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U.S. DISTRICT COURT
DISTRICT OF UTAH

Attorneys for David K. Broadbent, as Receiver for
Merrill Scott & Associates, Ltd., *et al.*

UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

SECURITIES AND EXCHANGE)
COMMISSION,)

Plaintiff,)

v.)

MERRILL SCOTT & ASSOCIATES,)
LTD., *et al.*,)

Defendants.)

MOTION TO STAY LITIGATION

Civil No. 2:02CV 0039C

Judge Tena Campbell

David K. Broadbent (the "Receiver"), as Receiver for Merrill Scott & Associates Ltd.; Merrill Scott & Associates, Inc.; Phoenix Overseas Advisors, Ltd.; Gibraltar Permanente Assurance, Ltd., and each of their respective subsidiaries and related entities (collectively "MSA"), through counsel, Holland & Hart LLP, respectfully moves this Court to enter a stay of all pending and future litigation against MSA brought by or to be brought by any party, including, but not limited to, any former MSA client or

creditor. As more fully set forth in the Receiver's supporting memorandum, filed concurrently herewith, the Receiver requests that this Court issue this stay pursuant to its powers under the All-Writs Act, 28 U.S.C.A. § 1651(a), and its equitable authority as supervisor of the MSA receivership. A supporting memorandum is filed concurrently herewith, along with a proposed Stay of Litigation and a Proposed Form of Notice of Stay of Litigation.

Dated this 26 day of April, 2002

HOLLAND & HART LLP



Brent E. Johnson
James L. Barnett
Reha Deal

ATTORNEYS FOR DAVID K.
BROADBENT, AS RECEIVER FOR
MERRILL SCOTT & ASSOCIATES,
LTD., *ET AL.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 26 day of April, 2002, a true and correct copy of the foregoing document was served to the following by U.S. Mail:

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A handwritten signature in cursive script, appearing to read "Karen Hunter", is written over a horizontal line.