

IN THE CIRCUIT COURT OF COOK COUNTY  
COUNTY DEPARTMENT, CHANCERY DIVISION

IN THE MATTER OF THE POSSESSION )  
AND CONTROL OF THE COMMISSIONER ) Cause No. 00 CH 05905  
OF BANKS AND REAL ESTATE OF ) Judge Jones  
INDEPENDENT TRUST CORPORATION )  
a/k/a INTRUST, an Illinois corporate fiduciary )

**RESPONSE TO RECEIVER'S MOTION  
REGARDING STAY OF APPEALED ALLOCATION ORDERS**

Account Holders Jeffrey H. Fox (Account No. 38638), Michael Meister (Account No. 51043), Charles Minnaar (Account No. 35831), ProFutures, Inc. (Account No. 925586) and David B. Small (Account No. 1609032) (collectively "Account Holders"), hereby respond to the Receiver's Motion Regarding Stay of Appealed Allocation Orders by requesting that the Court stay the allocation as to Account Holders pending appeal, and that the security for such a stay be limited to each of the appealing Account Holders leaving in their InTrust accounts an amount sufficient to cover their allocations if they should lose on appeal.

SIDLEY & AUSTIN


By: William J. Nissen

Sidley & Austin  
(William J. Nissen)  
Attorneys for Jeffrey H. Fox, Michael Meister,  
Charles Minnaar, ProFutures, Inc. and David B. Small  
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**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that two copies of the foregoing was served on the following person by messenger before 5:00 p.m. and one copy was served on the following persons on the accompanying service list by U.S. Mail on February 13, 2001:

Kirkland & Ellis  
Attn: Andrew Groesch  
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William J. Nissen