

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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EXHIBIT 55

Barry, Brian K.

From: spre5451@bellsouth.net
Sent: Monday, June 21, 2004 11:21 AM
To: Kline Andrew; Tom Heysek; Bryan Kos
Cc: Rich Reikenbeil; Eric Gordon; Kline Andrew
Subject: Re: FW: AHFI

Hey! I finally got my WSP Weekly Update... excellent. Am I correct in assuming that the stocks featured in the updates are also stocks we will want to feature on the USPennyStocks website as recommendations? <--- please answer this.

Also, with all the suggestions and ideas flying around I want to remind you of one that I think is worth considering - when rewriting the faxes for Apani, Twister and AHFI the other day I stumbled upon independent research from non-financial types that strongly supported the analysis of our financial types. I was able to glean enough from the free information that the entities who did this research was offering to add to the faxes. However, the FULL REPORTS cost anywhere from \$2500 - \$3000. The idea I had was - make WSP and USPENNYSTOCKS customers aware of the information in these independent, unbiased, supportive reports. Maybe (just maybe) we could buy some of them and make them available to our paid subscribers to add even more value to their subscriptions.

I have attached the faxes for those who didn't see them so you can get an idea of the independent supportive research I found. Thanks and keep smilin'

Paul

----- Original Message -----

From: Kline Andrew
To: Tom Heysek ; Bryan Kos
Cc: Paul Spreadbury ; Rich Reikenbeil ; Eric Gordon ; Kline Andrew
Sent: Monday, June 21, 2004 10:10 AM
Subject: Re: FW: AHFI

Hi,

Tom brings up some good points here. I particularly like the "Daily Views" idea. I am constantly coming up with information that won't easily wait for the once-a-week version.

Additionally, if some fundamental factor changes in one of our stock-picks, there is no easy way to get that out to people.

Andrew

Tom Heysek <heysek@sbcglobal.net> wrote:

Eric brings up an exceptionally good point---people that come to the site, like it, but what is the follow up action to capitalize upon that interest. I know there is considerable interest just from the email-to-the-editor.

Maybe these are candidates for a reduced pricing package of some sort. If we have the financial mechanism to take their subscription for say, \$49 (or \$39 or \$59), these are, in my opinion, an easier catch than a \$100 + subscription.

But hey---I just write the stuff...! Seriously, though, Eric brings up a good point.

Here's something NEW to add into the mix, guys --- if the \$49 - \$59 amount is still too high...add this to the fishing line

The Daily Views --- a Daily Snapshot of the Stock Market, including News and Views about People, Companies and Events --- Sent to Professional Investors
(institutional investors, hedge funds, mutual fund managers) --- **now available for the Individual Investor from Asian American Capital...exclusively to WSP Subscribers --- \$19.95 for 30 days, and get WSP's Weekly Updates for free.**

Just a thought---T

Guys, give your two cents to Eric's great work here. I'd love to run a piece like this as a pop down to the WSP site and in magazines / newspapers. What do you think? Very nice!

B :)

-----Original Message-----

From: SonicMLM@aol.com [mailto:SonicMLM@aol.com]

Sent: Thursday, June 17, 2004 4:46 PM

To: bkos@i-ops.com

Cc: WyldeCPA@aol.com

Subject: Re: AHFI

Hi Bryan,

Here's a concept I'm working on for Twister in regards to the more informative piece (press release style). I'm trying to use CEO testimonies to sell the idea of the potential of the company. This is just copy only. I'll put it into Newsletter format later when I'm done tweaking the headlines and stuff.

Next week I'm looking forward to spending a little time with you to discuss the entire sales process and what we can do for:

- 1) all the visitors that go to WSP that do not have trading accounts
- 2) better lead capture
- 3) push the free info packages to "capture" the web visitor leads

I'm guessing volumes are dictated solely by people that go to WSP that have trading accounts. With the massive amounts of ad volume you do I imagine that a ton of people go to WSP genuinely interested but end up leaving because there is not a course of action they can take to capitalize on the opportunity (when they do not have trading accounts). Even if they are hot and request a ScottTrade kit it's at least a week and they lose interest. I think we can improve the lead capture...get newbies to open accounts...make a commission on new accounts...and sell whatever stock is being promoted...just by pushing the free investor awareness kits.

But we'll chat about that next week. Looking forward to seeing ya again. Take care!

EG

> ATTACHMENT part 2 application/octet-stream name=Twister.doc

The BEST Penny Stock Picks!

Under-Followed and Under-Valued Stock Picks!

FEATURING: Twister Networks OTC: TWTN

Ticker Symbol: (OTC Pinksheets)	TWTN	BUY THIS STOCK!	STRONG BUY
Recent Price:	\$1.45		
Target Price:	\$4.00	Daily Opinion:	STRONG BUY

In 1999 only 2 million Chinese had web access. By July of 2003, that number had grown to 68 million (second only to the United States).

GROUND FLOOR OPPORTUNITY

TWTN sells for \$1.45 a share. Soon, almost 100,000,000 million will be able to use Twister Networks to make long distance phone calls over the Internet. Expect that share price to increase – significantly.

TWTN sets the standard for VoIP

VoIP stands for *Voice over Internet Protocol*. In other words, it allows people and businesses to make long distance phone calls for up to 60% less by using an Internet connection.

The TWTN Plan: In the late 90's the Chinese government considered the Internet a threat. They restricted its use to the privileged few. Today, the government sees the Internet as a means of economic and cultural growth and it's promoting its use. Twister Networks is positioned to enter the eastern (most populous) portions of China, as well as Vietnam and the United States. As popular as the Internet is in the West, the growth rate pales in comparison to the Far East. Over the last 5 years alone the number of Internet subscribers in China and Vietnam has risen from about 3 million to close to 100,000,000 and this extraordinary growth rate is expected to continue into the near future. Add to this the vastness of China and the fact that a great percentage of Vietnamese families are spread around the world. You can see why a low price Voice over Internet long distance solution like TWTN is a...

A Strong Buy Recommendation!

VISIT www.winningstockpicks.net FOR THE FULL RESEARCH REPORT on "TWTN"!

Why Invest in the VoIP?

It's the old story of supply and demand. One hundred million Chinese and Vietnamese with Internet access can choose to pay more yuan for long distance calls (by using their cellphones) or less yuan by utilizing Twister Networks VoIP. Add to this the fact that Twister will be marketing its products here in the States as well. Another very important factor to consider is; AT&T, Sprint and the other giants in the telecommunications industry are getting into VoIP in a big way. One might think this would hinder Twisters ability to gain market share. Truth is, when the big guys within an industry enter into a new technology (like VoIP) it gives the technology acceptance and credibility. From that point, the customer looks for the best deal and that will be TWTN.

Get in under the radar. Buy OTC: TWTN

The big telecommunications companies are making headlines and paving the way for VoIP. This is keeping the attention off of Twister Networks. Too bad for others but good for you. TWTN is one of those buy low opportunities that may come around just once in a life time.

STRONG BUY RECOMMENDATION: "TWTN"

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