

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**U.S. COMMODITY FUTURES TRADING)
COMMISSION and OKLAHOMA)
DEPARTMENT OF SECURITIES *ex*)
rel IRVING FAUGHT,)**

Plaintiff,

v.

Case No. CIV-09-1284-R

**PRESTIGE VENTURES CORP.,)
a Panamanian corporation, FEDERATED)
MANAGEMENT GROUP, INC., a Texas)
corporation, KENNETH WAYNE LEE,)
an individual, and SIMON YANG)
(a/k/a XIAO YANG, a/k/a SIMON CHEN,)
an individual,)**

Defendants.

and

**SHEILA M. LEE, an individual, DAVID)
A. LEE, an individual, and DARREN)
E. LEE, an individual,)**

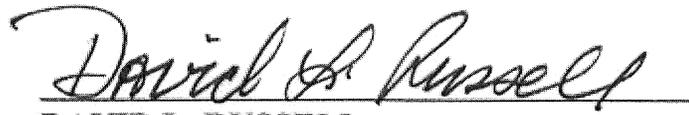
Relief Defendants.

ORDER

This matter comes before the Court on the “Plaintiff’s Motion and Brief in Support to Strike, or in the Alternative, Dismiss, Defendant Simon Yang’s ‘Innocence of Charges and Compensation for Simon Yang.’” The record reflects that Defendant Yang has not responded to the motion within the time limits prescribed by the Court’s Local Rules, nor has

he sought an extension of time in which to respond. As a result, the Plaintiff's request that the document be stricken is hereby GRANTED.¹

IT IS SO ORDERED this 17th day of August 2010.



DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE

¹ Mr. Yang is appearing pro se, and the Court has given his filing liberal construction, as required by law. Despite this liberal construction, the Court is unable to construe the exact nature of Mr. Yang's filing. In the document he asserts, as he has repeatedly throughout this case, that he was not involved in any Ponzi scheme, and that he was merely an investor who has also lost money. He asserts that the Plaintiffs are making false accusations, and as a result seeks \$25,000 for losses associated with defending this litigation, \$700,000 in damages for mental anguish. He also seeks an order declaring that he is innocent.

This is a civil action, not a criminal action, and thus there will be no declarations of innocence. Further, if Defendant Yang wishes to proceed with claims for damages, he must do so by filing the appropriate pleadings in an appropriate manner. Raising the allegations in this manner is inappropriate.