

M&M Technologies, and Winchell Corp., Robert Lowery, and/or SZE Coast Operating Corp., and

2. modify the Judgment, nunc pro tunc as of July 20, 2007, by deleting the following language from the first sentence of section IV: “and Relief Defendants Terry Martin (and his affiliated entities—CD2E, Inc., M&M Technologies, and Winchell Corp.) and Robert Lowery (and his affiliated entity—SZE Coast Operating Corp.)”.

The grounds for this motion are stated in greater detail in the accompanying brief.

We have contacted the SEC and the receiver to determine their position regarding this motion. Our understanding is that they agree that the Judgment was not intended to constitute a judgment against the relief defendants. However, that parties have not at this point agreed on the specific form of relief that the Court should grant.

Respectfully submitted,

TERRY MARTIN, CD2E, INC.,
WINCHELL CORP., AND
M&M TECHNOLOGIES, INC.

By Counsel

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