

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO.: 07-23167-CIV-COOKE-BROWN

SECURITIES AND EXCHANGE COMMISSION,)
)
Plaintiff,)
)
v.)
)
TERRY E. PROVENCE and)
DT CAPITAL LLC,)
)
Defendants.)
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**CONSENT OF DEFENDANT DT CAPITAL LLC
TO ORDER OF PRELIMINARY INJUNCTION AND OTHER RELIEF**

1. Defendant DT Capital LLC, directly and through its president, Terry E Provence, acknowledges service of a summons and the complaint and admits the jurisdiction of this Court over it and over the subject matter of this action.

2. DT Capital states it has entered into this Consent voluntarily, and that no promise, threat, or inducement of any kind, except as stated in the attached proposed Order of Preliminary Injunction and Other Relief as to Defendant DT Capital LLC ("Preliminary Injunction), has been made by the Plaintiff Securities and Exchange Commission, or any member, officer, agent, or representative of the Commission, to DT Capital or to anyone acting for it or on its behalf, to induce it to enter into this Consent.

3. DT Capital, without admitting or denying the allegations of the Complaint, except that it is admitting the allegations as to subject matter and personal jurisdiction, hereby voluntarily consents to the entry of the Preliminary Injunction, in the form attached and incorporated by reference.



4. DI Capital agrees the Commission may present the attached proposed Preliminary Injunction to the Court for signature and entry, without further notice.

5. DI Capital agrees that this Consent shall be made a part of the attached Preliminary Injunction to be entered by this Court in this action, and further agrees the Court shall retain jurisdiction over it.

6. DT Capital states it understands the Commission cannot and does not confer on it or on any person or entity, immunity from any criminal proceedings against it or other persons or entities for any actions related to or arising from this or any other matter.

7. DT Capital waives any right it may have to appeal from the entry of the Preliminary Injunction.

8. DT Capital waives service of the Preliminary Injunction, and agrees that entry of the Preliminary Injunction by the Court and filing with the Clerk in the Southern District of Florida will constitute notice to DT Capital of the terms and conditions of such Preliminary Injunction.

