

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Trading Technologies International, Inc.,)	
)	
Plaintiff,)	Civil Action No. 05 C 1079
)	
v.)	The Honorable Wayne Andersen
)	
REFCO GROUP LTD., LLC, REFCO LLC,)	Magistrate Geraldine Soat Brown
REFCO EASYSOLUTIONS, LLC,)	
REFCO SCREENS, LTD,)	
REFCO TRADING SERVICES LTD.,)	
REFCO GLOBAL FUTURES, LLC, and)	
REFCO OVERSEAS LIMITED,)	
)	
Defendants.)	

CONSENT JUDGMENT

As a result of settlement of this action by virtue of a settlement agreement between the parties dated September 29, 2006 which shall become effective upon entry of this Consent Judgment and upon consent of Plaintiff, Trading Technologies International, Inc. ("TT") and Defendants, Refco Group Ltd., LLC, Refco, LLC, Refco Easysolutions, LLC, Refco Trading Services Ltd., Refco Global Futures, LLC, Refco Overseas Limited, Refco Screens, Limited (formerly known as EasyScreen Ltd., formerly known as EasyScreen Plc) (collectively, "REFCO"), judgment is hereby entered against REFCO upon TT's Complaint, and it is hereby ORDERED, ADJUDGED, and DECREED that:

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1. TT commenced this action for patent infringement against some of the REFCO entities on February 23, 2005. The Complaint was amended on _____, 2006 to add additional parties. This action alleges that REFCO infringes U.S. Patent Nos. 6,766,304 (“’304 patent”) and 6,772,132 (“’132 patent”). REFCO has received and reviewed a copy of the Complaint filed by TT in this action.

2. This Court has jurisdiction over the parties to this action and over the subject matter of the Complaint.

3. TT is the sole and exclusive owner of the ’304 patent and the ’132 patent, and has the right to sue upon, and recover damages for past infringement and enjoin future infringement of the ’304 and ’132 patents.

4. REFCO does not contest the validity or enforceability of the ’304 and ’132 patents. Accordingly, this Court finds that all claims of the ’304 and ’132 patents are valid and enforceable.

5. REFCO has infringed the ’304 and ’132 patents under 35 U.S.C. Section 271 by making, using, selling, offering for sale, importing, and/or otherwise distributing, electronic trading software called the Refco Pro Ladder Ticket and the Easyscreen Ladder Ticket, screenshots and documentation of which are attached as Exhibit 1.

6. Defendant REFCO, its officers, directors, partners, members, affiliates, subsidiaries, assigns, and successors-in-interest are hereby permanently enjoined during the terms of the ’304 and ’132 patents from infringing the ’304 and ’132 patents, including, without limitation, by the making, using, selling, offering for sale, importing,

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facilitating connectivity for and otherwise distributing in the United States the electronic trading software products referred to in paragraph 5 above (and substantially similar elements) including, without limitation, for use in electronically trading any item (e.g., futures, options, equities, fixed-income products, etc.).

7. Conditioned upon receiving a complete payment pursuant to the terms in the September 29, 2006 settlement agreement, TT waives its rights to damages from REFCO arising from the manufacture, use, sale or offers to sell, importation and/or other distribution of the electronic trading software products referred to in paragraph 5 above prior to entry of this Judgment.

8. All counterclaims brought by REFCO against TT in this lawsuit are hereby dismissed with prejudice. This Consent Judgment fully resolves all issues in this lawsuit.

9. This Court shall retain jurisdiction over this case for purposes of enforcing the Consent Judgment and the Settlement Agreement between the parties pursuant to which the Consent Judgment is filed.

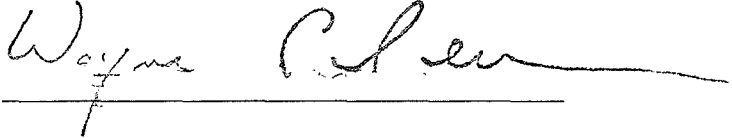
10. The right to enforce this Consent Judgment shall transfer to any successor-in-interest to TT.

11. Each party shall bear its own costs and attorneys' fees.

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SO ORDERED

Dated: November 30, 2006



United States District Court Judge

AGREED TO:

Dated: November 16, 2006

s/ Jennifer M. Kurcz

Leif R. Sigmond, Jr. (ID No. 6204980)

Matthew J. Sampson (ID No. 6207606)

Jennifer M. Kurcz (ID No. 6279893)

McDonnell Boehnen Hulbert & Berghoff LLP

300 South Wacker Drive

Chicago, IL 60606

Tel.: (312) 913-0001

Fax: (312) 913-0002

Attorneys for Plaintiff,

TRADING TECHNOLOGIES

INTERNATIONAL, INC.

Dated: November 21, 2006

s/ Karen Nelson

Karen Nelson

Kirkland & Ellis LLP

200 East Randolph Dr.

Chicago, IL 60601

Attorney for Defendants,

REFCO GROUP LTD., LLC, REFCO

EASYSOLUTIONS, LLC, REFCO SCREENS,

LTD, REFCO TRADING SERVICES LTD.,

REFCO GLOBAL FUTURES, LLC,

REFCO OVERSEAS LIMITED

Dated: November 17, 2006

s/ Jerry L. Switzer, Jr.

Jerry L. Switzer, Jr.

Jenner & Block LLP

330 N. Wabash Avenue

Chicago, IL 60611-7603

**Attorneys for Albert Togut, not individually but
solely as Chapter 7 Trustee for Defendant,**

REFCO, LLC

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EXHIBIT 1

The Software

LO Ladder [0007] Center All | ABC A↑ CXP:ES Jun 04 Account: 08242

	Bid	Price	Ask	My Vol	TotVol
		112750			
		112725			
25		112700			
10		112675			
5		112650			
2		112625	721		
1		112600	921		297
		112575	879		1602
Clear		112550	671		973
		112525	238		857
	181	112500 / 1			3797
	610	112475			3436
	913	112450			1745
	909	112425			624
PDS	1019	112400			195
		112375			
0		112350			
		112325			
		112300			
		112275			

Pull Buys Pull All

VOL	PAL	RTP
481197	(37.5)	1

Flatten Limit IOC

Ladder [0004] Center All | ABC A↑ LLF:Z Sep 03 Account: 50005

	Bid	Price	Ask	My Vol
		4059.5		
		4059.0	38	
		4058.5	15	
25		4058.0	25	
10		4057.5	6	
5		4057.0	7	
2		4056.5	7	
1		4056.0	2	
		4055.5	10	
		4055.0	22	
5		4054.5	9	
Clear		4054.0 / 1	1	
	9	4053.5		
	11	4053.0		
	15	4052.5		
	21	4052.0		
	23	4051.5		
	16	4051.0		
	28	4050.5		
	31	4050.0		

POS -2

VOL	PAL	RTP
5451	100	9

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The above screenshots are representative of the infringing elements of the products offered by Refco, Refco EasySolutions, and EasyScreen. These elements were referred to as the ladder ticket or the ladder. The most recent versions of these elements functioned such that the price ladder and the associated market indicators automatically drifted smoothly back to center after a visible market movement. This Agreement applies to these most recent versions of these elements as well as the previous versions which did not include such an automatic smooth drift/recenter feature.

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