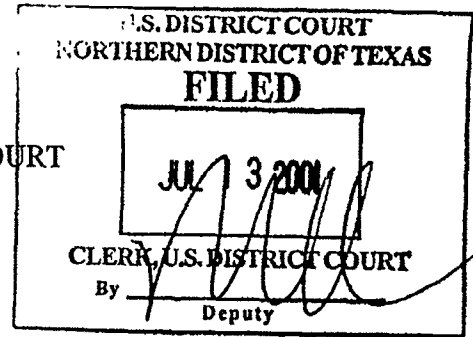


ORIGINAL

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

ORDER



Michael J. Quilling, as Receiver for Funding Resource Group and related entities, has filed a motion to sell certain personal property belonging to Raymond G. Parr without complying with the requirements of 28 U.S.C. §§ 2001 & 2004. The property at issue consists of: (1) 10 guns of various makes and models; (2) a loose 2.15 carat pear-shaped diamond; (3) one ounce Kugerrand set with 39 small single cut diamonds; (4) one ladies diamond waterfall ring containing 33 small round diamonds; (5) one ladies gold ring with 1/10-ounce gold peso; and (6) a broken ladies diamond tennis bracelet. The Receiver seeks an order authorizing him to sell the guns to Brooks Morris for \$200 and the jewelry to Dallas Gold and Silver Exchange, or a similar wholesale jewelry store, for the highest price attainable.

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 June 29, 2001. No objections have been received by the Receiver or the Court. A hearing was held on July 13, 2001. The Receiver notified all interested parties of this hearing by posting notice on his website. No one appeared

137

at the hearing or otherwise objected to the motion. The Securities and Exchange Commission, through its regional counsel, has consented to the sale.

Accordingly, the motion to sell certain personal property belonging to Raymond G. Parr is granted. The Receiver is hereby authorized to sell 10 guns of various makes and models to Brooks Morris for \$200, or a higher price if attainable. The Receiver is further authorized to sell the following items of personal property to Dallas Gold and Silver Exchange, or a similar wholesale jewelry store, for the highest price attainable: (1) a loose 2.15 carat pear-shaped diamond; (2) one ounce Kugerrand set with 39 small single cut diamonds; (3) one ladies diamond waterfall ring containing 33 small round diamonds; (4) one ladies gold ring with 1/10-ounce gold peso; and (5) a broken ladies diamond tennis bracelet. The net proceeds of this sale shall be paid to the Funding Resource Group Estate.

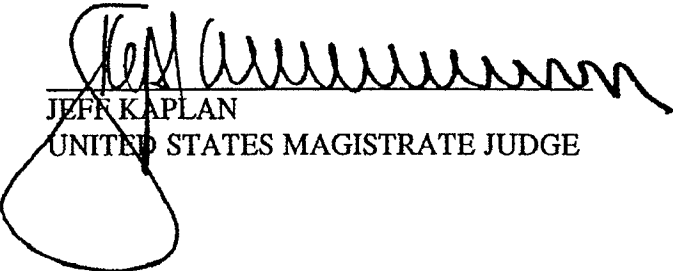
The Court finds it unlikely that the total proceeds realized from this sale will exceed \$2,500. As the Receiver correctly points out, strict adherence to the cumbersome and potentially expensive safeguards of 28 U.S.C. §§ 2001(b) & 2004 would virtually eliminate any net recovery to the Estate.¹ Therefore, the Receiver need not comply with the requirements of these statutes.

¹ These statutes provide, in relevant part:

After a hearing, of which notice to all interested parties shall be given by publication or otherwise as the court directs, the court may order the sale of such [personalty] or interest or any part thereof at private sale for cash or other consideration and upon such terms and conditions as the court approves, if it finds that the best interests of the estate will be conserved thereby. Before confirmation of any private sale, the court shall appoint three disinterested persons to appraise such property or different groups of three appraisers each to appraise properties of different classes or situated in different localities. No private sale shall be confirmed at a price less than two-thirds of the appraised value. Before confirmation of any private sale, the terms thereof shall be published in such newspaper or newspapers of general circulation as the court directs at least ten days before confirmation. The private sale shall not be confirmed if a bona fide offer is made, under conditions prescribed by the court, which guarantees at least a 10 per centum increase over the price offered in the private sale.

SO ORDERED.

DATED: July 13, 2001.



JEFF KAPLAN
UNITED STATES MAGISTRATE JUDGE