

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:12CV519

SECURITIES AND EXCHANGE)	
COMMISSION,)	
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
REX VENTURE GROUP, LLC d/b/a)	
ZEEKREWARDS.COM, and PAUL BURKS,)	
)	
Defendants.)	
)	
_____)	

This matter is before the Court upon motion of Fun Club USA, Inc., David Sorrells, David Kettner and Mary Kettner to appoint a representative for affiliates. Movants are all “net winners” in the ZeekRewards scheme and are requesting that the Court appoint attorney Michael Quilling as an “Examiner” to represent the collective interests of all the affiliates and creditors of the receivership estate. First of all, it is readily apparent to the Court that such an examiner would be unable represent the interests of both the net winner and net loser affiliates, two groups with inherently adverse interests. Secondly, the Court is of the opinion that appointing an examiner would cause unnecessary and significant depletion of the assets of the receivership. The receiver is working diligently to maximize and protect the assets and the Court has utmost confidence in the receiver’s efforts. Accordingly, the Court will exercise its broad discretion to deny the movants’ request for appointment of an examiner.

IT IS THEREFORE ORDERED that Movants' Motion to Appoint Representative of Affiliates (D.E. # 77) is hereby DENIED.

Signed: February 7, 2013

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

