

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

IN RE:)	NO. 3:07-mc-135
)	
A MATTER UNDER INVESTIGATION)	FILED UNDER SEAL
BY GRAND JURY NUMBER 1)	
(#2007R00845))	

ORDER FOR ISSUANCE OF WARRANT

The within action involves an investigation into the activities of Tony Pough, Joseph Brunson, and Timothy McQueen and the various business entities with whom they are affiliated. The court entered an order on September 5, 2007 ("September 5 Order"), appointing Beattie B. Ashmore, Esquire to serve as Receiver with respect to assets under the control or the custody of Tony Pough, Joseph Brunson, and Timothy McQueen, doing business as Three Hebrew Boys, LLC; Capital Consortium Group, LLC; Brunson Outreach; Daniel Development Group, LLC; Wotteth Outreach Ministries; Vision Financial Service; Faith Ministries; Warrior Express; TMS Family Trust; Purpose Driven, LLC; Tri-Warrior Transit, LLC; Tri-Transit Logistics, LLC; KMF, Inc.; and Vision Outreach (collectively "Three Hebrew Boys"). Among other things, the September 5, 2007 order required Three Hebrew Boys and all respective directors, officers, agents, and employees to cooperate fully with the Receiver in his endeavors to identify and marshal assets. The September 5, 2007 order further prohibited persons with actual notice of the order from filing a petition for relief under the United States Bankruptcy Code without prior permission from the court, or from in any way disturbing the assets or proceeds of the receivership.

Thereafter, Messrs. Pough, as Managing Member; Brunson, as Managing Member; and McQueen, as Managing Partner of Capital Consortium Group, aka 3 Hebrew Boys, aka Three Hebrew Boys, filed a pro se Voluntary Petition under Chapter 11 of the United States Bankruptcy Code with the United States Bankruptcy Court for the District of South Carolina. On October 19, 2007, the Receiver filed under seal a motion for contempt ("Motion") which was heard before the court, under seal, on November 13, 2007. The record reflects that Messrs. Pough, Brunson, and McQueen had adequate notice of the November 13, 2007 hearing; nevertheless, they were not present.

Based on the Motion, arguments of counsel, and supplemental exhibits submitted in support, with the full consent of the United States and with no opposition from Messrs. Pough, Brunson, and McQueen after being properly noticed of the hearing, the court found that clear and convincing evidence supports a finding that Messrs. Pough, Brunson, and McQueen have violated the September 5, 2007 order by actively attempting to obstruct the responsibilities of the Receiver, and that the Receiver has been hindered in his duties as a result. On November 15, 2007, the court issued an order to show cause why Messrs. Pough, Brunson, and McQueen should not be held in civil contempt. Messrs. Pough, Brunson, and McQueen were advised that they could be subjected to the imposition of sanctions, including but not limited to fines and incarceration, for the purpose of enforcing compliance with the court's September 5, 2007 order.

A hearing was held on November 28, 2007. The record demonstrates that Messrs. Pough, Brunson, and McQueen received actual notice of the hearing and the order to show cause through discussions with their former attorney, Hemphill P. Pride, II, Esquire, although they evaded service by agents of the Federal Bureau of Investigation and a private process server utilized by the Receiver.

Based on the Receiver's motion and supporting documentation and other evidence presented during the aforesaid hearings, the court finds and concludes that the above-named TONY POUGH should be held in civil contempt against this court for refusing to obey this court's order of September 5, 2007, and that no sanction other than incarceration will enforce compliance with the court's September 5, 2007 order. Accordingly,

IT IS ORDERED that a warrant be issued by the Clerk of Court under seal directing the United States Marshal to seize the person of **TONY POUGH** and bring him before this court forthwith, to answer the court's determination that he should be adjudged in civil contempt for disobeying an order of this court requiring him to cooperate fully with the Receiver in his endeavors to identify and marshal assets and prohibiting him from in any way disturbing the assets or proceeds of the receivership.

IT IS SO ORDERED.

/s/ Margaret B. Seymour
United States District Judge

Columbia, South Carolina

November 28, 2007