COMPLAINT FOR INJUNCTIVE AND OTHER EQUITABLE RELIEF

Plaintiff Securities and Exchange Commission ("Commission") alleges as follows:

NATURE OF THE COMPLAINT

1. From about November 1997 through about November 1999, Defendants Richard J. Collins, doing business as Capital Investment Concepts, Ltd., Cutting Edge Marketing, Light of the World and Midwest Financial Funds ("Collins"), Bill Wilson ("Wilson"), Jerome Coppage

H

“Coppage”), The Gateway Association and The Gateway Association (Illinois) (collectively “Gateway”), and others engaged in a widespread fraudulent scheme in which they offered and sold securities in violation of the antifraud and registration provisions of the federal securities laws. The Defendants lured investors throughout the United States with false guarantees of outlandish profits in a purported “prime bank” investment program that uses pooled investor funds for an alleged overseas bank debenture trading program issued by the “top one hundred world banks.” In fact, these securities never existed and much of the money was given to defendants’ friends, family, spent on personal expenses or wire-transferred to overseas bank accounts controlled by the Defendants.

2. In connection with the offer and sale of these alleged securities, Collins, Wilson, Coppage, Gateway and others made several misrepresentations and omitted to state material facts to investors relating to, among other things: (a) the rates of return on the Gateway trading program; (b) the existence of “prime bank” securities; (c) the risks of the trading program; (d) the location of investors’ deposits; and (e) the use of the proceeds. Although variations exist regarding what investors were told, the essence of the promises made to investors was the same: all were promised that their money was being invested in a guaranteed, risk-free, high yield bank debenture trading program.

3. Defendants Collins, Wilson, Coppage, Gateway and others, directly or indirectly, engaged and, unless enjoined, will continue to engage in transactions, acts, practices and courses of business which constitute and will constitute violations of Sections 5(a), 5(c) and 17(a) of the Securities Act of 1933 (“Securities Act”) [15 U.S.C. §§ 77(a), 77e(c) and 77q(a)] and Section 10(b) [15 U.S.C. § 78j(b)] of the Securities Exchange Act of 1934 (“Exchange Act”) and Rule 10b-5 [17 C.F.R. § 240.10b-5] thereunder.

4. The Relief Defendants, David Morgenstern (“Morgenstern”), William J. Windsor (“Windsor”), Linda A. Fehl (“Fehl”), Malcolm Silverman (“Silverman”), Janet Collins and Christine Todd (“Todd”), have received investor funds that have been raised unlawfully by the Defendants.

5. The Commission brings this action to enjoin such transactions, acts, practices and courses of business, pursuant to Section 20(b) of the Securities Act [15 U.S.C. § 77t(b)] and Sections 21(d) and 21(e) of the Exchange Act [15 U.S.C. §§ 78u(d) and 78u(e)].

#### JURISDICTION

6. This Court has jurisdiction over this action pursuant to Section 22(a) of the Securities Act [15 U.S.C. § 77v(a)] and Section 21(e) of the Exchange Act [15 U.S.C. § 78u(e)].

7. The transactions, acts, practices and courses of business constituting the violations alleged in the Complaint occurred within the jurisdiction of the United States District Court for the Northern District of Illinois and elsewhere.

8. Defendants Collins, Wilson, Coppage, Gateway and others will, unless enjoined, continue to engage in transactions, acts, practices and courses of business alleged in this Complaint, and in transactions, acts, practices and courses of business of similar purport and object.

9. Defendants Collins, Wilson, Coppage, Gateway and others, directly and indirectly, have made use of the mails and of the means and instrumentalities of interstate commerce in connection with the transactions, acts, practices and courses of business alleged herein in the Northern District of Illinois and elsewhere.

THE DEFENDANTS

10. Richard J. Collins, age 54, was a resident of Naperville, Illinois, until March 1, 2001, when he began serving a twenty-one month federal prison sentence at FCI Oxford, Wisconsin, on unrelated wire fraud charges for selling \$167,000 worth of phony foreign debentures to investors. Collins is the founder of Gateway and signed investment agreements on behalf of Gateway. Collins is a licensed insurance agent in the state of Illinois. In addition to the federal charges for which he is incarcerated, Collins has two prior Illinois state securities criminal convictions for defrauding investors. As a way to further perpetuate the "prime bank" scheme, Collins used several corporations as shells, including Capital Investment Concepts, Ltd., Cutting Edge Marketing, Light of the World, and Midwest Financial Funds.

11. Bill Wilson, age 54, is a resident of Elmhurst, Illinois. Wilson is the president of Gateway and signed investment agreements on behalf of Gateway.

12. Jerome Coppage, age 57, is a resident of Schererville, Indiana. Coppage is a partner in Gateway and signed investment agreements on behalf of Gateway. Coppage is a licensed insurance agent in the state of Indiana.

13. The Gateway Association is an Illinois corporation incorporated in or around 1998. Gateway rented office space in suburban Naperville, Illinois. The Gateway Association (Illinois) is a Florida corporation also incorporated in 1998. Gateway (Illinois) rented office space in Ft. Lauderdale, Florida. Collins and the other Defendants used Gateway as a front to perpetuate the fraudulent "prime bank" scheme.

THE RELIEF DEFENDANTS

14. David A. Morgenstern is a resident of Ft. Lauderdale, Florida. Morgenstern controlled at least two Gateway bank accounts that received investor funds of \$1.8 million and

\$820,000 respectively. Morgenstern, in turn, personally received approximately \$1.7 million of these funds. Morgenstern is currently out on bail after being indicted by the United States Attorney in the District of South Carolina for wire fraud and conspiracy in connection with an unrelated scheme involving the sale of high-yield investment opportunities, and by the United States Attorney in the Southern District of Florida for money laundering in connection with an unrelated scheme involving a \$32 million white-collar pyramid scheme through organized crime-controlled check cashing outlets. Additionally, Morgenstern recently agreed to the entry of a permanent injunction in an action brought by the Atlanta District Office of the Commission for his involvement in an issuer fraud called Amquest International. See SEC v. Morgenstern et al., Release No. 16787 (Nov. 1, 2000).

15. William J. Windsor was a resident of Kissimmee, Florida until his incarceration in San Bernardino, California on unrelated federal charges of wire fraud and money laundering. Windsor controlled at least three Gateway bank accounts that received investor funds of \$1.8 million, \$820,000 and \$2.9 million respectively. Windsor, in turn, personally received approximately \$325,000 of these funds. In addition to the federal charges for which he is incarcerated and awaiting sentencing, Windsor has six prior state securities fraud criminal convictions for defrauding investors.

16. Linda A. Fehl is a resident of Alpharetta, Georgia. Fehl controlled at least one Gateway bank account that received investor funds of \$2.3 million. Fehl personally received approximately \$1.7 million of these funds.

17. Malcolm Silverman is a resident of Northbrook, Illinois. Silverman is an acquaintance of Collins, and personally received approximately \$120,000 of Gateway investor funds.

18. Janet Collins is a resident of Naperville, Illinois, and is Collins' wife. Janet Collins personally received approximately \$325,000 of Gateway investor funds. Janet Collins is a licensed insurance agent in the state of Illinois.

19. Christine J. Todd is a resident of Illinois, and is Collins' daughter. Todd personally received approximately \$200,000 of Gateway investor funds.

#### THE FRAUDULENT SCHEME

20. Beginning in about November 1997 and continuing through about March 1999, Defendants Collins, Wilson, Coppage, Gateway and others solicited investors by claiming that investor funds would be invested in a purported overseas bank debenture trading program involving medium-term bank debentures. According to the Defendants, in order to participate in this bank debenture trading program, investors first had to become members of The Gateway Association. Gateway membership cost \$2,500, and provided members with various travel, hotel and health care discounts.

21. Gateway members were then eligible to participate in the trading program. At numerous meetings held across the country, Defendants Collins, Wilson, Coppage, Gateway and others promised investors a 1,250% rate of return on a ten-month, \$100,000 investment. Collins, Wilson, Coppage and others detailed a payout schedule promising a ten percent compounded monthly return on a \$100,000 investment, with a \$759,768 balloon payment at the end of the ten months. Defendants Collins, Wilson, Coppage and others directed investors to either send their checks to the Gateway office in Chicago or to wire their funds directly to one of several bank accounts.

22. Gateway raised at least \$10 million from at least 400 investors.

23. In personal representations, over the telephone, in letters, and in person, as well as through at least three promotional brochures, Collins, Wilson, Coppage, Gateway and others described the bank debenture trading program as being a risk-free, limited-enrollment, complex trading program dating back to the rebuilding and stabilization of the world's banks after World War II. The materials state that for the program to work, however, investors' pooled funds must total at least \$10 million. The materials further explain that these medium-term bank debentures are loaned from bank to bank, resulting in a guaranteed, risk-free, high yield investment opportunity.

24. Gateway promotional materials distributed by the Defendants falsely stated that the trading program is exempt from registration under the federal securities laws.

25. During the time that Defendants were actively soliciting investors' funds, Collins, Wilson, Coppage, Gateway and others made additional misrepresentations that were basically variations of the same misrepresentations described above, including, but not limited to:

- a. Collins, Wilson, Coppage, Gateway and others represented and caused others to represent that investors funds would be used to purchase an annuity, and the proceeds would be pooled to invest in an overseas bank debenture trading program.
- b. Other investors, however, were only told about the bank debenture trading program.
- c. Some investors were told that their money would be placed in a Chicago FDIC-insured bank, where it would be used as collateral to invest in the bank debenture trading program.

- d. Still other investors were told that their money would be held in an individual certificate of deposit at the Bank of America, where it would be used as collateral to invest in the bank debenture trading program.

26. In reality, the promised high rate of return lacked a reasonable basis, since, among other things, "prime bank" securities described by the Defendants do not exist and are inherently fraudulent. Collins, Wilson, Coppage, Gateway and others similarly lacked a reasonable basis for guaranteeing the investment. In addition, while some investors' funds were deposited into Chicago FDIC-insured banks, many were not. Those funds that were deposited into Chicago banks did not remain there for long; money from the Chicago bank accounts was transferred by wire or check to other accounts across the U.S., Europe and the Caribbean. Additionally, no individual certificates of deposit have been located at Bank of America. Furthermore, none of the investor proceeds were used to purchase or sell financial instruments or to write an annuity policy.

27. To date, Gateway has not paid investors their promised rates of return. Nor have investors received their money back. None of the investment proceeds were used to purchase or sell financial instruments. In fact, most of the \$10 million raised from investors has been spent or wired to offshore bank accounts. Defendants Collins, Wilson, Coppage and others spent investor funds on various personal expenses, including automobiles, charter airplanes, guns, credit card bills, printing expenses, a country club membership, a piano, and landscaping.

28. At least six Relief Defendants received investor funds from Gateway. Morgenstern received approximately \$1.7 million in investor funds that were raised as a result of the unlawful conduct of the Defendants described above. Windsor received approximately \$325,000 in investor funds that were raised as a result of the unlawful conduct of the Defendants



described above. Fehl received approximately \$1.7 in investor funds that were raised as a result of the unlawful conduct of the Defendants described above. Silverman received approximately \$120,000 in investor funds that were raised as a result of the unlawful conduct of the Defendants described above. Janet Collins received approximately \$325,000 in investor funds that were raised as a result of the unlawful conduct of the Defendants described above. Todd received approximately \$200,000 in investor funds that were raised as a result of the unlawful conduct of the Defendants described above. Investors have not received value from any Morgenstern, Windsor, Fehl, Silverman, Janet Collins and Todd in return for the use of their funds.

FIRST CLAIM FOR RELIEF  
Defendants Violated Section 10(b) of the  
Exchange Act [15 U.S.C. § 78j(b)] and  
Rule 10b-5 [17 C.F.R. § 240.10b-5] thereunder

29. Paragraphs 1 through 28 above are hereby realleged and incorporated herein by reference.

30. During the relevant period, Defendants Collins, Wilson, Coppage, Gateway and others, and each of them, directly and indirectly, by the use of the means and instrumentalities of interstate commerce, or of the mails, in connection with the purchase and sale of securities:

- a. employed devices, schemes or artifices to defraud;
- b. made untrue statements of material fact, or have omitted to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and
- c. engaged in acts, practices or courses of business which have operated as a fraud or deceit upon other persons, including purchasers and sellers of such securities.

31. Defendants Collins, Wilson, Coppage, Gateway and others knew or were reckless in not knowing the facts and circumstances described in Paragraphs 29 and 30 above.

32. By reason of the foregoing, defendants, and each of them, have violated Section 10(b) of the Exchange Act [15 U.S.C. § 78j(b)] and Rule 10b-5 [17 C.F.R. § 240.10b-5] thereunder.

SECOND CLAIM FOR RELIEF  
Defendants Violated  
Section 17(a) of the Securities Act [15 U.S.C. § 77q(a)].

33. Paragraphs 1 through 28 above are hereby realleged and incorporated herein by reference.

34. During the relevant time period, Defendants Collins, Wilson, Coppage, Gateway and others, and each of them, directly or indirectly, in the offer or sale of securities, by the use of the means or instruments of transportation or communication in interstate commerce or by the use of the mails employed devices, schemes or artifices to defraud.

35. Defendants Collins, Wilson, Coppage, Gateway and others knew or were reckless in not knowing the facts and circumstances described in Paragraphs 33 and 34 above.

36. During the relevant time period, Defendants Collins, Wilson, Coppage, Gateway and others, and each of them, directly or indirectly, in the offer or sale of securities, by the use of the means or instruments of transportation or communication in interstate commerce or by the use of the mails:

- a. obtained money or property by means of untrue statements of material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and
- b. engaged in transactions, acts, practices and courses of business which operated or would operate as a fraud upon purchasers of securities.

37. By reason of the foregoing, defendants and each of them, have violated Section 17(a) of the Securities Act [15 U.S.C. § 77q(a)].

THIRD CLAIM FOR RELIEF  
Defendants Violated Sections 5(a) and 5(c)  
of the Securities Act [15 U.S.C. § 77e(a) and 77e(c)].

38. Paragraphs 1 through 28 above are hereby realleged and incorporated herein by reference.

39. The investments described herein constitute “securities” within the meaning of Section 2(1) of the Securities Act [15 U.S.C. § 77b(1)] and Section 3(a)(10) of the Exchange Act [15 U.S.C. § 78c(a)(10)].

40. The securities being offered and sold by defendants were not registered in accordance with the provisions of the Securities Act and no exemption from such registration was available.

41. Defendants Collins, Wilson, Coppage, Gateway and others, and each of them, directly or indirectly, made use of the means or instruments of transportation or communication in interstate commerce or of the mails to offer and sell securities when no registration statement was filed or was in effect as to such securities and when no exemption from registration was available.

42. By reason of the foregoing, defendants, and each of them, have violated Sections 5(a) and 5(c) of the Securities Act [15 U.S.C. § 77e(a) and 77e(c)].

RELIEF REQUESTED

WHEREFORE, the Commission respectfully requests that this Court:

I.

Find that Defendants Collins, Wilson, Coppage and Gateway committed the violations alleged above.

II.

Issue an Order of Permanent Injunction, in a form consistent with Rule 65(d) of the Federal Rules of Civil Procedure, enjoining Defendants Collins, Wilson, Coppage and Gateway, and their officers, agents, servants, employees, attorneys, and those persons in active concert or participation with them who receive actual notice of the Order of Permanent Injunction and Other Equitable Relief by personal service or otherwise, and each of them, from directly or indirectly, in connection with the purchase or sale of the securities of any issuer, by the use of any means or instrumentality of interstate commerce, or the mails, or of any national securities exchange:

- a. employing any devices, schemes or artifices to defraud;
- b. making any untrue statements of material fact, or omitting to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and
- c. engaging in any acts, practices or courses of business which operate as a fraud or deceit upon other persons, including purchasers and sellers of such securities.

III.

Issue an Order of Permanent Injunction, in a form consistent with Rule 65(d) of the Federal Rules of Civil Procedure, enjoining Defendants Collins, Wilson, Coppage and Gateway,

and their officers, agents, servants, employees, attorneys, and those persons in active concert or participation with them who receive actual notice of the Order of Permanent Injunction and Other Equitable Relief by personal service or otherwise, and each of them, from directly or indirectly, in connection with the purchase or sale of the securities of any issuer, by the use of any means or instrumentality of interstate commerce, or the mails, or of any national securities exchange:

- a. employing any devices, schemes or artifices to defraud;
- b. obtaining money or property by means of untrue statements of material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and
- c. engaging in transactions, acts, practices and courses of business which operate as a fraud upon purchasers of securities.

#### IV.

Issue an Order of Permanent Injunction, in a form consistent with Rule 65(d) of the Federal Rules of Civil Procedure, enjoining Defendants Collins, Wilson, Coppage and Gateway, and their officers, agents, servants, employees, attorneys, and those persons in active concert or participation with them who receive actual notice of the Order of Permanent Injunction and Other Equitable Relief by personal service or otherwise, and each of them, from directly or indirectly, in connection with the purchase or sale of the securities of any issuer, by the use of any means or instrumentality of interstate commerce, or the mails, or of any national securities exchange to offer and sell securities when no registration statement is filed or is in effect as to such securities and when no exemption from registration is available.

V.

Issue orders directing Defendants Collins, Wilson, Coppage and Gateway, and each of them, to disgorge all illegal gains, together with prejudgment interest.

VI.

Issue orders requiring Defendants Collins, Wilson, Coppage and Gateway, and each of them, to pay civil money penalties, pursuant to Section 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)].

VII.

Issue orders directing Relief Defendants Morgenstern, Windsor, Fehl, Silverman, Janet Collins and Todd, and each of them, to disgorge all investor funds they received which were raised as a result of the unlawful conduct of the named Defendants alleged above, and hold these funds in a constructive trust.

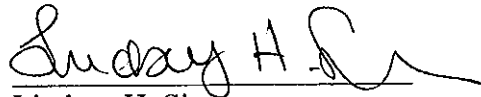
VIII.

Retain jurisdiction of this action in accordance with the principles of equity and the Federal Rules of Civil Procedure in order to implement and carry out the terms of all orders and decrees that may be entered or to entertain any suitable application or motion for additional relief within the jurisdiction of this Court.

IX.

Grant such other relief as this Court may deem just and proper.

Respectfully Submitted,



Lindsey H. Simon  
Illinois State Bar No. 06239187  
Peter K.M. Chan  
Tina K. Diamantopoulos

Attorneys for Plaintiff  
Securities and Exchange Commission  
500 West Madison Street  
Suite 1400  
Chicago, IL 60661  
(312) 353-7390

Dated: April 30, 2001

*Cat 3*

JS 44  
(Rev. 3/99)

# CIVIL COVER SHEET **01C 3085**

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

### I. (a) PLAINTIFFS

United States Securities and Exchange Commission

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
Lindsey H. Simon  
U.S. Securities and Exchange Commission  
500 W. Madison Street, Suite 1400  
Chicago, IL 60661 (312) 353-7390

### DEFENDANTS

**JUDGE KENNELLY**  
Richard J. Collins, Bill Wilson, Jerome Coppage Gateway Association, Inc., Gateway Association (Illinois), Inc. and six relief defendants

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT DuPage County  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED. **CLERK OF COURT JUDGE NOLAN**

ATTORNEYS (IF KNOWN)

**DOCKETED**  
MAY 01 2001

*LEDS*  
*APR 30 11:46*  
*U.S. DISTRICT COURT*

### II. BASIS OF JURISDICTION (PLACE AN "X" IN ONE BOX ONLY)

- 1 U.S. Government Plaintiff
- 2 U.S. Government Defendant
- 3 Federal Question (U.S. Government Not a Party)
- 4 Diversity (Indicate Citizenship of Parties in Item III)

### III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- Citizen of This State  PTF  DEF  1 Incorporated or Principal Place of Business in This State
- Citizen of Another State  2 Incorporated and Principal Place of Business in Another State  5
- Citizen or Subject of a Foreign Country  3 Foreign Nation  6

### IV. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury — Med. Malpractice <input type="checkbox"/> 365 Personal Injury — Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 861 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 620 Copyrights <input type="checkbox"/> 630 Patent <input type="checkbox"/> 640 Trademark <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input checked="" type="checkbox"/> 830 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 896 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>HABEAS CORPUS:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 533 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>SOCIAL SECURITY</b> <input type="checkbox"/> 661 HIA (10956) <input type="checkbox"/> 662 Black Lung (923) <input type="checkbox"/> 663 DIWC/DIWW (405(g)) <input type="checkbox"/> 664 SSID Title XVI <input type="checkbox"/> 665 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 670 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 671 IRS — Third Party 26 USC 7809	

### V. ORIGIN

- (PLACE AN "X" IN ONE BOX ONLY)
- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from another district (specify)
- 6 Multidistrict Litigation
- 7 Appeal to District Judge from Magistrate Judgment

### VI. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

### VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND:  YES  NO

### VIII. RELATED CASE(S) IF ANY

JUDGE

DOCKET NUMBER

DATE

*4/30/01*

SIGNATURE OF ATTORNEY OF RECORD

*Lindsey H. Simon*

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

*12*



**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS**

**01C 3085**

In the Matter of Richard J. Collins, The Gateway Association et al.

Case Number:

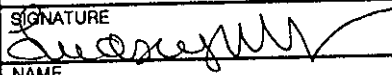

JUDGE KENNELLY DOCKETED

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR:

MAY 01 2001

United States Securities and Exchange Commission

MAGISTRATE JUDGE NOLAN

(A)	(B)
SIGNATURE 	SIGNATURE 
NAME <b>Lindsey H. Simon</b>	NAME <b>Tina K. Diamantopoulos</b>
FIRM <b>United States Securities and Exchange Commission</b>	FIRM <b>United States Securities and Exchange Commission</b>
STREET ADDRESS <b>500 W. Madison Street, Suite 1400</b>	STREET ADDRESS <b>500 W. Madison Street, Suite 1400</b>
CITY/STATE/ZIP <b>Chicago, IL 60661</b>	CITY/STATE/ZIP <b>Chicago, IL 60661</b>
TELEPHONE NUMBER <b>312/ 353-7390</b>	TELEPHONE NUMBER <b>312/ 353-6313</b>
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) <b>06239187</b>	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) <b>06224788</b>
MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
	DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
(C)	(D)
SIGNATURE	SIGNATURE
NAME <b>Peter K.M. Chan</b>	NAME
FIRM <b>United States Securities and Exchange Commission</b>	FIRM
STREET ADDRESS <b>500 W. Madison Street, Suite 1400</b>	STREET ADDRESS
CITY/STATE/ZIP <b>Chicago, IL 60661</b>	CITY/STATE/ZIP
TELEPHONE NUMBER <b>312/ 353-7410</b>	TELEPHONE NUMBER
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) <b>06239187</b>	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)
MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>
TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input type="checkbox"/>
DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>

PLEASE COMPLETE IN ACCORDANCE WITH INSTRUCTIONS ON REVERSE.

FILED  
APR 30 PM 1:47  
CLERK  
U.S. DISTRICT COURT

*17*