

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

SECURITIES AND EXCHANGE	)	
COMMISSION,	)	
	)	CIVIL ACTION FILE
Plaintiff,	)	NO. 1:06-CV01171-CC
	)	
v.	)	
	)	
GEOFFREY A. GISH; WESTON	)	
RUTLEDGE FINANCIAL SERVICES,	)	
INC.; ZAMINDARI CAPITAL, LLC;	)	
LEXINGTON INTERNATIONAL FUND,	)	
LLC, a/k/a LEXINGTON	)	
INTERNATIONAL FUND, INC.; AND	)	
OXFORD ADAMS CAPITAL, LLC,	)	
	)	
Defendants.	)	

MOTION TO SET BAR DATE FOR  
INVESTOR AND CREDITOR CLAIMS

Thomas S. Richey, as Receiver for Weston Rutledge Financial Services, Inc.; Zamindari Capital, LLC; Lexington International Fund, LLC, a/k/a Lexington International Fund, Inc.; and Oxford Adams Capital, LLC (the “Receivership Companies”) (the “Receiver”), through his undersigned counsel hereby files this Motion to Set Bar Date for Investor and Creditor Claims, and in support of his Motion respectfully shows the Court:

## BACKGROUND

1. On May 17, 2006, the Securities and Exchange Commission (“SEC”) filed this action seeking injunctive and monetary relief against Geoffrey A. Gish and the Receivership Companies and also seeking the appointment of a receiver for the Receivership Companies.
2. Also on May 17, 2006, the Court entered an order granting a temporary restraining order and asset freeze against the Defendants and appointed Thomas S. Richey as Receiver of the Receivership Companies.
3. On June 30, 2006, the Court entered a consent order preliminarily enjoining the Defendants from violations of the federal securities laws, continuing the asset freeze, and confirming the receivership appointment.
4. Upon taking over the Receivership Companies, the Receiver located and took possession of all of the offices, records, bank accounts and other property of the Receivership Companies.
5. Based on the investigation to date, it appears that the Receivership Companies are insolvent and are indebted to investors and creditors in amounts far in excess of the funds and other assets of the Receivership Estate available for distribution. While the Receivership Estate has claims against former principals and employees of the Receivership Companies and third parties who received

funds from the Receivership Companies, it appears that, unless all the Receivership Companies' losses can be recovered, there will be insufficient funds to pay all claims of investors and creditors in full upon completion of the administration of the Receivership Estate.

#### ADMINISTRATION OF CLAIMS

6. The Receiver has a duty to assess and determine the validity and amount of claims against the Receivership Estate.
7. Only investors and creditors with bona fide, legitimate claims are entitled to share in the net distributable assets of the Receivership Estate.
8. The records of the Receivership Companies are not sufficiently reliable to make that determination, and it is accordingly necessary for investors and creditors to submit proofs of claim with supporting documentation.
9. During the week of August 28, 2006, the Receiver mailed investor claim forms to all known persons who invested through the Receivership Companies ("Investors") at the addresses found in the files of the Receivership Companies. A copy of the notice and claim form sent to Investors is attached hereto as Exhibit A.
10. Once a bar date is set for Investors, the Receiver will send a second mailing to all known Investors, at the addresses found in the files of the Receivership

Companies or provided by the Investors to the Receiver, informing them of the bar date.

11. Once a bar date is set by the Court for those creditors of the Receivership Estate who are not Investors (“Creditors”), the Receiver will mail claim forms to all known Creditors of the Receivership Companies. Copies of the proposed notice and claim form to Creditors are attached hereto as Exhibit B.

12. The appointment of the Receiver has been announced by the Securities and Exchange Commission in Litigation Release No. 19705 dated May 19, 2006, which was posted on the SEC’s website at [www.sec.gov](http://www.sec.gov) on May 19, 2006.

13. Since July 2006, the Receiver has also maintained his own website at [www.westonrutledgereceiverships.com](http://www.westonrutledgereceiverships.com), with information for Investors and Creditors, including copies of litigation filings, announcements, a Receiver’s report, the Receiver’s notice and proof of claim forms, and other information regarding the Receivership and the claims process. On his website the Receiver also has requested all Investors to provide contact information so that the Receiver can provide them notice when needed.

14. If additional Investors or Creditors are brought to the attention of the Receiver, he will send the appropriate notice and declaration form to such Investors or Creditors and will file a certificate of service showing same.

REQUEST FOR BAR DATE

15. In order to determine the number and amount of liabilities of the Receivership Estate, to provide for the orderly administration of the claims process, and to devise a fair and appropriate plan of distribution, it is necessary to set a deadline for the submission of all Investor and creditor claims.

16. It is critically important to the efficient administration of the Receivership Estate and the fair distribution of assets that all Investors and Creditors timely file claims and that untimely claims be barred.

17. The Receiver accordingly requests that the Court establish a bar date of December 31, 2006, or a date deemed reasonable by the Court, for the assertion of Investor and creditor claims to the Receivership Estate.

18. Upon entry of an Order by the Court establishing a bar date, the Receiver will send notice to all known Creditors and Investors and provide a certificate of service to the Court showing same.

19. In a further effort to reach all potential Creditors or Investors who are not currently aware of the Receivership, upon Order of this Court setting a bar date, the Receiver will place an advertisement in the Fulton County Daily Report in the section for legal notices informing potential Investors and Creditors of the established bar date.

20. In addition, the Receiver will post a copy of the Court's Order establishing the bar date on his website and display a prominent notice of the bar dates on those pages of the website that are addressed to Investors and Creditors.

21. The deadline for filing claims requested by the Receiver in this Motion are not unduly burdensome and are common in these types of matters.

22. Even with the establishment of the requested bar date, this Court would, of course, retain authority, upon the proper showing, to consider any requests from Investors or Creditors who seek to file late claims.

23. The SEC consents to this Motion.

### CONCLUSION

The Receiver accordingly requests that this Court grant this Motion to Set Bar Date for Investor and Creditor Claims by setting a bar date of December 31, 2006 for all creditor and Investor claims against the Receivership Estate.

Respectfully submitted this 31st day of October 2006.

/s/ Jennifer D. Odom  
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Receiver for Weston Rutledge  
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Lexington International Fund, LLC,  
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and Oxford Adams Capital, LLC

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing Motion to Set Bar Date for Investor and Creditor Claims with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to the attorneys of record.

This 31st day of October 2006.

/s/ Stacey Godfrey Evans  
Stacey Godfrey Evans