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**To:** [ecf\\_notice@utd.uscourts.gov](mailto:ecf_notice@utd.uscourts.gov)  
**Subject:** Activity in Case 2:18-cv-00892-TC-DBP Commodity Futures Trading Commission et al v. Rust Rare Coin et al  
Motion Hearing  
**Date:** Thursday, July 14, 2022 12:05:41 PM

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## **US District Court Electronic Case Filing System**

### **District of Utah**

#### **Notice of Electronic Filing**

The following transaction was entered on 7/14/2022 at 12:04 PM MDT and filed on 7/13/2022

**Case Name:** Commodity Futures Trading Commission et al v. Rust Rare Coin et al  
**Case Number:** [2:18-cv-00892-TC-DBP](#)  
**Filer:**  
**Document Number:** 469(No document attached)

#### **Docket Text:**

**Minute Entry for proceedings held before Judge Tena Campbell: Motion Hearing held on 7/13/2022 re [448] Motion for Ponzi Determination filed by Jonathan O. Hafen.**

**Counsel and interested parties appear in the courtroom for argument on the motion.**

**Monique McElwee of the Commodity Futures Trading Commission appears by telephone.**

**The court hears first from Cynthia Love, attorney for the Receiver.**

**The court then hears objections from Mr. Boley, Mr. Lee, Mr. Dunn, Mr. Guyon and Mr. Barneck, who represent parties in related clawback actions.**

**Ms. Love responds to the objections.**

**The court then hears from Mr. Boley, Mr. Barneck and counsel as to the pending motion for certification to the Supreme Court for the State of Utah but makes no ruling as the motion is not fully briefed.**

**The court takes the matter under advisement.**

**Attorneys for the Receiver: Joseph Covey and Cynthia D. Love.  
Attorneys for the Utah Attorney General's Office-Division of Securities: Jennifer R. Korb and Robert G. Wing.  
Attorneys appearing for parties in clawback actions: Matthew C. Barneck, Matthew M. Boley, Joshua L. Lee, Andrew V. Collins.**

**Attorneys for the Receiver, Jonathan O. Hafen: Court Reporters: Kelly Hicken, Becky Janke.(cff)**

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