

Commerce File Nos.
MO2106226/DMG
MO2107563/DMG
MO2203630/DMG

15-1005-15202-2

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE COMMISSIONER OF COMMERCE

In the Matter of the Mortgage Originator
License of BlackDiamond Mortgage & Real
Estate Consultants Corp. d/b/a ProTech
Enterprise Investment Properties Trust,
License No. 20225862

ORDER
STAYING PROCEEDINGS

This matter was scheduled for hearing on July 14, 2003 at the Office of Administrative Hearings pursuant to Notice and Order for Hearing signed on December 3, 2002.

Michael J. Tostengard, Assistant Attorney General, 1200 NCL Tower, 445 Minnesota Street, St. Paul, MN 55101-2130, appeared on behalf of the Department of Commerce. Berry Willis, Chief Executive Officer, BlackDiamond Mortgage & Real Estate Consultants Corporation, 4204 83rd Avenue North, Brooklyn Park, MN 55443, appeared on behalf of BlackDiamond Mortgage & Real Estate Consultants Corporation.

At the commencement of the hearing, Mr. Willis presented the Administrative Law Judge with a copy of a Summons and Complaint filed in United States District Court on July 14, 2003, Court File No. 03-3641, including Notice of Removal of this action. The procedure for removal to federal court is governed by federal law. See 28 U.S.C. § 1446 et seq. Although removal ordinarily applies to proceedings in state court, and not to administrative proceedings, in deference to the federal court determination of jurisdiction,

IT IS HEREBY ORDERED:

This proceeding is stayed until further notice, pending determination of the federal court's jurisdiction over the subject of this proceeding.

Dated this 16th day of July, 2003.

s/Beverly Jones Heydinger
BEVERLY JONES HEYDINGER
Administrative Law Judge