

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 TERRY E. PROVENCE  
TO ORDER OF PRELIMINARY INJUNCTION AND OTHER RELIEF**

1. Defendant Terry E. Provence acknowledges service of a summons and the complaint and admits the jurisdiction of this Court over him and over the subject matter of this action.

2. Provence states he 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 Terry E. Provence ("Preliminary Injunction"), has been made by the Plaintiff Securities and Exchange Commission, or any member, officer, agent, or representative of the Commission, to Provence or to anyone acting for him or on his behalf, to induce him to enter into this Consent.

3. Provence, without admitting or denying the allegations of the Complaint, except that he 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. Provence agrees the Commission may present the attached proposed Preliminary Injunction to the Court for signature and entry, without further notice

5. Provence 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 him.

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

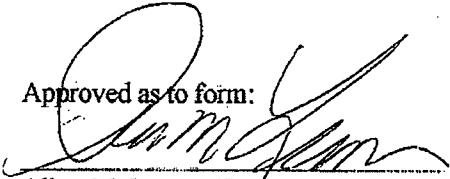
7. Provence waives any right he may have to appeal from the entry of the Preliminary Injunction.

8. Provence 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 Provence of the terms and conditions of such Preliminary Injunction.

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9. Provence agrees he will not oppose the enforcement of the Preliminary Injunction on the ground that it fails to comply with Rule 65(d) of the Federal Rules of Civil Procedure, and waives any objection based thereon.

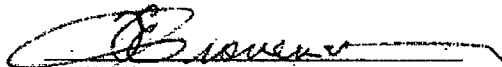
Approved as to form:



Allan M. Lerner, Esq.  
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I, Terry E. Provence, hereby consent to the Court's entry of the foregoing Order of Preliminary Injunction and Other Relief as to Terry E. Provence.

Dated: December 12, 2007

  
TERRY E. PROVENCE

STATE OF FLORIDA                    )  
  )        ss:  
COUNTY OF ~~MIAMI DADE~~ <sup>Collier</sup> )  
  )        JDI

On this 12<sup>th</sup> day of December, 2007, before me personally appeared TERRY E. PROVENCE who \_\_\_\_\_ is personally known to me or ✓ who produced a Florida driver's license bearing his name and photograph as identification, and who executed this Consent, and he acknowledged to me that he executed the same.

  
\_\_\_\_\_  
Notary Public

July 25, 2010  
Commission Expires: