

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No.

SECURITIES AND EXCHANGE COMMISSION,

05-80128

Plaintiff,

v.

CONCORDE AMERICA, INC.,  
ABSOLUTE HEALTH AND FITNESS, INC.,  
HARTLEY LORD, DONALD E. OEHMKE,  
BRYAN KOS, THOMAS M. HEYSEK,  
ANDREW M. KLINE, AND PAUL A. SPREADBURY

Defendants,

DASILVA, SA, VANDERLIP HOLDINGS, NV,  
CHIANG ZE CAPITAL, AVV,  
RYZCEK INVESTMENTS, GMBH,  
BARRANQUILLA HOLDINGS, SA,

Relief Defendants.

CIV-ZLOCH

MAGISTRATE JUDGE  
SNOW



**EX PARTE MOTION FOR TEMPORARY ASSET FREEZE ORDER  
AND OTHER RELIEF**

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, Plaintiff Securities and Exchange Commission ("Commission") moves this Court *ex parte* for the following emergency relief to prevent Defendants Donald E. Oehmke and Bryan Kos from continuing to divert the proceeds of their fraudulent stock manipulation schemes to offshore, nominee accounts:

- 1) a Temporary Order Freezing Assets;
- 2) an Order Requiring Repatriation of Funds;
- 3) an Order Requiring Sworn Accountings; and

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- 4) an Order Prohibiting Destruction or Alteration of Documents.

The Commission also moves for the following Orders with respect to Relief Defendants DaSilva SA, Vanderlip Holdings NV, Chiang Ze Capital AVV, Ryzcek Investments GMBH, and Barranquilla Holdings SA (collectively "Relief Defendants"):

- 1) a Temporary Order Freezing Assets;
- 2) an Order Requiring Repatriation of Funds; and
- 3) an Order Prohibiting Destruction of Documents.

The Commission also asks the Court to set a hearing for Oehmke, Kos and the Relief Defendants to show cause why the Court should not enter an Order Freezing Assets. The grounds for this Motion are fully set forth in the accompanying Memorandum of Law. A proposed Order is also attached.

Respectfully submitted,

February 14, 2005

By:



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