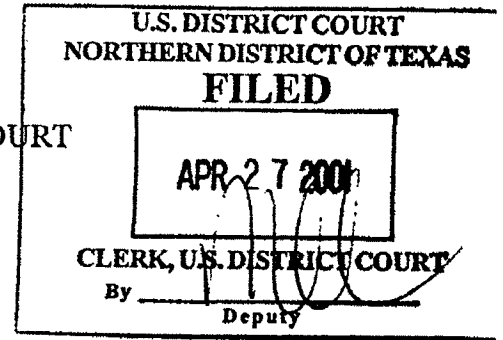


ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION



SECURITIES AND EXCHANGE  
COMMISSION

Plaintiff,

VS.

FUNDING RESOURCE GROUP  
a/k/a FRG TRUST, ET AL.

Defendants.

NO. 3-98-CV-2689-M

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ORDER

Michael J. Quilling, as Receiver for Howe Financial Trust, has filed a motion to sell certain real property located at 30910 Creekwood Terrace, Osceola, Elkhart County, Indiana, free and clear of all liens, claims, and encumbrances. The Receiver was ordered to post a copy of this motion on his website with instructions to all interested parties that any objections must be filed by April 23, 2001. No objections have been received by the court.

A hearing was held on April 27, 2001. The Receiver advised all interested parties of this hearing by posting notice on his website as directed by the court. No one appeared at the hearing or otherwise objected to the motion. The Securities and Exchange Commission, through its regional counsel, has consented to the sale.

The Court has been advised that a prospective buyer has offered to pay \$112,500 for the property, less normal and appropriate realtor commissions and closing costs. This proposed sales price is greater than two-thirds of the appraised value of the property. The Court therefore finds that the proposed sale is in the best interest of the receivership estate and should be allowed. Accordingly, it is ordered that:

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1. The Receiver's motion to sell real property free and clear of all liens, claims, and encumbrances is granted.

2. The Receiver is hereby authorized to sell that certain real property,

Lot Number Eighteen (18) as the said Lot is known and designated on the recorded Plat of CREEKWOOD ESTATES FIRST SECTION, a Subdivision in Baugo Township; said Plat being recorded in Plat Book 9, page 61, in the Office of the Recorder of Elkhart County, Indiana,

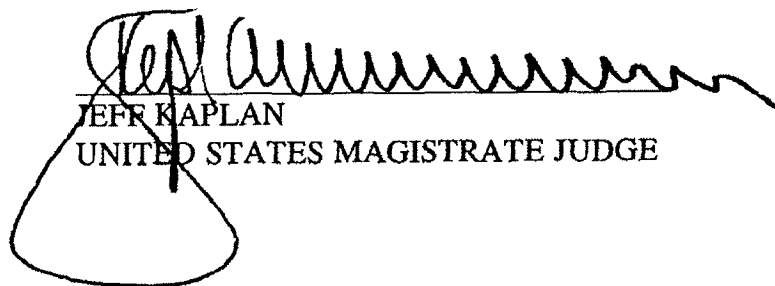
having a street address of 30910 Creekwood Terrace, Osceola, Indiana, to Michael Cataldo for \$112,500, less normal and appropriate realtor commissions and closing costs as may be agreed to by the Receiver. Such sale shall be free and clear of all liens, claims, and encumbrances of any nature. To the extent that any such liens, claims, or encumbrances exist, they shall attach to the proceeds of the sale held by the Receiver subject to further order of the court.

3. At closing, the Receiver is authorized to pay any outstanding real estate property taxes and the sum of \$44,900 to Tom and Diana Weinkauff in full satisfaction of any amounts which may be owed to them with respect to the property.

4. The Receiver shall publish notice of this sale in the form attached hereto as Exhibit "1" in the *Elkhart Truth* for at least ten consecutive days. If the Receiver does not receive a cash offer to purchase the property for a price which is at least 10% higher than the current \$112,500 sales price, the Receiver is authorized to close the sale immediately following the expiration of the ten day publication period.

SO ORDERED.

DATED: April 27, 2001.



JEFF KAPLAN  
UNITED STATES MAGISTRATE JUDGE

## Legal Notice

### Notice of Private Sale

Notice is given pursuant to 28 U.S.C. §2001 in the case styled, *Securities and Exchange Commission, Plaintiff, vs. Funding Resource Group, et al.* Civil Action No. 3:98-CV-2689-M, in the Northern District of Texas, Dallas Division, that the Receiver for Howe Financial Trust, Inc., obtained court approval on April \_\_\_\_, 2001, to sell the following real property at private sale:

Lot Number Eighteen (18) as the said Lot is known and designated on the recorded Plat of CREEKWOOD ESTATES FIRST SECTION, a Subdivision in Baugo Township; said Plat being recorded in Plat Book 9, page 61, in the Office of the Recorder of Elkhart, County, Indiana (30910 Creekwood Trail, Osceola, Indiana)

The sale shall be "as is" and "where is."

Bona Fide offers in accordance with 28 U.S.C. §2001 must be received in writing on or before 5:00 p.m. on April \_\_\_\_, 2001. All persons having claims against the property are required to present them within the time and in the manner prescribed by law and advise the Receiver of same in writing on or before 5:00 p.m. on April \_\_\_\_, 2001.

Dated the \_\_\_\_ day of April, 2001.

Direct correspondence to:  
Howe Financial Trust, Inc  
c/o Michael J. Quilling, Receiver  
Quilling, Selander, Cumiskey, & Lownds, P.C.  
2001 Bryan Street  
Suite 1800  
Dallas, Texas 75201  
(214) 871-2100

