

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

SECURITIES AND EXCHANGE)	
COMMISSION,)	
)	CIVIL ACTION FILE
Plaintiff,)	NO. 1:06-CV01171-CC
)	
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.)	

NOTICE OF FILING

Counsel for 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, hereby files the attached Amended First Report Regarding Receiver’s Activities and Status of the Receivership Estate.

It has come to the Receiver’s attention that the web-based e-mail provider utilized by the Receivership Companies was not correctly identified in the Receiver’s First Report Regarding Receiver’s Activities and Status of the Receivership Estate (the “First Report”), originally filed on August 28, 2006.

The Receiver, therefore, files this amendment to the First Report, inserting the correct name of the web-based e-mail service provider in paragraphs 12 and 30.

This 17th day of October 2007.

/s/ Stacey Godfrey Evans
Jennifer D. Odom
Georgia Bar No. 549717
jodom@pogolaw.com
Stacey Godfrey Evans
Georgia Bar No. 298555
sevans@pogolaw.com

POWELL GOLDSTEIN LLP
One Atlantic Center – Fourteenth Floor
1201 West Peachtree Street
Atlanta, Georgia 30309
(404) 572-6600
Fax: (404) 572-6999

Attorneys for Thomas S. Richey,
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

**AMENDED FIRST REPORT REGARDING RECEIVER'S ACTIVITIES
AND STATUS OF THE RECEIVERSHIP ESTATE**

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"), hereby files his First Report Regarding Receiver's Activities and Status of the Receivership Estate.

INTRODUCTION

1. On May 17, 2006, the Securities and Exchange Commission ("SEC") filed this action seeking injunctive and monetary relief against Geoffrey Gish and the Receivership Companies and also seeking the appointment of a receiver for the Receivership Companies.

2. 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. 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.

3. Pursuant to the terms of his appointment, the Receiver employed the following professionals:

- (a) As expressly authorized in the May 17, 2006 Order and as approved in the June 30, 2006 Order, the Receiver employed Powell Goldstein LLP as his counsel;
- (b) The Receiver employed GlassRatner Advisory and Capital Group LLC, a firm of certified public accountants with experience in both forensic accounting and receivership accounting, as accountants for the Receiverships;
- (c) The Receiver has employed Porter Keadle Moore, LLP as forensic electronic evidence recovery experts;
- (d) The Receiver has also employed DoveBid Valuation Services, Inc. (“DoveBid”) as appraiser to appraise the Receivership Companies’ personalty. DoveBid has experience appraising office furniture, and their retention was approved by the Court in its Order of August 24, 2006.

4. Defendant Geoffrey A. Gish answered the complaint in this action, denying liability. Mr. Gish along with non-parties Myra Ettenborough, Betsy Bailey, Emily Heikkila, and Donovan Davidson retained Greenberg Traurig, LLP as counsel.

5. The case is currently in discovery: as detailed below, the Receiver and the other parties have produced documents; subpoenas have been issued to numerous third parties, with productions of their documents ongoing; and depositions have been taken of several witnesses.

6. The Receiver has closed and is liquidating the business of the Receivership Companies, has actively participated in the litigation, is investigating the disposition of the funds that the Receivership Companies obtained from investors, claims against various persons, and potential sources of recovery, and has made demand on certain persons to repay funds received or taken from the Receivership Companies.

7. Thus far, the Receiver has discovered no evidence indicating that the Receivership Companies were engaged in any legitimate income-producing business activity or that they were investing funds received from investors in any legitimate business enterprises or activities that generated any substantial revenues. The evidence that has come to the Receiver's attention is consistent with the SEC's allegations that the Defendants were engaged in operating a Ponzi scheme.

8. Upon taking over the Receivership Companies, the Receiver located and took possession of all of the bank accounts of the Receivership Companies and Defendant Gish. These included twenty-seven (27) accounts at four (4) different

banks. The total amount of money that was frozen in the Receivership accounts was approximately \$1,039,144.43. Based on the investigation to date, it appears that Gish and the Receivership Companies took in approximately \$29 million in investor funds and returned only approximately \$11.6 million to investors. There is approximately \$18 million of investor funds that are missing and that the Receiver is seeking to recover. There were numerous transfers out of the Receivership accounts. Approximately half of the funds not returned to investors were placed with Rusa Cap, Inc. or paid as compensation to its principal. In this regard, there were transfers of large amounts of money from the Receivership Companies to overseas bank accounts. The rest of the funds were used in various "investments" that did not pay any returns -- Majestic Capital Management (\$1 million), Waterways (over \$1.6 million), Derek Telling (over \$450,000), Business Data Transfer Service (over \$200,000), and No Guilt Chocolate (over \$200,000), among other things. Funds were used to make loans to associates in excess of \$400,000. Mr. Gish used Receivership Company funds to pay himself or his personal expenses out of the companies (over \$1 million), to pay commissions to Donovan Davidson (over \$650,000) and Steve Arena (over \$250,000) and to others, and to furnish and operate the Weston Rutledge offices (approximately \$1.3 million). These amounts are all still under review. An as yet undetermined

amount was invested through Santa Monica Capital LLC into Riverview Partners, LLC and Ledge, LLC, and over \$1 million has not been accounted for.

As detailed below, the Receiver has been engaged in numerous activities to trace the funds, locate the recipients and make demand for the return of funds. The Receiver will most likely have to file litigation against many of the recipients in order to recover significant amounts of funds. It will likely take more than a year to recover funds and to return them to investors. Based on information known to date, the Receiver does not expect to recover all the funds lost, but is not yet in a position to estimate the extent of recovery likely to be achieved.

9. This First Report is intended to provide a summary of the Receiver's and his team's activities and findings to date.

RECEIVER'S ACTIVITIES

A. Evidence Preservation.

10. Immediately upon his appointment on May 17, 2006, the Receiver took control of the premises, property, and documents of the Receivership Companies in the Weston Rutledge Financial Services, Inc. offices.

11. The Receiver and his team immediately locked down the computer system, took possession of all of the computer equipment, including the hard

drives and the server from the Roswell, Georgia office and obtained computer equipment from the Denton, Texas office and preserved electronic evidence found on all the computers. The Receiver and his team have “cloned”¹ the server and the hard drives of the computers of key individuals, including: Geoffrey A. Gish, Myra Ettenborough, Emily Heikkila, and Donovan Davidson. All other computers utilized by the Receivership Companies are preserved and maintained so that future cloning and access are available to the Receiver.

12. The Receiver secured access to the Receivership Companies web-based e-mail system, IXWebHost.com, and obtained electronic copies of all of the e-mails in existence at the time.

13. The Receiver removed all paper documents from the Receivership Companies’ offices and secured them at the office of Powell Goldstein LLP.

14. The Receiver has made the Receivership Companies’ records and information in its computer system available to the government and to defense counsel.

¹ The “cloning” process ensures that after the Receiver reviews the electronic evidence on these computers, the original status of the computers before the Receiver began its review is maintained and no data is lost or otherwise altered or destroyed.

B. Securing Assets of the Receivership Companies.

15. On May 17, 2006, the Receiver took possession of the Receivership Companies' office, changed the locks, and barred employees from the premises, except for interviewing them and permitting them an opportunity to remove personal effects. The Receiver closed the Receivership Companies' office at 1792 Woodstock Road, in Roswell, Georgia, but maintained the office intact until the preliminary injunction was entered and until the office could be searched for evidence, an inventory could be taken, and the Receiver could produce documents to the SEC and defense counsel in response to their document requests. The office is expected to be vacated and the lease terminated by end of this month.

16. The Receiver also terminated the lease for a small office in Denton, Texas and moved the limited office furnishings and equipment into storage.

17. The Receiver prepared an inventory of all office furnishings and equipment located at the Roswell, Georgia office and is obtaining an appraisal in order to sell all furnishings and equipment via private sale, as approved by the Court.

18. The Receiver also located bank accounts for the Receivership Companies, including accounts into which Mr. Gish and the Receivership

Companies were moving funds on the day that the SEC filed suit. All funds in bank accounts known to belong to the Receivership Companies have been secured.

C. Obtaining Additional Evidence.

19. The SEC has made available the documents that it obtained through its investigation, including documents it obtained through administrative subpoena. The Receiver has also obtained copies of documents that the SEC has obtained through the 20 discovery subpoenas it served after filing suit.

20. The Receiver himself has served 36 subpoenas for documents.

(a) The Receiver sent subpoenas to the following entities and individuals:

- i. Steven P. Arena
- ii. Donovan Davidson
- iii. Zahra Ghods a/k/a Zahra Ghrabetti
- iv. Purya Ghrabetti
- v. Myra Ettenborough
- vi. Black Pearl Management, Inc.
- vii. Champion Partners & Associates, Inc.
- viii. Charleston Private Equity Fund, LLLP
- ix. Cortona Construction, LLC
- x. Kingsfield Trading Co., Inc.
- xi. LCB Ministries
- xii. Ledge, LLC
- xiii. Majestic Capital Management
- xiv. No Guilt Chocolate Company, Inc.
- xv. River View Partners, LLC
- xvi. Rothenberg Group, Inc.
- xvii. RUSA Cap, Inc.
- xviii. Santa Monica Capital, LLC
- xix. St. Augustine Capital, LLLP

- xx. Unisource Cap LLC
- xxi. Waterways Management
- xxii. Seven Star Wines of Moldova, Inc.

(b) The Receiver sent subpoenas to the following e-mail service providers:

- i Yahoo! Inc.
- ii Mindspring Enterprises, Inc.
- iii AOL LLC
- iv BellSouth Corporation
- v Cincinnati Bell, Inc.
- vi Google, Inc.
- vii Microsoft Corporation

(c) The Receiver sent subpoenas for documents to the following banking institutions:

- i Orchard Bank
- ii Georgia Commerce Bank
- iii Colonial Bank
- iv Wells Fargo
- v JP Morgan Chase
- vi Bank of America
- vii Wachovia

(d) The Receiver is also attempting to serve a subpoena upon Canadian Imperial Bank of Commerce, but has been delayed thus far because of international legal issues.

(e) Further document subpoenas will be issued as the opportunities and needs arise.

21. The Receiver has participated in depositions taken by the SEC of the following persons:

- (a) Kumar Ramalingam

- (b) Mani Nallasivan
- (c) Gary Rhinehart
- (d) Steven P. Arena

22. Other depositions have been scheduled by the SEC, but postponed, in order to provide time for negotiations with the defendant.

23. Depositions are currently scheduled or in the process of being scheduled for the following persons:

- (a) Geoffrey A. Gish
- (b) Myra Ettenborough
- (c) Betsy Bailey
- (d) Donovan Davidson
- (e) Zahra Ghods
- (f) Drew R. Abbott
- (g) Lewis Abbott
- (h) Don Moses

24. The Receiver has participated in telephone and in-person interviews for the following persons:

- (a) Myra Ettenborough
- (b) Betsy Bailey
- (c) Emily Heikkila
- (d) Donovan Davidson
- (e) Numerous investors

25. The Receiver has sent requests for written discovery, including interrogatories and requests for production of documents, to Geoffrey A. Gish.

D. Review of Records and Evidence.

26. In order to seek the recovery of investors' funds, obtain the maximum return to investors and ensure a fair administration of investor claims, the Receiver and his team are working to obtain the full picture of what money came into the Receivership Companies and from whom, and how much went out and to whom. This effort has been rendered very difficult because the Receivership Companies engaged in thousands of transactions with investors and maintained very extensive records, not all of which are accurate, while it maintained only very sketchy records of the "investments" that Mr. Gish made with the funds received from investors, and much of the disposition of funds can only be reconstructed through bank records.

27. The Receiver's accountants are analyzing the numerous cash transactions, wire transfers, and payments between the Receivership Companies and between investors and Receivership Companies. This analysis is very time-consuming because of the volume of transactions, as well as the fact that there are numerous cash transactions for which there is no documentation of the purpose and sometimes no identification of the payor or payee.

28. According to the data reviewed by the Receiver and his team, there are over 300 investors with over 600 separate accounts with the Receivership Companies.

29. The Receiver and his accountants have been reviewing the extensive accounting records of investor activity and day-to-day expenditures of the Receivership Companies, in addition to numerous boxes of files in hard-copy (paper) form, that were secured from the Roswell, Georgia and Denton, Texas offices, as well as documents produced in response to subpoenas issued to banks, individuals and entities who reportedly received funds from the Receivership Companies and others.

30. In addition, the Receiver counsel has reviewed some 40,156 emails from the computers of Geoffrey A. Gish, Myra Ettenborough, Donovan Davidson, and Emily Heikkila. Further, the Receiver's counsel reviewed emails available through the IXWebHost.com e-mail system.

31. The Receiver also reviewed numerous electronic documents available on the hard drives of the computers belonging to Myra Ettenborough, Geoffrey A. Gish, Donovan Davidson, and Emily Heikkila.

E. Other Litigation Tasks.

32. The Receiver has worked to put additional assets under the asset freeze set out in the Court's May 17, 2006 Order. This included several accounts not in the name of any of the Receivership Companies, which required extensive research and time.

33. The Receiver is conducting discovery and research to determine which persons and entities owe money to or are otherwise liable to the Receivership Companies in order to pursue litigation against them.

34. The Receiver provided input to the Securities and Exchange Commission on the preliminary injunction order, the preliminary planning and discovery report filed by the Securities and Exchange Commission in this action and other agreements, stipulations and decisions involving the litigation.

35. Several subpoena recipients objected to the production of certain documents necessitating follow-up letters, phone calls and the preparation of motions to compel the production of those documents. As discovery proceeds, it may be necessary for the Receiver to make additional litigation filings to secure the requested documents.

36. The Receiver has conducted asset investigation regarding Mr. Gish.

37. The Receiver is also cooperating with and providing information and documents requested by the government.

38. The Receiver's accountants have worked to determine the amounts that Mr. Gish took or received from the Receivership Companies. The Receiver is also investigating Mr. Gish's financial condition, and has discovered that a claimant unrelated to the Receivership Companies recovered a default judgment against Mr. Gish on November 7, 2005 in the amount of \$925,000.00. This judgment represents a lien on certain of Mr. Gish's assets that could have priority over claims asserted by the Receiver or investors.

F. Business Operations.

39. The Receiver has worked to determine the financial condition of the Receivership Companies, the composition of their creditors, and amounts owed to creditors.

40. The Receiver has reviewed the business records of the Receivership Companies and determined what business expenses to pay and made billing arrangements with certain creditors for certain necessary services, i.e., utility providers and landlords.

41. The Receiver has terminated the office leases for both the Roswell, Georgia and Denton, Texas offices.

42. The Receiver terminated the employment of the Receivership Companies' employees, made final payroll payments to each of them, in keeping with the priorities established under Georgia law, and provided the necessary information for the Georgia Department of Labor regarding their separations.

43. The Receiver had the phone lines of the Roswell, Georgia office forwarded to a dedicated line at his office at Powell Goldstein LLP. In addition, the Receiver changed the address of the Roswell, Georgia office to Powell Goldstein LLP with the U.S. Postal Service.

44. The Receiver has worked to locate all bank accounts belonging to or having money belonging to the Receivership Companies. Efforts are on-going, including the subpoenas mentioned above, to secure all records of banking transactions affecting the Receivership Companies.

45. The Receiver set up new bank accounts for the Receivership Companies at Branch Banking & Trust Corporation.

G. Securing Funds on Deposit and Efforts to Recover Funds.

46. Based on the Receiver's analysis to date, the Receivership Companies received approximately \$29 million from investors and investors received approximately \$ 11.6 million in return from the Receivership Companies.

47. The Receiver has secured possession of \$1,039,144.43 from the Receivership Companies to date, including funds from Wachovia Bank, N.A., Wells Fargo Bank, N.A., and Colonial BankGroup, Inc.

48. The Receiver has filed a motion with the Court seeking approval to place the Receivership Companies' funds in interest bearing accounts, certificates of deposit or other appropriate, legally permissible investments.

49. The subpoenas sent to the banking institutions will assist the Receiver in determining the appropriate amounts currently owed to investors as well the parties currently holding money that rightfully belongs to the Receivership Companies.

50. The Receiver has made demands for return of property and documents to the following persons:

- (a) Geoffrey A. Gish
- (b) M. David Sayid
- (c) Don R. Moses
- (d) Donovan Davidson
- (e) Myra Ettenborough
- (f) Betsy Bailey
- (g) Emily Heikkila
- (h) Other former Weston Rutledge employees: Donna Millard, Dustin Shiflett, and Jan Karlsen
- (i) Drew Abbott
- (j) Lewis Abbott
- (k) Seven Star Wines of Moldova, Inc.

51. The Receiver is in the process of sending demands for return of property and documents to additional persons and entities after review of the findings of the GlassRatner Advisory and Capital Group LLC regarding the amount of money held by such persons and entities.

52. The Receiver has discovered that \$476,000 in Zamindari funds were seized by the State of Arizona from a Majestic Capital Management bank account. Those funds were forfeited because Mr. Gish failed to claim them. The Receiver has been working to obtain these funds from the State of Arizona notwithstanding the forfeiture and despite the refusal of Majestic Capital Management to obey a subpoena issued by this Court.

53. The Receiver has devoted considerable efforts to determine the extent of the Receivership Companies' ownership rights and its claims with regard to the \$1,265,000 in funds currently frozen in a Wachovia Bank account of Santa Monica Capital, LLC and to determine the rightful owner of those funds. The Receiver has conducted interviews, prepared and mailed a special claim notice to all Santa Monica Capital, LLC investors, and has had his accountants conduct extensive analysis of bank records of Santa Monica Capital LLC, Riverview Partners LLC, and Ledge LLC, the bank and accounting records of Zamindari Capital LLC and Weston Rutledge Financial Services, Inc., and documents submitted by Santa

Monica investors. According to the Managing Member of Santa Monica, Myra Ettenborough, the Receivership Companies are entitled to receive approximately \$300,000 of the frozen funds, but no formal books of account were maintained and the document reviewed to date indicates that the actual amount owed to the Receivership Companies may be different. The determination of ownership of the funds is made complicated by, among other things, the role that Zamindari played in funding Santa Monica's investment in Riverview and the numerous transfers of funds among the accounts of these entities through frequent changes in Santa Monica and Riverview membership. The Receiver is also attempting to determine whether any of the rest of the funds which were deposited in Ledge, LLC's bank accounts at the time that the SEC filed suit, but were paid out to Ledge members, in fact, rightfully belong to the Receivership Companies.

54. The Receiver has discovered that a significant amount of funds were transferred from the Receivership Companies to accounts outside of the United States and the Receiver and his team are working with the government in attempting to locate and obtain control over those funds.

55. The Receiver has also located promissory notes and evidence of other loans totaling approximately \$400,000 that the Receivership Companies made to

associates of Mr. Gish. The Receiver is notifying the borrowers, demanding that they repay their loans.

56. The Receiver is also investigating and assessing potential claims against persons who received compensation for soliciting investors, as well as potential claims against other persons who profited at the expense of investors who have suffered loss.

57. The Receiver has been working to determine the rightful owner of the automobiles, real property, and other personal property purchased or paid for by the Receivership Companies, but in the name and possession of Geoffrey Gish or other entities affiliated with Mr. Gish.

H. Receivership Expenses.

58. The Receiver has processed bills of trade creditors, paying those of vendors whose continued service was necessary for the functioning of the Receivership Estate. In other cases, the Receiver has declined to pay and will give formal notice and permit those creditors to file proofs of claim with the Receivership Estate.

59. The total bills that the Receiver has paid to date is \$15,005.49. This amount includes \$9,981.75 in pre-litigation bills and \$5,023.74 in expenses incurred by the Receiver for such things as the cost of changing locks at the

Receivership Companies' office, fees charged by subpoenaed banks for the cost of complying with subpoenas, transcript costs paid to court reporters, and rent for the Woodstock Road office, which will be vacated shortly.

60. This receivership is work-intensive, requiring very significant amount of time to obtain reliable, useful information regarding potential avenues of recovery, plus dealing with the demands of the litigation upon the Receivership Estate and the business requirements of the Receivership. Additional information regarding the fees for the Receiver, his Counsel, GlassRatner Advisory & Capital Group, LLC and Porter Keadle Moore, LLP will be included in the Fee petition that will be submitted to request court approval for payment of professional services from May 2006 through August 31, 2006.

I. Investor Relations.

61. The Receiver has fielded daily telephone calls from investors and has personally spoken with over 100 investors, several on multiple occasions. The Receiver has responded to approximately 125 e-mails from investors.

62. The Receiver set up a website on the receivership at www.westonrutledgereceiverships.com in order to provide information to and obtain information from investors of the Receivership Companies.

63. Many of the investors are persons of modest means or retired persons who entrusted their retirement funds to Mr. Gish, the Receivership Companies and their employees and who relied on representations that their funds would be kept safe and untouched in blocked accounts and that their investments were guaranteed and secured by valuable collateral. From the evidence the Receiver has seen, these representations were not true.

64. In addition the foregoing, there the Receiver and his counsel and accountings are engaged in other investigation and recovery efforts on which it would be premature to report or where public disclosure of the efforts would potentially adversely impact the prospects of success.

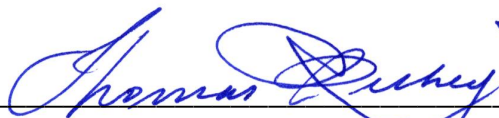
65. The Receiver is finalizing a letter to investors along with a claim form to be completed by investors detailing their investments in and disbursements from the Receivership Companies.

CONCLUSION

66. All information stated above is based on the knowledge of the Receiver at this point in time and later developments and discoveries may cause the information reported herein to be outdated or incorrect.

67. The Receiver will continue to provide the Court with updates on developments and findings affecting the Receivership Companies.

Respectfully submitted this 17th day of October 2007.



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

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

SECURITIES AND EXCHANGE)	
COMMISSION,)	
)	CIVIL ACTION FILE
Plaintiff,)	NO. 1:06-CV01171-CC
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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.)	

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing NOTICE OF FILING AND RECEIVER'S AMENDED FIRST REPORT REGARDING RECEIVER'S ACTIVITIES AND STATUS OF THE RECEIVERSHIP ESTATE with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the attorneys of record.

This 17th day of October 2007.

/s/ Stacey Godfrey Evans
Stacey Godfrey Evans