

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

SECURITIES AND EXCHANGE COMMISSION :

Plaintiff :

v. :

C.A.: 15-CV-000191-S-LDA

PATRICK CHURCHVILLE,
CLEARPATH WEALTH MANAGEMENT, LLC :

Defendants :

and :

CLEARPATH MULTI-STRATEGY FUND I, L.P. :
CLEARPATH MULTI-STRATEGY FUND II, L.P. :
CLEARPATH MULTI-STRATEGY FUND III, L.P. :
HCR VALUE FUND, L.P. :

Relief Defendants :

**APPLICATION FOR TEMPORARY RESTRAINING ORDER AND MOTION TO
ENFORCE STAY AND FOR INJUNCTIVE RELIEF**

Spire Securities LLC (“Spire”) hereby moves, pursuant to Fed. R. Civ. P. 65 for a temporary restraining order and preliminary injunction enforcing the Court’s July 30, 2015 Order (ECF No. 16) and staying all Financial Industry Regulatory Authority (“FINRA”) arbitration initiated by: Herbert Pfeffer, Myrna Barzelatto, David Freilicher, William Bernstein, Hal Nass, Ellen Nass, Lawrence Eisner, Amy Eisner, Robert Skollar, Holla4, LLC, Marc Hyman, Kirstine Schaeffer, John Skalicky, Jean Schram, Richard Schram, Paul Posnick, Helene Posnick, Robert Gluckin, the Estate of Joan B. Gluckin, Thomas Herrmann, Carolyn Herrmann, HFP Holdings, LLC, and Lynn Bruce on behalf of the Betty Ziernicki Trust. In support of its application and motion, Spire relies upon the attached memorandum of law, declarations, and exhibits.

SPIRE SECURITIES, LLC

By its Attorneys,

/s/ Andrew S. Tugan

Andrew S. Tugan (# 9117)
Hinckley, Allen & Snyder LLP
100 Westminster Street, Suite 1500
Providence, Rhode Island 02903
Tel. (401) 274-2000
Fax. (401) 277-0600
atugan@hinckleyallen.com

Paul A. Lieberman (*pro hac vice* application
pending)
Eaton & Van Winkle LLP
3 Park Avenue, 16th Floor
New York, NY 10016
Tel. (212) 561-3628
Fax. (212) 812-4454
plieberman@evw.com

Dated: June 14, 2017

CERTIFICATE OF SERVICE

I hereby certify that on June 14, 2017, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's Electronic Filing System. A copy of the foregoing was also sent to counsel for the FINRA claimants by first class mail and electronic mail to:

Adam J. Gana
Adam J. Weinstein
Gana LLP
345 Seventh Avenue
21st Floor
New York, NY 10001
agana@ganallp.com

/s/ Andrew S. Tugan