

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CASE NO. 08-81565-CIV-HURLEY/HOPKINS

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|--|---|
| SECURITIES AND EXCHANGE |) |
| COMMISSION |) |
| |) |
| Plaintiff, |) |
| |) |
| v. |) |
| |) |
| CREATIVE CAPITAL CONSORTIUM, LLC, |) |
| A CREATIVE CAPITAL CONCEPT\$, LLC, and |) |
| GEORGE L. THEODULE, |) |
| |) |
| Defendants. |) |

PLAINTIFF’S NOTICE THAT MOTION IS MOOT

Plaintiff Securities and Exchange Commission notifies the Court that its Motion to Compel Discovery Responses from Defendant George L. Theodule [D.E. 152] is moot. On September 8, 2009, Theodule served his supplemental responses to the Plaintiff’s First Request for Production of Documents, in which, among other things, he asserted his Fifth Amendment privilege against self-incrimination. Accordingly, at this time the motion is moot.

Respectfully submitted,

September 11, 2009

By: s/Brian K. Barry

Brian K. Barry, Esq.
Senior Trial Counsel
Florida Bar No. 0632287
Direct Dial: (305) 982-6382
Email: barryb@sec.gov

Attorney for Plaintiff
SECURITIES AND EXCHANGE COMMISSION
801 Brickell Avenue, Suite 1800
Miami, Florida 33131

Telephone: (305)982-6300
Facsimile: (305)536-4154

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 11, 2009, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or *pro se* parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel for parties who are not authorized to received electronically Notices of Electronic Filing.

s/Brian K .Barry
Brian K. Barry, Esq.

SERVICE LIST

Securities and Exchange Commission v. Creative Capital Consortium, LLC, et al.
Case No. 08-81565-CIV-HURLEY/HOPKINS
United States District Court, Southern District of Florida

Russell C. Weigel, III, Esq.
Russell C. Weigel, III, P.A.
5775 Blue Lagoon Drive
Suite 100
Miami, Florida 33126
Tel: (786) 888-4567
Fax: (786) 787-0456
Counsel for Defendant George L. Theodule
Service by CM/ECF

David C. Cimo, Esq.
Carmen Contreras-Martinez, Esq.
Martin J. Keane, Esq.
Genovese Joblove & Battista, PA
4400 Bank of America Tower
100 SE 2nd Street
Miami, FL 33131
Telephone: (305) 349-2300
Facsimile: (305) 349-2310
Counsel for Receiver Jonathan E. Perlman, Esq.

Service by CM/ECF

Stephen Rakusin, Esq.
Stephen Goodman, Esq.
The Rakusin Law Firm
2919 East Commercial Blvd.
Ft. Lauderdale, FL 33308
Telephone: (954) 356-0496
Facsimile: (954) 356-0416
*Counsel for Reverse Auto Loan, LLC and
Sancal Investment and Financial Services, Inc.*
Service by CM/ECF