

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

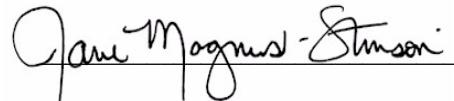
UNITED STATES SECURITIES AND EXCHANGE )  
COMMISSION, )  
Plaintiff, )  
vs. ) 1:00-cv-1265-JMS-TAB  
KENNETH R. PAYNE, et al., )  
Defendants. )

**ORDER ON MOTION TO DISMISS CERTAIN PRAYERS FOR RELIEF**

Presently pending before the Court is the United States Securities and Exchange Commission’s (“SEC”) Motion to Dismiss Prayers for Disgorgement, Prejudgment Interest, and Civil Penalties against Certain Defendants. [Dkt. 60.] Through it, the SEC requests that this Court dismiss its prayers for disgorgement, prejudgment interest, and civil penalties against Defendants Kenneth R. Payne, Daniel G. Danker, Johann M. Smith, Heartland Financial Services, Inc., and JMS Investment Group, LLC because, in light of previous orders in the case, “there are no further claims asserted in the Complaint to be decided in this case.” [Id. at 2-4.]

The Court **GRANTS** the SEC’s motion and **DISMISSES** its prayers for disgorgement, prejudgment interest, and civil penalties against Defendants Kenneth R. Payne, Daniel G. Danker, Johann M. Smith, Heartland Financial Services, Inc., and JMS Investment Group, LLC. [Dkt. 60.]

05/23/2011



Hon. Jane Magnus-Stinson  
United States District Court  
Southern District of Indiana

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