
U.S. District Court
Northern District of Texas (Dallas)
CIVIL DOCKET FOR CASE #: 98-CV-2689
SEC v. Funding Resource, et al

Filed: 11/13/98
Assigned to: Judge Barbara M. G. Lynn
Jury demand: Defendant
Referred to: Magistrate Judge Jeff Kaplan
Demand: \$0,000
Nature of Suit: 850
Lead Docket: None
Jurisdiction: US Plaintiff
Dkt# in other court: None
Cause: 15:77 Securities Fraud

MICHAEL J QUILLING
arf
MVP Network Inc d/b/a MVP
Trust
arf
Howe Financial Trust
arf
Steven C Roberts
arf
Winterhawk West Indies LTD
arf
Robert Cord
arf
FRG Trust
arf
Funding Resource Group
receiver

Arthur F Selander, Attorney at
Law
214/871-2111 FAX
[COR NTC ret]
Clark W Will, Attorney at Law
214/871-2111 FAX
[COR LD NTC ret]
Kenneth A Hill, Attorney at Law
214/871-2111 FAX
[COR LD NTC ret]
Andrew M Trusevich, Attorney at
Law
214/871-2111 FAX
[COR ret]
D Dee Raibourn, III, Attorney
at Law
[COR ret]
Quilling Selander Cummiskey &
Lownds
2001 Bryan Street
Suite 1800
Dallas, TX 75201
USA

SECURITIES AND EXCHANGE
COMMISSION
 plaintiff

214/871-2100
Spencer C Barasch, Attorney at
Law
[COR usa]
Robert A Brunig, Attorney at
Law
817/978-4927 FAX
[COR LD NTC usa]
Douglas A Gordimer, Attorney at
Law
[COR ret]
US Securities & Exchange
Commission
Fort Worth Regional Office
801 Cherry St
Suite 1900
Fort Worth, TX 76102
USA
817/978-3821

v.

FUNDING RESOURCE GROUP
aka
FRG Trust
 defendant
[term 11/07/00]

Funding Resource Group
 [term 11/07/00]
[COR LD NTC pse] [PRO SE]
c/o Steven C. Roberts
19 Hornsilver Place
The Woodlands, TX 77381
Deborah Goodall, Attorney at
Law
214/739-1207 FAX
[COR LD NTC ret]
Goodall & Sooter
12830 Hillcrest Road
Suite 111
Dallas, TX 75230
USA
972/364-9090
Deborah Goodall, Attorney at
Law
(See above)
[COR LD NTC ret]

QUENTIN HIX
 defendant

GENE COULTER
 defendant

STEVEN C ROBERTS
 defendant
MVP NETWORK INC, a Texas
corporation
aka
MVP Network Trust
 defendant

Wendell A Odom, Jr, Attorney at
Law
713/224-2815 FAX
[COR LD NTC ret]
Law Office of Wendell A Odom Jr
Lyrics Centre
440 Louisiana
Suite 800
Houston, TX 77002
USA

| | |
|---|---|
| FHCI TRUST defendant [term 01/29/01] | 713/223-5575 S Cass Weiland, Attorney at Law [term 01/29/01] 214/758-1550 FAX [COR LD NTC ret] Patton Boggs 2001 Ross Ave Suite 3000 Dallas, TX 75201 USA 214/758-1500 |
| FUNDERS MARKETING COMPANY INC, a Texas corporation defendant [term 01/29/01] | S Cass Weiland, Attorney at Law [term 01/29/01] (See above) [COR LD NTC ret] |
| RAYMOND G PARR defendant | S Cass Weiland, Attorney at Law [term 04/16/01] (See above) [COR LD NTC ret] Lee Polson, Attorney at Law [term 04/13/01] [COR ret] King Polson & Associates 7200 North Mopac Suite 430 Austin, TX 78731 USA 512/794-9060 Raymond G Parr [COR LD NTC pse] [PRO SE] 8524 Hwy 6 North Suite 340 Houston, TX 77095 832/593-7373 |
| WILLARD VEARL SMITH defendant | Wendell A Odom, Jr, Attorney at Law (See above) [COR LD NTC ret] |
| EARL D MCKINNEY defendant [term 01/29/01] | Earl D McKinney [term 01/29/01] [COR LD NTC pse] [PRO SE] 18350 Bearpath Trail Eden Prairie, MN 55347 |
| FORTUNE INVESTMENTS LTD, a Nevada corporation defendant [term 01/29/01] | Fortune Investments LTD [term 01/29/01] [COR pse] [PRO SE] 18350 Bearpath Trail Eden Prairie, MN 55347 |
| ROBERT CORD aka Robert F Schoonover, Jr defendant | Robert Cord #08328-023 [COR LD NTC pse] [PRO SE] FCI Beaumont |

[term 01/29/01]

WINTERHAWK WEST INDIES LTD
defendant
[term 01/29/01]

IGW TRUST
defendant

CAROLYN DON HICKS
defendant

CARL LADANE WEAVER
defendant

HOWE FINANCIAL TRUST, an
Indiana corporation solely for
purposes of equitable relief
defendant

TREDS FINANCIAL TRUST,
defendant solely for purposes
of equitable relief
defendant
[term 01/29/01]

VARIOUS MONIES AND
CERTIFICATES OF DEPOSIT
LOCATED IN ACCOUNT NUMBERS
LISTED ON COMPLAINT
consolidated defendant
(1) MERCEDES-BENZ 500 L 2-DOOR
CONVERTIBLE VIN#

PO Box 26020
Beaumont, TX 77720-6020
Winterhawk West Indies LTD
[term 01/29/01]
[COR pse] [PRO SE]
c/o Robert Cord
Spokane County Jail
1100 Mallon
Spokane, WA 99201
Dan Waller, Attorney at Law
972/776-0240 FAX
[COR LD NTC ret]
Secore & Waller
Three Forest Plaza
12221 Merit Dr
Suite 1100
Dallas, TX 75251
USA
972/776-0200
Dan Waller, Attorney at Law
(See above)
[COR LD NTC ret]
Dan Waller, Attorney at Law
(See above)
[COR LD NTC ret]
Gregory K Ackels, Attorney at
Law
[term 12/07/98]
[COR LD NTC ret]
Ackels & Ackels
2777 Stemmons Frwy
Suite 879
Dallas, TX 75207
USA
214/267-8600
Garran J Graner
[COR NTC ret]
Law Office of Garran J Graner
38-11 Dimars Boulevard
Long Island City, NY 11105
Treds Financial Trust
[term 01/29/01]
[COR pse] [PRO SE]
18350 Bearpath Trail
Eden Prairie, MN 55347

WDBFA67E1PF075680

consolidated defendant

(1) DIAHATSU ROCKY AUTOMOBILE

VIN# JD2BF3101N6311430

consolidated defendant

(1) 1989 EXPLORER MOTOR HOME

VIN# 1S9KT9T09KC185156

consolidated defendant

(1) 38 '1986 BAYLINER BOAT,
SERIAL HULL I.D. #BL2A38ELA686

BEARING THE NAME WINTERHAWK

consolidated defendant

TEXAS COASTAL BANK

consolidated defendant

[term 06/26/00]

Robert M Corn, Attorney at Law

[term 06/26/00]

713/224-3271 FAX

[COR ret]

Woodard Hall & Primm

Chase Tower

600 Travis

Suite 7100

Houston, TX 77002

USA

713/221-3800

Gregory M Clark, Attorney at
Law

[term 06/26/00]

713/651-0220 FAX

[COR LD NTC ret]

Coats Rose Yale Ryman & Lee

First City Tower

1001 Fannin

Suite 800

Houston, TX 77027-6707

USA

713/651-0111

FTS 2 ADDS

ATLANTIC CAPITAL FUND INC

consolidated defendant

Ron E Frank, Attorney at Law

[COR LD ret]

unknown

B & J TRANSPORTATION INC

consolidated defendant

John E Sherman, Attorney at Law

713/236-8813 FAX

[COR LD NTC ret]

Law Office of John E Sherman

1314 Texas Avenue

Suite 1410

Houston, TX 77002

USA

713/236-8811

PAUL TINSLEY

consolidated defendant

John E Sherman, Attorney at Law

(See above)

[COR LD NTC ret]

ACQUISITION FUNDING L.L.C.

Raymond Dickens, Jr, Attorney

consolidated defendant

at Law
[COR LD NTC ret]
Law Office of Raymond Dickens
Jr
2701 Louisiana St
Houston, TX 77006
USA
713/228-0753

MERRIL MAUNDER

consolidated defendant

John E Sherman, Attorney at Law
(See above)
[COR LD NTC ret]

RICHARD SIMMONS, Dr.

consolidated defendant

Ron E Frank, Attorney at Law
(See above)
[COR LD ret]

YACHT CONSULTANTS INC

dba

Gibson Yacht Sales

consolidated defendant

Michael L Durham, Attorney at
Law
[COR ret]
Law Offices of Michael L.
Durham
333 North Belt
Suite 1030
Houston, TX 77060
USA
713/999-2454

Allan R Lazor, Attorney at Law
[COR LD NTC ret]
Law Office of Allan R Lazor
1177 West Loop South
Suite 1100
Houston, TX 77027-9083
USA
713/358-9347

LAKESHORE CONDOMINIUM
ASSOCIATION

consolidated defendant

Charles A Daughtry, Attorney at
Law
281/218-9151 FAX
[COR LD NTC ret]
Mieszkuc Daughtry & Scott
17044 El Camino Real
Houston, TX 77058
USA
281/480-6888

KARISA A TINSLEY

consolidated defendant

C Scott Mann, Jr, Attorney at
Law
409/835-2115 FAX
[COR LD NTC ret]
Germer Bernsen & Gertz
805 Park St
Beaumont, TX 77701
USA
409/838-2080

BILLY HOLCOMB

consolidated defendant

Christopher H Rentzel, Attorney
at Law

[term 06/26/00]

[term 06/26/00]
214/758-1010 FAX
[COR NTC ret]
Bracewell & Patterson
Lincoln Plaza
500 N Akard
Suite 4000
Dallas, TX 75201-3320
USA
214/758-1000
Ileana M Blanco, Attorney at
Law

[term 06/26/00]
713/221-1212 FAX
[COR LD NTC ret]
Bryan Dumesnil, Attorney at Law

[term 06/26/00]
713/222-3233 FAX
[COR ret]
Bracewell & Patterson
South Tower Pennzoil Place
711 Louisiana
Suite 2900
Houston, TX 77002-2781
USA
713/223-2900

AIREY HOLDING INC
consolidated defendant

[term 06/26/00]

PAUL PURSEHOUSE, Individually
and
aka
Casavic Capital Management
Corp

consolidated defendant

[term 06/26/00]

QUENTIN SHEEHAN, Individually
and
aka
Casavic Capital Management
Corp

consolidated defendant

[term 06/26/00]

JAMES W CONWAY, an individual
consolidated defendant

[term 06/26/00]

Michael John Ramirez, Attorney
at Law

[term 06/26/00]
[COR LD NTC ret]
Godwin Gruber
Renaissance Tower
1201 Elm St
Suite 1700
Dallas, TX 75270-2084

JAMES W CONWAY PSC, a Kentucky
Professional Services
Corporation
consolidated defendant
[term 06/26/00]

USA
214/939-4400
Michael John Ramirez, Attorney
at Law
[term 06/26/00]
(See above)
[COR LD NTC ret]
Gary D Elliston, Attorney at
Law
[term 06/26/00]
214/210-2500 FAX
[COR NTC ret]
DeHay & Elliston
Bank of America Plaza
901 Main St
Suite 3500
Dallas, TX 75202-3736
USA
214/210-2400

ELIOT J LUPKIN
consolidated defendant
[term 06/26/00]

ELIOT J LUPKIN PA
consolidated defendant
[term 06/26/00]

DOROTHY KERR CHECA CHONG
consolidated defendant
[term 06/26/00]

CAROLINE HERSMAN
cross-defendant

1.695 ACRES OF LAND
cross-defendant

JIMMY HERSMAN
cross-defendant

DON HICKS
movant

MATT E RUBIN
movant

Matt E Rubin
[COR LD NTC pse] [PRO SE]
Williams Birnberg & Andersen
6671 Southwest Freeway
Suite 303
Houston, TX 77074-2209
USA
713/981-9595
William A Brewer, III, Attorney
at Law
214/653-1015 FAX
2 ADDS
[COR ret]
Michael Joseph Collins,
Attorney at Law
[COR LD NTC ret]

AMERICAN PACIFIC BANK & TRUST
INC
movant

Bickel & Brewer
Bank One Center
1717 Main St
Suite 4800
Dallas, TX 75201
USA
214/653-4000
FTS 2 ADDS
William A Brewer, III, Attorney
at Law
[term 07/22/99]
(See above)
[COR ret]
Michael Joseph Collins,
Attorney at Law
[term 07/22/99]
(See above)
[COR LD NTC ret]
William A Brewer, III, Attorney
at Law
(See above)
[COR ret]
Michael Joseph Collins,
Attorney at Law
(See above)
[COR NTC ret]
R Bradley Lamberth, Attorney at
Law
214/740-4266 FAX
[COR NTC ret]
Kenneth D Dugan, Attorney at
Law
214/740-4266 FAX
[COR ret]
Lamberth & Stewart
Lincoln Plaza
500 N Akard
Suite 2840
Dallas, TX 75201
USA
214/740-4270
William Ernest Norcross,
Attorney at Law
901/752-1562 FAX
[COR LD NTC ret]
Law Office of William Ernest
Norcross
890 Willow Tree Circle
Suite 8
Cordova, TN 38018
USA
901/752-1091

MICROFUND
movant

LANDFAIR CUSTODIAL SERVICES
INC
movant

CONTINENTAL MANAGEMENT GROUP
INC

movant

William A Brewer, III, Attorney
at Law

(See above)

[COR ret]

Michael Joseph Collins,
Attorney at Law

(See above)

[COR NTC ret]

R Bradley Lamberth, Attorney at
Law

(See above)

[COR NTC ret]

Kenneth D Dugan, Attorney at
Law

(See above)

[COR ret]

William Ernest Norcross,
Attorney at Law

(See above)

[COR LD NTC ret]

SEVEN DIALS AVIATION CORP

movant

William A Brewer, III, Attorney
at Law

(See above)

[COR ret]

Michael Joseph Collins,
Attorney at Law

[term 07/16/99]

(See above)

[COR LD NTC ret]

Wilson E Wray, Jr, Attorney at
Law

[COR ret]

Loewinsohn & Flegle

18383 Preston Rd

Suite 100

Dallas, TX 75252-5476

USA

214/572-1700

Paul B Lackey, Attorney at Law

214/560-2203 FAX

[COR ret]

Lackey Hershman

3102 Oak Lawn Ave

Suite 700

Dallas, TX 75219-4241

USA

214/560-2201

BENJAMIN DAVID GILLILAND

movant

William A Brewer, III, Attorney
at Law

[term 07/16/99]

(See above)

[COR ret]

Michael Joseph Collins,
Attorney at Law
[term 07/16/99]
(See above)
[COR LD NTC ret]
Wilson E Wray, Jr, Attorney at
Law
[term 07/16/99]
(See above)
[COR ret]
Baxter W Banowsky, Attorney at
Law
[term 02/01/00]
214/871-0038 FAX
[COR ret]
Michael John Betz, Attorney at
Law
[term 02/01/00]
[COR LD NTC ret]
Scott D Levine, Attorney at Law
[term 02/01/00]
[COR ret]
Banowsky Betz & Levine
Allianz Financial Centre
2323 Bryan St
Suite 2400
Dallas, TX 75201
USA
214/871-1300
Ernest W Leonard, Attorney at
Law
972/788-2667 FAX
[COR LD NTC ret]
Friedman & Feiger
5301 Spring Valley Rd
Suite 200
Dallas, TX 75254
USA
972/788-1400
Donald L Beckner, Attorney at
Law
[COR ret]
Law Office of Donald L Beckner
5800 One Perkins Place
Building 7
Suite A
Baton Rouge, LA 70808
USA
225/769-7779
Paul B Lackey, Attorney at Law
[term 07/16/99]
(See above)

| | |
|-------------------------------------|--|
| DAVID M BISHARA movant | [COR ret] William A Brewer, III, Attorney at Law (See above) [COR ret] Michael Joseph Collins, Attorney at Law (See above) |
| MELODY ROSE movant | [COR LD NTC ret] William A Brewer, III, Attorney at Law (See above) [COR ret] Michael Joseph Collins, Attorney at Law (See above) [COR NTC ret] R Bradley Lamberth, Attorney at Law (See above) [COR NTC ret] Kenneth D Dugan, Attorney at Law (See above) [COR ret] William Ernest Norcross, Attorney at Law (See above) [COR LD NTC ret] |
| HAMMERSMITH TRUST LLC movant | William A Brewer, III, Attorney at Law (See above) [COR ret] Paul B Lackey, Attorney at Law (See above) [COR LD NTC ret] |
| BRIDGEPORT ALLIANCE LLC movant | Michael F Pezzulli, Attorney at Law 972/713-1333 FAX [COR LD NTC ret] Pezzulli Harris Krona Skinner 17304 Preston Rd Suite 700 Dallas, TX 75252 USA 972/713-1300 |
| ECONOMIC DEVELOPMENT CORP movant | Michael F Pezzulli, Attorney at Law (See above) [COR LD NTC ret] |
| KENNETH B COBB movant | Michael F Pezzulli, Attorney at Law |

| | |
|--|--|
| | (See above) |
| | [COR LD NTC ret] |
| RAYMOND HANSEN movant | Michael F Pezzulli, Attorney at Law |
| | (See above) |
| | [COR LD NTC ret] |
| WILLIAM H WEST movant | Michael F Pezzulli, Attorney at Law |
| | (See above) |
| | [COR LD NTC ret] |
| PICKLES LIMITED LIABILITY COMPANY movant | John E Sherman, Attorney at Law |
| | (See above) |
| | [COR LD NTC ret] |
| CHARLES FLEMING movant | Olney G Wallis, Attorney at Law 713/880-2442 FAX |
| | [COR LD NTC ret] |
| | Wallis & Short 4300 Scotland Houston, TX 77007 USA 713/956-1300 |
| JACK LITTELL movant | Olney G Wallis, Attorney at Law |
| | (See above) |
| | [COR LD NTC ret] |
| THOMAS LAMB movant | Olney G Wallis, Attorney at Law |
| | (See above) |
| | [COR LD NTC ret] |
| GARY BENNETT movant | Olney G Wallis, Attorney at Law |
| | (See above) |
| | [COR LD NTC ret] |
| LITZLER SEGNER SHAW MCKENNEY & DOHMEYER LLP movant | Milo H Segner, Jr, Attorney at Law |
| | [COR LD NTC ret] |
| | Litzler Segner Shaw McKenney & Dohmeyer 1412 Main Street 24th Floor Dallas, TX 75202 USA 214/752-0999 |
| A CALIFORNIA TRUST movant | Harris P Quinn, Attorney at Law |
| | 901/521-0206 FAX |
| | [COR LD NTC ret] |
| | Williams & Prochaska Morgan Keegan Tower 50 North Front Street Suite 1065 Memphis, TN 38103 USA 901/577-1042 |
| KEN WINTERS movant | Tracy C Eckerson, Attorney at Law |

713/659-6262 FAX
[COR]
Starry & Associates
1111 Bagby
Suite 4900
Houston, TX 77002
USA

DIANE HASKELL
movant

713/655-7350
Tracy C Eckerson, Attorney at
Law
(See above)
[COR ret]

WILLIAM NMN WOOD
movant

Tracy C Eckerson, Attorney at
Law
(See above)
[COR ret]

DONALD METZ, Dr
movant

Tracy C Eckerson, Attorney at
Law
(See above)
[COR ret]

RICHARD SIMMONS, Dr.
movant

Tracy C Eckerson, Attorney at
Law
(See above)
[COR ret]

H E LINER
movant

John E Sherman, Attorney at Law
(See above)
[COR LD NTC ret]

v.

COMMUNITY BANK KATY TEXAS
consolidated claimant

Larry E Meyer, Attorney at Law
713/297-0710 FAX
[COR LD NTC ret]
Nelson McCormick Hancock &
Newton
1900 West Loop South
Suite 700
Houston, TX 77027
USA

DIANA HASKELL
consolidated claimant

713/297-0700
Tracy C Eckerson, Attorney at
Law
713/659-6262 FAX
[COR LD NTC ret]
Starry & Associates
1111 Bagby
Suite 4900
Houston, TX 77002
USA

WILLIAM A WOOD
consolidated claimant

713/655-7350
Tracy C Eckerson, Attorney at
Law
(See above)
[COR LD NTC ret]

BOBBY HARKINS
consolidated claimant

J Matthew Anthony, Attorney at
Law
[term 02/14/00]
972/870-9053 FAX
[COR LD NTC ret]
Brewer Brewer Anthony &
Middlebrook
1159 Cottonwood Lane
Suite 150
Irving, TX 75038
USA
972/870-9898
Bobby Harkins
[COR NTC pse] [PRO SE]
c/o Norman Van Pelt
7880 San Felipe
Suite #111
Houston, TX 77063
713/781-9708

SHIRLEY HARKINS
consolidated claimant

J Matthew Anthony, Attorney at
Law
[term 02/14/00]
(See above)
[COR LD NTC ret]
Shirley Harkins
[COR NTC pse] [PRO SE]
c/o Norman Van Pelt
7880 San Felipe
Suite #111
Houston, TX 77063
713/781-9708

LOUIS A VERRET, JR
consolidated claimant

Louis A Verret, Jr
[COR LD NTC pse] [PRO SE]
2051 W 84th Place
Los Angeles, CA 90047
323/759-3547

EDWARD CATHRIGHT, JR
consolidated claimant

Edward Cathright, Jr
[COR LD NTC pse] [PRO SE]
4343 Warm Springs Rd
#806
Columbus, GA 31909

CHARLES BELL
consolidated claimant

Charles Bell
[COR LD NTC pse] [PRO SE]
400 Woodside Place
Montgomery, AL 36117
USA
334/244-7036

DESMOND LAMPKIN
consolidated claimant

Desmond Lampkin
[COR LD NTC pse] [PRO SE]
3919 Lorado Way
Los Angeles, CA 90043

WILLIAM MINOR

William Minor

| | |
|---|---|
| consolidated claimant | [COR LD NTC pse] [PRO SE] 21406 Millpoint Avenue Carson, CA 90745 |
| DEL AMO CHURCH OF CHRIST consolidated claimant | Del Amo Church of Christ [COR pse] [PRO SE] Del Amo Church of Chirst 21406 Millpoint Avenue Carson, CA 90745 |
| GENEXUS INC consolidated claimant | John E Sherman, Attorney at Law 713/236-8813 FAX [COR LD NTC ret] Law Office of John E Sherman 1314 Texas Avenue Suite 1410 Houston, TX 77002 USA 713/236-8811 |
| DENNIS CATES consolidated claimant | William B Emmons, Attorney at Law 713/527-8850 FAX [COR LD NTC ret] Daniel W Jackson, Attorney at Law 713/527-8850 FAX [COR ret] Emmons & Jackson Baker Hughes Bldg 3900 Essex Lane at Wesleyan Suite 1116 Houston, TX 77027 USA 713/522-4435 |
| DAVID PETTMAN consolidated claimant | John E Sherman, Attorney at Law (See above) [COR LD NTC ret] |
| KAIROS FINANCIAL consolidated claimant | Carolyn L McElroy, Attorney at Law [COR LD ret] Law Office of Carolyn McElroy 1001 Texas Avenue Suite 1020 Houston, TX 77002 USA 713/228-9130 |
| TOM WURST consolidated claimant | Joseph A Coates [COR LD NTC ret] Law Office of Joseph Coates PO Box 2185 Fairborn, OH 45324-2185 USA 937/477-6606 |
| GREGORY DUANE GURBACH | Gregory Duane Gurbach |

consolidated claimant

[COR LD NTC pse] [PRO SE]
1111 Golfview Drive
Apt. 910

WANDA PACK

consolidated claimant

Richmond, TX 77469
Michael S Burg, Attorney at Law
713/627-0780 FAX
[COR LD NTC ret]
Law Office of Michael S Burg
2008 W McKinney
Houston, TX 77019
USA
713/627-8885

CHARLES FLEMING

consolidated claimant

Olney G Wallis, Attorney at Law
713/880-2442 FAX
[COR LD NTC ret]
Wallis & Short
4300 Scotland
Houston, TX 77007
USA
713/956-1300

JERRY L BRADFORD

consolidated claimant

Jerry L Bradford
[COR LD NTC pse] [PRO SE]
29250 Highway HH
Sedalia, MO 65301
660/829-4772

BRENDA K SANFORD

consolidated claimant

Brenda K Sanford
816/455-9157 FAX
[COR LD NTC pse] [PRO SE]
416 NW 40th Street
Kansas City, MO 64116
USA
816/455-3326

ROBERT W BELL

consolidated claimant

Robert W Bell
[COR LD NTC pse] [PRO SE]
904 Silver Spur Road
Suite 293
Rolling Hills Estates, CA 90274

WILLIAM P TINSLEY, JR

consolidated claimant

John E Sherman, Attorney at Law
(See above)
[COR LD NTC ret]

NEW WORLD TRADING INC

consolidated claimant

John E Sherman, Attorney at Law
(See above)
[COR LD NTC ret]

DONALD METZ, Dr

consolidated claimant

Ron E Frank, Attorney at Law
[COR LD ret]
unknown

CELIA DURHKE

consolidated claimant

Renee L Campbell, Attorney at Law
[COR LD NTC ret]
Law Office of Renee L Campbell
660 S Figueroa St
Suite 2200

MARY ANN BAUCE
defendant
[term 04/23/01]

Los Angeles, CA 90017
USA
213/995-4824
Wendell A Odom, Jr, Attorney at
Law
[term 04/23/01]
713/224-2815 FAX
[COR LD NTC ret]
Law Office of Wendell A Odom Jr
Lyrics Centre
440 Louisiana
Suite 800
Houston, TX 77002
USA

HAMMERSMITH TRUST LLC, a
Tennessee limited liability
company
defendant

713/223-5575
Wilson E Wray, Jr, Attorney at
Law
[COR ret]
Loewinsohn & Flegle
18383 Preston Rd
Suite 100
Dallas, TX 75252-5476
USA
214/572-1700
Paul B Lackey, Attorney at Law
214/560-2203 FAX
[COR ret]
Lackey Hershman
3102 Oak Lawn Ave
Suite 700
Dallas, TX 75219-4241
USA
214/560-2201

HAMMERSMITH TRUST LTD, an
Irish corporation
defendant

BRIDGEPORT ALLIANCE LLC, a
Nevada limited liability
company
defendant

LANDFAIR CUSTODIAL SERVICES
INC, a Tennessee corporation
defendant

MICROFUND, a Nevada limited
liability company
defendant

Baxter W Banowsky, Attorney at
Law
[term 02/01/00]
214/871-0038 FAX
[COR ret]
Michael John Betz, Attorney at
Law
[term 02/01/00]
[COR LD NTC ret]

Scott D Levine, Attorney at Law
[term 02/01/00]
[COR ret]
Banowsky Betz & Levine
Allianz Financial Centre
2323 Bryan St
Suite 2400
Dallas, TX 75201
USA
214/871-1300

AMERICAN PACIFIC BANK & TRUST
INC, an Antigua corporation
defendant

EUROFUND INVESTMENT INC, a
Tennessee corporation
defendant

B DAVID GILLILAND
defendant

MELODY ROSE
defendant

SALISH INVESTMENTS
movant

John A Yanchunis, Attorney at
Law
813/286-4174 FAX
[COR LD NTC ret]
James Hoyer Newcomer Forizs &
Smiljanich
One Urban Centre
4830 W Kennedy Blvd
Suite 147
Tampa, FL 33609
USA
813/286-4100

FHA SERVICES
movant

John A Yanchunis, Attorney at
Law
(See above)
[COR LD NTC ret]

HERBERT PRESS
movant

John A Yanchunis, Attorney at
Law
(See above)
[COR LD NTC ret]

PRESS FAMILY LP
movant

John A Yanchunis, Attorney at
Law
(See above)
[COR LD NTC ret]

KUMARASUNDARAM SITTAMBALAM
movant

John A Yanchunis, Attorney at
Law
(See above)
[COR LD NTC ret]

REX WELLER
movant

John A Yanchunis, Attorney at
Law
(See above)
[COR LD NTC ret]

| | |
|--|---|
| VISTA CAPITAL movant | John A Yanchunis, Attorney at Law (See above) [COR LD NTC ret] |
| GALAXY ENTERPRISES TRADING LTD movant | John A Yanchunis, Attorney at Law (See above) [COR LD NTC ret] |
| SITTAMBALAM RAJASUNDARAM movant | John A Yanchunis, Attorney at Law (See above) [COR LD NTC ret] |
| BILL FINCH movant | John A Yanchunis, Attorney at Law (See above) [COR LD NTC ret] |
| ROSIE FAN movant | John A Yanchunis, Attorney at Law (See above) [COR LD NTC ret] |
| PLENITUDE LTD movant | John A Yanchunis, Attorney at Law (See above) [COR LD NTC ret] |
| LAURA NISHIMURA movant | John A Yanchunis, Attorney at Law (See above) [COR LD NTC ret] |
| TEXAS COASTAL BANK counter-claimant | Robert M Corn, Attorney at Law 713/224-3271 FAX [COR ret] Woodard Hall & Primm Chase Tower 600 Travis Suite 7100 Houston, TX 77002 USA 713/221-3800 Gregory M Clark, Attorney at Law 713/651-0220 FAX [COR LD NTC ret] Coats Rose Yale Ryman & Lee First City Tower 1001 Fannin Suite 800 Houston, TX 77027-6707 USA 713/651-0111 FTS 2 ADDS |

v.

MICHAEL J QUILLING

counter-defendant

MORGAN WEINSTEIN & CO INC, A
DELAWARE CORPORATION

defendant

Robert John Reagan, Attorney at
Law

[term 12/20/00]

214/691-2984 FAX

[COR LD NTC ret]

Reagan & McLain

6060 N Central Expwy

Suite 790

Dallas, TX 75206

USA

214/691-6622

John H Baker, Attorney at Law

949/588-5759 FAX

[COR ret]

Baker Law Group

23046 Ave de la Carlota

Suite 600

Laguna Hills, CA 92653-1519

USA

949/588-5767

DOCKET PROCEEDINGS

| DATE | # | DOCKET ENTRY |
|----------|---|--|
| 11/13/98 | 1 | COMPLAINT filed; (15+) (tsp) [Entry date 11/16/98] |
| 11/13/98 | 2 | MOTION by plaintiff SEC for preliminary injunction (5) (tsp) [Entry date 11/16/98] |
| 11/13/98 | 3 | MOTION by plaintiff SEC for appointment of temporary receiver (2) (tsp) [Entry date 11/16/98] |
| 11/13/98 | 4 | MOTION by plaintiff SEC for asset freeze, accounting and preservation of documents (5) (tsp) [Entry date 11/16/98] |
| 11/13/98 | 5 | MOTION by plaintiff SEC for leave to file and serve overlength brief (3) (tsp) [Entry date 11/16/98] |
| 11/13/98 | 6 | MEMORANDUM by plaintiff SEC in support of [4-1] motion for asset freeze, accounting and preservation of documents, [3-1] motion for appointment of temporary receiver, [2-1] motion for preliminary injunction (15+) (tsp) [Entry date 11/16/98] |

- 11/13/98 7 ORDER granting [4-1] motion for asset freeze, accounting and preservation of documents (signed by SAF) Copies to counsel: 11/16/98 Page(s) 6 (tsp) [Entry date 11/16/98]
- 11/13/98 8 ORDER granting [3-1] motion for appointment of temporary receiver...Michael J. Quilling Esp is appointed as Temporary Receiver for FRG, Hix Coulter, Robert, MVP, FMCI, Funders, Parr, Smith, McKinney, Fortune, Cord, Winterhawk, IGW, Hicks and Weaver, and of Howe and Treds (signed by SAF) Copies to counsel: 11/16/98 Page(s) 7 (tsp) [Entry date 11/16/98]
- 11/13/98 9 SUMMONS(ES) issued for defendant Funding Resource, defendant Quentin Hix, defendant Gene Coulter, defendant Steven C Roberts, defendant MVP Network Inc, defendant FMCI Trust, defendant Funders Marketing Co, defendant Raymond G Parr, defendant Willard Vearl Smith, defendant Earl D McKinney, defendant Fortune Investments, defendant Robert Cord, defendant Winterhawk West, defendant IGW Trust, defendant Carolyn Don Hicks, defendant Carl LaDane Weaver, defendant Howe Financial Trust, defendant Treds Financial (iss 18) (tsp) [Entry date 11/16/98]
- 11/13/98 10 Exhibits (Volume 1) to Memorandum in Support of Motion for Preliminary Injunction, Motion for Appointment of Receiver, Motion for Asset Freeze and Motion to Expedite Discovery by plaintiff SEC (tsp) [Entry date 11/16/98] [Edit date 11/16/98]
- 11/13/98 11 Exhibits (Volume 2) to memorandum in support of motion for preliminary injunction, motion for appointment of receiver, motion for asset freeze and motion to expedite discovery by plaintiff SEC (tsp) [Entry date 11/16/98]
- 11/13/98 12 Exhibits (Volume 3) to memorandum in support of motion for preliminary injunction, motion for appointment of receiver, motion for asset freeze and motion to expedite discovery by plaintiff SEC (tsp) [Entry date 11/16/98]
- 11/13/98 -- PRELIMINARY ASSIGNMENT TO Magistrate Judge Jane J Boyle (tsp) [Entry date 11/16/98]
- 11/17/98 14 NOTICE of Acknowledgment of Service by defendant Howe Financial Trust (2) (tsp) [Entry date 11/18/98]
- 11/17/98 13 UNOPPOSED APPLICATION/MOTION by defendant Howe Financial Trust for Garren J. Graner to appear pro hac vice (3) (tsp) [Entry date 11/18/98]
- 11/17/98 15 RETURN OF SERVICE executed as to defendant Howe Financial

Trust 11/16/98 (personal service through legal counsel)
Answer due on 12/7/98 for Howe Financial Trust (1) (tsp)
[Entry date 11/18/98]

- 11/19/98 16 RETURN OF SERVICE executed as to defendant Carl LaDane Weaver 11/19/98 (personal service) Answer due on 12/9/98 for Carl LaDane Weaver (2) (tsp) [Entry date 11/20/98]
- 11/19/98 17 EMERGENCY MOTION with memorandum in support by defendant Howe Financial Trust to dissolve ex parte tro and to stay orders pending hearing (tsp)
[Entry date 11/20/98]
- 11/19/98 18 MOTION with memorandum in support by plaintiff SEC for an order freezing assets and requiring an accounting and requiring preservation of documents as to relief defendant Mary Ann Bauce (15+) (tsp) [Entry date 11/20/98]
- 11/19/98 19 RECEIVER'S BOND entered by plaintiff SEC (4) (tsp)
[Entry date 11/20/98]
- 11/19/98 20 AMENDED COMPLAINT by plaintiff SEC , (Answer due 12/7/98) amending [1-1] complaint against Mary Ann Bauce (15+) (tsp)
[Entry date 11/20/98]
- 11/19/98 21 SUMMONS(ES) issued for defendant Mary Ann Bauce (iss 1) (tsp)
[Entry date 11/20/98]
- 11/19/98 22 ORDER granting [18-1] motion for an order freezing assets and requiring an accounting and requiring preservation of documents as to relief defendant Mary Ann Bauce (EX PARTE per Judge Fish's Chambers) (signed by AJF) Copies to counsel: 11/20/98 Page(s) 4 (tsp)
[Entry date 11/20/98] [Edit date 11/20/98]
- 11/20/98 23 ORDER Motion hearing set for 1:30 11/30/98 for [2-1] motion for preliminary injunction (signed by JK) Copies to counsel: 11/20/98 Page(s) 1 (jrb)
- 11/20/98 24 ORDER granting [13-1] motion for Garren J. Graner to appear pro hac vice (signed by JK) Copies to counsel: 11/20/98 Page(s) 1 (jrb)
- 11/20/98 25 MARSHALS RETURN OF SERVICE executed as to defendant Quentin Hix 11/20/98 (personal service) Answer due on 12/10/98 for Quentin Hix (2) (tsp) [Entry date 11/23/98]
- 11/20/98 26 MARSHALS RETURN OF SERVICE executed as to defendant Gene Coulter 11/20/98 (personal service) Answer due on 12/10/98 for Gene Coulter (2) (tsp) [Entry date 11/23/98]
- 11/23/98 27 MOTION with memorandum in support by defendant Howe Financial Trust to dismiss without leave to amend (tsp) [Entry date 11/24/98]

- 11/24/98 28 ANSWER to Complaint by defendant Howe Financial Trust , ; jury demand (15+) (tsp) [Entry date 11/25/98]
- 11/24/98 29 MOTION with memorandum in support by defendant Howe Financial Trust to stay/abate and modify order provisions (15+) (tsp) [Entry date 11/25/98]
- 11/25/98 30 RESPONSE by defendant Howe Financial Trust in opposition to [2-1] motion for preliminary injunction, motion for appointment of receiver, motion for asset freeze and motion to expedite discovery (15+) (tsp) [Entry date 11/30/98]
- 11/30/98 31 RESPONSE by defendant Gene Coulter to [2-1] motion for preliminary injunction (15+) (tsp) [Entry date 12/01/98]
- 11/30/98 31 REQUEST/MOTION by defendant Gene Coulter for dissolution of order freezing assets (15+) (tsp) [Entry date 12/01/98]
- 11/30/98 32 RESPONSE by defendant Quentin Hix to [2-1] motion for preliminary injunction (15+) (tsp) [Entry date 12/01/98]
- 11/30/98 32 REQUEST/MOTION by defendant Quentin Hix for dissolution of Order freezing assets (15+) (tsp) [Entry date 12/01/98]
- 11/30/98 33 DECLARATION/AFFIDAVIT by receiver Michael J Quilling (6) (tsp) [Entry date 12/01/98]
- 11/30/98 34 AFFIDAVIT by defendant Steven C Roberts (tsp) [Entry date 12/01/98]
- 11/30/98 35 RETURN OF SERVICE executed as to defendant Quentin Hix 11/20/98 (personal service) Answer due on 12/10/98 for Quentin Hix (3) (tsp) [Entry date 12/01/98]
- 11/30/98 36 RETURN OF SERVICE executed as to defendant Gene Coulter 11/20/98 (personal service) Answer due on 12/10/98 for Gene Coulter (3) (tsp) [Entry date 12/01/98]
- 11/30/98 37 RETURN OF SERVICE executed as to defendant Carolyn Don Hicks 11/18/98 (personal service) Answer due on 12/8/98 for Carolyn Don Hicks (2) (tsp) [Entry date 12/01/98]
- 11/30/98 38 RETURN OF SERVICE executed as to defendant IGW Trust 11/18/98 (personal service) Answer due on 12/8/98 for IGW Trust (2) (tsp) [Entry date 12/01/98]
- 11/30/98 39 RETURN OF SERVICE executed as to defendant Willard Vearl Smith 11/18/98 Answer due on 12/8/98 for Willard Vearl Smith...filed as an Acknowledgment of Service from Wendell Odom, atty for William Smith (4) (tsp) [Entry date 12/01/98]
- 11/30/98 40 RETURN OF SERVICE executed as to defendant MVP Network Inc 11/18/98 Answer due on 12/8/98 for MVP Network Inc...filed as an Acknowledgment of Service by Wendell Odom, atty for MVP Network Inc (4) (tsp) [Entry date 12/01/98]

- 11/30/98 41 RETURN OF SERVICE executed as to defendant Steven C Roberts
11/17/98 (personal service) Answer due on 12/7/98 for
Steven C Roberts (2) (tsp) [Entry date 12/01/98]
- 11/30/98 42 RETURN OF SERVICE executed as to defendant Funding Resource
11/17/98 (personal service) Answer due on 12/7/98 for
Funding Resource (2) (tsp) [Entry date 12/01/98]
- 11/30/98 43 CONSENT and AGREED ORDER (signed
by J Kendall) Copies to counsel: 12/1/98 Page(s) 10 (tsp)
[Entry date 12/01/98]
- 11/30/98 44 Minute order: Preliminary Hearing Held before Judge Joe
Kendall Court Reporter: Linda Robbins (1) (tsp)
[Entry date 12/01/98]
- 12/2/98 45 MOTION with memorandum in support by defendant Howe
Financial Trust for protective order (15+) (tsp)
[Entry date 12/03/98]
- 12/2/98 46 ORDER denying [29-1] motion to stay/abate and modify order
provisions (signed by J Kendall) Copies to counsel:
12/3/98 Page(s) 1 (tsp) [Entry date 12/03/98]
- 12/2/98 47 ORDER denying [17-1] motion to dissolve ex parte tro and
to stay orders pending hearing (signed by J Kendall)
Copies to counsel: 12/3/98 Page(s) 1 (tsp)
[Entry date 12/03/98]
- 12/2/98 48 ORDER denying [27-1] motion to dismiss without leave to
amend (signed by J Kendall) Copies to counsel: 12/3/98
Page(s) 1 (tsp) [Entry date 12/03/98]
- 12/3/98 49 UNOPPOSED MOTION by defendant Howe Financial Trust for
Gregory K. Ackels to withdraw as attorney (3) (tsp)
[Entry date 12/04/98]
- 12/3/98 50 UNOPPOSED MOTION by defendant Howe Financial Trust for
Garran J. Graner to withdraw as attorney (3) (tsp)
[Entry date 12/04/98]
- 12/4/98 51 RETURN OF SERVICE executed as to defendant Mary Ann Bauce
11/23/98 Answer due on 12/14/98 for Mary Ann Bauce (mlh)
[Entry date 12/07/98]
- 12/7/98 52 Statement with Respect to Motion to Withdraw filed by
Garran J. Graner by receiver Michael J Quilling (4) (tsp)
[Entry date 12/08/98]
- 12/7/98 53 ORDER granting [49-1] motion for Gregory K. Ackels to
withdraw as attorney (signed by J Kendall) Copies to
counsel: 12/8/98 Page(s) 1 (tsp) [Entry date 12/08/98]

12/8/98 54 ANSWER to Complaint by defendant MVP Network Inc, defendant Willard Vearl Smith (Attorney Wendell A Odom Jr), (12) (tsp) [Entry date 12/09/98]

12/10/98 55 RETURN OF SERVICE executed as to defendant Fortune Investments 11/23/98 (personal service) Answer due on 12/14/98 for Fortune Investments (4) (tsp) [Entry date 12/11/98]

12/10/98 56 RETURN OF SERVICE executed as to defendant Treds Financial 11/23/98 (personal service) Answer due on 12/14/98 for Treds Financial (4) (tsp) [Entry date 12/11/98]

12/10/98 57 RETURN OF SERVICE executed as to defendant Earl D McKinney 11/23/98 (personal service) Answer due on 12/14/98 for Earl D McKinney (4) (tsp) [Entry date 12/11/98]

12/11/98 60 DECLARATION/AFFIDAVIT of Robert A. Brunic for plaintiff SEC (15+) (tsp) [Entry date 12/14/98]

12/11/98 61 MEMORANDUM by plaintiff SEC in opposition to [45-1] motion for protective order and in response to UNOPPOSED motion to withdraw (9) (tsp) [Entry date 12/14/98]

12/11/98 61 RESPONSE by plaintiff SEC to [50-1] motion for Garran J. Graner to withdraw as attorney (9) (tsp) [Entry date 12/14/98]

12/11/98 62 Accounting of Don Hicks by movant Don Hicks (5) (tsp) [Entry date 12/14/98]

12/11/98 63 Accounting of Carl Weaver by defendant Carl LaDane Weaver (4) (tsp) [Entry date 12/14/98]

12/14/98 58 Supplementary MEMORANDUM by plaintiff SEC in support of [2-1] motion for preliminary injunction (15) (jas)

12/14/98 59 Declaration/AFFIDAVIT of Fred Sission by plaintiff SEC Re: [58-1] support memorandum (15+) (USC) (jas)

12/14/98 64 ANSWER to Complaint by defendant Mary Ann Bauce (Attorney Wendell A Odom Jr), (12) (tsp) [Entry date 12/15/98]

12/15/98 65 RESPONSE by defendant Raymond G Parr to [4-1] motion for asset freeze, accounting and preservation of documents (5) (jas) [Entry date 12/16/98]

12/16/98 66 ORDER denying [45-1] motion for protective order (signed by JK) Copies to counsel: 12/17/98 Page(s) 1 (jrb) [Entry date 12/17/98]

12/16/98 67 ORDER denying [50-1] motion for Garran J. Graner to withdraw as attorney (signed by JK) Copies to counsel: 12/17/98 Page(s) 1 (jrb) [Entry date 12/17/98]

12/18/98 68 Preliminary Report by receiver Michael J Quilling (13) (tsp)
[Entry date 12/21/98]

12/21/98 69 MARSHALS RETURN OF SERVICE executed as to defendant
Winterhawk West 12/4/98 (personal service) Answer due on
12/24/98 for Winterhawk West (1) (tsp) [Entry date 12/22/98]

12/21/98 84 RETURN OF SERVICE executed as to defendant Robert Cord
12/4/98 (personal service) Answer due on 12/24/98 for
Robert Cord (1) (sak) [Entry date 01/21/99]

1/4/99 70 NOTICE OF APPEAL by defendant Howe Financial Trust from the
order denying Howe Financial Trust's Emergency motion to
dissolve Ex Parte TRO, entered on 12/3/98 . Fee payment
amount: 105.00 Receipt # 108150 (5) cc: Judge (tsp)
[Entry date 01/05/99]

1/5/99 -- Notice of appeal and certified copy of docket to USCA:
[70-1] appeal (tsp)

1/8/99 71 MOTION by defendant Raymond G Parr to quash deposition and
for protective order (11) (tsp) [Entry date 01/11/99]

1/11/99 -- USCA Case Number, 99-10014 Re: [70-1] appeal (mcl)

1/11/99 72 ANSWER to Complaint by defendant Gene Coulter (20) (tsp)
[Entry date 01/12/99]

1/11/99 73 ANSWER to Complaint by defendant Quentin Hix (21) (tsp)
[Entry date 01/12/99]

1/11/99 74 ORDER OF REFERENCE: [71-1] motion to quash deposition and
for protective order referred to Magistrate Judge Jane J.
Boyle (Signed by J Kendall) Copies to counsel: 1/12/99
Page(s): 1 (tsp) [Entry date 01/12/99]

1/11/99 75 ORDER granting [2-1] motion for preliminary injunction
(signed by J Kendall) Copies to
counsel: 1/12/99 Page(s) 6 (tsp) [Entry date 01/12/99]

1/13/99 76 NOTICE of ADDRESS CHANGE of counsel by Stephen Cass Weiland
atty for defendant Raymond G Parr New address is: 1700
Pacific Ave., Suite 4400, Dallas, TX 75201 (cc: Jeri Ross)
(3) (tsp) [Entry date 01/14/99]

1/14/99 77 MOTION with memorandum in support by receiver Michael J
Quilling for show cause order (8) (tsp)
[Entry date 01/15/99]

1/14/99 78 DECLARATIONS/AFFIDAVIT by receiver Michael J Quilling Re:
[77-1] motion for show cause order (15+) (tsp)
[Entry date 01/15/99]

1/15/99 79 NOTICE OF APPEAL by defendant Howe Financial Trust from the

Order denying Attorney Garran J. Graner's motion to withdraw as pro hac vice attorney of record entered 12/17/98 . Fee payment amount: 105.00 Receipt # 108579 (TO mailed) (4) cc: Judge (tsp)

1/15/99 -- Notice of appeal and certified copy of docket to USCA: [79-1] appeal (tsp)

1/15/99 80 ORDER granting [77-1] motion for show cause order Set show cause hearing for 2:00 2/4/99 for Garran J. Graner (signed by J Kendall) Copies to counsel: 1/15/99 Page(s) 2 (tsp)

1/15/99 81 ORDER RE Dft's motion to quash deposition and for protective order filed 1/8/99; The parties are ordered to meet face to face to fully confer on each of the items in dispute; The motion will be held in abeyance until 1/28/99 (signed by Mag Boyle) Copies to counsel: 1.19.99 Page(s) 3 (mlh) [Entry date 01/19/99]

1/15/99 82 MOTION by receiver Michael J Quilling to allow and pay for receivers fees and expenses and attorney fees and expenses (15+) (mlh) [Entry date 01/19/99]

1/19/99 83 Transcript order form signed by Garran Graner: Transcript requested for 11/30/98 motion to dissove TRO heard by Hon. Joe Kendall CR-L. Robbins (1) [79-1] appeal, [70-1] appeal (mcl)

1/21/99 85 DECLARATION/AFFIDAVIT by receiver Michael J Quilling (7) (tsp) [Entry date 01/22/99]

1/21/99 86 ORDER Freezing assets and appointing temporary receiver...The Court appoints Michael J. Quilling as temporary Receiver for Hammersmith Trust, LLC... (signed by J Kendall) Copies to counsel: 1/22/99 Page(s) 5 (tsp) [Entry date 01/22/99]

1/22/99 87 CERTIFICATE OF SERVICE Re: [86-1] order, [85-1] affidavit by receiver Michael J Quilling (3) (tsp) [Entry date 01/25/99]

1/27/99 88 MOTION with memorandum in support by receiver Michael J Quilling to show cause order of Attorney Matt E. Rubin (15+) (tsp) [Entry date 01/28/99]

1/27/99 89 ORDER Reset show cause hearing for 2:00 2/8/99 (signed by J Kendall) Copies to counsel: 1/28/99 Page(s) 1 (tsp) [Entry date 01/28/99]

1/28/99 -- Motion(s) no longer referred: [71-1] motion to quash deposition and for protective order (tsp)

1/28/99 -- WITHDRAWAL of (Motion termed: [71-1] motion to quash

deposition and for protective order) (tsp)

- 1/28/99 90 Letter to file from Judy Murray Re: Close order of reference on Motion to Quash Deposition and for Protective Order filed 1/8/99 (1) (tsp)
- 1/28/99 91 MOTION by defendant Howe Financial Trust, defendant Treds Financial for protective order regarding subpoena/deposition of Eliot Lupkin (9) (tsp)
[Entry date 01/29/99]
- 1/28/99 92 SUPPLEMENTAL DECLARATION/AFFIDAVIT of Clark B. Will by defendant Howe Financial Trust, defendant Treds Financial Re: [91-1] motion for protective order regarding subpoena/deposition of Eliot Lupkin (7) (tsp)
[Entry date 01/29/99]
- 1/29/99 93 ORDER OF REFERENCE: [91-1] motion for protective order regarding subpoena/deposition of Eliot Lupkin referred to Magistrate Judge Jane J. Boyle (Signed by J Kendall) Copies to counsel: 1/29/99 Page(s): 1 (tsp)
- 2/1/99 94 ORDER granting [88-1] motion to show cause order of Attorney Matt E. Rubin set show cause hearing for 2:00 2/8/99 (signed by Joe Kendall) Copies to counsel: 2.1.99 Page(s) 2 (mlh)
- 2/4/99 95 ORDER...ORDERED that Eric Johnson is authorized to serve the Order to Show Cause upon Matt E. Rubin and to make return thereof (signed by J Kendall) Copies to counsel: 2/4/99 Page(s) 3 (tsp)
- 2/4/99 -- USCA Case Number, 99-10058 Re: [79-1] appeal (mcl)
[Entry date 02/05/99]
- 2/4/99 96 ORDER...The Court ORDERS the parties to meet face-to-face to confer on items in dispute on dft's motion for protective order regarding subpoena/deposition of Eliot Lupkin (signed by Boyle) Copies to counsel: 2/5/99 Page(s) 3 (tsp) [Entry date 02/05/99]
- 2/5/99 97 RESPONSE by movant Matt E Rubin in opposition to Receiver's motion for show cause order and brief in support (tsp) [Entry date 02/08/99]
- 2/5/99 98 TRANSCRIPT filed [79-1] appeal for dates of 11/30/98 Transcripts of proceedings, motion for preliminary injunction, motion for leave to amend, motion to dismiss, motion for dissolution before the Honorable Judge Kendall, USD Judge CR-Linda Robbins (15+) USC (nmc)
[Entry date 02/08/99]
- 2/8/99 99 UNOPPOSED MOTION by receiver Michael J Quilling to allow inspection and copying of records (5) (tsp)

[Entry date 02/09/99]

2/8/99 100 ORDER granting [99-1] motion to allow inspection and copying of records (signed by J Kendall) Copies to counsel: 2/9/99 Page(s) 2 (tsp) [Entry date 02/09/99]

2/8/99 101 ORDER Allowing Receiver to Open Accounts and Invest Funds...Michael Quilling as receiver is authorized to establish accounts at Merrill Lynch for the purpose of investing and holding funds in money market accounts in connection w/the performance of his duties as receiver (signed by J Kendall) Copies to counsel: 2/9/99 Page(s) 2 (tsp) [Entry date 02/09/99]

2/8/99 -- Show cause hearing held before Judge Kendall. (jas) [Entry date 02/10/99]

2/8/99 104 Minute order: Show cause hearing Held before Judge Joe Kendall Court Reporter: L Robbins (1) (jas) [Entry date 02/10/99]

2/9/99 102 ORDER granting [82-1] motion to allow and pay for receivers fees and expenses and attorney fees and expenses, the Receiver is authorized to pay Quilling, Selander, Cummiskey, Clutts & Lownds the sum of \$62,476.50 in fees and \$9,470.96 in expenses for the time period 11/13/98 through 12/31/98 (signed by Judge Kendall) Copies to counsel: 2/10/99 Page(s) 2 (jas) [Entry date 02/10/99]

2/9/99 103 RESPONSE in Opposition by defendant Howe Financial Trust to [88-1] motion to show cause order of Attorney Matt E. Rubin (14) (jas) [Entry date 02/10/99]

2/9/99 105 Minute order: Show cause hearing Held before Judge Joe Kendall Court Reporter: L Robbins (1) (jas) [Entry date 02/10/99]

2/19/99 106 Memorandum to file from Judy Murray Re: Close order of reference dated 1/29/99 (1) (tsp) [Entry date 02/22/99]

2/19/99 -- Motion(s) no longer referred: [91-1] motion for protective order regarding subpoena/deposition of Eliot Lupkin (tsp) [Entry date 02/22/99]

2/19/99 -- WITHDRAWAL of (Motion termed: [91-1] motion for protective order regarding subpoena/deposition of Eliot Lupkin) (tsp) [Entry date 02/22/99]

2/26/99 107 ORDER RETAINING RECORD in District Court (Signed by JK) Copies to counsel: 3/1/99 Page(s): 1 (mcl) [Entry date 03/01/99]

3/3/99 108 TRANSCRIPT of proceedings filed on Motion for show cause order before Judge Joe Kendall [79-1] appeal, [70-1] appeal for dates of 02/09/99 (10) USC (ple) [Entry date 03/04/99]

3/4/99 -- Transmitted partial record on appeal to USCA Re: [79-1] appeal consisting of Rule 11(e) Order filed 2/26/99, Doc #107 and an updated list of docket entries (ple)

3/9/99 109 UNOPPOSED MOTION by receiver Michael J Quilling for generalleave to file civil actions (6) (tsp) [Entry date 03/10/99]

3/11/99 110 DECLARATION/AFFIDAVIT of Milo H. Segner, Jr for receiver Michael J Quilling (4) (tsp) [Entry date 03/12/99]

3/11/99 111 DECLARATION/AFFIDAVIT by receiver Michael J Quilling (tsp) [Entry date 03/12/99]

3/11/99 112 ORDER granting [109-1] motion for generalleave to file civil actions (signed by J Kendall) Copies to counsel: 3/12/99 Page(s) 3 (tsp) [Entry date 03/12/99]

3/11/99 113 ORDER FREEZING ASSETS and APPOINTING TEMPORARY RECEIVER...The Court appoints Michael J. Quilling as temporary receiver (signed by J Kendall) Copies to counsel: 3/12/99 Page(s) 10 (tsp) [Entry date 03/12/99]

3/16/99 114 SECOND MOTION/Application by receiver Michael J Quilling to allow and pay receiver's fees and expenses and attys' fees and expenses (15+) (tsp) [Entry date 03/17/99]

3/16/99 115 TRANSCRIPT filed [79-1] appeal, [70-1] appeal for dates of February 8, 1999; partial transcript of proceedings motion for show cause order before Honorable Joe Kendall, U.S. District Judge, CR-L Robbins (13) USC (mcl) [Entry date 03/17/99]

3/18/99 116 EMERGENCY MOTION by movants for limited relief from order freezing assets and appointing temporary receiver (6) (tsp) [Entry date 03/19/99]

3/19/99 117 MOTION by receiver Michael J Quilling to hold B. David Gilliland in Contempt (15+) (tsp) [Entry date 03/22/99]

3/19/99 118 MOTION by receiver Michael J Quilling to sell asset (15) (tsp) [Entry date 03/22/99] [Edit date 03/22/99]

3/19/99 119 RESPONSE by receiver Michael J Quilling to [116-1] motion for limited relief from order freezing assets and appointing temporary receiver (5) (tsp) [Entry date 03/22/99]

3/22/99 120 MOTION with memorandum in support by movants to dissolve

order freezing assets and appointing temporary receiver
(15+) (tsp) [Entry date 03/23/99]

- 3/22/99 121 MOTION with memorandum in support by movants to strike [111-1] affidavit of Michael J. Quilling (14) (tsp) [Entry date 03/23/99]
- 3/22/99 122 MOTION with memorandum in support by movant Hammersmith Trust to dissolve January 21 Appointment of Receiver (12) (tsp) [Entry date 03/23/99]
- 3/22/99 123 Objections and MOTION with memorandum in support by movants to strike [110-1] affidavit of Milo H. Segner, Jr. (9) (tsp) [Entry date 03/23/99]
- 3/22/99 124 Objections and MOTION with memorandum in support by movant Hammersmith Trust to strike [111-1] affidavit of Michael J. Quilling in support of Hammersmith Freeze order (8) (tsp) [Entry date 03/23/99]
- 3/22/99 125 RESPONSE by movants in opposition to form of Order freezing assets and appointing temporary receiver (15+) (tsp) [Entry date 03/23/99]
- 3/22/99 126 RESPONSE by movant Benjamin David Gilliland to [117-1] motion to hold B. David Gilliland in Contempt (15+) (tsp) [Entry date 03/23/99]
- 3/22/99 127 RESPONSE by defendant Raymond G Parr in opposition to [114-1] motion to allow and pay receiver's fees and expenses and attys' fees and expenses (5) (tsp) [Entry date 03/23/99]
- 3/22/99 128 NOTICE of Motion by plaintiff SEC (15+) (tsp) [Entry date 03/23/99]
- 3/22/99 129 MOTION with memorandum in support by movant Bridgeport Alliance, movant Economic Development, movant Kenneth B Cobb, movant Raymond Hansen, movant William H West to dismiss (15) (tsp) [Entry date 03/23/99]
- 3/22/99 130 ORDER granting [118-1] motion to sell asset/airplane (signed by J Kendall) Copies to counsel: 3/23/99 Page(s) 4 (tsp) [Entry date 03/23/99]
- 3/24/99 131 ORDER...Notice for hearing on plaintiff, SEC's motion for leave to amend complaint is shortened...the motion for leave to amend complaint is granted (signed by J Kendall) Copies to counsel: 3/25/99 Page(s) 2 (tsp) [Entry date 03/25/99]
- 3/24/99 132 ORDER granting [114-1] motion to allow and pay receiver's fees and expenses and attys' fees and expenses...ORDERED that Receiver is authorized to pay Quilling, Selander,

Cummiskey, Clutts & Lownds, PC the sum of \$69,714.50 in fees and \$7,902.19 in expenses for the time period from 1/1/99 through 2/28/99 (signed by J Kendall) Copies to counsel: 3/25/99 Page(s) 2 (tsp) [Entry date 03/25/99]

- 3/26/99 133 AGREED ORDER Modifying and Abating Orders of 1/21/99 and March 11, 1999, Freezing Assets and Appointing Temporary Receiver...ORDERED that the Affected Parties shall pay to the Receiver, the total sum of two million seven hundred forty five thousand dollars
(Motion termed: [122-1] motion to dissolve January 21 Appointment of Receiver), (Motion termed: [120-1] motion to dissolve order freezing assets and appointing temporary receiver), (Motion termed: [116-1] motion for limited relief from order freezing assets and appointing temporary receiver) (signed by J Kendall) Copies to counsel: 3/26/99 Page(s) 5 (tsp)
- 3/29/99 134 SUBPOENA RETURN OF SERVICE executed 3/19/99 as to Michael Quilling (service by delivery to Mike Clark) (1) (tsp) [Entry date 03/30/99]
- 3/30/99 135 UNOPPOSED MOTION by receiver Michael J Quilling to sell miscellaneous Robert Cordassets (6) (tsp) [Entry date 03/31/99]
- 3/31/99 136 ORDER granting [135-1] motion to sell miscellaneous Robert Cordassets (signed by J Kendall) Copies to counsel: 3/31/99 Page(s) 2 (tsp)
- 3/31/99 137 AMENDED UNOPPOSED MOTION to sell miscellaneous Robert Cord assets - AMENDED by receiver Michael J Quilling referring to [135-1] motion to sell miscellaneous Robert Cordassets (6) (tsp) [Entry date 04/01/99]
- 4/5/99 138 SECOND AMENDED COMPLAINT by plaintiff SEC , (Answer due 4/15/99 for Mary Ann Bauce, for Treds Financial, for Howe Financial Trust, for Carl LaDane Weaver, for Carolyn Don Hicks, for IGW Trust, for Winterhawk West, for Robert Cord, for Fortune Investments, for Earl D McKinney, for Willard Vearl Smith, for Raymond G Parr, for Funders Marketing Co, for FMCI Trust, for MVP Network Inc, for Steven C Roberts, for Gene Coulter, for Quentin Hix, for Funding Resource) amending [1-1] complaint against Hammersmith Trust, Hammersmith Trust Lt, Bridgeport Alliance, Landfair Custodial, Microfund LLC, American Pacific, Eurofund Investment, B David Gilliland, Melody Rose (15+) (tsp) [Entry date 04/06/99]
- 4/13/99 139 NOTICE of Securities and Exchange Commission's consent to receiver's agreed order permitting foreclosure sale by receiver Michael J Quilling (4) (tsp) [Entry date 04/14/99]

4/13/99 140 AGREED ORDER Permitting Foreclosure Sale (signed by J Kendall)
Copies to counsel:
4/14/99 Page(s) 7 (tsp) [Entry date 04/14/99]

4/20/99 141 TRANSCRIPT of hearing before Judge Kendall filed [79-1]
appeal, [70-1] appeal for dates of 2/8/99 & 2/9/99 (lch)
[Entry date 04/21/99]

4/21/99 142 MOTION with memorandum in support by receiver Michael J
Quilling for show cause order (15+) (tsp)
[Entry date 04/22/99]

4/21/99 143 MOTION by plaintiff SEC to compel discovery (15+) (tsp)
[Entry date 04/22/99]

4/21/99 144 MOTION by plaintiff SEC for contempt (7) (tsp)
[Entry date 04/22/99]

4/21/99 145 DECLARATION/AFFIDAVIT of Robert A. Brunig for plaintiff SEC
(15+) (tsp) [Entry date 04/22/99]

4/22/99 146 ORDER OF REFERENCE: [143-1] motion to compel discovery
referred to Magistrate Judge Jane J. Boyle (Signed by J
Kendall) Copies to counsel: 4/22/99 Page(s): 1 (tsp)

4/22/99 147 ORDER granting [142-1] motion for show cause order,
(Motion termed: [117-1] motion to hold B. David Gilliland
in Contempt)...ORDERED that B. David Gilliland,
Hammersmith Trust LLC and Hammersmith Trust Ltd shall
appear before this court on 5/3/99 at 2:00 p.m. to show
cause why they should not be held in contempt and/or have
sanctions entered against them for violating the terms of
the Abatement Order (signed by J Kendall) Copies to
counsel: 4/22/99 Page(s) 2 (tsp)

4/22/99 148 MOTION with memorandum in support by receiver Michael J
Quilling to reinstate show cause order (5) (tsp)
[Entry date 04/23/99] [Edit date 05/26/99]

4/22/99 149 DECLARATION/AFFIDAVIT of Clark B. Will for receiver Michael
J Quilling Re: [148-1] motion to reinstate show cause order
(13) (tsp) [Entry date 04/23/99]

4/23/99 150 ORDER...all responses to plaintiff's motion to compel
discovery must be filed no later than 20 days from the date
the motion was filed (signed by Boyle) Copies to counsel:
4/23/99 Page(s) 1 (tsp)

4/23/99 151 ORDER Set show cause hearing for 2:00 5/17/99 (signed
by J Kendall) Copies to counsel: 4/23/99 Page(s) 2 (tsp)
[Edit date 05/26/99]

4/23/99 152 ORDER For Garran J. Graner to Appear and Show Cause Set
show cause hearing for 2:00 5/17/99 (signed by J Kendall)

Copies to counsel: 4/23/99 Page(s) 2 (tsp)

- 4/26/99 153 CERTIFICATE OF SERVICE Re: [149-1] affidavit by receiver Michael J Quilling (3) (tsp) [Entry date 04/27/99]
- 4/26/99 154 ORDER...ORDERED that the hearing originally scheduled for 5/3/99 shall be held on 5/17/99 at 2:00 p.m....B. David Gilliland, Hammersmith Trust, LLC and Hammersmith Trust, Ltd are ORDERED to appear in person on 5/17/99 at 2:00 p.m....no hearing will be held on 5/3/99 at 2:00 p.m. (signed by J Kendall) Copies to counsel: 4/27/99 Page(s) 2 (tsp) [Entry date 04/27/99]
- 4/27/99 155 ORDER consolidating cases..ORDERED that 3:99cv-549 shall be closed and consolidated into lead case 3:98cv2689 (signed by J Kendall) Copies to counsel: 4/27/99 Page(s) 1 (tsp)
- 4/27/99 -- Consolidated Lead Case (tsp)
- 4/27/99 156 UNOPPOSED MOTION by receiver Michael J Quilling to sell real property free and clear of all liens, claims and encumbrances (15+) (tsp) [Entry date 04/28/99]
- 4/27/99 157 RESPONSE by receiver Michael J Quilling to [143-1] motion to compel discovery of the SEC (3) (tsp) [Entry date 04/28/99]
- 5/3/99 158 OBJECTION/RESPONSE by movant Seven Dials Aviation, movant Benjamin David Gilliland, defendant Hammersmith Trust, defendant Hammersmith Trust Lt in opposition to notice of intention to abandon airplane and motion to enforce order permitting sale of airplane and supporting brief (15+) (tsp) [Entry date 05/04/99]
- 5/3/99 161 DECLARATION/AFFIDAVIT of Wilson E. Wray Jr for movant Seven Dials Aviation, movant Benjamin David Gilliland, defendant Hammersmith Trust, defendant Hammersmith Trust Lt Re: [159-1] motion to disburse funds (6) (tsp) [Entry date 05/05/99]
- 5/4/99 159 EMERGENCY MOTION by receiver Michael J Quilling to disburse funds (5) (tsp)
- 5/4/99 160 ORDER granting [159-1] motion to disburse funds...ORDERED that receiver be authorized to disburse the sum of \$25,000 to Joseph and Hazel Studinski (signed by J Kendall) Copies to counsel: 5/4/99 Page(s) 1 (tsp)
- 5/4/99 162 UNOPPOSED MOTION by receiver Michael J Quilling to sell 38' Bayliner Boat Free and Clear of all liens, claims, and encumbrances (6) (tsp) [Entry date 05/05/99]
- 5/5/99 163 RESPONSE by receiver Michael J Quilling in opposition to

[158-1] opposition response (5) (tsp) [Entry date 05/06/99]

5/5/99 164 Memo to Clerk's office from Magistrate Boyle Re: Recusal from case (1) (tsp) [Entry date 05/06/99]

5/5/99 -- PRELIMINARY ASSIGNMENT TO Magistrate Judge Wm F Sanderson Jr (tsp) [Entry date 05/06/99]

5/5/99 -- Motion(s) referred: [143-1] motion to compel discovery referred to Magistrate Judge Wm F. Sanderson Jr...per memo recusing Magistrate Boyle and reassigning Magistrate Sanderson (tsp) [Entry date 05/06/99]

5/5/99 165 DECLARATION/AFFIDAVIT by receiver Michael J Quilling Re: [163-1] opposition response (15+) (tsp) [Entry date 05/06/99]

5/5/99 166 ORDER granting [162-1] motion to sell 38' Bayliner Boat Free and Clear of all liens, claims, and encumbrances...ORDERED that the receiver is authorized to sell the 38' Bayliner Boat bearing the name "Winterhawk" (signed by J Kendall) Copies to counsel: 5/6/99 Page(s) 2 (tsp) [Entry date 05/06/99]

5/5/99 167 ORDER granting [156-1] motion to sell real property free and clear of all liens, claims and encumbrances...ORDERED that the receiver is authorized to sell the real property (signed by J Kendall) Copies to counsel: 5/6/99 Page(s) 2 (tsp) [Entry date 05/06/99]

5/5/99 168 ORDER..ORDERED that Magistrate Judge Sanderson is designated as the Magistrate Judge for this case...Magistrate Boyle has recused herself (signed by JB) Copies to counsel: 5/6/99 Page(s) (tsp) [Entry date 05/06/99]

5/7/99 169 ORDER setting hearing: a hearing on Objection to notice of intention to abandon airplane and motion to enforce order permitting sale of airplane will be held on 5/17/99 at 2:00 p.m. (signed by J Kendall) Copies to counsel: 5/7/99 Page(s): 1 (tsp)

5/7/99 170 ORDER OF REFERENCE: [143-1] motion to compel discovery referred to Magistrate Judge Wm F. Sanderson Jr (Signed by J Kendall) Copies to counsel: 5/7/99 Page(s): 1 (tsp)

5/11/99 171 UNOPPOSED MOTION by receiver Michael J Quilling to sell real property free and clear of all liens, claims and encumbrances (15+) (tsp) [Entry date 05/12/99]

5/11/99 172 RESPONSE by defendant Hammersmith Trust, defendant Hammersmith Trust Lt, defendant B David Gilliland in opposition to Motion for Show Cause Order (15) (tsp) [Entry date 05/12/99]

- 5/11/99 173 DECLARATION/AFFIDAVIT by defendant B David Gilliland Re: [172-1] opposition response and Brief in opposition to motion for how cause order (5) (tsp) [Entry date 05/12/99]
- 5/11/99 174 DECLARATION/AFFIDAVIT of Wilson E. Wray Jr. Re: [172-1] opposition response and Brief to motion for show cause order (12) (tsp) [Entry date 05/12/99]
- 5/12/99 175 MOTION by receiver Michael J Quilling to compel turnover of receivership assets (9) (tsp) [Entry date 05/13/99]
- 5/13/99 176 Third Interim APPLICATION/MOTION by receiver Michael J Quilling to allow and pay receiver's fees and expenses and for attorney fees and expenses (tsp) [Entry date 05/14/99]
- 5/14/99 177 REPLY by plaintiff SEC to response to [143-1] motion to compel discovery (7) (tsp) [Entry date 05/17/99]
- 5/14/99 178 RESPONSE by plaintiff SEC in opposition to Request for Postponement (7) (tsp) [Entry date 05/17/99]
- 5/17/99 179 REPLY by receiver Michael J Quilling to response to [142-1] motion for show cause order (10) (tsp) [Entry date 05/18/99]
- 5/17/99 180 DECLARATION/AFFIDAVIT by Clark B. Will, atty for receiver Michael J Quilling Re: motion to hold Hammersmith Entities in contempt (15+) (tsp) [Entry date 05/18/99]
- 5/17/99 181 ORDER granting [144-1] motion for contempt (signed by J Kendall)
Copies to counsel:
5/18/99 Page(s) 6 (tsp) [Entry date 05/18/99]
- 5/17/99 182 Issued WARRANT to arrest Earl McKinney (iss 1) (tsp) [Entry date 05/18/99]
- 5/18/99 183 Issued WARRANT to arrest Earl McKinney (reiss 1) (tsp)
- 5/18/99 184 ORDER granting [171-1] motion to sell real property free and clear of all liens, claims and encumbrances; Ordered that Receiver is authorized to sell the real property and building located at 4001 Nasa Rd One Unit 211 Seabrook Harris County Texas free and clear of all liens, claims and encumbrances to Candice Kincaid Capuano; All such leans, claims, and encumbrances shall attach to the net proceeds of sale pending further order of the court; The receiver is further authorized to take all steps necessary to consummate the transaction and to provide for its closing; Further ordered that Receiver's agreement with Lakeshore Condominium Assoc regarding sale of the property is approved and the Receiver is authorized to pay from the gross sales proceeds such amount as is necessary to

consummate the agreement with Lakeshore Condominium Assoc (signed by Judge Kendall) Copies to counsel: 5.18.99
Page(s) 2 (mlh)

5/18/99 185 CERTIFICATE OF CONFERENCE by receiver Michael J Quilling
Re: [175-1] motion to compel turnover of receivership
assets (4) (jas) [Entry date 05/19/99]

5/18/99 190 FINANCIAL AFFIDAVIT by defendant Earl D McKinney (1) (mlh)
[Entry date 05/19/99]

5/19/99 186 US MARSHALS RETURN OF SERVICE executed as to defendant
Treds Financial 5/11/99 via personal service; Answer due on
6/1/99 for Treds Financial (mlh)

5/19/99 187 US MARSHALS RETURN OF SERVICE executed as to defendant
Fortune Investments 4/28/99 via personal service; Answer
due on 5/18/99 for Fortune Investments (mlh)

5/19/99 188 US MARSHALS RETURN OF SERVICE executed as to defendant Earl
D McKinney 4/28/99 Answer due on 5/18/99 for Earl D
McKinney (mlh)

5/19/99 189 ORDER APPOINTING PUBLIC DEFENDER for Earl J McKinney (
signed by Mag Stickney) Copies to counsel: 5.19.99 Page(s)
1 (mlh)

5/19/99 191 MARSHALS RETURN OF SERVICE executed 4/28/99 as to Rosana C.
McKinney (legal evidence of service) (1) (tsp)
[Entry date 05/20/99]

5/19/99 192 MARSHALS RETURN OF SERVICE executed as to defendant Treds
Financial 4/30/99 (personal service) Answer due on 5/20/99
for Treds Financial (1) (tsp) [Entry date 05/20/99]

5/19/99 193 MARSHALS RETURN OF SERVICE executed as to defendant Treds
Financial 4/28/99 (legal evidence of service) (1) (tsp)
[Entry date 05/20/99]

5/19/99 194 MARSHALS RETURN OF SERVICE executed 4/28/99 as to David Jon
Feinstein (personal service) (1) (tsp) [Entry date 05/20/99]

5/19/99 195 MARSHALS RETURN OF SERVICE executed 4/30/99 as to Shirley
McKinney Redvine (personal service) (1) (tsp)
[Entry date 05/20/99]

5/19/99 196 MARSHALS RETURN OF SERVICE executed 5/11/99 as to Josephine
Canton (personal service) (1) (tsp) [Entry date 05/20/99]

5/21/99 197 ORDER denying [148-1] motion to reinstate show cause order
(signed by J Kendall) Copies to counsel: 5/21/99 Page(s)
1 (tsp)

5/21/99 198 MOTION by defendant Earl D McKinney to discharge contempt

finding and release contemnor from custody (5) (tsp)

- 5/21/99 199 ORDER granting [176-1] motion to allow and pay receiver's fees and expenses and for attorney fees and expenses; See order for specifics (signed by Judge Kendall) Copies to counsel: 5.25.99 Page(s) 2 (mlh) [Entry date 05/25/99]
- 5/24/99 200 ORDER FINDING B. DAVID GILLILAND IN CONTEMPT OF COURT...Gilliland shall have until 7/2/99 to purge himself of said contempt by paying to the Receiver the remaining unpaid sum of \$1,695,000.00 on or before 3:00 central time 7/2/99 in US dollars by wire transfer to the Receiver's account; In the event the \$1,695,000.00 remaining to be paid pursuant to the Agreed Modification Order has not been paid to the Receiver on or before 3:00 central time on 7/2/99, further ordered that the US Marshal shall take Gilliland, individually, and as agent for Hammersmith Trust LLC and Hammersmith Trust Ltd into custody and hold him there until this Court determines that the remaining \$1,695,000.00 ordered to be paid to the Receiver under the Agreed Modification Order has in fact been paid to the Receiver; See order for specifics (signed by Judge Kendall) Copies to counsel: 5.25.99 Page(s) 5 (mlh) [Entry date 05/25/99]
- 5/24/99 201 ORDER denying as moot [198-1] motion to discharge contempt finding and release contemnor from custody set show cause hearing for 2:00 6/14/99 Court orders dft Earl McKinney released from the custody of the US Marshal so that he may fully comply with this Court's 11/13/98 Order. Dft given until 12:00PM 6/14/99 to file the required accountings with this Court and to provide copies of the required accountings to the plf SEC; See order for specifics (signed by Judge Kendall) Copies to counsel: 5.25.99 Page(s) 2 (mlh) [Entry date 05/25/99]
- 5/24/99 -- Contempt hearing held (mlh) [Entry date 05/25/99]
- 5/24/99 202 Minute order: Contempt hearing Held before Judge Joe Kendall Court Reporter: Linda Robbins (mlh) [Entry date 05/25/99]
- 5/25/99 203 Arrest WARRANT Returned Executed as to Earl D McKinney on 5/18/99 (1) (tsp) [Entry date 05/26/99]
- 5/25/99 204 MOTION by movant Charles Fleming, movant Jack Littell, movant Thomas Lamb, movant Gary Bennett to declare certain causes of action assets outside of the scope of the receivership (12) (tsp) [Entry date 05/26/99] [Edit date 05/27/99]
- 5/26/99 205 NOTICE of ADDRESS CHANGE by defendant Robert Cord, defendant Winterhawk West New address is: Inmate No

08-328-023, Federal Corrections Institution, PO Box 26045,
Beaumont, TX 77720-6045 (3) (tsp) [Entry date 05/27/99]

- 5/26/99 -- WITHDRAWAL of (Motion termed: [143-1] motion to compel discovery)...per Withdrawal of motion to compel discovery by defendant (tsp) [Entry date 05/27/99] [Edit date 05/28/99]
- 5/26/99 206 Withdrawl of Motion to Compel Discovery by defendants (3) (tsp) [Entry date 05/28/99]
- 5/27/99 207 AMENDED UNOPPOSED MOTION to sell 38' Bayliner Boad free and clear of all liens, claims, and encumbrances - AMENDED by receiver Michael J Quilling referring to [171-1] motion to sell real property free and clear of all liens, claims and encumbrances (15+) (tsp) [Entry date 05/28/99]
- 5/28/99 208 ORDER granting [207-1] amended motion to sell 38' Bayliner Boad free and clear of all liens, claims, and encumbrances - AMENDED (signed by J Kendall) Copies to counsel: 5/28/99 Page(s) 2 (tsp)
- 6/1/99 209 UNOPPOSED MOTION by receiver Michael J Quilling to sell motorhome free and clear of all liens, claims, and encumbrances (7) (tsp) [Entry date 06/02/99]
- 6/4/99 210 ORDER granting [209-1] motion to sell motorhome free and clear of all liens, claims, and encumbrances...ORDERED that the receiver is authorized to sell the motorhome and the receiver is further authorized to take all steps necessary to consummate the transaction and to provide for its closing (signed by J Kendall) Copies to counsel: 6/4/99 Page(s) 2 (tsp)
- 6/4/99 211 ORDER RELEASING AIRPLANE...The Court find good case exists to modify the Sale Order (signed by J Kendall) Copies to counsel: 6/4/99 Page(s) 5 (tsp)
- 6/10/99 212 AFFIDAVIT of John A. Yanchunis Re: in support of intervenors' motion to intervene as plaintiffs (3) (tsp) [Entry date 06/11/99]
- 6/11/99 213 ORDER CANCELING HEARING...the Show Cause hearing set for 2:00 p.m. on 6/14/99 is CANCELED. Therefore Earl McKinney does not need to appear before this Court on 6/14/99 at 2:00 p.m. (signed by J Kendall) Copies to counsel: 6/11/99 Page(s) 1 (tsp)
- 6/11/99 214 MOTION to intervene as plaintiffs by movant Salish Investments, movant FHA Services, movant Herbert Press, movant Press Family LP, movant Kumarasundaram Sittambalam, movant Rex Weller, movant Vista Capital, movant Galaxy Enterprises, movant Sittambalam Rajasundaram, movant Bill Finch, movant Rosie Fan, movant Plenitude LTD, movant Laura

Nishimura (tsp) [Entry date 06/14/99]

- 6/16/99 215 JOINT MOTION to amend [200-1] order finding B. David Gilliland in contempt of court and brief in support by plaintiff SEC, receiver Michael J Quilling (15+) (tsp) [Entry date 06/17/99]
- 6/16/99 216 RESPONSE by receiver Michael J Quilling to [204-1] motion to declare certain causes of action assets outside of the scope of the receivership (8) (tsp) [Entry date 06/17/99]
- 6/16/99 215 MEMORANDUM by plaintiff SEC, receiver Michael J Quilling in support of [215-1] joint motion to amend [200-1] order finding B. David Gilliland in contempt of court and brief in support (tsp) [Entry date 06/24/99]
- 6/18/99 217 AGREED MOTION by defendant Carolyn Don Hicks to amend/modify order freezing assets of dft Carolyn Don Hicks (5) (tsp) [Entry date 06/21/99]
- 6/22/99 218 Report Regarding Status of Consolidated Forfeiture Proceedings, MOTION with memorandum in support by receiver Michael J Quilling to dismiss or declare remaining issues Moot (15+) (tsp) [Entry date 06/23/99] [Edit date 08/20/99]
- 6/23/99 219 NOTICE of attorney appearance for movant Benjamin David Gilliland by Michael John Betz, Baxter W Banowsky, Scott Douglas Levine (2) (tsp) [Entry date 06/24/99]
- 6/23/99 220 JOINT MOTION for Ron Wells and Bickel & Brewer to withdraw as attorney and substitute Banowsky, Betz & Levine by defendant B David Gilliland (4) (tsp) [Entry date 06/24/99]
- 6/23/99 221 SUPPLEMENTAL MEMORANDUM by plaintiff SEC in support of [215-1] joint motion to amend [200-1] order finding B. David Gilliland in contempt of court and brief in support (15+) (tsp) [Entry date 06/24/99]
- 6/23/99 222 AMENDED CERTIFICATE OF SERVICE Re: [214-1] motion to intervene as plaintiffs by movant Salish Investments, movant FHA Services, movant Herbert Press, movant Press Family LP, movant Kumarasundaram Sittambalam, movant Rex Weller, movant Vista Capital, movant Galaxy Enterprises, movant Sittambalam Rajasundaram, movant Bill Finch, movant Rosie Fan, movant Plenitude LTD, movant Laura Nishimura by movants (4) (tsp) [Entry date 06/24/99]
- 6/23/99 223 MEMORANDUM by plaintiff SEC in opposition to [214-1] motion to intervene as plaintiffs by movant Salish Investments, movant FHA Services, movant Herbert Press, movant Press Family LP, movant Kumarasundaram Sittambalam, movant Rex Weller, movant Vista Capital, movant Galaxy Enterprises, movant Sittambalam Rajasundaram, movant Bill

Finch, movant Rosie Fan, movant Plenitude LTD, movant Laura Nishimura (17) (tsp) [Entry date 06/24/99]

- 6/23/99 224 MOTION by movant Salish Investments, movant FHA Services, movant Herbert Press, movant Press Family LP, movant Kumarasundaram Sittambalam, movant Rex Weller, movant Vista Capital, movant Galaxy Enterprises, movant Sittambalam Rajasundaram, movant Bill Finch, movant Rosie Fan, movant Plenitude LTD, movant Laura Nishimura for John A. Yanchunis to appear pro hac vice (5) (tsp) [Entry date 06/24/99] [Edit date 06/24/99]
- 6/25/99 225 FIRST INTERIM APPLICATION/MOTION with memorandum in support by movant Litzler Segner Shaw, accountants for receiver for receiver for compensation of fees and reimbursement of expenses (15+) (tsp)
- 6/28/99 226 RESPONSE by defendant B David Gilliland to [215-1] joint motion to amend [200-1] order finding B. David Gilliland in contempt of court and brief in support (15+) (djd)
- 6/29/99 227 NOTICE of attorney appearance for defendant Microfund LLC by Michael John Betz, Baxter W Banowsky, Scott Douglas Levine (2) (alh) [Entry date 06/30/99]
- 6/29/99 228 SUPPLEMENTAL DOCUMENT to [223-1] opposition memorandum by plaintiff SEC (4) (alh) [Entry date 06/30/99]
- 6/29/99 229 Unopposed MOTION by defendant Hammersmith Trust, defendant Hammersmith Trust Lt, defendant B David Gilliland to extend time to respond to mtn to intervene as plas (4) (alh) [Entry date 06/30/99]
- 6/29/99 230 AGREED ORDER MODIFYING FREEZE OF ASSETS...Ordered that the court's previous order of 11/30/98 be modified by removing the freeze on the following accounts maintained by Carolyn Don Hicks and/or his wife, Sherron M Hicks (See order); further ordered that Dft Carolyn Don Hicks shall have custody of and immediate access to the foregoing accounts and the funds contained therein (signed by Judge Kendall) Copies to counsel: 6.30.99 Page(s) 4 (mlh) [Entry date 06/30/99]
- 7/1/99 231 FIRST INTERIM APPLICATION/MOTION with memorandum in support by receiver Michael J Quilling for compensation of fees and reimbursement of expenses for accountants for receiver (16) (tsp) [Entry date 07/02/99]
- 7/1/99 232 ORDER granting [175-1] motion to compel turnover of receivership assets...Paul Tinsley and B&J Transportation Inc. are ORDERED to pay to the receiver within 10 days from the date of this Order the sum of \$13,500 (signed by J Kendall) Copies to counsel: 7/2/99 Page(s) 1 (tsp) [Entry date 07/02/99]

- 7/1/99 233 AGREED ORDER granting [229-1] motion to extend time to respond to mtn to intervene as plas...ORDERED that the deadline for equitable dfts to file a response to the motion to intervene as plaintiffs is extended until the earlier of (1) two days before the date of any hearing the court shall set on the motion to intervene; or (2) to July 15, 1999 (signed by J Kendall) Copies to counsel: 7/2/99 Page(s) 4 (tsp) [Entry date 07/02/99]
- 7/1/99 234 ORDER unfiled [225-1] motion for receiver for compensation of fees and reimbursement of expenses by movant Litzler Segner Shaw due to the following deficiency: receiver must submit application Copies to counsel: 7/2/99 (signed by Judge Joe Kendall) Page(s) 1 (tsp) [Entry date 07/02/99]
- 7/2/99 235 JUDGMENT OF USCA (certified copy) Re: [79-1] appeal is dismissed for want of prosecution for failure of the appellant to file a brief and record excerpts within the time fixed by the rules (svc)
- 7/2/99 236 EMERGENCY MOTION with memorandum in support by movant Benjamin David Gilliland to vacate [200-1] order (15+) (tsp)
- 7/2/99 237 ORDER granting [231-1] motion for compensation of fees and reimbursement of expenses for accountants for receiver; Ordered that the amounts of accountant's fees and expenses set forth in the Application are hereby approved and the Receiver is hereby authorized to pay Litzler Segner Shaw McKenney and Dohmeyer LLP the sum of \$78,814 in fees and \$5,086.33 in expenses for the time period from 11/14/98 through 4/30/99 (signed by Judge Kendall) Copies to counsel: 7.2.99 Page(s) 2 (mlh)
- 7/2/99 238 ORDER GRANTING STAY...granting in part emergency motion to stay; Ordered that the order finding B David Gilliland in contempt of court entered 5/24/99 is hereby stayed pending the Court's further consideration of the emergency motion to vacate, the emergency motion to stay or until further order of this court (signed by Judge Kendall) Copies to counsel: 7.2.99 Page(s) 1 (mlh)
- 7/2/99 239 MOTION by Equitable dfts for Bickel & Brewer to withdraw as attorney and to substitute Banowsky Betz & Levine PC for Equitable Dft Microfund LLC (7) (mlh) [Entry date 07/06/99]
- 7/2/99 342 Emergency MOTION with memorandum in support by defendant B David Gilliland to stay (15+) (jas) [Entry date 10/25/99]
- 7/6/99 240 ORDER granting [204-1] motion to declare certain causes of action assets outside of the scope of the receivership...ORDERED that the third parties are free to pursue those causes of action in the forum of their choice

(signed by J Kendall) Copies to counsel: 7/7/99 Page(s)
3 (tsp) [Entry date 07/07/99]

- 7/7/99 241 RESPONSE by receiver Michael J Quilling to [239-1] motion for Bickel & Brewer to withdraw as attorney and to substitute Banowsky Betz & Levine PC for Equitable Dft Microfund LLC (5) (tsp) [Entry date 07/08/99]
- 7/13/99 242 RESPONSE by receiver Michael J Quilling to [239-1] motion for Bickel & Brewer to withdraw as attorney and to substitute Banowsky Betz & Levine PC for Equitable Dft Microfund LLC (4) (tsp)
- 7/13/99 243 NOTICE of Suggestion of Bankruptcy by movant Hammersmith Trust (2) (tsp)
- 7/14/99 244 EMERGENCY MOTION by plaintiff SEC to freeze assets, for reinstatement of appointment of receiver and for expedited discovery (15+) (tsp) [Entry date 07/15/99]
- 7/14/99 245 RESPONSE by plaintiff SEC to [236-1] motion to vacate [200-1] order (15+) (tsp) [Entry date 07/15/99]
- 7/14/99 246 DECLARATION/AFFIDAVIT by receiver Michael J Quilling Re: [245-1] motion response (15+) (tsp) [Entry date 07/15/99]
- 7/15/99 247 RESPONSE by movant Benjamin David Gilliland to [214-1] motion to intervene as plaintiffs by movant Salish Investments, movant FHA Services, movant Herbert Press, movant Press Family LP, movant Kumarasundaram Sittambalam, movant Rex Weller, movant Vista Capital, movant Galaxy Enterprises, movant Sittambalam Rajasundaram, movant Bill Finch, movant Rosie Fan, movant Plenitude LTD, movant Laura Nishimura (7) (tsp) [Entry date 07/16/99]
- 7/15/99 248 FOURTH INTERIM APPLICATION/MOTION with memorandum in support by receiver Michael J Quilling to allow and pay receiver's fees and expenses and attys' fees and expenses (15+) (tsp) [Entry date 07/16/99]
- 7/15/99 249 MOTION with memorandum in support by plaintiff SEC to show cause and for citation for contempt (12) (tsp) [Entry date 07/16/99]
- 7/15/99 250 DECLARATION/AFFIDAVIT by Robert A. Brunig for plaintiff SEC Re: [249-1] motion to show cause and for citation for contempt (15+) (tsp) [Entry date 07/16/99]
- 7/15/99 251 REPLY by movant Benjamin David Gilliland to response to [239-1] motion for Bickel & Brewer to withdraw as attorney and to substitute Banowsky Betz & Levine PC for Equitable Dft Microfund LLC (5) (tsp) [Entry date 07/16/99]
- 7/15/99 252 RESPONSE by defendant Hammersmith Trust, defendant

Hammersmith Trust Lt in opposition to [214-1] motion to intervene as plaintiffs by movant Salish Investments, movant FHA Services, movant Herbert Press, movant Press Family LP, movant Kumarasundaram Sittambalam, movant Rex Weller, movant Vista Capital, movant Galaxy Enterprises, movant Sittambalam Rajasundaram, movant Bill Finch, movant Rosie Fan, movant Plenitude LTD, movant Laura Nishimura (8) (tsp) [Entry date 07/16/99]

- 7/15/99 253 RESPONSE by consolidated defendant Atlantic Capital Fun to [218-1] motion to dismiss (16) (tsp) [Entry date 07/16/99]
- 7/15/99 256 ORDER denying as moot [129-1] motion to dismiss, denying [124-1] motion to strike [111-1] affidavit of Michael J. Quilling in support of Hammersmith Freeze order, denying [123-1] motion to strike [110-1] affidavit of Milo H. Segner, Jr., denying [121-1] motion to strike [111-1] affidavit of Michael J. Quilling (signed by J Kendall) Copies to counsel: 7/16/99 Page(s) 3 (tsp) [Entry date 07/16/99]
- 7/15/99 257 ORDER denying as moot [117-1] motion to hold B. David Gilliland in Contempt (signed by J Kendall) Copies to counsel: 7/16/99 Page(s) 2 (tsp) [Entry date 07/16/99]
- 7/16/99 254 ORDER granting [220-1] joint motion for Ron Wells and Bickel & Brewer to withdraw as attorney and substitute Banowsky, Betz & Levine (J Kendall) Copies to counsel: 7/16/99 Page(s) 2 (tsp)
- 7/16/99 255 ORDER granting in part, denying in part [239-1] motion for Bickel & Brewer to withdraw as attorney and to substitute Banowsky Betz & Levine PC for Equitable Dft Microfund LLC...ORDERED that Bickel and Brewer shall be withdrawn as counsel of record for Microfund LLC and that Michael Betz, Baxter Banowsky and Scott Levine of Banowsky Betz and Levine shall be substituted as counsel for Microfund. FURTHER ORDERED that the motion for withdrawl as to Hammersmith Trust LLC, Hammersmith Trust Ltd, Landfair Custodial Services Inc, American Pacific Bank & Trust and Melody Rose is DENIED w/out Prejudice signed by J Kendall) Copies to counsel: 7/16/99 Page(s) 2 (tsp)
- 7/16/99 258 RESPONSE by movant Microfund, defendant B David Gilliland to [244-1] motion to freeze assets, for reinstatement of appointment of receiver and for expedited discovery (15+) (tsp)
- 7/16/99 259 ORDER setting Omnibus Hrg Motion hearing set for 9:30 7/22/99 for [215-1] joint motion to amend [200-1] order finding B. David Gilliland in contempt of court and brief in support, set for 9:30 7/22/99 for [236-1] motion to

vacate [200-1] order, set for 9:30 7/22/99 for [244-1] motion to freeze assets, for reinstatement of appointment of receiver and for expedited discovery...ordered that B David Gilliland to bring his passport with him to the hrg on 7/22/99 at 9:30...see or der for other specifics. (signed by JK) Copies to counsel: 7/19/99 Page(s) 2 (jrb) [Entry date 07/19/99]

- 7/16/99 260 ***Withdrawn per order of 7/23/99***ORDER TO SHOW CAUSE: Show Cause Hearing set for 9:30 7/22/99..see order for specifics. (signed by JK) Copies to counsel: 7/19/99 Page(s): 3 (jrb) [Entry date 07/19/99] [Edit date 07/23/99]
- 7/16/99 261 ***withdrawn per order of 7/23/99***ORDER TO SHOW CAUSE: Show Cause Hearing set for 9:30 7/22/99...see order for specifics. (signed by JK) Copies to counsel: 7/19/99 Page(s): 3 (jrb) [Entry date 07/19/99] [Edit date 07/23/99]
- 7/16/99 262 MOTION with memorandum in support by plaintiff SEC for order to show cause & for citation for contempt (10) (alh) [Entry date 07/19/99]
- 7/19/99 263 RESPONSE by equitable defendants in opposition to [244-1] motion to freeze assets, for reinstatement of appointment of receiver and for expedited discovery (9) (tsp) [Entry date 07/20/99] [Edit date 07/20/99]
- 7/19/99 264 DECLARATION/AFFIDAVIT by Wilson E. Wray for equitable defendants Re: [263-1] opposition response (5) (tsp) [Entry date 07/20/99]
- 7/19/99 265 RESPONSE by movant Bridgeport Alliance, movant Economic Development, movant Kenneth B Cobb, movant Raymond Hansen, movant William H West in opposition to [244-1] motion to freeze assets, for reinstatement of appointment of receiver and for expedited discovery (13) (tsp) [Entry date 07/20/99]
- 7/19/99 266 ORDER granting [248-1] motion to allow and pay receiver's fees and expenses and attys' fees and expenses...receiver is authorized to pay Quilling, Selander, Cumiskey & Lownds, PC the sum of \$79,527.50 in fees and \$9,856.04 in expenses for the time period fro 5/1/99 through 6/30/99 (signed by J Kendall) Copies to counsel: 7/20/99 Page(s) 2 (tsp) [Entry date 07/20/99]
- 7/20/99 267 REPLY by receiver Michael J Quilling to response to [218-1] motion to dismiss (7) (tsp) [Entry date 07/21/99]
- 7/21/99 268 REPLY MEMORANDUM by plaintiff SEC to response to [244-1] motion to freeze assets, for reinstatement of appointment of receiver and for expedited discovery (15+) (tsp)

- 7/21/99 269 EMERGENCY MOTION with memorandum in support by Bickel and Brewer, counsel for equitable defendants to continue hearing and proceedings as to certain equitable dfts (6) (tsp)
- 7/21/99 270 RESPONSE by defendant Microfund to [262-1] motion for order to show cause & for citation for contempt (8) (tsp) [Entry date 07/22/99]
- 7/21/99 271 RESPONSE by equitable defendants in opposition to [262-1] motion for order to show cause & for citation for contempt (Adversary Proceeding) (5) (tsp) [Entry date 07/22/99] [Edit date 07/22/99]
- 7/21/99 272 RESPONSE by equitable defendants in opposition to [249-1] motion to show cause and for citation for contempt (re payment) (10) (tsp) [Entry date 07/22/99]
- 7/21/99 273 RESPONSE by plaintiff SEC in opposition to [269-1] motion to continue hearing and proceedings as to certain equitable dfts (10) (tsp) [Entry date 07/22/99]
- 7/21/99 274 DECLARATION/AFFIDAVIT by defendant Melody Rose (3) (tsp) [Entry date 07/22/99]
- 7/21/99 275 DECLARATION/AFFIDAVIT by movant David M Bishara (2) (tsp) [Entry date 07/22/99]
- 7/22/99 276 NOTICE of Withdrawal of motion for order to show cause and for citation for contempt by plaintiff SEC (4) (tsp)
- 7/22/99 283 ORDER granting [244-1] motion to freeze assets, for reinstatement of appointment of receiver and for expedited discovery...see order for specifics....a hrg on this matter is set for August 23 1999 at 2:00 pm so that the Court can make a determination of which particulars assets, if any, frozen by this order shall remain frozen and subject to this order. (signed by JK) Copies to counsel: 7/23/99 Page(s) 14 (jrb) [Entry date 07/23/99]
- 7/23/99 277 Emergency MOTION with memorandum in support by movant Benjamin David Gilliland to stay(9) (jrb)
- 7/23/99 278 ORDER denying [262-1] motion for order to show cause & for citation for contempt..dfts B David Gilliland, Hammersmith Trust LLC and Hammersmith Trust Ltd have already been found to be in contempt of this Court and they remain in contempt as of the date of this orde...see order for specifics. (signed by JK) Copies to counsel: 7/23/99 Page(s) 2 (jrb)
- 7/23/99 279 ORDER denying [269-1] motion to continue hearing and proceedings as to certain equitable dfts (signed by JK) Copies to counsel: 7/23/99 Page(s) 1 (jrb)
- 7/23/99 280 ORDER denying [249-1] motion to show cause and for

citation for contempt withdrawing [261-1] order,
withdrawing [260-1] order...see order for specifics. (signed by JK) Copies to counsel: 7/23/99 Page(s) 2 (jrb)

- 7/23/99 281 ORDER denying [215-1] joint motion to amend [200-1] order finding B. David Gilliland in contempt of court and brief in support (signed by JK) Copies to counsel: 7/23/99 Page(s) 1 (jrb)
- 7/23/99 282 ORDER...that Bickel and Brewer's mtn for withdrawal and substitution of counsel...granted...see order for specifics. (signed by JK) Copies to counsel: 7/24/99 Page(s) 2 (jrb)
- 7/23/99 285 ORDER granting [277-1] motion to stay...ORDERED that the Order finding B. David Gilliland in Contempt of Court entered on 5/24/99 and the Order denying Gilliland's prior Emergency motion to stay is STAYED pending the resolution of Gilliland's appeal of said orders (signed by J Kendall) Copies to counsel: 7/26/99 Page(s) 2 (tsp) [Entry date 07/26/99] [Edit date 07/26/99]
- 7/23/99 284 ORDER denying [236-1] motion to vacate [200-1] order vacating [238-1] order Granting stay signed 7/2/99...the Marshall is directed to take B. David Gilliland into custody and hold him until this Court determines that the remaining \$1,695,000 ordered to be paid to receiver has been paid (signed by J Kendall) Copies to counsel: 7/26/99 Page(s) 2 (tsp) [Entry date 07/26/99] [Edit date 07/26/99]
- 7/23/99 286 NOTICE OF APPEAL by movant Benjamin David Gilliland re [200-1] order finding Gilliland in contempt, [285-2] order denying motion to vacate and emergency mot. to Stay Payment: no fee paid Appeal record due on 8/9/99 TOOC- (3) (lch) [Entry date 07/26/99]
- 7/26/99 -- Notice of appeal and certified copy of docket to USCA: [286-1] appeal (lch)
- 7/27/99 287 MOTION with memorandum in support by plaintiff SEC to amend [1-1] complaint (15+) (tsp) [Entry date 07/28/99]
- 7/27/99 288 ORDER denying [224-1] motion for John A. Yanchunis to appear pro hac vice, denying [214-1] motion to intervene as plaintiffs by movant Salish Investments, movant FHA Services, movant Herbert Press, movant Press Family LP, movant Kumarasundaram Sittambalam, movant Rex Weller, movant Vista Capital, movant Galaxy Enterprises, movant Sittambalam Rajasundaram, movant Bill Finch, movant Rosie Fan, movant Plenitude LTD, movant Laura Nishimura (signed by J Kendall) Copies to counsel: 7/28/99 Page(s) 3 (tsp) [Entry date 07/28/99]
- 7/28/99 289 ORDER granting [287-1] motion to amend [1-1] complaint (

signed by J Kendall) Copies to counsel: 7/29/99 Page(s) 2
(tsp) [Entry date 07/29/99]

- 7/28/99 290 ORDER OF USCA....It is ordered that the motion of appellant Benjamin Gilliland for stay of the district court's contempt order is granted, pending further orders of this court (certified copy) Re: [286-1] appeal cc: Judge (lch) [Entry date 07/29/99]
- 7/29/99 -- Filing Fee Paid; Filing Fee \$ 105.00 Receipt # 300 115312 (lch)
- 7/29/99 291 THIRD AMENDED COMPLAINT by plaintiff SEC , (Answer due 8/9/99 for Karisa A Tinsley, for Lakeshore Condo Assn, for Yacht Consultants, for Richard Simmons, for Merril Maunder, for Acquisition Funding, for Paul Tinsley, for B&J Transportation, for Atlantic Capital Fun, for Texas Coastal Bank, for 38 '1986 Bayliner, for 1989 Explorer Motor, for Diahatsu Rocky Auto, for Mercedes-Benz 500L, for Various Monies & CDs, for Melody Rose, for B David Gilliland, for Eurofund Investment, for American Pacific, for Microfund, for Landfair Custodial, for Bridgeport Alliance, for Hammersmith Trust Lt, for Hammersmith Trust, for Mary Ann Bauce, for Treds Financial, for Howe Financial Trust, for Carl LaDane Weaver, for Carolyn Don Hicks, for IGW Trust, for Winterhawk West, for Robert Cord, for Fortune Investments, for Earl D McKinney, for Willard Vearl Smith, for Raymond G Parr, for Funders Marketing Co, for FMCI Trust, for MVP Network Inc, for Steven C Roberts, for Gene Coulter, for Quentin Hix, for Funding Resource) amending [1-1] complaint (15+) (tsp) [Entry date 07/30/99]
- 7/29/99 292 RECEIVER'S BOND \$ 10,000 entered by receiver Michael J Quilling (4) (tsp) [Entry date 07/30/99]
- 8/2/99 293 ORDER OF USCA.....It is ordered that the motion of appellant Gilliland for stay of the district court's contempt order pending appeal is Denied as Moot. This Court's prior order of July 23, 1999 is accordingly, vacated (certified copy) Re: [290-1] order (filed at USCA on 7/23/99) re: appeal (1) cc: Judge (lch) [Entry date 08/03/99]
- 8/3/99 -- USCA Case Number, 99-10824 Re: [286-1] appeal (lch)
- 8/3/99 294 UNOPPOSED MOTION by receiver Michael J Quilling to sell vehicle free and clear of all liens, claims and encumbrances (7) (tsp) [Entry date 08/04/99]
- 8/3/99 295 JUDGMENT OF USCA...the motion of the appellant to dismiss appeal was duly entered on this 30th day of July (certified copy) Re: [70-1] appeal Issued as mandate on 7/30/99 cc: Judge (5) (lch) [Entry date 08/04/99]

8/5/99 297 Transcript order form submitted by Atty B. Banowsky for B. David Gilliland for motion to stay/vacate contempt order: Transcript requested [286-1] appeal (1) (lch) [Entry date 08/06/99]

8/6/99 296 ORDER granting [294-1] motion to sell vehicle free and clear of all liens, claims and encumbrances...ORDERED that the receiver is authorized to sell the 1993 Mercedes Benz 500SL free and clear of all liens, claims and encumbrances (signed by J Kendall) Copies to counsel: 8/6/99 Page(s) 2 (tsp)

8/6/99 298 MOTION with memorandum in support by plaintiff SEC for order to show cause and to vacate stay pending appeal (11) (tsp) [Entry date 08/09/99]

8/9/99 299 ORDER denying [298-1] motion for order to show cause and to vacate stay pending appeal (signed by J Kendall) Copies to counsel: 8/10/99 Page(s) 2 (tsp) [Entry date 08/10/99]

8/13/99 300 ANSWER by defendant Microfund to amended complaint (15+) (tsp)

8/13/99 301 ANSWER by defendant B David Gilliland to amended complaint (15+) (tsp)

8/16/99 302 EMERGENCY MOTION by movant Granite Holdings for limited relief from receivership order' expedited telephonic hearing requested (4) (tsp) [Entry date 08/17/99]

8/17/99 303 TRANSCRIPT filed for dates of 7/22/99 before Judge Kendall; vol. 1 of 1; Appeal record due on 9/1/99 [286-1] appeal (USC) 15+ (lch)

8/17/99 304 UNOPPOSED MOTION by receiver Michael J Quilling to sell real property free and clear of all liens, claims and encumbrances (15+) (tsp) [Entry date 08/18/99]

8/17/99 305 RESPONSE by receiver Michael J Quilling to [302-1] motion for limited relief from receivership order (4) (tsp) [Entry date 08/18/99]

8/18/99 306 RESPONSE by plaintiff SEC in opposition to [302-1] motion for limited relief from receivership order (6) (tsp) [Entry date 08/19/99]

8/19/99 -- Deadline updated; appeal record due set for 9/1/99 for [286-1] appeal (lch)

8/19/99 307 APPLICATION/MOTION by movant Landfair Custodial, movant Continental Mgmt, movant Melody Rose for William Ernest Norcross to appear pro hac vice (5) (tsp)

[Entry date 08/20/99]

- 8/19/99 308 ORDER granting [218-1] motion to dismiss or declare remaining issues Moot...ORDERED that docket nos 198,205,231,232, and 238 from the Forfeiture Proceedings (H-97-2625 from USDC, Southern District of TX) are DENIED AS MOOT...FURTHER ORDERED that docket no 113, 114 and 194 (from USDC, Southern District of TX) are DENIED w/out Prejudice (signed by J Kendall) Copies to counsel: 8/20/99 Page(s) 2 (tsp) [Entry date 08/20/99]
- 8/19/99 309 ORDER granting [304-1] motion to sell real property free and clear of all liens, claims and encumbrances...ORDERED that the receiver is authorized to sell the real property and building located at 2 Sweetgum Street, New Caney, TX free and clear of all liens, claims, and encumbrances to Joe and Sherri Horton (signed by J Kendall) Copies to counsel: 8/20/99 Page(s) 2 (tsp) [Entry date 08/20/99]
- 8/20/99 310 AGREED ORDER Extending 7/23/99 Order Freezing Assets, Reinstating Appointment of Receiver and Authorizing Expedited Discovery...ORDERED that each and every term of the 7/23/99 Order is extended until further order of this Court...the Court sets a hearing on this matter on 9/27/99 at 2:00 p.m. ...the 8/23/99 hearing is CANCELLED (signed by J Kendall) Copies to counsel: 8/20/99 Page(s) 7 (tsp) [Edit date 08/20/99]
- 8/20/99 311 ORDER granting [307-1] motion for William Ernest Norcross to appear pro hac vice (signed by J Kendall) Copies to counsel: 8/20/99 Page(s) 1 (tsp)
- 8/20/99 312 NOTICE of attorney appearance for movant Landfair Custodial, movant Continental Mgmt, movant Melody Rose by R Bradley Lamberth, Kenneth D Dugan (3) (tsp) [Entry date 08/23/99]
- 8/20/99 312 Designation of lead counsel for movant Landfair Custodial, movant Continental Mgmt, movant Melody Rose by William Ernest Norcross (3) (tsp) [Entry date 08/23/99]
- 8/23/99 315 ORDER denying as moot [302-1] motion for limited relief from receivership order (signed by J Kendall) Copies to counsel: 8/24/99 Page(s) 1 (tsp) [Entry date 08/24/99]
- 8/24/99 313 TRANSCRIPT filed [286-1] appeal for dates of 7/22/99 Hearing on Motions before the Honorable Joe Kendall, Vol 1 of 1; CR-Linda J Robbins (15+) (USC) (jas)
- 8/24/99 314 TRANSCRIPT filed [286-1] appeal for dates of 3/22/99 Motion hearings before the Honorable Joe Kendall, CR-Lindsay J Robbins (15+) (USC) (jas)

8/24/99 316 NOTICE OF APPEAL by movant Salish Investments, movant FHA Services, movant Herbert Press, movant Press Family LP, movant Kumarasundaram Sittambalam, movant Rex Weller, movant Vista Capital, movant Galaxy Enterprises, movant Sittambalam Rajasundaram, movant Bill Finch, movant Rosie Fan, movant Plenitude LTD, movant Laura Nishimura re [288-1] order Payment: 105.00 Receipt # 300 116228 Appeal record due on 9/8/99 (4) TO-mailed (lch) [Entry date 08/25/99]

8/25/99 -- Notice of appeal and certified copy of docket to USCA: [316-1] appeal (lch) [Entry date 08/31/99]

8/26/99 317 MOTION by defendant Raymond G Parr to amend/modify injunction to release legal fees (5) (tsp) [Entry date 08/27/99]

8/31/99 318 ANSWER by defendant Melody Rose to third amended complaint (8) (tsp) [Entry date 09/01/99]

8/31/99 319 ANSWER by defendant Landfair Custodial to third amended complaint (7) (tsp) [Entry date 09/01/99]

9/2/99 320 ORDER RETAINING RECORD in District Court (Signed by Judge Joe Kendall) Copies to counsel: 9/3/99 Page(s): 1 (lch) [Entry date 09/03/99]

9/3/99 -- Transmitted partial record on appeal- 1 vol. to USCA Re: [316-1] appeal, [286-1] appeal (lch)

9/3/99 -- USCA Case Number, 99-10980 Re: [316-1] appeal (lch) [Entry date 09/07/99]

9/9/99 321 SUMMONS(ES) issued for defendant Eurofund Investment (iss 1) (tsp) [Entry date 09/10/99]

9/14/99 322 ANSWER by movant Bridgeport Alliance to third amended complaint (8) (jas) [Entry date 09/15/99]

9/14/99 323 MOTION by movant Bridgeport Alliance, movant Economic Development, movant Kenneth B Cobb, movant Raymond Hansen, movant William H West for clarification of Freeze Order entered on 3/26/99 (15+) (jas) [Entry date 09/15/99]

9/15/99 324 Supplemental CERTIFICATE OF CONFERENCE by movant Bridgeport Alliance, movant Economic Development, movant Kenneth B Cobb, movant Raymond Hansen, movant William H West Re: [323-1] motion for clarification of Freeze Order entered on 3/26/99 (3) (jas)

9/20/99 325 MEMORANDUM by plaintiff SEC in opposition to [323-1] motion for clarification of Freeze Order entered on 3/26/99 (11) (jas) [Entry date 09/21/99]

9/20/99 326 Declaration/AFFIDAVIT of Robert A. Brunig by plaintiff SEC
Re: [325-1] opposition memorandum (15) (jas)
[Entry date 09/21/99]

9/20/99 -- USCA Case Number, 99-10980 Re: [0-0] Number appeal (lch)
[Entry date 09/21/99]

9/21/99 327 MEMORANDUM by plaintiff SEC in opposition to [317-1]
motion to amend/modify injunction to release legal fees
(13) (jas) [Entry date 09/22/99]

9/21/99 328 Declaration/AFFIDAVIT of Robert A. Brunig by plaintiff SEC
Re: [327-1] opposition memorandum (13) (jas)
[Entry date 09/22/99]

9/22/99 329 **UNFILED PER ORDER FILED 9/24/99** MOTION by consolidated
defendant Texas Coastal Bank for partial dissolution of
freezing order and order appointing temporary receiver
(15+) (jas) [Entry date 09/23/99] [Edit date 09/24/99]

9/22/99 330 Application/MOTION by receiver Michael J Quilling to allow
and to pay attorney fees and expenses to Glenn, Rasmusen &
Fogarty PA (13) (jas) [Entry date 09/23/99]

9/22/99 331 Fifth Interim Application/MOTION with memorandum in support
by receiver Michael J Quilling to allow and pay receiver's
fees and expenses and for attorney fees and expenses (15+)
(jas) [Entry date 09/23/99]

9/24/99 332 RETURN OF SERVICE executed personally as to defendant
Eurofund Investment 9/10/99 Answer due on 9/30/99 for
Eurofund Investment (1) (jas)

9/24/99 333 Agreed ORDER extending 7/23/99 and 8/20/99 orders freezing
assets, reinstating appointment of receiver and authorizing
expedited discovery; each and every term of the 7/23/99
Order and the 8/20/99 Order is extended until further order
of this Court Motion hearing set 12/13/99 at 2:00 so that
the Court can make a determination as to whether this Order
should be extended or further modified and the 9/27/99
hearing is cancelled. See Order for specifics. (signed by
JK) Copies to counsel: 9/24/99 Page(s) 8 (jas)

9/24/99 334 ORDER unfiled [329-1] motion for partial dissolution of
freezing order and order appointing temporary receiver by
consolidated defendant Texas Coastal Bank due to the
following deficiency: certificate of conference missing
and documentary or non-documentary evidence must be in a
separate appendix Copies to counsel: 9/24/99 (signed by
Judge Joe Kendall) Page(s) 2 (jas)

9/30/99 335 MOTION by consolidated defendant Texas Coastal Bank for
partial dissolution of freezing order and order appointing
temporary receiver (7) (jas)

- 9/30/99 336 MEMORANDUM by consolidated defendant Texas Coastal Bank in support of [335-1] motion for partial dissolution of freezing order and order appointing temporary receiver (11) (jas)
- 9/30/99 337 APPENDIX by consolidated defendant Texas Coastal Bank in support of [335-1] motion for partial dissolution of freezing order and order appointing temporary receiver (15+) (jas)
- 9/30/99 338 ORDER granting [330-1] motion to allow and to pay attorney fees and expenses to Glenn, Rasmusen & Fogarty PA, in the amount of \$11,194.99 (signed by JK) Copies to counsel: 10/1/99 Page(s) 2 (jas) [Entry date 10/01/99]
- 9/30/99 339 ORDER granting [331-1] motion to allow and pay receiver's fees and expenses and for attorney fees and expenses, the sum of \$119,559.00 in fees and \$13,168.26 in expenses for the period 7/1/99 through 8/31/99 (signed by JK) Copies to counsel: 10/1/99 Page(s) 2 (jas) [Entry date 10/01/99]
- 10/4/99 340 ORDER RETAINING RECORD in District Court (Signed by JK) Copies to counsel: 10-5-99 Page(s): 1 (svc) [Entry date 10/05/99]
- 10/6/99 -- Transmitted partial record on appeal to USCA Re: [316-1] appeal, [286-1] appeal (lch)
- 10/15/99 341 MEMORANDUM by defendant Robert Cord, defendant Winterhawk West in opposition to [335-1] motion for partial dissolution of freezing order and order appointing temporary receiver (8) (jas) [Entry date 10/18/99]
- 10/25/99 343 MEMORANDUM by receiver Michael J Quilling in opposition to [335-1] motion for partial dissolution of freezing order and order appointing temporary receiver (9) (jas) [Entry date 10/26/99]
- 10/25/99 344 APPENDIX by receiver Michael J Quilling in support of [343-1] opposition memorandum (12) (jas) [Entry date 10/26/99]
- 10/25/99 345 MOTION with memorandum in support by receiver Michael J Quilling to compel turnover of Texas Coastal Bank's Certificates of Deposit (7) (jas) [Entry date 10/26/99]
- 10/25/99 346 APPENDIX by receiver Michael J Quilling in support of [345-1] motion to compel turnover of Texas Coastal Bank's Certificates of Deposit (11) (jas) [Entry date 10/26/99]
- 10/26/99 347 Unopposed MOTION by receiver Michael J Quilling to sell vehicle free and clear of all liens, claims and encumbrances (7) (jas) [Entry date 10/27/99]

- 11/1/99 348 REPLY by consolidated defendant Texas Coastal Bank to response to [335-1] motion for partial dissolution of freezing order and order appointing temporary receiver (10) (jas)
- 11/12/99 349 Unopposed MOTION by receiver Michael J Quilling to compel turnover of receivership assets to receiver (4) (jas) [Entry date 11/15/99]
- 11/12/99 350 Agreed MOTION by defendant Carolyn Don Hicks to dissolve orders freezing assets of Dft (5) (jas) [Entry date 11/15/99]
- 11/15/99 351 Sixth Interim Application/MOTION with memorandum in support by receiver Michael J Quilling to pay receivers fees and expenses and for attorneys' fees and expenses (15+) (jas) [Entry date 11/16/99]
- 11/15/99 352 Second Interim Application/MOTION with memorandum in support by receiver Michael J Quilling for compensation of fees and reimbursement of expenses for accountants for receiver (17) (jas) [Entry date 11/16/99]
- 11/15/99 353 REPLY by consolidated defendant Texas Coastal Bank to response to [335-1] motion for partial dissolution of freezing order and order appointing temporary receiver (7) (jas) [Entry date 11/16/99]
- 11/15/99 354 ORDER granting [349-1] motion to compel turnover of receivership assets to receiver; the US Atty's Office of the District of Minnesota shall cause to be turned over to the Receiver the cash and laptop computer in its possession custody or control belonging to Earl McKinney (signed by JK) Copies to counsel: 11/16/99 Page(s) 1 (jas) [Entry date 11/16/99]
- 11/16/99 355 Agreed ORDER granting [350-1] motion to dissolve orders freezing assets of Dft; the Court's previous orders of 11/20/98 and 6/29/99 be Dissolved, except that it is also ordered that Bank Account #140558 at the Franklin National Bank, Mount Vernon, Texas, in the names of "Sherron M. Hicks" remain frozen so as to enable Dft Carolyn Don Hicks to pay the Receiver, in the form of disgorgement, the sum of \$45,000 at such time as shall be ordered by this court (signed by JK) Copies to counsel: 11/16/99 Page(s) 3 (jas)
- 11/16/99 356 MOTION by movant Benjamin David Gilliland, defendant Microfund for Banowsky, Betz & Levine to withdraw as attorney (5) (jas) [Entry date 11/17/99]
- 11/23/99 357 RESPONSE by consolidated defendant Texas Coastal Bank to [345-1] motion to compel turnover of Texas Coastal Bank's Certificates of Deposit (5) (jas) [Entry date 11/24/99]

- 11/23/99 358 MEMORANDUM by consolidated defendant Texas Coastal Bank in support of [357-1] motion response (8) (jas)
[Entry date 11/24/99]
- 11/23/99 359 APPENDIX by consolidated defendant Texas Coastal Bank in support of [357-1] motion response (15+) (USC) (jas)
[Entry date 11/24/99]
- 11/29/99 360 Emergency EX PARTE DOCUMENT as to receiver Michael J Quilling/application to freeze account (7) (jas)
- 11/29/99 361 ORDER granting [352-1] motion for compensation of fees and reimbursement of expenses for accountants for receiver; the Receiver is authorized to pay Litzler, Segner, Shaw, McKenney and Dohmeyer the sum of \$73,822.00 in fees and \$6,940.22 in expenses for the time period from 5/1/99 through 10/31/99. (signed by JK) Copies to counsel: 11/29/99 Page(s) 2 (jas)
- 11/29/99 362 ORDER granting [351-1] motion to pay receivers fees and expenses and for attorneys' fees and expenses; the Receiver is authorized to pay Quilling, Selander, Cummiskey & Lownds the sum of \$125,362.50 in fees and \$41,492.93 in expenses for the time period of 9/1/99 through 10/31/99. (signed by JK) Copies to counsel: 11/29/99 Page(s) 2 (jas)
- 11/29/99 363 ORDER That Account No. 75023822 in the name of Jerold Gunn at Merrill Lynch is frozen until order of this Court. A hearing will be held at 2:00 on 12/13/99, at which time the Court will consider whether the freeze shall remain in place or whether it should be lifted or modified. (signed by JK) Copies to counsel: 11/30/99 Page(s) 2 (jas)
[Entry date 11/30/99]
- 12/9/99 364 Preliminary Report by receiver Michael J Quilling as to Equity relief dfts, Hammersmith Trust, Hamersmith Trust, LTD, Briedgeport Alliance, Landfair Custodial Svc Inc, Microfund, American Pacific Bank & Trust, Inc, Eurofund Investment Inc, B David Gilliland and Melody Rose (12) (jas)
[Entry date 12/10/99]
- 12/14/99 365 ORDER granting [347-1] motion to sell vehicle free and clear of all liens, claims and encumbrances (signed by JK) Copies to counsel: 12/14/99 Page(s) 2 (jas)
- 12/14/99 366 ORDER the hearing set for 12/13/99 at 2:00 PM is Canceled. An order resetting the hearing will be entered at a later date. (signed by JK) Copies to counsel: 12/14/99 Page(s) 1 (jas)
- 12/16/99 367 REPLY by receiver Michael J Quilling to response to [345-1] motion to compel turnover of Texas Coastal Bank's Certificates of Deposit (10) (jas)

12/20/99 368 Unopposed MOTION by receiver Michael J Quilling to sell real property free and clear of all liens, claims and encumbrances (11) (jas) [Entry date 12/21/99]

12/20/99 369 MOTION with memorandum in support by receiver Michael J Quilling to sell 32' amerosport boat free and clear of all liens, claims, and encumbrances (9) (jas) [Entry date 12/21/99]

12/27/99 370 ORDER granting [368-1] motion to sell real property free and clear of all liens, claims and encumbrances (signed by JK) Copies to counsel: 12/27/99 Page(s) 2 (jas)

1/11/00 371 DESIGNATION by movant Benjamin David Gilliland of record on appeal (3) (lch) [Entry date 01/12/00]

1/14/00 -- Transmitted supplemental record on appeal (1 vol. transcript of hearing on 7/22/99; rest of designated record already been sent on appeal [371-1]): [286-1] appeal (jmr) [Edit date 01/14/00]

1/18/00 372 NOTICE of ADDRESS CHANGE and Change of Firm Name by consolidated defendant Richard Simmons, consolidated claimant Diana Haskell, consolidated claimant William A Wood, consolidated claimant Donald Metz New address is: 1111 Bagby, Ste 4900; Houston, TX 77002 (5) (cc: CB) (jas) [Entry date 01/19/00]

1/27/00 373 ORDER consolidating cases, this civil action shall serve as the consolidate lead case for the following cases: 3:99-CV-1097-X, 3:99-CV-1295-X, 3:99-CV-1504-X, 3:99-CV-2699-X (signed by JK) Copies to counsel: 1/28/00 Page(s) 2 (jas) [Entry date 01/28/00]

1/27/00 -- Consolidated Lead Case (jas) [Entry date 01/28/00]

1/28/00 374 SUMMONS(ES) issued for consolidated defendant Paul Pursehouse, consolidated defendant Quentin Sheehan (issued-2) (jas)

1/31/00 375 MOTION by consolidated defendant James W Conway, consolidated defendant James W Conway PSC to dismiss for lack of personal jurisdiction and for failure to state a claim upon which relief can be granted (12) (jas) [Entry date 02/01/00]

1/31/00 376 MEMORANDUM by consolidated defendant James W Conway, consolidated defendant James W Conway PSC in support of [375-1] motion to dismiss for lack of personal jurisdiction and for failure to state a claim upon which relief can be granted (18) (jas) [Entry date 02/01/00]

2/1/00 377 AFFIDAVIT by consolidated defendant James W Conway Re:

[375-1] motion to dismiss for lack of personal jurisdiction and for failure to state a claim upon which relief can be granted (3) (jas) [Entry date 02/02/00]

- 2/1/00 378 ORDER denying [323-1] motion for clarification of Freeze Order entered on 3/26/99 (signed by JK) Copies to counsel: 2/2/00 Page(s) 1 (jas) [Entry date 02/02/00]
- 2/1/00 379 ORDER denying [317-1] motion to amend/modify injunction to release legal fees (signed by JK) Copies to counsel: 2/2/00 Page(s) 1 (jas) [Entry date 02/02/00]
- 2/1/00 380 ORDER Pla, Michael J Quilling, is ordered to effect service on Dft Airey Holdings by 3/31/00 or face dismissal (signed by JK) Copies to counsel: 2/2/00 Page(s) (jas) [Entry date 02/02/00]
- 2/1/00 381 ORDER granting [356-1] motion for Banowsky, Betz & Levine to withdraw as attorney (signed by JK) Copies to counsel: 2/2/00 Page(s) 2 (jas) [Entry date 02/02/00]
- 2/3/00 382 ORDER Dfts mtn to dismiss filed 8/20/99 in 3:99-CV-1504 is Denied; denying without prejudice [335-1] motion for partial dissolution of freezing order and order appointing temporary receiver, Receiver's Mtn to amend complaint filed 10/18/00 in 3:99-CV-1504 is Granted; denying without prejudice [345-1] motion to compel turnover of Texas Coastal Bank's Certificates of Deposit (signed by JK) Copies to counsel: 2/4/00 Page(s) 2 (jas) [Entry date 02/04/00]
- 2/3/00 383 ORDER granting [369-1] motion to sell 32' amerosport boat free and clear of all liens, claims, and encumbrances (signed by JK) Copies to counsel: 2/4/00 Page(s) 2 (jas) [Entry date 02/04/00]
- 2/3/00 384 First AMENDED COMPLAINT by Pla Michael J Quilling, amending complaint filed in Civil Action No. 3:99-CV-1504-X against Texas Coastal Bank and Billy Holcomb (15+) (jas) [Entry date 02/04/00]
- 2/4/00 385 Unopposed MOTION by receiver Michael J Quilling to sell vehicle free and clear of all liens, claims, and encumbrances(5) (jas) [Entry date 02/07/00]
- 2/7/00 386 Seventh Interim Application/MOTION with memorandum in support by receiver Michael J Quilling to pay Receiver's Fees and expenes and for attorney fees (15+) (jas) [Entry date 02/08/00]
- 2/7/00 387 Second Interim Application/MOTION with memorandum in support by receiver Michael J Quilling for compensation of fees and reimbursement of expenses for accountants for receiver (12) (jas) [Entry date 02/08/00]

2/7/00 388 ORDER granting [385-1] motion to sell vehicle free and clear of all liens, claims, and encumbrances (signed by JK) Copies to counsel: 2/8/99 Page(s) 2 (jas) [Entry date 02/08/00]

2/7/00 389 ORDER REASSIGNING CASE to Judge Barbara M G. Lynn Effective 2/14/00, the civil cases listed in the attachment to this Order are (i) are transferred from the docket of the Honorable Joe Kendall to the docket of the Honorable Barbara M. G. Lynn and (ii) shall henceforth carry the suffix letter "M". (signed by JB) Copies to counsel: 2/8/00 Page(s): 3 (jas) [Entry date 02/08/00]

2/11/00 390 STATUS REPORT ORDER. Interim Status report due on 2/28/00 (signed by BMGL) Copies to counsel: 2/11/00 Page(s): 4 (djd)

2/14/00 -- Letter confirming extension of time by consolidated defendant Texas Coastal Bank, consolidated defendant Billy Holcomb, plaintiff SEC to extend deadline until 2/21/00 for Defendants Texas Coastal Bank and Billy Holcomb to serve answers and respond to plaintiff's first amended complaint (2) (djd) [Entry date 02/15/00]

2/15/00 391 MOTION by defendant Raymond G Parr for reconsideration of [379-1] order denying modification of injunction to release attorneys' fees (8) (djd)

2/18/00 392 NOTICE of Filing complaint in USDC WD of Tennessee, Western Division by interested party Granite Holdings (2) (djd)

2/18/00 393 MOTION by receiver Michael J Quilling for continuance to respond to motion to dismiss (3) (djd) [Entry date 02/22/00]

2/22/00 394 INTERIM STATUS REPORT by consolidated claimant Dennis Cates (2) (jas)

2/22/00 395 Interim STATUS REPORT by consolidated defendant Billy Holcomb (4) (djd)

2/22/00 396 Interim STATUS REPORT by defendant Raymond G Parr (2) (djd)

2/22/00 397 Interim STATUS REPORT by consolidated claimant Genexus Inc, cross-defendant Caroline Hersman, cross-defendant Jimmy Hersman, consolidated defendant Merril Maunder, consolidated claimant New World Trading In, consolidated claimant David Pettman, movant Pickles Ltd Liabilit, consolidated claimant William P Tinsley Jr, consolidated defendant Paul Tinsley (2) (djd) [Entry date 02/23/00]

2/23/00 398 ANSWER to Complaint by consolidated defendant Billy Holcomb (16) (jas)

2/23/00 399 Interim STATUS REPORT by consolidated defendant Texas

Coastal Bank (2) (djd)

- 2/23/00 400 ANSWER to Amended Complaint and COUNTERCLAIM by consolidated defendant Texas Coastal Bank against Michael J Quilling; jury demand (15+) (djd) [Entry date 02/24/00]
- 2/23/00 400 DEMAND for jury trial by consolidated defendant Texas Coastal Bank (15+) (djd) [Entry date 02/24/00]
- 2/23/00 401 ORDER REAPPOINTMENT RECEIVER; it is ORDERED that Michael J Quilling is hereby reappointed as receiver for this matter and all ancillary proceedings to this matter; this order and the order signed by Judge Kendall will remain in effect until modified by further order of the Court (signed by BMGL) Copies to counsel: 2/24/00 Page(s) 2 (djd) [Entry date 02/24/00]
- 2/23/00 402 ORDER granting [393-1] motion for continuance to respond to motion to dismiss Response to motion reset to 3/6/00 for [375-1] motion to dismiss for lack of personal jurisdiction and for failure to state a claim upon which relief can be granted (signed by BMGL) Copies to counsel: 2/24/00 Page(s) 1 (djd) [Entry date 02/24/00]
- 2/24/00 403 INTERIM STATUS REPORT by defendant Carolyn Don Hicks, defendant Carl LaDane Weaver (2) (jas)
- 2/25/00 404 Interim STATUS REPORT by movant Salish Investments, movant FHA Services, movant Herbert Press, movant Press Family LP, movant Kumarasundaram Sittambalam, movant Rex Weller, movant Vista Capital, movant Galaxy Enterprises, movant Sittambalam Rajasundaram, movant Bill Finch, movant Rosie Fan, movant Plenitude LTD, movant Laura Nishimura (3) (djd) [Entry date 02/28/00]
- 2/28/00 405 ORDER re: deadlines and pending motions Dates set out in Scheduling Orders entered by judges from whose court your case was transferred are in effect unless specifically advised in writing. (signed by BMGL) Copies to counsel: 2/28/00 Page(s) 2 (djd) [Edit date 04/28/00]
- 2/28/00 406 Received FMCI Trust Investors Petitions by consolidated claimant Brenda K Sanford (15+) (USC) (jas)
- 2/28/00 407 INTERIM STATUS REPORT by defendant Howe Financial Trust (2) (jas) [Entry date 02/29/00]
- 2/28/00 408 Interim STATUS REPORT by movant Melody Rose, movant Landfair Custodial, movant Continental Mgmt (3) (jrb) [Entry date 02/29/00]
- 2/28/00 409 INTERIM STATUS REPORT by receiver Michael J Quilling (11) (alh) [Entry date 02/29/00]

- 2/28/00 410 Interim STATUS REPORT by movant Ken Winters, movant Diane Haskell, movant William NMN Wood, movant Donald Metz, movant Richard Simmons (2) (djd) [Entry date 03/01/00]
- 3/2/00 411 Interim STATUS REPORT by defendant Mary Ann Bauce (3) (djd) [Entry date 03/03/00]
- 3/3/00 412 NOTICE of ADDRESS CHANGE by receiver Michael J Quilling New address is: 2001 Bryan Street, Suite 1800, Dallas, TX 75201; 214/871-2100; fax 214/871-2111 (djd) [Entry date 03/06/00]
- 3/6/00 413 NOTICE of RECEIPT AND FILING OF WARRANTY DEED by receiver Michael J Quilling (5) (djd) [Entry date 03/08/00]
- 3/6/00 414 RESPONSE by receiver Michael J Quilling to [375-1] motion to dismiss for lack of personal jurisdiction and for failure to state a claim upon which relief can be granted (15+) (djd) [Entry date 03/08/00]
- 3/14/00 415 clerical error (jmr) [Edit date 04/03/00]
- 3/16/00 416 MOTION by consolidated defendant James W Conway, consolidated defendant James W Conway PSC for continuance of deadline to file reply to response to defendants' motion to dismiss (3) (djd) [Entry date 03/17/00]
- 3/17/00 417 ORDER granting Second interim application/[387-1] motion for compensation of fees and reimbursement of expenses for accountants for receiver; it is ordered that the amounts of accountant's fees and expenses set forth in the Application are hereby approved and the Receiver is authorized to pay Litzler, Segner, Shaw, McKenney and Dohmeyer, LLP the sum of \$10,627.00 in fees and \$381.40 in expenses for the time period of 11/1/99-12/31/99 (signed by BMGL) Copies to counsel: 3/20/00 Page(s) 2 (djd) [Entry date 03/20/00]
- 3/17/00 418 ORDER granting seventh interim application/[386-1] motion to pay Receiver's Fees and expenses and for attorney fees; it is ordered that the amounts of attorneys' fees, receiver's fees and expenses set forth in the application are hereby approved and the Receiver is hereby authorized to pay Quilling, Selander, Cumiskey & Lownds, P.C. the sum of \$68,046.50 in fees and \$17,253.86 in expenses for the time period from 11/1/99-12/31/99 (signed by BMGL) Copies to counsel: 3/20/00 Page(s) 2 (djd) [Entry date 03/20/00]
- 3/17/00 419 ORDER granting [416-1] motion for continuance of deadline to file reply to response to defendants' motion to dismiss Reply to Response to Motion reset to 4/3/00 for [375-1] motion to dismiss for lack of personal jurisdiction and for failure to state a claim upon which relief can be granted (signed by BMGL) Copies to counsel: 3/20/00 Page(s) 1 (djd) [Entry date 03/20/00]

- 3/20/00 -- Transmitted record on appeal 1 vol. record case 3:99CV1097-X, 1 vol. record and 1 vol. USC of 3:99cv 1504-X, 1 vol. record of 3:99cv1295-X, 1 vol. record of 3:99cv2699-X and 3 vol. record and 2 transcripts of 3:99cv549-X -- all consolidated cases with 3:98cv2689-M to U.S. Court of Appeals: (jmr) [Edit date 03/22/00]
- 3/20/00 420 Original ANSWER by receiver Michael J Quilling to [400-2] counterclaim (4) (djd) [Entry date 03/21/00]
- 3/21/00 421 Agreed ORDER resolving defendant's motion to dismiss, permitting amendment of complaint and transferring case; plaintiff is granted 30 days from the date of this order to amend its complaint; Defendant Richard A Parker is dismissed from this action (3:99-cv-1929-T) without prejudice to his being reserved and readded as a party at a future date; counsel for Parker shall accept service of summons of pltf's first amended complaint on Morgan, Weinstein & Company, Inc., a Delaware corporation; and this action (3:99-cv-1929-T) is hereby transferred and consolidated with case no 3:98-cv-2689-M as an ancillary case to said receivership action (signed by Robert B. Maloney) Copies to counsel: 3/22/00 Page(s) 3 (djd) [Entry date 03/22/00]
- 3/22/00 422 ORDER consolidating 3:00cv541M into 3:98cv2689M; all pleadings, motions or other papers will be filed in civil aciton no. 3:98cv2689M and bear ONLY the caption of that case, together with the legend required by Rule 42.1; the Clerk of Court shall administratively close civil action 3:00cv541M for statistical purposes (signed by BMGL) Copies to counsel: 3/23/00 Page(s) 1 (djd) [Entry date 03/23/00]
- 3/23/00 423 SUMMONS(ES) issued for consolidated defendant Eliot J Lupkin (issued 1) (djd) [Entry date 03/24/00]
- 3/24/00 424 SUMMONS(ES) issued for consolidated defendant Eliot J Lupkin PA (issued 1) (djd) [Entry date 03/27/00]
- 3/27/00 425 MOTION by interested party Jerrold L Gunn to dissolve order freezing account (3) (djd) [Entry date 03/28/00]
- 3/27/00 426 MEMORANDUM by interested party Jerrold L Gunn in support of [425-1] motion to dissolve order freezing account (10) (djd) [Entry date 03/28/00]
- 3/28/00 427 Second MOTION by consolidated defendant James W Conway, consolidated defendant James W Conway PSC for agreed extension of time (3) (djd) [Entry date 03/29/00]
- 3/28/00 428 Eighth Interim Application/MOTION with memorandum in support by receiver Michael J Quilling to allow and pay (1) receiver's fees and expenses and (2) attorneys' fees and expenses (15+) (djd) [Entry date 03/29/00]

- 3/31/00 429 ORDER granting [427-1] motion for agreed extension of time for replying to receiver's response to defendants' motion to dismiss; Reply to Response to Motion reset to 4/24/00 for [375-1] motion to dismiss for lack of personal jurisdiction and for failure to state a claim upon which relief can be granted (signed by BMGL) Copies to counsel: 4/3/00 Page(s) 1 (djd) [Entry date 04/03/00]
- 4/3/00 430 ORDER granting [428-1] motion to allow and pay (1) receiver's fees and expenses and (2) attorneys' fees and expenses; it is ordered that the amounts of attorneys' fees, Receiver's fees and expenses set forth in the application are hereby approved and the Receiver is hereby authorized to pay Quilling, Selander, Cumiskey & Lownds, P.C. the sum of \$71,967.00 in fees and \$11,365.54 in expenses for the time period from 1/1/00 through 2/29/00 (signed by BMGL) Copies to counsel: 4/4/00 Page(s) 2 (djd) [Entry date 04/04/00]
- 4/12/00 431 RETURN OF SERVICE executed as to consolidated defendant Eliot J Lupkin by personal service on 4/3/00 Answer due on 4/24/00 for Eliot J Lupkin (djd) [Entry date 04/13/00]
- 4/12/00 432 RETURN OF SERVICE executed as to consolidated defendant Eliot J Lupkin PA by service on Eliot J. Lupkin as registered agent on 4/3/00 Answer due on 4/24/00 for Eliot J Lupkin PA (djd) [Entry date 04/13/00]
- 4/12/00 433 RETURN OF SERVICE executed as to consolidated defendant Dorothy Kerr Checa Chong by personal service on 3/30/00 Answer due on 4/19/00 for Dorothy Kerr Checa Chong (djd) [Entry date 04/13/00]
- 4/14/00 434 Unopposed MOTION by receiver Michael J Quilling to extend time/for continuance to respond to motion to dissolve order freezing account (3) (djd) [Entry date 04/17/00]
- 4/17/00 435 ORDER granting [434-1] motion for continuance to respond to motion to dissolve order freezing account Response to motion reset to 5/8/00 for [425-1] motion to dissolve order freezing account (signed by BMGL) Copies to counsel: 4/18/00 Page(s) 1 (djd) [Entry date 04/18/00]
- 4/19/00 436 Unopposed MOTION by receiver Michael J Quilling to approve compromise and settlement agreement (4) (jas) [Entry date 04/20/00]
- 4/19/00 437 First AMENDED COMPLAINT by Pla Michael J Quilling, amending complaint against Morgan Weinstein (6) (jas) [Entry date 04/20/00]
- 4/21/00 438 ORDER set status conference for 4:30 6/23/00, the parties should be fully prepared to discuss all pending motions

before the Court and issues relating to the case, Motion hearing [425-1] motion to dissolve order freezing account, [391-1] motion for reconsideration of [379-1] order denying modification of injunction to release attorneys' fees, ***[375-1] motion to dismiss for lack of personal jurisdiction and for failure to state a claim upon which relief can be granted will not be under consideration at this hearing pursuant to chambers request*** (signed by BMGL) Copies to counsel: 4/24/00 Page(s) 1 (djd) [Entry date 04/24/00] [Edit date 06/06/00]

- 4/24/00 439 MOTION by consolidated dft James W Conway, consolidated dft James W Conway PSC to strike [414-1] response; in the alternative, Conway's request for permission to respond to new issues raised by receiver's tardy compliance with 28 U.S.C. section 754; Conway's request to exceed page limit under rule 7.2 (4) (djd) [Entry date 04/25/00] [Edit date 05/09/00]
- 4/24/00 440 REPLY BRIEF by consolidated dft James W Conway, consolidated dft James W Conway PSC to Receiver's response to [375-1] motion to dismiss; subject to Conway's motion to strike and, in alternative, Conway's request for permission to respond to receiver's new issues raised by receiver's tardy compliance with 28 U.S.C. 754 (15+) (djd) [Entry date 04/25/00] [Edit date 05/09/00]
- 4/24/00 441 Reply by consolidated dft James W Conway, consolidated dft James W Conway PSC in opposition to Receiver's new issues raised as a result of receiver's tardy compliance with 28 U.S.C. section 754; subject to Conway's motion to strike and Conway's request for permission to respond to Receiver's new issues raised in response to Conway's motion to dismiss (15+) (djd) [Entry date 04/25/00] [Edit date 04/25/00]
- 4/24/00 442 First AMENDED COMPLAINT, by Michael J. Quilling, Receiver, amending complaint against James W. Conway and James W. Conway, P.S.C. (10) (djd) [Entry date 04/25/00]
- 4/25/00 443 RESPONSE by receiver Michael J. Quilling to James W. Conway and James W. Conway, P.S.C.'s [439-1] motion to strike (15+) (djd) [Entry date 04/26/00] [Edit date 04/28/00]
- 4/26/00 444 ORDER granting [436-1] motion to approve compromise and settlement agreement. It is ordered that the Compromise and Settlement Agreement between the Receiver and Bridgeport Alliance, L.L.C., Economic Development Corporation and Bill West, individually, is approved and the Receiver is authorized to take all action necessary in order to consummate the transactions set forth in the Compromise and Settlement Agreement (signed by BMGL) Copies to counsel: 4/27/00 Page(s) 2 (djd) [Entry date 04/27/00]

- 4/27/00 445 ***VACATED PER ORDER OF 7/7/00*** ORDER OF REFERENCE:
 [375-1] motion to dismiss for lack of personal jurisdiction
 and for failure to state a claim upon which relief can be
 granted referred to Magistrate Judge Wm F. Sanderson Jr
 (Signed by BMGL) Copies
 to counsel: 4/28/00 Page(s): 1 (djd) [Entry date 04/28/00]
 [Edit date 07/07/00]
- 4/27/00 446 ***VACATED PER ORDER OF 7/7/00*** ORDER OF REFERENCE:
 [439-1] motion to strike; in the alternative, Conway's
 request for permission to respond to new issues raised by
 receiver's tardy compliance with 28 U.S.C. section 754;
 Conway's request to exceed page limit under rule 7.2
 referred to Magistrate Judge Wm F. Sanderson Jr (Signed by BMGL)
 Copies to counsel:
 4/28/00 Page(s): 1 (djd) [Entry date 04/28/00]
 [Edit date 07/25/00]
- 5/2/00 447 REPLY and objection by consolidated defendant James W
 Conway to response to [439-1] motion to strike; in the
 alternative, Conway's request for permission to respond to
 new issues raised by receiver's tardy compliance with 28
 U.S.C. section 754; Conway's request to exceed page limit
 under rule 7.2 (6) (djd) [Entry date 05/03/00]
- 5/8/00 448 AMENDED (CORRECTED) REPLY by consolidated dft James W
 Conway, consolidated dft James W Conway PSC to Receiver's
 response to [375-1] motions to dismiss: subject to Conway's
 motion to strike and, in the alternative, Conway's request
 for permission to respond to Receiver's new issues raised by
 Receiver's tardy compliance with 28 U.S.C. section 754 (15+)
 (djd) [Entry date 05/09/00] [Edit date 05/09/00]
- 5/8/00 449 AMENDED (CORRECTED) REPLY by consolidated defendant James W
 Conway, consolidated defendant James W Conway PSC in
 opposition to Receiver's new issues raised as a result of
 Receiver's tardy compliance with 28 U.S.C. section 754;
 subject to Conway's motion to strike and Conway's request
 for permission to respond to Receiver's new issues raised in
 response to Conway's motion to dismiss (15+) (djd)
 [Entry date 05/09/00] [Edit date 05/09/00]
- 5/8/00 450 RESPONSE by receiver Michael J Quilling to Jerrold L. Gunn's
 [425-1] motion to dissolve order freezing account (4) (djd)
 [Entry date 05/09/00] [Edit date 05/09/00]
- 5/10/00 -- Deadline updated per order filed 4/21/00; Motion hearing
 set for 4:30 6/23/00 for [425-1] motion to dissolve order
 freezing account, set for 4:30 6/23/00 for [391-1] motion
 for reconsideration of [379-1] order denying modification
 of injunction to release attorneys' fees, set for 4:30
 6/23/00 for [375-1] motion to dismiss for lack of personal
 jurisdiction and for failure state a claim upon which

relief can be granted (djd)

- 5/10/00 451 MOTION by receiver Michael J. Quilling for protective order in relation to Jerrold L. Gunn's discovery requests (3) (djd) [Entry date 05/11/00]
- 5/16/00 452 NINTH INTERIM APPLICATION/MOTION with memorandum in support by receiver Michael J Quilling to allow and pay (1) receiver's fees and expenses and (2) attorney's fees and expenses (15+) (vdf) [Entry date 05/17/00]
- 5/19/00 453 PROPOSED scheduling order by receiver Michael J Quilling, consolidated defendant Texas Coastal Bank, consolidated defendant Billy Holcomb (5) (djd) [Entry date 05/22/00]
- 5/30/00 454 RESPONSE by interested party Jerrold L Gunn to [451-1] motion for protective order in relation to Jerrold L. Gunn's discovery requests (3) (jas)
- 5/30/00 455 MEMORANDUM by interested party Jerrold L Gunn in support of [454-1] motion response (7) (jas)
- 6/5/00 456 ANSWER to Complaint by defendant Morgan Weinstein (Attorney Robert John Reagan, John H Baker) (6) (djd) [Entry date 06/06/00]
- 6/6/00 457 ORDER granting [451-1] motion for protective order in relation to Jerrold L. Gunn's discovery requests, to the extent that responses are stayed for thirty days while the Receiver takes such action as he deems appropriate to eliminate any rule 6(e) concerns. At the conclusion of thirty days, either party may seek additional relief, if needed. (signed by BMGL) Copies to counsel: 6/7/00 Page(s) 1 (djd) [Entry date 06/07/00]
- 6/6/00 458 ORDER granting Receiver's [452-1] motion to allow and pay receiver's fees & expenses and attorney's fees & expenses. The Receiver is authorized to pay Quilling, Selander, Cummiskey & Lownds, P.C. the sum of \$88,368.00 in fees and \$12,612.08 in expenses for the time period from 3/1/00-4/30/00. (Signed by BMGL) Copies to counsel: 6/7/00 Page(s) 2 (djd) [Entry date 06/07/00]
- 6/6/00 459 Minute order: Status Conference Held before Judge Barbara M G. Lynn Court Reporter: Sue Engledow. Court is advised by the Receiver of the status of the case. (djd) [Entry date 06/12/00]
- 6/16/00 460 STANDING ORDER OF REFERENCE, referring case to Magistrate Judge Jeff Kaplan: all cases consolidated under this cause number are hereby referred to US Magistrate Judge Jeff Kaplan for pretrial management. All non-dispositive motions are referred to the magistrate judge for determination. All case dispositive motions are referred to

the magistrate judge for report and recommendation. All other pretrial matters, including scheduling and ADR are referred to the magistrate judge for appropriate action consistent with applicable law. Judge Kaplan will preside over the status conference and hear the motions set 6/23/00 at 4:30 p.m. The hearing will be held in the courtroom of Judge Barbara M.G. Lynn, 1100 Commerce Street, 15th Floor, Dallas, Texas. (signed by BMGL) Copies to counsel:
6/19/00 Page(s): 12 (djd) [Entry date 06/19/00]

- 6/20/00 461 NOTICE of attorney appearance for movant Benjamin David Gilliland by Ernest W Leonard (lead counsel) and Donald L Beckner (4) (djd) [Entry date 06/21/00]
- 6/22/00 462 ***STRICKEN PER ORDER FILED 6/26/00 (#466)***MEMORANDUM by plaintiff SEC in opposition to [391-1] motion for reconsideration of [379-1] order denying modification of injunction to release attorneys' fees (7) (jas) [Edit date 06/27/00]
- 6/22/00 463 MOTION by defendant Raymond G Parr to strike [462-1] opposition memorandum (4) (jas) [Entry date 06/23/00]
- 6/23/00 464 ORDER the application for Donald L Beckner to appear PHV is denied without prejudice, incomplete answers to Parts VII & VIII. (signed by Magistrate Kaplan) Copies to counsel: 6/26/00 Page(s) 3 (jas) [Entry date 06/26/00]
- 6/26/00 465 AMENDED APPLICATION AND ORDER for Donald L. Beckner to appear pro hac vice (signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 6/27/00 Page(s) 5 (djd) [Entry date 06/27/00]
- 6/26/00 466 ORDER granting [463-1] motion to strike [462-1] opposition memorandum and the SEC's Memorandum in Opposition to Motion to Reconsider is hereby stricken. However, the Court will allow the SEC to present oral argument in opposition to Parr's Motion at the hearing on 6/23/00. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 6/27/00 Page(s) 2 (djd) [Entry date 06/27/00]
- 6/26/00 467 ORDER REQUIRING ATTORNEY CONFERENCE AND JOINT STATUS REPORT. Joint Status Report and Proposed Scheduling Plan due on 7/25/00...The Court will set a scheduling conference after the joint status report and proposed scheduling plan has been submitted. Lead counsel for each party must attend this conference in person unless prior arrangements are made to participate telephonically. The Court will enter a scheduling order at the conclusion of this conference. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: Page(s): 3 (djd) [Entry date 06/27/00]
- 6/26/00 468 STANDING ORDER ON ALL NON-DISPOSITIVE MOTIONS. This case

has been referred to US Magistrate Judge Jeff Kaplan for pretrial management...The following order shall govern the disposition of all non-dispositive motions filed in this cause. (signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 6/27/00 Page(s) 3 (djd) [Entry date 06/27/00]

- 6/27/00 469 ORDER...the Receiver is ordered to complete the following budget by 7/25/00...The Receiver shall also provide the Court with a good faith estimate of the amount of money he realistically expects to recover on behalf of the defrauded investors as a direct result of this lawsuit. (signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 6/28/00 Page(s) 2 (djd) [Entry date 06/28/00]
- 7/5/00 470 ORDER denying [391-1] motion for reconsideration of [379-1] order denying modification of injunction to release attorneys' fees (signed by Judge Kaplan) Copies to counsel: 7/6/00 Page(s) 2 (nmc) [Entry date 07/06/00]
- 7/5/00 471 ORDER denying [425-1] motion to dissolve order freezing account (signed by Judge Kaplan) Copies to counsel: 7/6/00 Page(s) 2 (nmc) [Entry date 07/06/00]
- 7/6/00 472 RETURN OF SERVICE of a subpoena executed personally 6/23/00 as to Donald G Coffman, Jr (2) (jas) [Entry date 07/07/00]
- 7/7/00 473 ORDER vacating [445-1] referral/referred order, [446-1] referral/referred order (signed by BMGL) Copies to counsel: 07.07.00 Page(s) 1 (alh)
- 7/7/00 -- Motion(s) no longer referred to Magistrate Judge Sanderson: [439-1] motion to strike [414-1] response; in the alternative, Conway's request for permission to respond to new issues raised by receiver's tardy compliance with 28 U.S.C. section 754; Conway's request to exceed page limit under rule 7.2, [375-1] motion to dismiss for lack of personal jurisdiction and for failure to state a claim upon which relief can be granted (amy) [Entry date 07/10/00] [Edit date 07/25/00]
- 7/13/00 474 Emergency MOTION by defendant Raymond G Parr to proceed in forma pauperis and to shorten time to respond (4) (djd)
- 7/14/00 475 ORDER re: motion to proceed in forma pauperis...plaintiff shall file a response to the motion by 7/20/00. Defendant may file a reply by 7/25/00. The Court will rule on the motion based on the written submissions of the parties. (signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 7/14/00 Page(s) 1 (djd)
- 7/14/00 476 NOTICE OF INTERLOCUTORY APPEAL of Magistrate decision to District Court re: [470-1] order denying [391-1] motion for

reconsideration of [379-1] order denying [317-1] motion to amend/modify injunction (3) (djd) [Entry date 07/17/00] [Edit date 07/18/00]

- 7/17/00 477 Objections/RESPONSE by defendant Raymond G Parr in opposition to Magistrate Judge's Recommendation/[470-1] order (5) (djd) [Entry date 07/18/00]
- 7/20/00 478 MEMORANDUM IN RESPONSE by plaintiff SEC to [474-1] motion to proceed in forma pauperis (11) (djd)
- 7/21/00 479 ORDER re: emergency mtn to proceed in forma pauperis; dft is ordered to submit a financial affidavit as required by 28 U.S.C. section 1915(a) and Fed. R. App. P. 24(a). Dft is ordered to submit such an affidavit in the form prescribed by Form 4 of the Appendix of Forms to the Federal Rules of Appellate Procedure by 8/4/00. (signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 7/24/00 Page(s) 1 (djd) [Entry date 07/24/00]
- 7/21/00 480 REPLY by dft Raymond G Parr to SEC's response to [474-1] motion to proceed in forma pauperis and Supplemental Submission in Support of [477-1] Objections to Magistrate Judge's Report (8) (djd) [Entry date 07/24/00]
- 7/21/00 481 TENTH INTERIM APPLICATION/MOTION with memorandum in support by receiver Michael J Quilling to allow and pay (1) receiver's fees and expenses and (2) attorneys' fees and expenses (15+) (djd) [Entry date 07/24/00]
- 7/25/00 482 ORDER denying without prejudice tenth interim application/[481-1] motion to allow and pay (1) receiver's fees and expenses and (2) attorneys' fees and expenses...Quilling may refile his application in accordance with the procedures to be established by the Court (signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 7/26/00 Page(s) 2 (djd) [Entry date 07/26/00]
- 7/26/00 483 JOINT STATUS REPORT and PROPOSED SCHEDULING ORDER by plaintiff SEC (8) (djd) [Entry date 07/27/00]
- 7/27/00 484 SUBMISSION REGARDING JOINT STATUS REPORT by defendant Raymond G Parr (4) (djd)
- 7/28/00 485 Unopposed MOTION by receiver Michael J Quilling to approve compromise and settlement agreement (11) (djd) [Entry date 07/31/00]
- 7/28/00 486 ORDER...the Receiver is ordered to complete the following proposed litigation budget for this case by 8/4/00 (signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 7/31/00 Page(s) 2 (djd) [Entry date 07/31/00]

- 7/28/00 487 INITIAL SCHEDULING ORDER setting Deadline for filing of dispositive motions 3/16/01; Discovery cutoff 2/15/01; Amending of Pleadings on 8/25/00; Joining of Parties on 8/25/00; (signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 7/31/00 Page(s): 3 (djd) [Entry date 07/31/00]
- 8/1/00 488 MEMORANDUM by plaintiff SEC in opposition to [477-1] objections to Magistrate's Recommendations/[470-1] order (8) (djd)
- 8/3/00 489 NOTICE of Withdrawal of Motion by defendant Raymond G Parr (3) (djd) [Entry date 08/04/00]
- 8/3/00 -- WITHDRAWAL of (Motion termed: [474-1] motion to proceed in forma pauperis and to shorten time to respond) per #489 filed 8/3/00 (djd) [Entry date 08/04/00]
- 8/4/00 490 PROPOSED LITIGATION BUDGET/RESPONSE by receiver Michael J Quilling to [469-1] order (9) (djd) [Entry date 08/07/00]
- 8/15/00 491 ORDER APPROVING COMPROMISE AND SETTLEMENT AGREEMENT granting [485-1] motion to approve compromise and settlement agreement...It is hereby ordered that the Compromise & Settlement Agreement between the Receiver & Clyde B. Smith & Peggy J. Smith, be approved in order to authorize the Receiver to close the transactions set forth in the Compromise & Settlement Agreement (signed by BMGL) Copies to counsel: 08.16.00 Page(s) 2 (lag) [Entry date 08/16/00]
- 8/18/00 492 ORDER..This Court hereby reappoints Michael J. Quilling as the receiver in the above-entitled referenced matter and confers jurisdiction on the above-referenced matter including but not limited to any and all ancillary proceedings. This reappointment incorporates all of the specifics contained within the original order of appointment, signed by Judge Kendall. This order and all previous orders including the orders signed by Judge Kendall will remain in effect until modified by further order of the Court. (signed by BMGL) Copies to counsel: 8/21/00 Page(s) 2 (djd) [Entry date 08/21/00] [Edit date 08/21/00]
- 8/24/00 493 ORDER re: litigation budget for this case in the amount of \$457,625.00...The Court finds that the proposed litigation budget is excessive and should be reduced to \$350,000.00 (signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 8/24/00 Page(s) 2 (djd)
- 9/5/00 494 TENTH INTERIM APPLICATION/MOTION - AMENDED - to allow and pay (2) receiver's fees and expenses and (2) attorneys' fees and expenses and brief in support by receiver Michael

J Quilling referring to [481-1] motion to allow and pay (1) receiver's fees and expenses and (2) attorneys' fees and expenses (15+)(USC) (djd) [Entry date 09/06/00]

- 9/5/00 495 THIRD INTERIM APPLICATION/MOTION with memorandum in support by receiver Michael J Quilling for compensation of fees and reimbursement of expenses for accountants for receiver (15+) (djd) [Entry date 09/06/00]
- 9/6/00 496 ORDER setting hearing: Motion hearing set for 10:00 for [495-1] motion for compensation of fees and reimbursement of expenses for accountants for receiver, set for 10:00 10/6/00 for [494-1] amended motion - AMENDED - to allow and pay (2) receiver's fees and expenses and (2) attorneys' fees and expenses and brief in support, Written objections to the fee applications/Response to motion [495-1] motion for compensation of fees and reimbursement of expenses for accountants for receiver, [494-1] amended motion - AMENDED - to allow and pay (2) receiver's fees and expenses and (2) attorneys' fees and expenses and brief in support must be filed by 9/25/00. The Receiver is ordered to post a copy of his fee applications and this Order on his website, SECRECEIVER.COM. Appropriate links to the court's docket sheet shall also be provided on the website. (signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 9/7/00 Page(s): 2 (djd) [Entry date 09/07/00]
- 9/26/00 497 Agreed MOTION to declare certain causes of action outside the scope of the receivership by consolidated claimant Dennis Cates, receiver Michael J Quilling (8 pages/exhibit not imaged) (djd) [Entry date 09/27/00]
- 9/27/00 498 Agreed ORDER granting [497-1] joint motion to declare certain causes of action outside the scope of the receivership (signed by BMGL) Copies to counsel: 9/27/00 Page(s) 3 (djd)
- 10/6/00 499 ORDER granting [495-1] motion for compensation of fees and reimbursement of expenses for accountants for receiver, granting [494-1] amended motion to allow and pay (2) receiver's fees and expenses and (2) attorneys' fees expenses and brief in support...the Receiver is authorized to pay the law firm of Quilling, Selander, Cummiskey & Lownds, P.C. the sum of \$172,650.50 in fees and \$57,911.67 in expenses for services performed and costs incurred in this case from 5/1/00-8/31/00. The Receiver is further authorized to pay the accounting firm of Litzler, Senger, Shaw, McKenney & Dohmeyer, LLP the sum of \$171,715.50 in fees and \$25,821.31 in expenses for services performed on behalf of the Receivership Estate from 1/1/00-8/31/00. (signed by Jeff Kaplan) Copies to counsel: 10/6/00 Page(s) 2 (djd) [Edit date 10/06/00]

10/6/00 -- Motion hearing re: [495-1] motion for compensation of fees and reimbursement of expenses for accountants for receiver, [494-1] amended motion - AMENDED - to allow and pay (2) receiver's fees and expenses and (2) attorneys' fees and expenses and brief in support (djd)

10/6/00 500 Minute order: Fee Application Hearing Held before Magistrate Judge Jeff Kaplan Court Reporter: Electronic (djd)

10/20/00 501 MOTION with memorandum in support by receiver Michael J Quilling to compel, require an accounting and show cause (15+/Exhibits Not Imaged) (djd) [Entry date 10/23/00]

10/23/00 502 SHOW CAUSE ORDER Set show cause hearing for 10:00 11/17/00 David Johnson is ordered to appear at this hearing and show cause why he should not be held in contempt of court; Johnson may file a response by 11/13/00 (signed by JKaplan) Copies to counsel: 10/24/00 Page(s) 3 (cxj) [Entry date 10/24/00]

10/24/00 503 CERTIFICATE OF SERVICE Re: show cause [502-2] order of 10/24/00, service on David Johnson and Tim Edwards by receiver Michael J Quilling (3) (djd) [Entry date 10/25/00]

10/25/00 504 RETURN OF SERVICE executed as to defendant Funders Marketing Co by personal service at 2051 S Wheeler, Jasper, Texas on 11/17/98 (djd) [Entry date 10/26/00]

10/25/00 505 RETURN OF SERVICE executed as to defendant FMCI Trust by personal service at 2051 S Wheeler, Jasper, Texas on 11/17/98 (djd) [Entry date 10/26/00]

10/25/00 506 RETURN OF SERVICE executed as to defendant Raymond G Parr by personal service at 2051 S wheeler, Jasper, Texas on 11/17/98 (djd) [Entry date 10/26/00]

10/30/00 507 MOTION by pltf SEC for default judgment against dft FMCI Trust, dft Funders Marketing Co (6) (djd)

10/30/00 508 Declaration/AFFIDAVIT of Robert A Brunig by plaintiff SEC Re: default judgment (12/Exhibits Not Imaged) (djd) [Edit date 10/30/00]

10/31/00 509 MOTION by plaintiff SEC for default judgment against defendant Robert Cord, defendant Winterhawk West (8) (jas) [Edit date 12/27/00]

10/31/00 510 Declaration/AFFIDAVIT of Robert A Brunig by plaintiff SEC Re: [509-1] motion for default judgment against defendant Robert Cord, defendant Winterhawk West (15+)(exhibits not imaged) (jas) [Edit date 10/31/00]

11/2/00 511 MOTION by plaintiff SEC for default judgment against

defendant Funding Resource (6) (djd) [Entry date 11/03/00]

11/2/00 512 Declaration/AFFIDAVIT of Robert A. Brunig by plaintiff SEC Re: [511-1] motion for default judgment against defendant Funding Resource (7/exhibit not imaged) (djd) [Entry date 11/03/00]

11/6/00 513 DEFAULT JUDGMENT against dft Funding Resource...Defendant Funding Resource Group shall disgorge to Michael J. Quilling, as temporary receiver, \$9,933,929.49, together with prejudgment interest of \$1,667,554.75 (through 11/1/00) and post-judgment interest at the statutory rate. (signed by BMGL) cc to cnsl 11/7/00 Page(s): 5 (djd) [Entry date 11/07/00]

11/6/00 514 MOTION by plaintiff SEC for default judgment against defendant Earl D McKinney, defendant Fortune Investments, defendant Treds Financial (10) (djd) [Entry date 11/07/00]

11/6/00 515 Declaration/AFFIDAVIT of Robert A. Brunig by plaintiff SEC Re: [514-1] motion for default judgment against defendant Earl D McKinney, defendant Fortune Investments, defendant Treds Financial (15+)(Exhibits Not Imaged) (djd) [Entry date 11/07/00]

11/9/00 -- Record on appeal returned 4 vol. and 3 transcripts from U.S. Court of Appeals: [0-0] appeal, [0-0] appeal, [0-0] appeal (jmr) [Entry date 11/13/00]

11/13/00 516 PER CURIAM ORDER of USCA ... District Court's denial of appellants' motion to intervene is affirmed (certified copy) Re: [316-1] appeal (16) cc:Judge (jmr)

11/13/00 517 JUDGMENT OF USCA ... Judgment of District Court is affirmed... It is further ordered that appellants pay to appellees the costs on appeal (certified copy) Re: [316-1] appeal Issued as mandate on 10/31/00 (2) cc:Judge (jmr)

11/13/00 518 Bill of costs from USCA against B. David Gilliland (jmr)

11/13/00 519 PER CURIAM ORDER of USCA ... Appeal is dismissed (certified copy) Re: [286-1] appeal (13) cc:Judge (jmr)

11/13/00 520 JUDGMENT OF USCA ... Appeal is dismissed for lack of jurisdiction ... Appellant pay to appellee costs on appeal (certified copy) Re: [290-1] appeal Issued as mandate on 10/31/00 (1) cc:Judge (jmr)

11/15/00 521 Unopposed MOTION by receiver Michael J Quilling to approve compromise & settlement agreement with Sands Point Trust (10/Exhibit Not Imaged) (djd) [Entry date 11/16/00]

11/16/00 522 ORDER denying [501-1] mtn to compel, require an accounting and show cause...The Court determined that the pending

criminal case effectively precludes Johnson from defending himself on the contempt charges. Since Johnson has agreed to provide an accounting & turn over all remaining receivership assets, the Receiver's mtn to compel & for an accounting are denied w/o prejudice. The Receiver may reurge his mtn for contempt after the criminal proceedings against Johnson are concluded.

(Signed by Jeff Kaplan) Copies to counsel: 11/17/00 Page(s) 2 (djd) [Entry date 11/17/00]

- 11/20/00 523 ORDER granting [521-1] motion to approve compromise & settlement agreement with Sands Point Trust. It is ordered that the Compromise & Settlement Agreement between the Receiver & Sands Point Trust and Ray Hanson, individually, is hereby approved, & the Receiver is authorized to take all action necessary in order to consummate the transactions set forth in the Compromise & Settlement Agreement... (signed by BMGL)
Copies to counsel: 11/21/00 Page(s) 2 (djd)
[Entry date 11/21/00]
- 11/21/00 524 NOTICE of Intent to File Rebuttal by defendant Robert Cord (1) (djd) [Entry date 11/22/00]
- 11/21/00 525 Brief of Rebuttal/RESPONSE by defendant Robert Cord to [509-1] motion for default judgment against defendant Robert Cord, defendant Winterhawk West (15+)(Exhibits Not Imaged) (djd) [Entry date 11/22/00]
- 11/30/00 526 ORDER re: Motion for Entry of Default Judgment. Robert Cord and Winterhawk West Indies Ltd are ordered to file a responsive pleading to pltf's third amended complaint by 12/29/00. reset answer due for 12/29/00 for Winterhawk West, for Robert Cord. In addition, Winterhawk is ordered to make an appearance in this case through a licensed attorney by 12/29/00. (signed by Jeff Kaplan) Copies to counsel: 12/1/00 Page(s) 2 (djd)
[Entry date 12/01/00]
- 12/4/00 527 Fifth Interim Application/MOTION with memorandum in support by receiver Michael J Quilling for compensation of fees & reimbursement of expenses for accountants for receiver (15+/exhibits not imaged) (djd) [Entry date 12/05/00]
- 12/4/00 528 Eleventh Interim Application/MOTION with memorandum in support by receiver Michael J Quilling to allow & pay (1) receiver's fees & expenses; & (2) attorneys' fees & expenses (15+/USC)(exhibits not imaged) (djd)
[Entry date 12/05/00]
- 12/5/00 529 ORDER setting hearing: Motion hearing set for 9:00 1/5/01 for [528-1] motion to allow & pay (1) receiver's fees & expenses; & (2) attorneys' fees & expenses, set for 9:00

1/5/01 for [527-1] motion for compensation of fees & reimbursement of expenses for accountants for receiver.

(signed by Magistrate Judge

Kaplan) Copies to counsel: 12/6/00 Page(s): 2 (djd)

[Entry date 12/06/00]

- 12/6/00 530 TRANSCRIPT filed Court Reporter: P Sue Engledow Date(s): 6/23/00 Volume(s): 1 Type of proceeding: Motions Hearing (USC)(not imaged) (djd)
- 12/7/00 531 ORDER re: pending cases before Judge Lynn. If a Scheduling Order has been entered in your case prior to December 1, 2000, the amendments to Rule 26(a)(1) shall not be applicable and you shall not be required to make the disclosures required therein. (signed by Judge Lynn) Copies to counsel: 12/7/00 Page(s) 2 (djd)
- 12/15/00 532 Designation of Experts by plaintiff SEC (9) (djd) [Entry date 12/18/00]
- 1/3/01 533 Emergency MOTION by defendant Raymond G Parr to restrain Pla from illegally confiscating property or, in the alternative, to modify injunction (8) (jas) [Entry date 01/04/01]
- 1/3/01 534 MOTION by defendant Raymond G Parr for relief of service requirement (3) (djd) [Entry date 01/04/01]
- 1/3/01 535 MEMORANDUM by defendant Raymond G Parr in support of [533-1] motion to restrain Pla from illegally confiscating property or, in the alternative, to modify injunction (15+/exhibits not imaged) (djd) [Entry date 01/04/01]
- 1/3/01 536 ORDER setting hearing: Motion hearing set for 8:30 1/5/01 for [533-1] motion to restrain Pla from illegally confiscating property or, in the alternative, to modify injunction (signed by Magistrate Judge Kaplan) Copies to counsel: 1/4/01 Page(s): 2 (djd) [Entry date 01/04/01]
- 1/4/01 537 ORDER denying [534-1] motion for relief of service requirement. Dft is directed to serve all counsel of record & unrepresented parties who have entered an appearance in this case with a copy of his motion. (signed by Magistrate Judge Kaplan) Copies to counsel: 1/4/01 Page(s) 2 (djd) [Edit date 01/04/01]
- 1/5/01 -- Motion hearing re: [533-1] motion to restrain Pla from illegally confiscating property or, in the alternative, to modify injunction Motion hearing held (djd) [Entry date 01/08/01]
- 1/5/01 538 Minute order: Hearing Held before Magistrate Judge Kaplan on dft's emergency mtn to restrain the SEC from illegally

confiscating his property, or in the alternative, to modify the preliminary injunction entered on 1/11/99. Court Reporter: electronic. Order to follow setting evidentiary hearing set for 1/26/01. (1) (djd) [Entry date 01/08/01] [Edit date 01/09/01]

- 1/5/01 539 ORDER granting [527-1] mtn for compensation of fees & reimbursement of expenses for accountants for receiver, granting [528-1] mtn to allow & pay (1) receiver's fees & expenses; & (2) attorneys' fees & expenses...the fee applications are approved. The Receiver is authorized to pay the law firm of Quilling, Selander, Cumiskey & Lownds, PC the sum of \$174,270.00 in fees & \$39,918.02 in expenses for services performed & costs incurred in this case from 9/1/00 through 11/30/00. The Receiver is further authorized to pay the following outside law firms fees & expenses for services performed & costs incurred in this case...The Receiver is further authorized to pay the accounting firm of Litzler, Senger, Shaw, McKinney & Dohmeyer, LLP the sum of \$95,292.50 in fees & \$11,748.96 in expenses for services performed on behalf of the Receivership Estate from 9/1/00 through 11/20/00...The Court will not approve any further fee applications until a procedure has been approved for the disbursement of proceeds to defrauded investors & such disbursements have commenced. (signed by Magistrate Judge Kaplan) Copies to counsel: 1/8/01 Page(s) 3 (djd) [Entry date 01/08/01] [Edit date 01/09/01]
- 1/5/01 -- Motion hearing re: [528-1] motion to allow & pay (1) receiver's fees & expenses; & (2) attorneys' fees & expenses, [527-1] motion for compensation of fees & reimbursement of expenses for accountants for receiver (djd) [Entry date 01/08/01]
- 1/5/01 540 Minute order: Hearing Held on Fee Applications in all cases before Magistrate Judge Jeff Kaplan Court Reporter: electronic. Orders to follow. (djd) [Entry date 01/08/01] [Edit date 01/09/01]
- 1/5/01 541 ORDER Evidentiary/Motion hearing set for 10:00 1/26/01 for [533-1] motion to restrain Pla from illegally confiscating property or, in the alternative, to modify injunction, Response to motion reset to 1/12/01 for [533-1] motion to restrain Pla from illegally confiscating property or, in the to modify injunction, Reply to Response to Motion reset to 1/19/01 for [533-1] motion to restrain Pla from illegally confiscating property or, in the alternative, to modify injunction (signed by Magistrate Judge Kaplan) Copies to counsel: 1/8/01 Page(s) 2 (djd) [Entry date 01/08/01] [Edit date 01/09/01]
- 1/5/01 542 CERTIFICATE OF SERVICE Re: [533-1] motion to restrain Pla

from illegally confiscating property or, in the alternative, to modify injunction, [535-1] support memorandum by defendant Raymond G Parr (2) (djd) [Entry date 01/08/01] [Edit date 01/09/01]

- 1/8/01 543 FINDINGS, CONCLUSIONS AND RECOMMENDATIONS of Magistrate Judge Jeff Kaplan Re: [509-1] motion for default judgment against dft Robert Cord, dft Winterhawk West ; Motion no longer referred. Pltf's mtn for default judgment should be granted. The Court should enter a default judgment against dfts Robert Cord & Winterhawk West Indies Ltd as requested by pltf in its mtn filed 10/31/00. (5 pages) (djd) [Entry date 01/09/01] [Edit date 01/09/01]
- 1/8/01 544 Instructions for Service & NOTICE of Right to Object, (signed by Magistrate Judge Kaplan) (2) (djd) [Entry date 01/09/01] [Edit date 01/09/01]
- 1/11/01 545 ORDER re: dft Parr's Objections to Magistrate Judge's Recommendation. The Court is of the opinion that dft has failed to show that the Mag Judge's ruling of 7/6/00 is either clearly erroneous or contrary to law. Dft Parr's objections are overruled. (signed by Judge Lynn) Copies to counsel: 1/11/01 Page(s) 1 (djd)
- 1/12/01 546 Unopposed MOTION by receiver Michael J Quilling to establish claim procedures & to approve claim form (8/exhibits not imaged) (djd) [Entry date 01/16/01]
- 1/12/01 547 MOTION with memorandum in support by pltf SEC to preclude dft Raymond G Parr from offering evidence (9) (djd) [Entry date 01/16/01]
- 1/12/01 548 APPENDIX by plaintiff SEC in support of [547-1] motion to preclude dft Raymond G Parr from offering evidence (15+)(not imaged) (djd) [Entry date 01/16/01]
- 1/12/01 549 Memorandum in Opposition/RESPONSE by plaintiff SEC to "emergency [533-1] motion" to restrain Pla from illegally confiscating property or, in the to modify injunction (15+) (djd) [Entry date 01/16/01]
- 1/12/01 550 APPENDIX by plaintiff SEC in support of [549-1] motion response (15+/USC)(Not Imaged) (djd) [Entry date 01/16/01]
- 1/16/01 551 ORDER granting [546-1] motion to establish claim procedures & to approve claim form. It is ordered that the Claim Form attached hereto as Attachment "A" is approved & the Receiver is authorized to send it to all known investors; It is further ordered that the Claim Confirmation attached hereto as Attachment "B" is approved & the Receiver is authorized to send it to all investors who submit a claim; it is further ordered that all investors who receive the Claim Form must complete & return

it to the Receiver not later than 3/31/01. (signed by Magistrate Judge Kaplan) Copies to counsel: 1/17/01
Page(s) 2 (djd) [Entry date 01/17/01]

- 1/17/01 552 ORDER denying without prejudice [547-1] motion to preclude dft Raymond G Parr from offering evidence...the Court determines that the motion is premature. (signed by Magistrate Judge Kaplan) Copies to counsel: 1/17/01 Pages: 2 (djd) [Edit date 01/17/01]
- 1/23/01 553 ANSWER to Complaint by defendant Raymond G Parr (2) (djd)
- 1/25/01 554 RESPONSE/Objection by plaintiff SEC to Subpoena Duces Tecum (5) (djd) [Edit date 01/29/01]
- 1/25/01 555 Objections/RESPONSE by plaintiff SEC to Subpoena Duces Tecum (5) (djd)
- 1/26/01 -- Evidentiary hearing held (djd) [Entry date 01/29/01]
- 1/26/01 556 Minute order: Evidentiary Hearing Held before Magistrate Judge Jeff Kaplan Court Reporter: electronic. The Court will issue written Findings & Recommendations. (djd) [Entry date 01/29/01]
- 1/26/01 557 NOTICE of Filing 'At Bar' before the Honorable Barbara M G Lynn by defendant Robert Cord (15+) (djd) [Entry date 01/29/01]
- 1/26/01 557 Consolidated Motion & Rebuttal/OBJECTION by defendant Robert Cord, defendant Winterhawk West to [543-1] findings & recommendations (15+) (djd) [Entry date 01/29/01]
- 1/26/01 558 FINDINGS, CONCLUSIONS AND RECOMMENDATIONS of Magistrate Judge Jeff Kaplan Re: [533-1] motion to restrain Pla from illegally confiscating property or, in the alternative, to modify injunction ; Motion no longer referred. Parr's Emergency Mtn to restrain the SEC from illegally confiscating his property should be denied. However, his alternative mtn to modify the preliminary injunction entered on 1/11/99 should be granted. (9) (djd) [Entry date 01/29/01]
- 1/26/01 559 Instructions for Service & NOTICE of right to object (signed by Magistrate Judge Jeff Kaplan) (2) (djd) [Entry date 01/29/01]
- 1/26/01 560 ORDER ADOPTING [543-1] findings & recommendations with the following modification: The Court sua sponte notes that the district clerk has never entered a default against these dfts...the Court will treat pla's mtn as a request for entry of default. The District Clerk is directed to enter a default against dfts Robert Cord & Winterhawk West Indies, Ltd. in accordance with Rule 55(a). Pla may seek a default

judgment against these dfts after a default is entered by the district clerk. (Signed by Judge Barbara M G. Lynn)
Copies to counsel: 1/29/01 Page(s): 2 (djd)
[Entry date 01/31/01] [Edit date 02/06/01]

- 1/26/01 561 ORDER (Motion termed: [507-1] motion for default judgment against dft FMCI Trust, dft Funders Marketing Co)...The Court will treat pla's mtn as a request for entry of default. The District Clerk is directed to enter a default against dfts Earl McKinney, Fortune Investments Ltd & Relief Dft Treds Financial Trust in accordance with Rule 55(a). Pla may seek a default judgment against these dfts after a default is entered by the district clerk. (Signed by Judge Barbara M G. Lynn) Copies to counsel: 1/29/01 Page(s) 2 (djd) [Entry date 01/31/01]
- 1/26/01 562 ORDER (Motion termed: [514-1] motion for default judgment against defendant Earl D McKinney, defendant Fortune Investments, defendant Treds Financial)...The Court will treat pla's mtn as a request for entry of default. The District Clerk is directed to enter a default against dfts Earl McKinney. Fortune Investments Ltd & Relief Dft Treds Financial Trust in accordance with Rule 55(a). Pla may seek a default judgment against these dfts after a default is entered by the district clerk. (Signed by Judge Barbara M G. Lynn) Copies to counsel: 1/29/01 Page(s) 2 (djd) [Entry date 01/31/01]
- 1/29/01 563 CLERK'S ENTRY OF DEFAULT as to defendant Robert Cord, defendant Winterhawk West (1) (djd)
- 1/29/01 564 CLERK'S ENTRY OF DEFAULT as to defendant FMCI Trust, defendant Funders Marketing Co (1) (djd)
- 1/29/01 565 CLERK'S ENTRY OF DEFAULT as to defendant Earl D McKinney, defendant Fortune Investments, defendant Treds Financial (1) (djd)
- 1/31/01 566 CERTIFIED MAIL executed as to Raymond G Parr 1/29/01 [558-1] findings & recommendations (not imaged) (djd) [Entry date 02/01/01]
- 2/1/01 567 CERTIFIED MAIL executed as to SEC 1/29/01 [558-1] findings & recommendations (not imaged) (djd) [Entry date 02/02/01]
- 2/2/01 568 ORDER IN SUBSTITUTION FOR ORDER OF 1/26/01 [No. 560] ADOPTING [543-1] findings & recommendations of US Magistrate Judge...dfts filed objections to this recommendation on 1/26/01 (Signed by Judge Barbara M G. Lynn) Copies to counsel: 2/5/01 Page(s): 2 (djd) [Entry date 02/05/01]
- 2/5/01 569 ORDER ADOPTING [543-1] findings & recommendations of the US Magistrate Judge dated 1/8/01...the Consolidated Motion &

Rebuttal to Magistrate's Findings filed by Robert Cord is hereby overruled. (Signed by Judge Barbara M G. Lynn)
Copies to counsel: 2/6/01 Page(s): 1 (djd)
[Entry date 02/06/01]

- 2/5/01 570 JUDGMENT...Robert Cord's Consolidated Motion and Rebuttal to Magistrate's Findings are overruled (Signed by Judge Barbara M G. Lynn) Copies to counsel: 2/6/01 Page(s): 1 (djd) [Entry date 02/06/01]
- 2/8/01 571 ORDER vacating [569-1] order, [570-1] judgment order, in that such Order & Judgment are unnecessary in light of this Court's Judgment of 2/2/01. The Court's Order & Judgment both dated 2/5/01 are hereby set aside & rendered a nullity, as if they were never entered. (Signed by Judge Barbara M G. Lynn) Copies to counsel: 2/9/01 Page(s) 1 (djd) [Entry date 02/09/01]
- 2/9/01 572 MOTION with memorandum in support by receiver Michael J Quilling to compel reconveyance of receivership property, payment of rent & vacation of property by Strong Heart, Inc. (10) (djd) [Entry date 02/12/01]
- 2/12/01 573 ORDER TO SHOW CAUSE: Re: motion to compel the reconveyance of certain receivership property, the payment of rent, and the vacation of property by Strong Heart Inc. Show Cause Hearing set for 10:00 3/1/01...Griggs & Strong Heart may file a response by 2/26/01...the District Clerk is directed to send a copy of this order to Rodger Griggs and Strong Heart, Inc. at 58100 Pottawatomie, Osceola, Indiana 46561. The Receiver also shall serve Griggs and Strong Heart with a copy of this order in accordance with the Federal Rules of Civil Procedure. (signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 2/13/01 Page(s): 3 (djd) [Entry date 02/13/01]
- 2/15/01 574 CERTIFICATE OF SERVICE Re: [573-1] show cause order by receiver Michael J Quilling (3/exhibit not imaged) (djd) [Entry date 02/16/01]
- 3/1/01 575 Unopposed MOTION by receiver Michael J Quilling to approve compromise & settlement agreement with Strong Heart, Inc. (8/exhibits not imaged) (djd) [Entry date 03/02/01]
- 3/1/01 576 Agreed ORDER (Motion termed: [572-1] motion to compel reconveyance of receivership property, payment of rent & vacation of property by Strong Heart, Inc.)...it is ordered that Strong Heart, Inc shall on or before 3/1/01 execute & deliver to Howe Financial Trust a warranty deed to the property having a street address of 58100 Pottawatomie, Osceola, Indiana; all persons or entities currently occupying any portion of the property shall vacate it by 10:00 p.m. on 3/4/01 & thereafter surrender

possession of the property to the receiver; Strong Heart Inc shall, if not done so already, provide a complete list of all utility providers & account numbers with respect to the property to the receiver on or before 2/27/01; Strong Heart Inc shall execute such other documents as may be reasonably requested by the receiver so as to properly effect a conveyance of the property & the intent of the order (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 3/2/01 Page(s) 2 (djd) [Entry date 03/02/01]

- 3/5/01 577 TWELFTH INTERIM APPLICATION with memorandum in support by receiver Michael J Quilling to allow and pay receiver's fees and expenses and attorneys' fees and expenses (15+) (exhibits not imaged) (mlh) [Entry date 03/06/01]
- 3/5/01 578 ORDER MODIFYING PRELIMINARY INJUNCTION...For the reasons stated in the Findings and Recommendation of the US Magistrate Judge dated 1/26/01, adopted by Order dated 2/27/01, the Preliminary Injunction entered on 1/11/99 is modified to exempt the following assets of dft Raymond G Parr from the freeze order...See order for specifics (Signed by Judge Barbara M G. Lynn) Copies to counsel: 3.6.01 Page(s) 3 (mlh) [Entry date 03/06/01]
- 3/5/01 579 ORDER APPROVING COMPROMISE & SETTLEMENT AGREEMENT AS TO STRONG HEART INC... granting [575-1] motion to approve compromise & settlement agreement with Strong Heart, Inc.; Ordered that the Compromise & Settlement Agreement between the Receiver and Strong Heart Inc, Rodger Griggs, individually and Julie Griggs, individually is hereby approved and the Receiver is authorized to take all action necessary in order to consummate the transactions set forth in the Compromise & Settlement Agreement (Signed by Judge Barbara M G. Lynn) Copies to counsel: 3.6.01 Page(s) 2 (mlh) [Entry date 03/06/01]
- 3/7/01 580 ORDER denying [577-1] motion to allow and pay receiver's fees and expenses and attorneys' fees and expenses. See order for specifics (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 3/8/01 Page(s) 1 (jyg) [Entry date 03/08/01]
- 3/7/01 581 ORDER...the receiver is ordered to direct out of state cnsl to complete the following budget by 4/6/01...the Court will either approve or disapprove the litigation budget ...see order for specifics (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 3/8/01 Page(s) 2 (jyg) [Entry date 03/08/01] [Edit date 03/09/01]
- 3/7/01 582 ORDER Motion hearing set for 4/12/01 at 10:00 on application regarding attorney's fees and expenses (Signed by Magistrate Judge Jeff Kaplan) Copies to

counsel: 3/8/01 Page(s) 2 (jyg) [Entry date 03/08/01]

- 3/9/01 583 UNOPPOSED MOTION by receiver Michael J Quilling to establish procedures regarding Cord/Winterhawk claims (6) (mlh) [Entry date 03/12/01]
- 3/9/01 584 UNOPPOSED MOTION by receiver Michael J Quilling to allocate fees between receivership estates and pay same (11) (exhibits not imaged) (mlh) [Entry date 03/12/01]
- 3/9/01 585 UNOPPOSED MOTION by receiver Michael J Quilling to designate receivership estates (5) (mlh) [Entry date 03/12/01]
- 3/12/01 586 ORDER setting hearing: Motion hearing set for 9:00 4/27/01 for [583-1] motion to establish procedures regarding Cord/Winterhawk claims Written statement or objs due by 4/10/01. SEE ORDER FOR SPECIFICS (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 3/13/01 Page(s): 2 (jyg) [Entry date 03/13/01]
- 3/12/01 587 ORDER setting hearing: Motion hearing set for 10:00 4/12/01 for [584-1] motion to allocate fees between receivership estates and pay same Written objs to be filed by 4/6/01. SEE ORDER FOR SPECIFICS (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 3/13/01 Page(s): 2 (jyg) [Entry date 03/13/01]
- 3/12/01 588 ORDER granting [585-1] motion to designate receivership estates...SEE ORDER FOR SPECIFICS (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 3/13/01 Page(s) 2 (jyg) [Entry date 03/13/01]
- 3/14/01 589 MOTION by plaintiff SEC for default judgment against defendant Earl D McKinney, defendant Fortune Investments and relief defendant Treds Financial Trust (10) (jaw) [Entry date 03/15/01]
- 3/14/01 590 MOTION by plaintiff SEC for default judgment against defendant FMCI Trust, defendant Funders Marketing Co (6) (jaw) [Entry date 03/15/01]
- 3/14/01 591 MOTION by plaintiff SEC for default judgment against defendant Robert Cord, defendant Winterhawk West Indies, LTD. (9) (jaw) [Entry date 03/15/01]
- 3/14/01 592 MOTION with memorandum in support by plaintiff SEC to preclude defendant Raymond G. Parr from offering evidence (9) (jaw) [Entry date 03/15/01]
- 3/14/01 593 APPENDIX by plaintiff SEC in support of [592-1] motion to preclude defendant Raymond G. Parr from offering evidence. (15+)(Not imaged) (jaw) [Entry date 03/15/01]

3/15/01 594 UNOPPOSED MOTION by receiver Michael J Quilling to allow reimbursement of expenses. (15+)(Exhibits not imaged) (jaw) [Entry date 03/16/01]

3/15/01 595 UNOPPOSED MOTION by receiver Michael J Quilling to sell vehicle free and clear of all liens, claims and encumbrances. (4) (jaw) [Entry date 03/16/01]

3/15/01 596 ORDER setting hearing: Motion hearing set for 10:00 4/12/01 for [594-1] motion to allow reimbursement of expenses. Written objections to the application must be filed by 4/6/01. See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 03/16/01 Page(s): 2 (jaw) [Entry date 03/16/01]

3/15/01 597 ORDER setting hearing: Motion hearing set for 10:00 4/12/01 for [595-1] motion to sell vehicle free and clear of all liens, claims and encumbrances. Written objections to the motion must be filed by 4/6/01. See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 03/16/01 Page(s): 2 (jaw) [Entry date 03/16/01] [Edit date 03/21/01]

3/16/01 598 MOTION with memorandum in support by plaintiff SEC for partial summary judgment re: Mary Ann Bauce (13) (mlh) [Entry date 03/19/01]

3/16/01 599 ***UNFILED PER ORDER 4/23/01***MOTION with memorandum in support by plaintiff SEC for partial summary judgment re: Carl Ladane Weaver (15+) (mlh) [Entry date 03/19/01] [Edit date 04/24/01]

3/16/01 600 MOTION with memorandum in support by plaintiff SEC for partial summary judgment re: Raymond Parr (15+) (mlh) [Entry date 03/19/01] [Edit date 03/30/01]

3/16/01 601 EMERGENCY MOTION by receiver Michael J Quilling to compel turnover of receivership assets (15+) (exhibits not imaged) (mlh) [Entry date 03/19/01]

3/16/01 602 APPENDIX VOLUME ONE by plaintiff SEC in support of [600-1] motion for partial summary judgment (15+) (USC) (not imaged) (mlh) [Entry date 03/19/01]

3/16/01 603 APPENDIX VOLUME TWO by plaintiff SEC in support of [600-1] motion for partial summary judgment (15+) (USC) (not imaged) (mlh) [Entry date 03/19/01]

3/16/01 604 APPENDIX VOLUME THREE by plaintiff SEC in support of [600-1] motion for partial summary judgment (15+) (USC) (not imaged) (mlh) [Entry date 03/19/01]

3/16/01 605 SHOW CAUSE ORDER for Raymond Parr to show cause why the assets listed in this order should not be turned over to

the Receiver, set show cause hearing for 10:30 3/23/01, Response to motion reset to 12:00 3/22/01 for [601-1] motion to compel turnover of receivership assets (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 3.19.01 Page(s) 3 (mlh) [Entry date 03/19/01]

- 3/19/01 606 ORDER Response to motion reset to 4/16/01 for [598-1] motion for partial summary judgment re: Mary Ann Bauce, Reply to Response to Motion reset to 5/1/01 for [598-1] motion for partial summary judgment re: Mary Ann Bauce (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 3.19.01 Page(s) 2 (mlh)
- 3/19/01 607 INTERLOCUTORY DEFAULT JUDGMENT The Court finds and determines the Defendants Funders Marketing Company, Inc., FMCI Trust, Earl McKinney, Fortune Investments, Ltd., Robert Cord and Winterhawk West Indies, Ltd., and Relief Defendant Treds Financial Trust are liable to Plaintiff Security Exchange Commission for violations of Sections 5(a) & (c) and 17(a) of the Securities Act of 1933. See order for specifics. A hearing is scheduled for 04/12/01 at 10:00 a.m. before US Magistrate Judge Kaplan. (Signed by Judge Barbara M G. Lynn) cc to cns1 03/20/01 Page(s): 2 (jaw) [Entry date 03/20/01]
- 3/19/01 608 ORDER Response to motion reset to 4/16/01 for [600-1] motion for partial summary judgment, Reply to Response to Motion reset to 5/1/01 for [600-1] motion for partial summary judgment (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 03/20/01 Page(s) 2 (jaw) [Entry date 03/20/01]
- 3/19/01 609 ORDER Response to motion reset to 4/16/01 for [599-1] motion for partial summary judgment re: Carl Ladane Weaver, Reply to Response to Motion reset to 5/1/01 for [599-1] motion for partial summary judgment re: Carl Ladane Weaver (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 03/20/01 Page(s) 2 (jaw) [Entry date 03/20/01]
- 3/19/01 610 ORDER Response to motion reset to 4/16/01 for [592-1] motion to preclude defendant Raymond G. Parr from offering evidence, Reply to Response to Motion reset to 5/1/01 for [592-1] motion to preclude defendant Raymond G. Parr from offering evidence (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 03/20/01 Page(s) 2 (jaw) [Entry date 03/20/01]
- 3/19/01 611 AMENDED MOTION & BRIEF for partial summary judgment by plaintiff SEC referring to [599-1] motion for partial summary judgment re: Carl Ladane Weaver (15+) (mlh) [Entry date 03/20/01]
- 3/19/01 612 AMENDED MOTION & BRIEF for partial summary judgment by

plaintiff SEC referring to [598-1] motion for partial summary judgment re: Mary Ann Bauce (15+) (mlh) [Entry date 03/20/01]

- 3/27/01 613 MOTION by defendant Raymond G Parr for S. Cass Weiland and Lee Polson to withdraw as attorney (4) (mlh) [Entry date 03/28/01]
- 3/27/01 614 MOTION by defendant Raymond G. Parr for attorney fees pursuant to the Sixth Amendment of the U.S. Constitution (3) (mlh) [Entry date 03/28/01]
- 3/27/01 615 UNOPPOSED MOTION with memorandum in support by receiver Michael J. Quilling to sell real property at private sale and to appoint appraisers (8) (Exhibit not imaged.) (mlh) [Entry date 03/28/01] [Edit date 03/28/01]
- 3/27/01 616 ORDER SETTING HEARING: Motion hearing set for 10:00 4/12/01 for [614-1] motion for attorney fees pursuant to the Sixth Amendment of the U.S. Constitution, Response to motion [614-1] motion for attorney fees pursuant to the Sixth Amendment of the U.S. Constitution due 4/6/01 (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 3.28.01 Page(s): 1 (mlh) [Entry date 03/28/01]
- 3/27/01 617 ORDER SETTING HEARING: Motion hearing set for 10:00 4/12/01 for [613-1] motion for S. Cass Weiland and Lee Polson to withdraw as attorney (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 3.28.01 Page(s): 1 (mlh) [Entry date 03/28/01]
- 3/28/01 618 ORDER SETTING HEARING: Motion hearing set for 10:00 4/12/01 for [615-1] motion to sell real property at private sale and to appoint appraisers, Response to motion [615-1] motion to sell real property at private sale and to appoint appraisers due by 4/6/01 (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 3.29.01 Page(s): 2 (mlh) [Entry date 03/29/01]
- 4/3/01 619 AFFIDAVIT of Robert A. Brunig (7) (Exhibit not imaged.) (mlh) [Entry date 04/04/01]
- 4/4/01 620 BUDGET FOR MICHIGAN LITIGATION (MICHAEL J. QUILLING V. THE WOLCOTT LIFETIME TRUST, ET AL.) by receiver Michael J Quilling (3) (mlh) [Entry date 04/05/01]
- 4/5/01 621 BUDGET FOR MEMPHIS, TENNESSEE LITIGATION (HAMMERSMITH TRUST V. DAVID H. JOHNSON, ET AL.) by receiver Michael J. Quilling (5) (Exhibit not imaged.) (mlh) [Edit date 04/05/01]
- 4/5/01 622 BUDGET FOR MEMPHIS, TENNESSEE LITIGATION (MICHAEL J. QUILLING V. MARK D. TALLEY, ET AL.) by receiver Michael J. Quilling (5) (Exhibit not imaged.) (mlh) [Edit date 04/05/01]

- 4/6/01 623 MEMORANDUM IN RESPONSE by plaintiff SEC to [613-1] motion for S. Cass Weiland and Lee Polson to withdraw as attorney. (7) (jaw)
- 4/6/01 624 MEMORANDUM IN OPPOSITION by plaintiff SEC to [614-1] motion to allow attorney's fees pursuant to the Sixth Amendment of the U.S. Constitution. (12) (jaw) [Edit date 04/06/01]
- 4/6/01 625 APPENDIX by plaintiff SEC in support of [624-1] memorandum in opposition to motion to allow attorney's fees. (15+)(USC/Not imaged.) (jaw)
- 4/9/01 626 MEMORANDUM by plaintiff SEC in support of [590-1] motion for default judgment against defendant FMCI Trust, defendant Funders Marketing Co (8) (mlh) [Entry date 04/10/01]
- 4/9/01 627 AFFIDAVIT of Robert A. Brunig Re: [626-1] brief in support of motion for default judgment against Funders Marketing Co. and FMCI Trust (6) (mlh) [Entry date 04/10/01]
- 4/9/01 628 MEMORANDUM by plaintiff SEC in support of motion for default judgment RE: Winterhawk Marketing Co. and Winterhawk Trust (9) (mlh) [Entry date 04/10/01]
- 4/9/01 629 AFFIDAVIT of Robert A. Brunig Re: [628-1] brief in support of motion for default judgment RE: Winterhawk Marketing Co. and Winterhawk Trust (7) (mlh) [Entry date 04/10/01]
- 4/9/01 630 MEMORANDUM by plaintiff SEC in support of [589-1] motion for default judgment against defendant Earl D McKinney, defendant Fortune Investments and relief defendant Treds Financial Trust (13) (mlh) [Entry date 04/10/01]
- 4/9/01 631 AFFIDAVIT of Robert A. Brunig Re: [630-1] brief in support of motion for default judgment against Earl McKinney, Fortune Investments, Ltd. and Treds Fin. Trust (9) (mlh) [Entry date 04/10/01]
- 4/10/01 633 STATEMENT OF CLAIMS FILED AGAINST THE CORD/WINTERHAWK RECEIVERSHIP ESTATE by receiver Michael J. Quilling (4) (mlh) [Entry date 04/11/01]
- 4/10/01 634 OBJECTIONS/RESPONSE by receiver Michael J. Quilling in opposition to [633-1] statement of claims filed against the Cord/Winterhawk receivership estate (15+) (Exhibits not imaged.) (mlh) [Entry date 04/11/01]
- 4/10/01 635 UNOPPOSED MOTION with memorandum in support by receiver Michael J. Quilling to sell real property at private sale free and clear of all liens, claims and encumbrances RE: Creekwood property (11) (Exhibits not imaged.) (mlh) [Entry date 04/11/01]

- 4/11/01 632 UNOPPOSED MOTION with memorandum in support by receiver Michael J. Quilling to sell real property (Pottawatomie) at private sale and to appoint appraisers (9) (Exhibit not imaged.) (mlh) [Edit date 04/11/01]
- 4/11/01 636 AGREED ORDER granting [601-1] receiver's emergency motion to compel turnover of receivership assets. Ordered that Raymond Parr is to turnover the following assets on or before 4/12/01 to the receiver or his representatives in Houston, TX: 1) 1998 Lincoln Navigator, 2) Stock in BMP National Marketing Co., 3) All firearms, 4) All jewelry insured by State Farm. Further ordered that Raymond Parr is to turnover the following assets on or before 4/12/01 to the receiver or his representatives in Ruston, LA: 1) 1997 Toyota 4Runner. See order for specifics. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 4.11.01 Page(s) 4 (mlh)
- 4/12/01 637 NOTICE OF ATTORNEY-CLIENT RELATIONSHIP by counsel John E. Sherman (3) (mlh)
- 4/12/01 -- Motion hearing re: [594-1] motion to allow reimbursement of expenses Motion hearing held, [595-1] motion to sell vehicle free and clear of all liens, claims and encumbrances Motion hearing held, [615-1] motion to sell real property at private sale and to appoint appraisers Motion hearing held, [614-1] motion for attorney fees pursuant to the Sixth Amendment of the U.S. Constitution Motion hearing held, [613-1] motion for S. Cass Weiland and Lee Polson to withdraw as attorney Motion hearing held, [584-1] motion to allocate fees between receivership estates and pay same Motion hearing held (mlh)
- 4/12/01 638 Minute order: Motion hearing held before Magistrate Judge Jeff Kaplan. Court Reporter: electronic. Hearing held to establish amount of disgorgement and civil monetary penalties. Hearing on fee application. (mlh) [Edit date 04/12/01]
- 4/12/01 640 ORDER setting hearing: Motion hearing set for 9:00 a.m. on 4/27/01 for [632-1] motion to sell real property (Pottawatomie) at private sale and to appoint appraisers. Response/ written objections to motion [632-1] motion to sell real property (Pottawatomie) at private sale and to appoint appraisers must be filed by 4/23/01. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 04/13/01 Page(s): 1 (jaw) [Entry date 04/16/01]
- 4/12/01 639 ORDER setting hearing: Motion hearing set for 9:00 a.m. on 4/27/01 for [635-1] motion to sell real property-Creekwood Terrace- at private sale free and clear of all liens, claims and encumbrances. Response/written objections to

[635-1] motion to sell real property-Creekwood Terrace- at private sale free and clear of all liens, claims and encumbrances. (Signed by Magistrate Judge Jeff Kaplan)
Copies to counsel: 04/13/01 Page(s): 2 (jaw)
[Entry date 04/16/01]

- 4/13/01 641 ORDER denying [614-1] defendant Raymond G. Parr's motion for attorney fees pursuant to the Sixth Amendment of the U.S. Constitution (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 4.13.01 Page(s) 3 (mlh)
- 4/13/01 642 ORDER granting [584-1] receiver's motion to allocate fees between receivership estates. The receiver is authorized to cause the Hammersmith Trust Receivership Estate to repay advances made by the other estates as outlined in this order. See order for specifics. (Signed by Magistrate Judge Kaplan) Copies to counsel: 4.13.01 Page(s) 2 (mlh)
- 4/13/01 644 ORDER granting [595-1] receiver's motion to sell vehicle free and clear of all liens, claims and encumbrances. The receiver is authorized to sell the 1994 Chrysler LHS to Chris Waddell for the sum of \$5,000. Such sale shall be free and clear of all liens, claims and encumbrances. The net proceeds of this sale shall be paid to the Howe Financial Trust Estate. (Signed by Magistrate Judge Jeff Kaplan)
Copies to counsel: 4.13.01 Page(s) 2 (mlh)
[Edit date 04/23/01]
- 4/13/01 645 ORDER granting [613-1] motion for S. Cass Weiland and Lee Polson to withdraw as attorney for defendant Raymond G. Parr. S. Cass Weiland and the law firm of Sheinfeld, Maley & Kay, P.C. are permitted to withdraw as counsel for defendant Parr after they file a response to plaintiff's motion for summary judgment. After the response is filed, Weiland and his law firm shall have no further responsibilities in this case and will be removed as counsel of record. All court orders and corresponding deadlines remain in effect. Response to motion reset to 4/16/01 for [600-1] motion for partial summary judgment re: Raymond Parr See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 4.13.01 Page(s) 2 (mlh)
- 4/13/01 643 ORDER granting [615-1] motion to sell real property at private sale and to appoint appraisers. The receiver is authorized to market the property located at 30910 Creekwood Terrace, Osceola, Elkhart County, Indiana and to solicit bids to purchase the property at a private sale. The receiver is further authorized to retain the services of the following disinterested persons to appraise the property: 1) Alex Antonelli; 2) Bill Ezzell; 3) Richard Gaddis. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 4.13.01 Page(s) 2 (mlh) [Entry date 04/16/01]

- 4/16/01 647 ORDER...The receiver's proposed litigation budget in the amount of \$158,700.00 is tentatively approved. See order for procedures established for payment of the receiver and out-of-state counsel in The Wolcott Lifetime Trust litigation. (Signed by Magistrate Judge Jeff Kaplan)
Copies to counsel: 4.16.01 Page(s) 2 (mlh)
- 4/16/01 648 ORDER...The Court tentatively approves the budget submitted by Borod & Kramer, P.C. in the amount of \$108,675.00. See order for procedures established for payment of the receiver and out-of-state counsel in the Johnson litigation. (Signed by Magistrate Judge Jeff Kaplan)
Copies to counsel: 4.16.01 Page(s) 3 (mlh)
- 4/16/01 649 ORDER...The Court tentatively approves the budget submitted by Borod & Kramer, P.C. in the amount of \$120,075.00. See order for procedures established for payment of the receiver and out-of-state counsel in the Talley litigation.
(Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 4.16.01 Page(s) 3 (mlh)
- 4/16/01 650 ORDER approving fee application. The receiver is authorized to pay the law firms listed in this order fees and expenses for services performed and costs incurred in this case. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 4.16.01 Page(s) 2 (mlh)
- 4/16/01 646 ORDER granting [594-1] motion to allow reimbursement of expenses. The receiver is authorized to pay the law firm of Quilling, Selander, Cummiskey & Lownds, P.C. the sum of \$15,026.16 for expenses incurred in this case and three out-of-state lawsuits from December 1, 2000 through February 28, 2001. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 4.16.01 Page(s) 2 (mlh)
[Entry date 04/17/01]
- 4/16/01 651 STIPULATION & CONSENT of defendant Mary Ann Bauce (4) (mlh)
[Entry date 04/17/01]
- 4/16/01 652 RESPONSE by defendant Raymond G Parr to [600-1] motion for partial summary judgment re: Raymond Parr (12) (mlh)
[Entry date 04/17/01]
- 4/17/01 653 REVISED AFFIDAVIT OF ROBERT A. BRUNIG/SUPPLEMENTAL DOCUMENT to [631-1] affidavit of Robert A. Brunig (8) (mlh)
[Entry date 04/18/01]
- 4/17/01 654 REVISED AFFIDAVIT OF ROBER A. BRUNIG/SUPPLEMENTAL DOCUMENT to [627-1] affidavit of Robert A. Brunig (5) (mlh)
[Entry date 04/18/01]
- 4/17/01 655 REVISED DECLARATION OF ROBERT A. BRUNIG/SUPPLEMENTAL DOCUMENT to [629-1] affidavit of Robert A. Brunig (6) (mlh)

[Entry date 04/18/01]

- 4/18/01 656 FINDINGS, CONCLUSIONS AND RECOMMENDATIONS of Magistrate Judge Jeff Kaplan Re: [591-1] motion for default judgment against defendant Robert Cord, defendant Winterhawk West Indies, LTD., [590-1] motion for default judgment against defendant FMCI Trust, defendant Funders Marketing Co, [589-1] motion for default judgment against defendant Earl D McKinney, defendant Fortune Investments and relief defendant Treds Financial Trust; Motions no longer referred. Recommended that the Court should enter a final default judgment against the defendants for disgorgement in the amounts listed in this order. Further recommended that the Court should direct the district clerk to enter a final judgment against the defendants in accordance with Rule 54(b) of the F.R.C.P. (8) (mlh) [Entry date 04/19/01]
- 4/18/01 657 INSTRUCTIONS FOR SERVICE & NOTICE OF RIGHT TO OBJECT...Signed by Magistrate Judge Kaplan (2) (mlh) [Entry date 04/19/01]
- 4/18/01 -- Motion(s) no longer referred: [591-1] motion for default judgment against defendant Robert Cord, defendant Winterhawk West Indies, LTD., [590-1] motion for default judgment against defendant FMCI Trust, defendant Funders Marketing Co, [589-1] motion for default judgment against defendant Earl D McKinney, defendant Fortune Investments and relief defendant Treds Financial Trust (mlh) [Entry date 04/19/01]
- 4/23/01 658 CERTIFIED MAIL executed 4/20/01 as to Robert Brunig RE: [656-1] findings & recommendations of the U.S. Magistrate Judge (mlh) [Entry date 04/24/01]
- 4/23/01 659 AGREED FINAL JUDGMENT AGAINST MARY ANN BAUCE Ordered that Bauce shall make full disgorgement, i.e., \$77,376.88, to Michael J. Quilling as temporary receiver. See order for specifics. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 4.24.01 Page(s): 3 (mlh) [Entry date 04/24/01]
- 4/23/01 661 ORDER denying [592-1] SEC's motion to preclude defendant Raymond G. Parr from offering evidence. Parr has not submitted any evidence in opposition to plaintiff's motion for partial summary judgment. Therefore, that portion of plaintiff's motion to preclude is denied as moot. The remaining portion of plaintiff's motion is denied without prejudice as it is premature to determine whether Parr will offer any evidence at trial if he survives summary judgment. (Signed by Magistrate Judge Kaplan) Copies to counsel: 4.24.01 Page(s) 1 (mlh) [Entry date 04/24/01]
- 4/23/01 662 ORDER RE: Parr's response to the motion for partial summary judgment of SEC Plaintiff shall file a written response to

these objections by 5/4/01. Parr may file a reply by 5/18/01. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 4.23.01 Page(s) 2 (mlh) [Entry date 04/24/01]

- 4/23/01 660 ORDER unfiling [599-1] SEC's motion for partial summary judgment re: Carl Ladane Weaver, unfiling SEC's [611-1] amended motion for partial summary judgment due to the following deficiency: As the party with the burden of proof at trial, plaintiff must "identify specific evidence in the record and {} articulate the precise manner in which that evidence supports its claims." Venable, 2000 WL 358477 at *4n.2, citing Forsyth v. Barr, 19 F.3d 1527, 1537 (5th Cir. 1994). Plaintiff may file an amended motion for summary judgment by 5/4/01. set motion filing deadline for 5/4/01 Copies to counsel: 4.24.01 (signed by Judge Jeff Kaplan) Page(s) 3 (mlh) [Entry date 04/26/01]
- 4/24/01 663 CERTIFIED MAIL executed as to Funders Marketing Co 4/20/01 [656-1] findings & recommendations of the U.S. Magistrate Judge (mlh) [Entry date 04/25/01]
- 4/24/01 664 RESPONSE by consolidated defendant Merrill Maunder, consolidated defendant Paul Tinsley, claimant David Kramer in opposition to [634-1] receiver's objection to allowance of claims RE: Cord/Winterhawk (15+) (Exhibits not imaged.) (mlh) [Entry date 04/25/01]
- 4/25/01 665 CERTIFIED MAIL executed as to Robert Cord on 4/23/01 re: [656-1] findings & recommendations. (1)(Not imaged.) (jaw) [Entry date 04/26/01] [Edit date 04/27/01]
- 4/25/01 666 CERTIFIED MAIL executed as to FMCI Trust on 4/24/01 re: [656-1] findings & recommendations. (1)(Not imaged.) (jaw) [Entry date 04/26/01] [Edit date 04/27/01]
- 4/26/01 667 REPLY MEMORANDUM by plaintiff SEC to response to [600-1] motion for partial summary judgment re: Raymond Parr. (15+) (jaw) [Edit date 04/27/01]
- 4/27/01 -- Motion hearing re: [583-1] motion to establish procedures regarding Cord/Winterhawk claims Motion hearing held, [632-1] motion to sell real property (Pottawatomie) at private sale and to appoint appraisers Motion hearing held, [635-1] motion to sell real property at private sale free and clear of all liens, claims and encumbrances Motion hearing held (mlh) [Entry date 04/30/01]
- 4/27/01 668 Minute order: Motion hearing held before Magistrate Judge Jeff Kaplan Court Reporter: electronic (mlh) [Entry date 04/30/01]
- 4/27/01 -- MOTION in open court by consolidated defendant Merrill Maunder and David Kramer for leave to submit additional evidence in support of their claims against the

Cord/Winterhawk West Indies Estate (mlh)
[Entry date 04/30/01]

- 4/27/01 669 ORDER granting [0-0] oral motion by consolidated defendant Merrill Maunder and David Kramer for leave to submit additional evidence in support of their claims against the Cord/Winterhawk West Indies Estate. Ordered that Maunder and Kramer may submit additional evidence in support of their claims by May 7, 2001. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 4.30.01 Page(s) 1 (mlh) [Entry date 04/30/01]
- 4/27/01 670 ORDER granting [635-1] motion by Michael Quilling to sell real property at private sale free and clear of all liens, claims and encumbrances. Ordered that the receiver is authorized to sell that certain real property 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. 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. See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 4.30.01 Page(s) 3 (mlh) [Entry date 04/30/01]
- 4/27/01 671 ORDER granting [632-1] motion to sell real property (Pottawatomie) at private sale and to appoint appraisers. The receiver is authorized to market the property located at 58100 Pottawatomie, Osceola, Elkhart County, Indiana and to solicit bids to purchase the property at a private sale. The receiver is further authorized to retain the services of the following disinterested persons to appraise the property: 1) Bill Briscoe; 2) Bill Ezzell; and 3) Richard Gaddis. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 4.30.01 Page(s) 2 (mlh) [Entry date 04/30/01]
- 4/30/01 672 MEMORANDUM CONCERNING "AUTHENTICATION" OF EVIDENCE/REPLY by plaintiff SEC to Raymond Parr's response to [600-1] motion for partial summary judgment re: Raymond Parr (11) (mlh)
- 5/1/01 673 OBJECTION by plaintiff SEC to [656-1] findings & recommendations of the findings and recommendation of the U.S. Magistrate Judge (4) (mlh)
- 5/4/01 674 MOTION with memorandum in support by plaintiff SEC for partial summary judgment RE: Carl LaDane Weaver (15+) (mlh) [Entry date 05/07/01]
- 5/7/01 675 SUPPLEMENTAL DOCUMENTS by claimant H. E. Liner in support of assignment of Pickles claim (15) (Exhibits not imaged.) (mlh) [Entry date 05/08/01]

5/8/01 676 SUPPLEMENTAL DOCUMENTS in support of Merrill Maunder's Claim by consolidated defendant Merrill Maunder (15+/exhibits not imaged) (djd) [Entry date 05/09/01]

5/9/01 677 SUPPLEMENTAL DOCUMENT to [676-1] supplemental documents in support of Merrill Maunder's claim by claimant Merrill Maunder (4) (Exhibit not imaged.) (mlh) [Entry date 05/10/01]

5/9/01 678 FINDINGS, CONCLUSIONS AND RECOMMENDATIONS of Magistrate Judge Jeff Kaplan Re: [583-1] motion to establish procedures regarding Cord/Winterhawk claims. Motion no longer referred. Recommended that the Court should approve \$6,303,198.97 in claims allowed by the receiver as set forth in paragraph II of this report and recommendation. In addition, the Court should allow the \$367,000.00 claim filed by Merrill Maunder and the \$56,000.00 claim filed by Paul Tinsley. H.E. Linder's claim in the amount of \$183,000.00 should be disallowed. See order for specifics. (9) (mlh) [Entry date 05/10/01]

5/10/01 679 MOTION with memorandum in support by plaintiff SEC for order to show cause and motion for citation for contempt (14) (mlh) [Entry date 05/11/01]

5/10/01 680 APPENDIX by plaintiff SEC in support of [679-1] motion for order to show cause and motion for citation for contempt (15+) (Not imaged.) (mlh) [Entry date 05/11/01]

5/11/01 681 CERTIFIED MAIL executed as to Michael J Quilling on 5/10/01 re: [678-1] findings & recommendations. (Not imaged.) (jaw)

5/14/01 682 CERTIFIED MAIL executed as to SEC through attorney Robert Brunig on 5/10/01 re: [678-1] findings recommendations. (Not imaged.) (jaw)

5/14/01 683 CERTIFIED MAIL as to Tracy Eckerson executed on 5/11/01 re: [678-1] findings & recommendations. (Not imaged.) (jaw)

5/14/01 684 MOTION with memorandum in support by receiver Michael J. Quilling for issuance of show cause order (15+) (Exhibits not imaged.) (mlh) [Entry date 05/15/01]

5/14/01 685 SHOW CAUSE ORDER Motion hearing set for 9:00 6/1/01 for [679-1] SEC's motion for order to show cause and motion for citation for contempt, Response to motion reset to 5/25/01 for [679-1] SEC's motion for order to show cause and motion for citation for contempt (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 5.15.01 Page(s) 2 (mlh) [Entry date 05/15/01]

5/15/01 687 CERTIFIED MAIL executed as to Earl D McKinney 5/14/01 RE: [656-1] findings & recommendations of the U.S. Magistrate

Judge (mlh) [Entry date 05/16/01]

- 5/15/01 688 CERTIFIED MAIL executed as to Fortune Investments 5/14/01 RE: [656-1] findings & recommendations of the U.S. Magistrate Judge (mlh) [Entry date 05/16/01]
- 5/15/01 689 CERTIFIED MAIL executed as to Treds Financial 5/14/01 RE: [656-1] findings & recommendations of the U.S. Magistrate Judge (mlh) [Entry date 05/16/01]
- 5/16/01 686 CERTIFIED MAIL executed as to John Sherman on 5/11/01 re: [678-1] findings & recommendations. (Not imaged.) (jaw)
- 5/16/01 690 ORDER ACCEPTING [656-1] FINDINGS, CONCLUSIONS AND RECOMMENDATION OF THE U.S. MAGISTRATE JUDGE...The Court has reviewed the findings on a plain error basis. The Court determines that those findings are not plainly erroneous and they are accepted as the findings of the Court. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 5.17.01 Page(s): 2 (mlh) [Entry date 05/17/01]
- 5/16/01 691 SHOW CAUSE ORDER Motion hearing set for 9:00 6/1/01 for [684-1] Michael Quilling's motion for issuance of show cause order, Response to motion reset to 5/30/01 for [684-1] Michael Quilling's motion for issuance of show cause order Merrill Lynch is ordered to produce to the receiver all complete and partial statements pertaining to account no. 75023822 for the period beginning 3/1/01 through 5/25/01. These account statements shall be delivered to the receiver by 5:00p.m. 5/30/01. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 5.17.01 Page(s) 3 (mlh) [Entry date 05/17/01]
- 5/16/01 692 FINAL DEFAULT JUDGMENT as to defendants Robert Cord a/k/a Robert Franklin Schoonover, Jr., Winterhawk West Indies, Ltd., Funders Marketing Co., Inc., FMCI Trust, Earl McKinney and Fortune Investment, Ltd. and relief defendant Treds Financial Trust...Ordered that plaintiff SEC have and recover from defendants Robert Cord a/k/a Robert Franklin Schoonover, Jr. and Winterhawk West Indies, Ltd., jointly and severally, the principal amount of \$6,290,980.00, together with pre-judgment interest in the amount of \$2,287,206.95, and post-judgment interest at the rate of 4.07% until paid. See order for specifics. (Signed by Judge Barbara M. G. Lynn) cc to cnsl 5/17/01 Page(s): 5 (mlh) [Entry date 05/17/01] [Edit date 05/17/01]
- 5/17/01 693 UNOPPOSED MOTION with memorandum in support by receiver Michael J. Quilling to sell real property (Main Street) at private sale and to appoint appraisers (7) (mlh) [Entry date 05/18/01]
- 5/17/01 694 UNOPPOSED MOTION by receiver Michael J. Quilling to sell

vehicle free and clear of all liens, claims and encumbrances (4) (mlh) [Entry date 05/18/01]

- 5/17/01 695 ORDER SETTING HEARING Motion hearing set for 9:00 6/22/01 for [693-1] Quilling's motion to sell real property (Main Street) at private sale and to appoint appraisers, Response to motion set for 6/12/01 for [693-1] Quilling's motion to sell real property (Main Street) at private sale and to appoint appraisers (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 5.18.01 Page(s): 2 (mlh) [Entry date 05/18/01]
- 5/17/01 696 ORDER SETTING HEARING Motion hearing set for 9:00 6/22/01 for [694-1] Quilling's motion to sell vehicle free and clear of all liens, claims and encumbrances, Response to motion set for 6/12/01 for [694-1] Quilling's motion to sell vehicle free and clear of all liens, claims and encumbrances (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 5.18.01 Page(s): 2 (mlh) [Entry date 05/18/01]
- 5/18/01 697 LETTER MOTION for permission to meet with Robert Brunig by defendant Raymond G Parr (2) (mlh) [Entry date 05/21/01]
- 5/22/01 698 ORDER RESETTING SHOW CAUSE HEARING Motion hearing reset for 9:00 6/22/01 for [679-1] motion for order to show cause and motion for citation for contempt., Response to motion [679-1] motion for order to show cause and motion for citation for contempt due 6/12/01. Raymond G. Parr is ordered to appear at this hearing to show cause why he should not be held in contempt of court and punished for violating the order modifying preliminary injunction dated 3/5/01. See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 5.23.01 Page(s): 2 (mlh) [Entry date 05/23/01]
- 5/23/01 699 LETTER MOTION to continue to donate to The New Living Word Church by defendant Raymond G Parr (5) (Attachment not imaged.) (mlh) [Entry date 05/24/01]
- 5/23/01 700 STATUS REPORT ORDER. Joint status report due on 6/15/01. Defendant Raymond Parr and Robert Brunig, counsel for plaintiff SEC, and the receiver or his duly authorized representative shall meet face-to-face in an attempt to resolve all matters raised in plaintiff's application for show cause order and motion for contempt. This meeting shall be held at 12:00 noon on 6/8/01 at the offices of Quilling, Selander, Cummiskey & Lownds, P.C. in Dallas, Texas unless all parties agree in writing to reschedule the meeting for another time. See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 5.24.01 Page(s): 2 (mlh) [Entry date 05/24/01]

- 5/23/01 701 ORDER denying defendant Raymond Parr's [699-1] letter motion to continue to donate to The New Living Word Church. To the extent that Parr seeks permission to make financial contributions to his church in the future, that request is denied. See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 5.24.01 Page(s) 2 (mlh) [Entry date 05/24/01]
- 5/24/01 702 UNOPPOSED MOTION by receiver Michael J. Quilling to establish procedures regarding Howe Financial Trust claims (4) (mlh) [Entry date 05/25/01]
- 5/24/01 703 MEMORANDUM IN RESPONSE by plaintiff SEC to [697-1] Raymond Parr's motion for permission to meet with Robert Brunig (5) (mlh) [Entry date 05/25/01]
- 5/24/01 704 ORDER RESETTING SHOW CAUSE HEARING Motion hearing reset for 9:00 6/29/01 for Quilling's [684-1] motion for issuance of show cause order, Response to [684-1] motion for issuance of show cause order due 6/22/01 Merrill Lynch is ordered to produce to the receiver all complete and partial statements pertaining to account no. 75023822 for the period beginning 3/1/01 through 5/25/01. These account statements shall be delivered to the receiver by 6/22/01. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 5.25.01 Page(s): 2 (mlh) [Entry date 05/25/01]
- 5/29/01 705 MOTION by defendant Raymond G. Parr to continue 6/1/01 show cause hearing (3) (mlh) [Entry date 05/30/01]
- 5/29/01 706 ORDER SETTING HEARING: Motion hearing set for 9:00 a.m. on 7/13/01 for [702-1] Receiver's motion to establish procedures regarding Howe Financial Trust claims. The Receiver shall file a written statement on or before 6/6/01 of each individual or entity who has filed a claim against the Howe Financial Trust Estate. If a claim has been disallowed, the Receiver shall file separate objections to that claim by 6/6/01. An aggrieved claimant who seeks a ruling on a disallowed claim must file a written response to the Receiver's objection by 6/29/01. The Receiver is ordered to post a copy of his motion and this order on his website. See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 05/30/01 Page(s): 2 (jaw) [Entry date 05/30/01]
- 5/30/01 707 ORDER RE: defendant Raymond G. Parr's motion to reschedule the show cause hearing on plaintiff's motion for contempt...A joint status report signed by the participants must be delivered to the Court by 6/15/01. Upon receipt of the joint status report, the Court will determine whether a show cause hearing is necessary. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 5.31.01 Page(s) 2 (mlh) [Entry date 05/31/01]

6/1/01 708 UNOPPOSED MOTION with memorandum in support by receiver Michael J Quilling to sell personalty of Raymond Parr. (5) (jaw) [Entry date 06/04/01]

6/4/01 709 UNOPPOSED MOTION by receiver Michael J. Quilling to allow reimbursement of expenses (15+) (Exhibits not imaged.) (mlh) [Entry date 06/05/01]

6/4/01 710 FIRST INTERIM MOTION with memorandum in support by receiver Michael J. Quilling to allow and pay receiver's fees and expenses and for attorneys' fees and expenses RE: Quilling vs. David Johnson pending in Memphis, TN) (15+) (Exhibits not imaged.) (mlh) [Entry date 06/05/01] [Edit date 06/05/01]

6/4/01 711 FIRST INTERIM APPLICATION/MOTION with memorandum in support by receiver Michael J. Quilling to allow and pay receiver's fees and expenses and for attorneys' fees and expenses RE: Quilling vs. Mark Tally pending in Memphis, TN) (15+) (Exhibits not imaged.) (mlh) [Entry date 06/05/01]

6/4/01 712 FIRST INTERIM APPLICATION/MOTION with memorandum in support by receiver Michael J. Quilling to allow and pay receiver's fees and expenses and for attorneys' fees and expenses RE: Quilling vs. Wolcott Lifetime Trust, et al. pending in Grand Rapids, MI) (15+) (Exhibits not imaged.) (mlh) [Entry date 06/05/01]

6/6/01 713 STATEMENT OF ALLOWED CLAIMS FILED AGAINST THE HOWE FINANCIAL TRUST RECEIVERSHIP ESTATE by receiver Michael J. Quilling (4) (mlh) [Entry date 06/07/01]

6/6/01 714 OBJECTIONS TO CLAIMS RE: HOWE FINANCIAL TRUST RECEIVERSHIP ESTATE by receiver Michael J. Quilling (12) (Exhibit not imaged.) (mlh) [Entry date 06/07/01]

6/11/01 715 ORDER SETTING HEARING: Motion hearing set for 9:00 7/13/01 for [709-1] receiver's motion to allow reimbursement of expenses, Response to [709-1] receiver's motion to allow reimbursement of expenses due 7/2/01 (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 6.12.01 Page(s): 2 (mlh) [Entry date 06/12/01]

6/11/01 716 ORDER SETTING HEARING: Motion hearing set for 9:00 7/13/01 for receiver's [710-1] motion to allow and pay receiver's fees and expenses and for attorneys' fees and expenses, Response to [710-1] receiver's motion to allow and pay receiver's fees and expenses and for attorneys' fees and expenses due 7/2/01 (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 6.12.01 Page(s): 2 (mlh) [Entry date 06/12/01]

6/11/01 717 ORDER SETTING HEARING: Motion hearing set for 9:00 7/13/01

for [711-1] receiver's motion to allow and pay receiver's fees and expenses and for attorneys' fees and expenses, Response to [711-1] receiver's motion to allow and pay receiver's fees and expenses and for attorneys' fees and expenses due 7/2/01 (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 6.12.01 Page(s): 2 (mlh) [Entry date 06/12/01]

- 6/11/01 718 ORDER SETTING HEARING: Motion hearing set for 9:00 7/13/01 for [712-1] receiver's motion to allow and pay receiver's fees and expenses and for attorneys' fees and expenses, Response to [712-1] receiver's motion to allow and pay receiver's fees and expenses and for attorneys' fees and expenses due 7/2/01 (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 6.12.01 Page(s): 2 (mlh) [Entry date 06/12/01]
- 6/11/01 719 ORDER SETTING HEARING: Motion hearing set for 9:00 7/13/01 for [708-1] receiver's motion to sell personalty of Raymond Parr, Response to receiver's [708-1] motion to sell personalty of Raymond Parr due 6/29/01 (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 6.12.01 Page(s): 2 (mlh) [Entry date 06/12/01]
- 6/13/01 720 ORDER ACCEPTING [678-1] FINDINGS & RECOMMENDATION OF THE U.S. MAGISTRATE JUDGE...No objections were filed, although the receiver sent Magistrate Judge Kaplan a clarifying letter dated 5/14/01. The Court thus reviews the findings and recommendation for plain error. Since the claim of H.E. Liner was disallowed because the assignment from Pickles, L.L.C. to BWB is not enforceable, the Court allows to Pickles, L.L.C. the claim asserted by H.E. Liner. With that single clarification, the findings and recommendation of 5/9/01 are accepted. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 6.14.01 Page(s): 1 (mlh) [Entry date 06/14/01]
- 6/14/01 721 AGREED ORDER...Ordered that for each and every calendar month beginning 5/1/01, Parr shall serve on the Commission and on Quilling no later than the tenth day of the following month a sworn accounting, including an itemized and detailed listing of (a) all income received by Parr and his wife during the preceeding month and of (b) all personal, business and other expenses paid by Parr and his wife during the preceeding month. See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 6.15.01 Page(s) 3 (mlh) [Entry date 06/15/01]
- 6/22/01 722 ORDER granting [693-1] Quilling's motion to sell real property (Main Street) at private sale and to appoint appraisers. The receiver is authorized to market the property located at 1721-1725 South Main, Elkhart County, Indiana and to solicit bids to purchase the property at a

private sale. The receiver is further authorized to retain the services of three disinterested persons to appraise the property. (Signed by Magistrate Judge Jeff Kaplan)
Copies to counsel: 6.22.01 Page(s) 2 (mlh)

- 6/22/01 -- Motion hearing re: [694-1] receiver's motion to sell vehicle free and clear of all liens, claims and encumbrances; Motion hearing held re: [693-1] receiver's motion to sell real property (Main Street) at private sale and to appoint appraisers (mlh) [Entry date 06/25/01]
- 6/22/01 723 Minute order: Motion hearing held before Magistrate Judge Jeff Kaplan Court Reporter: electronic (1) (mlh) [Entry date 06/25/01]
- 6/22/01 724 ORDER granting [694-1] receiver's motion to sell vehicle free and clear of all liens, claims and encumbrances. The receiver is authorized to sell the 1998 Lincoln Navigator, VIN #5LMEU27LOWLJ05756, to Daniel Malone for \$18,000 full and clear of all liens, claims and encumbrances. The net proceeds of this sale shall be paid to the Funding Resource Estate. All valid liens, claims and encumbrances shall attach to the net proceeds of this sale subject to further order of the court. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 6.25.01 Page(s) 2 (mlh) [Entry date 06/25/01]
- 6/26/01 725 Witness list for 6/29/01 hearing on show cause order by receiver Michael J Quilling (4) (mlh) [Entry date 06/27/01]
- 6/26/01 725 Exhibit list for 6/29/01 hearing on show cause order by receiver Michael J Quilling (4) (mlh) [Entry date 06/27/01]
- 6/26/01 725 Deposition excerpts for 6/29/01 hearing on show cause order by receiver Michael J Quilling (4) (mlh) [Entry date 06/27/01]
- 6/26/01 726 STIPULATION of Michael J. Quilling and Merrill Lynch Pierce Fenner & Smith (4) (mlh) [Entry date 06/27/01]
- 6/29/01 -- Show cause hearing held. (mlh) [Entry date 07/02/01] [Edit date 07/02/01]
- 6/29/01 727 Minute order: Show cause hearing held before Magistrate Judge Jeff Kaplan Court Reporter: electronic (mlh) [Entry date 07/02/01]
- 6/29/01 728 RESPONSE by S. Craig Wakefield in opposition to receiver's objections to claims (Howe Financial Trust Receivership Estate) (15+) (Exhibits not imaged.) (mlh) [Entry date 07/02/01]
- 7/3/01 729 Submission by receiver Michael J Quilling regarding 5/16/01 show cause [691-3] order against Merrill Lynch (15/exhibits

not imaged) (djd) [Entry date 07/05/01]
[Edit date 07/05/01]

- 7/3/01 730 Final report and proposed distribution plan (Cord/Winterhawk Receivership Estate) by receiver Michael J Quilling (15+/exhibits not imaged) (djd) [Entry date 07/05/01]
- 7/5/01 731 ORDER SETTING HEARING: A hearing on the receiver's final report and proposed distribution plan is set for 8/17/01 @ 9:00 a.m. in the courtroom of Magistrate Judge Kaplan. Written objections to the plan must be filed by 8/6/01. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 7.6.01 Page(s): 2 (mlh) [Entry date 07/06/01]
- 7/6/01 732 NOTICE OF ADDRESS CHANGE by defendant Raymond G Parr. New address is: 8524 Hwy. 6 North Suite 340, Houston, TX 77095 (1) (mlh) [Entry date 07/09/01]
- 7/6/01 733 FINDINGS, CONCLUSIONS AND RECOMMENDATIONS of Magistrate Judge Jeff Kaplan Re: [684-1] Quilling's motion for issuance of show cause order/for contempt against Merrill Lynch; Motion no longer referred. Recommended that the receiver's motion for contempt against Merrill Lynch should be granted. See findings for specifics. (9) (mlh) [Entry date 07/09/01]
- 7/6/01 734 INSTRUCTIONS FOR SERVICE & NOTICE OF RIGHT TO OBJECT signed by Magistrate Judge Kaplan (2) (mlh) [Entry date 07/09/01]
- 7/13/01 -- Motion hearing held RE: [708-1] receiver's motion to sell personalty of Raymond Parr and [702-1] receiver's motion to establish procedures regarding Howe Financial Trust claims (mlh) [Entry date 07/16/01]
- 7/13/01 735 Minute order: Motion hearing held before Magistrate Judge Jeff Kaplan. Court Reporter: electronic. (mlh) [Entry date 07/16/01]
- 7/13/01 736 FINDINGS, CONCLUSIONS AND RECOMMENDATIONS of Magistrate Judge Jeff Kaplan RE: [702-1] receiver's motion to establish procedures regarding Howe Financial Trust claims. Motion no longer referred. Recommended that the Court should approve \$2,246,602.18 in claims allowed by the receiver as set forth in paragraph II of this report and recommendation. Any claimant or interested party may file written objections to this recommendation by 7/27/01. See findings for specifics. (5) (mlh) [Entry date 07/16/01]
- 7/13/01 737 ORDER granting [708-1] receiver's motion to sell personalty of Raymond Parr. See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 7.16.01 Page(s) 3 (mlh) [Entry date 07/16/01]

- 7/16/01 738 ORDER granting [710-1] receiver's motion to allow and pay receiver's fees and expenses and for attorneys' fees and expenses. The receiver is authorized to pay the following law firms fees and expenses for services performed and costs incurred in the Johnson litigation: 1) Quilling, Selander, Cummiskey & Lownds PC \$3,175.00 in fees and \$50.06 in expenses 2) Borod & Kramer \$2,755.00 in fees and \$824.81 in expenses. (Signed by Magistrate Judge Kaplan) Copies to counsel: 7.16.01 Page(s) 2 (mlh)
- 7/16/01 739 ORDER granting [711-1] receiver's motion to allow and pay receiver's fees and expenses and for attorneys' fees and expenses. The receiver is authorized to pay the following law firms' fees and expenses for services performed and costs incurred in the Talley litigation: 1) Quilling, Selander, Cummiskey, & Lownds PC \$3,370 in fees and \$15.07 in expenses 2) Borod & Kramer \$773.65 in fees and \$271.44 in expenses. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 7.16.01 Page(s) 2 (mlh)
- 7/16/01 740 ORDER granting [712-1] receiver's motion to allow and pay receiver's fees and expenses and for attorneys' fees and expenses. The receiver is authorized to pay the following law firms' fees and expenses for services performed and costs incurred in the Wolcott Lifetime Trust litigation: 1) Quilling, Selander, Cummiskey & Lownds PC \$52,125.50 in fees and \$6,032.78 in expenses 2) Smith, Haughey, Rice & Rogge \$1,178.00 in fees and \$29.76 in expenses. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 7.16.01 Page(s) 2 (mlh)
- 7/16/01 741 ORDER granting [709-1] receiver's motion to allow reimbursement of expenses. The receiver is authorized to reimburse the law firm of Quilling, Selander, Cummiskey & Lownds the sum of \$22,786.44 in expenses incurred from 3/1/01 through 5/31/01. See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 7.16.01 Page(s) 2 (mlh)
- 7/20/01 742 LIMITED OBJECTION by receiver Michael J Quilling to [736-1] findings & recommendations of the magistrate judge regarding claims asserted against the Howe Financial Trust receivership estate (4) (Exhibit not imaged.) (mlh) [Entry date 07/23/01] [Edit date 07/23/01]
- 7/25/01 743 ORDER ACCEPTING [736-1] FINDINGS AND RECOMMENDATION OF THE U.S. MAGISTRATE JUDGE...On 7/20/01, the receiver filed a limited objection so as to address an investor who he had not previously been able to locate. No other objections were filed. The Court thus reviews the findings and recommendation for plain error. Based on the objection the Court modifies the findings and recommendation to allow a claim in the name of Joseph Studzinski in the amount of

\$163,641.90 and to provide that it has not been extinguished by virtue of the receiver's interim distribution to Mr. Studzinski. With that modification, the findings and recommendation are accepted. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 7.26.01 Page(s): 2 (mlh) [Entry date 07/26/01]

- 7/27/01 744 FINDINGS, CONCLUSIONS AND RECOMMENDATIONS of Magistrate Judge Jeff Kaplan Re: [674-1] SEC's motion for partial summary judgment RE: Carl LaDane Weaver, [611-1] SEC's amended motion for partial summary judgment, [600-1] SEC's motion for partial summary judgment re: Raymond Parr. Motion no longer referred. Recommended that the motions for partial summary judgment should be denied. (9) (mlh)
- 7/27/01 745 INSTRUCTIONS FOR SERVICE & NOTICE of right to object. Signed by Magistrate Judge Kaplan (2) (mlh)
- 7/27/01 746 ORDER SETTING CASE FOR TRIAL Bench trial set for 9:00 9/24/01 before Judge Lynn; Pretrial conference set for 8:30 9/24/01; Pretrial materials due on 9/4/01. Proposed pretrial order due 9/4/01; Objections to pretrial materials due 9/17/01. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 7.30.01 Page(s): 3 (mlh) [Entry date 07/30/01]
- 8/1/01 747 CERTIFIED MAIL executed as to Raymond G Parr 7/30/01 RE: [744-1] findings & recommendations of the U.S. Magistrate Judge (mlh) [Entry date 08/02/01]
- 8/1/01 748 CERTIFIED MAIL executed as to SEC 7/30/01 RE: [744-1] findings recommendations of the U.S. Magistrate Judge (mlh) [Entry date 08/02/01]
- 8/1/01 749 CERTIFIED MAIL executed as to Michael J Quilling 7/30/01 RE: [744-1] findings & recommendations of the U.S. Magistrate Judge (mlh) [Entry date 08/02/01]
- 8/3/01 750 OBJECTION by plaintiff SEC to July 27,2001 [744-1] findings & recommendations of the U.S. Magistrate Judge (15+) (djd) [Entry date 08/06/01]
- 8/7/01 751 CERTIFIED MAIL executed as to Dan Ray Waller on 7/30/01 re: [744-1] findings & recommendations. (Not imaged.) (jaw)
- 8/15/01 752 INTERIM REPORT AND PROPOSED INTERIM DISTRIBUTION PLAN (HOWE FINANCIAL TRUST RECEIVERSHIP ESTATE) by receiver Michael J Quilling (15+) (USC) (Exhibits not imaged.) (mlh) [Entry date 08/16/01]
- 8/15/01 753 UNOPPOSED MOTION by receiver Michael J Quilling to approve treatment of Sims' claim against Howe Financial Trust Receivership Estate (8) (Exhibit not imaged.) (mlh) [Entry date 08/16/01]

- 8/17/01 754 Minute order: Hearing held before Magistrate Judge Jeff Kaplan on receiver's final report and proposed distribution plan (#730). Court Reporter: electronic (mlh) [Entry date 08/20/01] [Edit date 08/20/01]
- 8/17/01 755 FINDINGS, CONCLUSIONS AND RECOMMENDATIONS of Magistrate Judge Jeff Kaplan Re: receiver's final report and proposed distribution plan regarding Robert Cord & Winterhawk West Indies, Ltd (#730). Recommended that the Court should approve the receiver's final report and proposed distribution plan in accordance with the Court's findings & recommendations. Any claimant or interested party may file written objections to this recommendation by 8/31/01. (Signed by Magistrate Judge Kaplan) (9) (mlh) [Entry date 08/20/01]
- 8/20/01 756 MOTION with memorandum in support by plaintiff SEC to preclude defendant Raymond G. Parr from offering evidence (10) (mlh) [Entry date 08/21/01]
- 8/20/01 757 APPENDIX by plaintiff SEC in support of [756-1] motion to preclude defendant Raymond G. Parr from offering evidence (15+) (Not imaged.) (mlh) [Entry date 08/21/01]
- 8/20/01 758 ORDER Response to motion reset to 9/10/01 for [756-1] SEC's motion to preclude defendant Raymond G. Parr from offering evidence, Reply to Response to Motion reset to 9/17/01 for SEC's [756-1] motion to preclude defendant Raymond G. Parr from offering evidence (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 8.21.01 Page(s) 1 (mlh) [Entry date 08/21/01]
- 8/20/01 759 ORDER SETTING HEARING: A hearing on receiver's final report and proposed distribution plan is set for 9/21/01 @ 9:00 a.m. Written objections to the plan must be filed by 9/11/01. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 8.21.01 Page(s): 2 (mlh) [Entry date 08/21/01]
- 8/20/01 760 ORDER SETTING HEARING Motion hearing set for 9:00 9/21/01 for [753-1] receiver's motion to approve treatment of Sims' claim against Howe Financial Trust Receivership Estate. Written objections must be filed by 9/11/01. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 8.21.01 Page(s): 2 (mlh) [Entry date 08/21/01]
- 8/27/01 761 UNOPPOSED EMERGENCY MOTION by plaintiff SEC to continue trial schedule (6) (mlh) [Entry date 08/28/01]
- 8/28/01 762 LETTER MOTION & BRIEF IN SUPPORT to prevent SEC from precluding defendant Parr from offering evidence by defendant Raymond G Parr (2) (mlh) [Entry date 08/29/01]

- 8/28/01 763 UNOPPOSED ORDER CONTINUING TRIAL SCHEDULE granting [761-1] SEC's emergency motion to continue trial schedule. Ordered that all dates set forth in the 7/27/01 order setting case for trial are continued for 60 days except for the trial date which will be set by separate order. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 8.29.01 Page(s) 2 (mlh) [Entry date 08/29/01]
- 8/28/01 764 ORDER ACCEPTING [744-1] FINDINGS, CONCLUSIONS, & RECOMMENDATION OF THE U.S. MAGISTRATE JUDGE, denying [674-1] SEC's motion for partial summary judgment RE: Carl LaDane Weaver, denying [600-1] SEC's motion for partial summary judgment re: Raymond Parr. The Court finds that with one exception the findings and conclusions of the magistrate judge are correct and except to that extent they are accepted as the findings and conclusions of the Court. The Court grants the objection as to the reliance element. Reliance need not be proven by the SEC in the enforcement action against Messrs. Parr and Weaver. As to all other elements of its case, the SEC will be required to make its proof at the trial of this case. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 8.29.01 Page(s) 2 (mlh) [Entry date 08/29/01]
- 8/29/01 765 ORDER denying without prejudice [762-1] motion to prevent SEC from precluding defendant Parr from offering evidence (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 8/30/01 Page(s) 1 (jyg) [Entry date 08/30/01]
- 8/29/01 766 ORDER SETTING CASE FOR TRIAL...Bench trial set for 9:00 11/26/01 Pretrial conference for 8:30 11/26/01 ; Pretrial materials due on 11/5/01 Proposed pretrial order due 11/5/01. See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 8/30/01 Page(s): 3 (jyg) [Entry date 08/30/01]
- 9/5/01 767 SECOND INTERIM APPLICATION with memorandum in support by receiver Michael J Quilling to allow and pay receiver's fees and expenses and attorneys' fees and expenses RE: Quilling vs. Mark Tally pending in Memphis, TN) (15+) (Exhibits not imaged.) (mlh) [Entry date 09/06/01]
- 9/5/01 768 UNOPPOSED MOTION by receiver Michael J Quilling to allow reimbursement of expenses (10) (Exhibit not imaged.) (mlh) [Entry date 09/06/01] [Edit date 09/06/01]
- 9/5/01 769 SECOND INTERIM APPLICATION with memorandum in support by receiver Michael J Quilling to allow and pay receiver's fees and expenses and attorneys' fees and expenses RE: Quilling vs. Wolcott Lifetime Trust, et al. pending in Grand Rapids, MI) (15+) (Exhibits not imaged.) (mlh) [Entry date 09/06/01]

- 9/5/01 770 SECOND INTERIM APPLICATION with memorandum in support by receiver Michael J Quilling to allow and pay receiver's fees and expenses and attorneys' fees and expenses RE: Quilling vs. David Johnson pending in Memphis, TN) (15+) (Exhibits not imaged.) (mlh) [Entry date 09/06/01] [Edit date 09/06/01]
- 9/6/01 771 ORDER SETTING HEARING: Motion hearing set for 9:00 10/18/01 for receiver's [770-1] motion to allow and pay receiver's fees and expenses and attorneys' fees and expenses RE: Quilling vs. David Johnson. Written objections to the motion must be filed by 10/9/01. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 9.7.01 Page(s): 2 (mlh) [Entry date 09/07/01] [Edit date 09/07/01]
- 9/6/01 772 ORDER SETTING HEARING: Motion hearing set for 9:00 10/18/01 for receiver's [769-1] motion to allow and pay receiver's fees and expenses and attorneys' fees and expenses RE: Quilling vs. Wolcott Lifetime Trust. Written objections to the motion due 10/9/01. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 9.7.01 Page(s): 2 (mlh) [Entry date 09/07/01]
- 9/6/01 773 ORDER SETTING HEARING: Motion hearing set for 9:00 10/18/01 for receiver's [767-1] motion to allow and pay receiver's fees and expenses and attorneys' fees and expenses. RE: Quilling vs. Talley. Written objections to the motion due 10/9/01. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 9.7.01 Page(s): 2 (mlh) [Entry date 09/07/01] [Edit date 09/07/01]
- 9/6/01 774 ORDER SETTING HEARING: Motion hearing set for 9:00 10/18/01 for receiver's [768-1] motion to allow reimbursement of expenses. Written objections due 10/9/01. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 9.7.01 Page(s): 2 (mlh) [Entry date 09/07/01]
- 9/7/01 775 UNOPPOSED MOTION by receiver Michael J Quilling to sell vehicle free and clear of all liens, claims and encumbrances (4) (mlh) [Entry date 09/10/01]
- 9/7/01 776 ORDER SETTING HEARING: Motion hearing set for 9:00 9/21/01 for [775-1] receiver's motion to sell vehicle free and clear of all liens, claims and encumbrances. Written objections to the motion must be filed by 9/17/01. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 9.10.01 Page(s): 2 (mlh) [Entry date 09/10/01]
- 9/7/01 777 ORDER ACCEPTING [755-1] FINDINGS & RECOMMENDATION OF THE U.S. MAGISTRATE JUDGE RE: approval of the final report and proposed distribution plan of Michael J. Quilling, receiver. Petitioner filed no objections. The Court thus reviews the findings and recommendation for plain error.

Finding no plain error, the Court accepts the findings and recommendation of the U.S. Magistrate Judge. The Receiver is ordered to make distributions to the claimants as provided in section D of the findings and recommendation. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 9.10.01 Page(s): 1 (mlh) [Entry date 09/10/01]

- 9/21/01 -- Motion hearing re: [775-1] receiver's motion to sell vehicle free and clear of all liens, claims and encumbrances Motion hearing held, [753-1] receiver's motion to approve treatment of Sims' claim against Howe Financial Trust Receivership Estate Motion hearing held (mlh) [Entry date 09/24/01]
- 9/21/01 778 Minute order: Motion hearing held before Magistrate Judge Jeff Kaplan Court Reporter: electronic K878 (mlh) [Entry date 09/24/01]
- 9/21/01 779 FINDINGS, CONCLUSIONS AND RECOMMENDATIONS of Magistrate Judge Jeff Kaplan Re: #752 receiver's interim report and proposed distribution plan regarding Howe Financial Trust. Motion no longer referred. Recommended that the Court should approve the receiver's interim report and proposed interim distribution plan. Any claimant or interested party may file written objections to this recommendation by 10/5/01. (7) (mlh) [Entry date 09/24/01]
- 9/21/01 780 ORDER granting [775-1] receiver's motion to sell vehicle free and clear of all liens, claims and encumbrances. The receiver is authorized to sell the 1997 Toyota 4Runner to Jeff Bayer for \$12,000 free and clear of all liens, claims, and encumbrances. The net proceeds of this sale shall be paid to the Funding Resource Estate. All valid liens, claims and encumbrances shall attach to the net proceeds of this sale subject to further order of the Court. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 9.24.01 Page(s) 2 (mlh) [Entry date 09/24/01]
- 9/21/01 781 ORDER granting [753-1] receiver's motion to approve treatment of Sims' claim against Howe Financial Trust Receivership Estate in two portions. See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 9.24.01 Page(s) 2 (mlh) [Entry date 09/24/01]
- 10/12/01 782 ORDER ADOPTING [779-1] findings & recommendations...see order for specifics. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 10/15/01 Page(s): 2 (jyg) [Entry date 10/15/01]
- 10/12/01 783 JUDGMENT for receiver Michael J Quilling for Hammersmith Trust LLC against Merrill Lynch in the amount of \$77,277.85, which sum is to be paid by Merrill Lynch to the

Receiver, Michael Quilling. It is ordered that pla, Michael Quilling, as receiver for Hammersmith Trust, LLC and related entities' Motion for Contempt is granted. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 10/15/01 Page(s): 2 (jyg) [Entry date 10/15/01]

- 10/18/01 784 ORDER granting [768-1] receiver's motion to allow reimbursement of expenses. The receiver is authorized to reimburse the law firm of Quilling, Selander, Cummiskey & Lownds, P.C. the sum of \$5,417.53 in expenses incurred from 6/1/01 through 8/31/01. See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 10.19.01 Page(s) 2 (mlh) [Entry date 10/19/01]
- 10/18/01 785 ORDER granting [769-1] receiver's motion to allow and pay receiver's fees and expenses and attorneys' fees and expenses. The receiver is authorized to pay the following law firms fees and expenses for services performed and costs incurred in the Wolcott Lifetime Trust litigation: Quilling, Selander, Cummiskey & Lownds, P.C. in Dallas, TX \$37,350.00 in fees and \$11,280.58 in expenses; Smith Haughey Rice & Rogge in Grand Rapids, MI \$5,770.50 in fees and \$1,024.47 in expenses. All payments shall be charged to the Hammersmith Trust Estanted. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 10.19.01 Page(s) 2 (mlh) [Entry date 10/19/01]
- 10/18/01 786 ORDER granting [770-1] receiver's motion to allow and pay receiver's fees and expenses and attorneys' fees and expenses. The receiver is authorized to pay the following law firms fees and expenses for services performed and costs incurred in the Johnson litigation: Quilling, Selander, Cummiskey & Lownds, P.C. in Dallas, TX \$6,360.00 in fees and \$101.90 in expenses; Borod & Kramer in Memphis, TN \$1,289.75 in fees and \$100.97 in expenses. All payments shall be charged to the Hammersmith Trust Estate. (Signed by Magistrate Judge Kaplan) Copies to counsel: 10.19.01 Page(s) 2 (mlh) [Entry date 10/19/01]
- 10/18/01 787 ORDER granting [767-1] receiver's motion to allow and pay receiver's fees and expenses and attorneys' fees and expenses. The receiver is authorized to pay the following law firms fees and expenses for services performed and costs incurred in the Talley litigation: Quilling, Selander, Cummiskey & Lownds, P.C. in Dallas, TX \$2,770.00 in fees and \$31.74 in expenses; Borod & Kramer in Memphis, TN \$1071.25 in fees and \$34.21 in expenses. (Signed by Magistrate Judge Kaplan) Copies to counsel: 10.19.01 Page(s) 2 (mlh) [Entry date 10/19/01]
- 10/19/01 788 ORDER ACCEPTING [779-1] FINDINGS & RECOMMENDATIONS OF THE U.S. MAGISTRATE JUDGE Petitioner filed no objections. The Court thus reviews the findings and recommendation for

plain error and manifest injustice. Finding no plain error or manifest injustice, the Court accepts the findings and recommendation of the U.S. Magistrate Judge. The Court therefore approves the receiver's interim report and proposed interim distribution plan for the Howe Financial Trust and orders the distribution described in paragraph II C of the findings and recommendations of the U.S. Magistrate Judge dated 9/21/01 and the payment of expenses and fees and establishment of a reserve as set out in paragraphs II A and B of those findings. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 10.19.01 Page(s): 1 (mlh)

- 11/2/01 789 UNOPPOSED EMERGENCY MOTION by plaintiff SEC for continuance of trial schedule (5) (aat) [Entry date 11/05/01]
- 11/9/01 790 UNOPPOSED ORDER CONTINUING TRIAL SCHEDULE granting [789-1] plaintiff's unopposed motion for continuance of trial schedule. Reset bench trial for 9:00 1/10/02. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 11.09.01 Page(s) 3 (aat) [Entry date 11/20/01]
- 12/4/01 791 FIRST INTERIM APPLICATION with memorandum in support by receiver Michael J Quilling for payment of receiver's fees and expenses and attorneys' fees and expenses RE: National Union v. United Holdings pending in Phoenix, AZ) (15+) (Exhibits not imaged.) (mlh) [Entry date 12/05/01]
- 12/4/01 792 THIRD INTERIM APPLICATION with memorandum in support by receiver Michael J Quilling for payment of receiver's fees & expenses & attorneys' fees & expenses RE: Quilling vs. Mark Tally pending in Memphis, TN (15+) (Exhibits not imaged.) (mlh) [Entry date 12/05/01]
- 12/4/01 793 THIRD INTERIM APPLICATION with memorandum in support by receiver Michael J Quilling to allow and pay receiver's fees & expenses & attorneys' fees & expenses RE: Quilling vs. Wolcott Lifetime Trust pending in Grand Rapids, MI (15+) (Exhibits not imaged.) (mlh) [Entry date 12/05/01] [Edit date 12/05/01]
- 12/4/01 794 THIRD INTERIM APPLICATION with memorandum in support by receiver Michael J Quilling for payment of receiver's fees & expenses & attorneys' fees & expenses RE: Quilling vs. David Johnson pending in Memphis, TN (15+) (Exhibits not imaged.) (mlh) [Entry date 12/05/01]
- 12/6/01 795 ORDER SETTING HEARING: Motion hearing set for 9:00 1/25/02 for [793-1] receiver's motion to allow and pay receiver's fees & expenses & attorneys' fees & expenses. Response to motion set for 1/11/02 for [793-1] receiver's motion to allow and pay receiver's fees & expenses attorneys' fees &

expenses. (Signed by Magistrate Judge Jeff Kaplan)
Copies to counsel: 12.6.01 Page(s): 2 (mlh)
[Entry date 12/07/01]

- 12/6/01 796 ORDER SETTING HEARING: Motion hearing set for 9:00 1/25/02 for [791-1] receiver's motion for payment of receiver's fees and expenses and attorneys' fees and expenses. Response to motion set for 1/11/02 for receiver's [791-1] motion for payment of receiver's fees and expenses and attorneys' fees and expenses. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 12.6.01 Page(s): 2 (mlh) [Entry date 12/07/01]
- 12/6/01 797 ORDER SETTING HEARING: Motion hearing set for 9:00 1/25/02 for receiver's [794-1] motion for payment of receiver's fees & expenses & attorneys' fees & expenses. Response to motion set for 1/11/02 for [794-1] receiver's motion for payment of receiver's fees & expenses & attorneys' fees & expenses. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 12.6.01 Page(s): 2 (mlh) [Entry date 12/07/01]
- 12/6/01 798 ORDER SETTING HEARING: Motion hearing set for 9:00 1/25/02 for receiver's [792-1] motion for payment of receiver's fees & expenses & attorneys' fees & expenses. Response to motion set for 1/11/02 for receiver's [792-1] motion for payment of receiver's fees & expenses & attorneys' fees & expenses. (Signed by Magistrate Judge Kaplan) Copies to counsel: 12.7.02 Page(s): 2 (mlh) [Entry date 12/07/01]
- 12/7/01 799 UNOPPOSED MOTION by receiver Michael J Quilling to establish procedures regarding Funding Resources receivership estate claims (5) (mlh) [Entry date 12/10/01]
- 12/10/01 800 ORDER SETTING HEARING: Motion hearing set for 9:00 1/25/02 for [799-1] receiver's motion to establish procedures regarding Funding Resources receivership estate claims. The receiver shall file a written statement on or before 12/21/01 of each individual or entity who has filed a claim against the Funding Resource Group Estate. If the claim has been disallowed, the receiver shall file separate objections to that claim by 12/21/01. An aggrieved claimant who seeks a ruling on a disallowed claim must file a written response to the receiver's objection by 1/15/02. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 12.11.01 Page(s): 2 (mlh) [Entry date 12/11/01]
- 12/13/01 801 UNOPPOSED EMERGENCY MOTION by plaintiff SEC to continue trial schedule (5) (mlh) [Entry date 12/14/01]
- 12/14/01 802 UNOPPOSED ORDER granting [801-1] motion to continue trial schedule. The case is reset for bench trial for 9:00 3/7/02. It will either be tried during that setting or

reset by the Court on its own motion, but no further requests from the SEC for continuance will be granted. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 12/17/01 Page(s) 2 (djd) [Entry date 12/17/01] [Edit date 01/02/02]

- 12/18/01 803 MOTION by receiver Michael J Quilling to approve handling of uncashed checks (Cord/Winterhawk Receivership Estate) (4) (mlh) [Entry date 12/19/01]
- 12/19/01 804 ORDER SETTING HEARING: Motion hearing set for 9:00 1/25/02 for [803-1] receiver's motion to approve handling of uncashed checks (Cord/Winterhawk Receivership Estate). Response to receiver's [803-1] motion to approve handling of uncashed checks (Cord/Winterhawk Receivership Estate) due 1/11/02. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 12.20.01 Page(s): 2 (mlh) [Entry date 12/20/01]
- 12/21/01 805 RECEIVER'S OBJECTIONS TO CLAIMS (FUNDING RESOURCES GROUP RECEIVERSHIP ESTATE) by receiver Michael J Quilling. (15+)(Exhibits not imaged.) (jaw) [Entry date 12/26/01]
- 12/21/01 806 RECEIVER'S STATEMENT OF CLAIMS FILED AGAINST THE FUNDING RESOURCES GROUP RECEIVERSHIP ESTATE by receiver Michael J Quilling. (13)(Exhibits not imaged.) (jaw) [Entry date 12/26/01]
- 12/28/01 807 Unopposed MOTION by receiver Michael J Quilling to Approve Compromise and Settlement Agreement with Hillcrest Baptist Church (6) (jyg) [Entry date 01/02/02]
- 1/2/02 808 ORDER re: receiver's unopposed motion to approve a compromise settlement agreement with Hillcrest Baptist Church. It is not clear from the motion or the settlement agreement why the receiver has decided to compromise his claim for less than one-third of the amount of investor funds transferred to Hillcrest Baptist Church. The receiver shall address this issue in a supplement to his motion by 1/11/02. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 1.3.02 Page(s) 1 (mlh) [Entry date 01/03/02]
- 1/10/02 809 MOTION by receiver Michael Quilling to close case and for discharge (Cord/Winterhawk Receivership Estate) (5) (mlh) [Entry date 01/11/02]
- 1/10/02 810 ORDER SETTING HEARING: Motion hearing set for 9:00 2/15/02 for [809-1] receiver's motion to close case and for discharge (Cord/Winterhawk Receivership Estate). Response to receiver's [809-1] motion to close case and for discharge (Cord/Winterhawk Receivership Estate) due 2/5/02. (Signed by Magistrate Judge Jeff Kaplan) Copies

to counsel: 1.11.02 Page(s): 2 (mlh) [Entry date 01/11/02]

- 1/11/02 811 SUPPLEMENTAL MOTION by receiver Michael J Quilling referring to [807-1] receiver's unopposed motion to approve compromise and settlement agreement with Hillcrest Baptist Church (5) (Exhibit not imaged.) (mlh) [Entry date 01/14/02]
- 1/25/02 812 Minute order: Motion hearing held before Magistrate Judge Jeff Kaplan re: #791,#792,#793,#794,#799 (taken under advisement),#803. Court Reporter: electronic K903. (mlh) [Entry date 01/28/02] [Edit date 01/28/02]
- 1/25/02 -- Motion hearing re: [803-1] motion to approve handling of uncashed checks (Cord/Winterhawk Receivership Estate) Motion hearing held, [799-1] motion to establish procedures regarding Funding Resources receivership estate claims Motion hearing held, [794-1] motion for payment of receiver's fees & expenses & attorneys' fees & expenses Motion hearing held, [793-1] motion to allow and pay receiver's fees & expenses & attorneys' fees & expenses Motion hearing held, [792-1] motion for payment of receiver's fees & expenses & attorneys' fees & expenses Motion hearing held, [791-1] motion for payment of receiver's fees and expenses and attorneys' fees and expenses Motion hearing held (mlh) [Entry date 01/28/02]
- 1/25/02 -- Motion taken under advisement: receiver's [799-1] motion to establish procedures regarding Funding Resources receivership estate claims (mlh) [Entry date 01/28/02]
- 1/25/02 813 ORDER granting [791-1] receiver's motion for payment of receiver's fees and expenses and attorneys' fees and expenses. The receiver is authorized to pay the following law firms fees and expenses for services performed and costs incurred in the National Union litigation: Quilling, Selander, Cummiskey, & Lownds, P.C. \$11,859.50 in fees and \$3,749.49 in expenses; Holden Brockelman, PLC \$7,105.00 in fees and \$278.19 in expenses. All payments shall be charged to the Hammersmith Trust Estate. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 1.28.02 Page(s) 2 (mlh) [Entry date 01/28/02]
- 1/25/02 814 ORDER granting [792-1] receiver's motion for payment of receiver's fees & expenses & attorneys' fees & expenses. The fee application is approved. The receiver is authorized to pay the following law firms fees and expenses for services performed and costs incurred in the Talley litigation: Quilling, Selander, Cummiskey & Lownds, P.C. \$1,535.00 in fees and \$36.18 in expenses; Borod & Kramer \$6,403.25 in fees and \$24.88 in expenses. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 1.28.02 Page(s) 2 (mlh) [Entry date 01/28/02]

- 1/25/02 815 ORDER granting [793-1] receiver's motion to allow and pay receiver's fees & expenses & attorneys' fees & expenses. The fee application is approved. The receiver is authorized to pay the following law firms fees and expenses for services performed and costs incurred in the Wolcott Lifetime Trust litigation: Quilling, Selander, Cummiskey & Lownds, P.C. \$7,505.00 in fees and \$5,103.84 in expenses; Smith Haughey Rice & Roegge \$3,534.00 in fees and \$50.58 in expenses. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 1.28.02 Page(s) 2 (mlh) [Entry date 01/28/02]
- 1/25/02 816 ORDER granting [794-1] receiver's motion for payment of receiver's fees & expenses & attorneys' fees & expenses. The receiver is authorized to pay the following law firms fees and expenses for services performed and costs incurred in the Johnson litigation: Quilling, Selander, Cummiskey & Lownds, P.C. \$3,985.00 in fees and \$4,304.32 in expenses; Borod & Kramer \$13,921.75 in fees and \$78.76 in expenses. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 1.28.02 Page(s) 2 (mlh) [Entry date 01/28/02]
- 1/25/02 817 ORDER granting [803-1] receiver's motion to approve handling of uncashed checks (Cord/Winterhawk Receivership Estate). The receiver is authorized to re-issue a check in the amount of \$405.66 payable to Yashanad Mhaskar and forward the check to him directly. Paul Tinsley's claim to funds in the amount of \$896.17 is forfeited. The receiver is authorized to issue a check in that amount to the Funding Resource Group Estate to be added to funds for eventual distribution to claimants of that estate. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 1.28.02 Page(s) 2 (mlh) [Entry date 01/28/02]
- 1/28/02 818 ORDER APPROVING COMPROMISE & SETTLEMENT AGREEMENT AS TO HILLCREST BAPTIST CHURCH (Motion termed: [811-1] supplemental motion to approve compromise and settlement agreement), granting [807-1] receiver's motion to approve compromise and settlement agreement with Hillcrest Baptist Church. Ordered that the compromise and settlement agreement between the receiver and Hillcrest Baptist Church, Jasper, TX is approved. The Receiver is authorized to take all action necessary in order to consummate the transactions set forth in the compromise and settlement agreement. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 1.29.02 Page(s) 2 (mlh) [Entry date 01/29/02]
- 1/31/02 819 FINDINGS, CONCLUSIONS AND RECOMMENDATIONS of Magistrate Judge Jeff Kaplan Re: [799-1] receiver's motion to establish procedures regarding Funding Resources receivership estate claims. Motion no longer referred. Recommended that the Court should approve the claims identified in paragraphs II and IV of this recommendation and reject the claims identified in paragraph III. Any

claimant or interested party may file written objections to this recommendation by 2/14/02. The failure to file written objections shall bar the aggrieved party from appealing the factual findings and legal conclusions of the magistrate judge that are accepted or adopted by the district court, except upon grounds of plain error or manifest injustice. (17) (mlh) [Entry date 02/01/02]

- 2/5/02 820 CERTIFIED MAIL executed 2/4/02 as to Robert Brunig re: [819-1] findings & recommendations (mlh)
- 2/5/02 821 LIMITED OBJECTION by receiver Michael J Quilling to [819-1] findings & recommendations of the U.S. Magistrate Judge regarding claims asserted against the Funding Resources Group Receivership Estate (8) (Exhibit not imaged.) (mlh)
- 2/7/02 822 CERTIFIED MAIL as to Arthur Selander executed 2/4/02 re: [819-1] findings & recommendations of the U.S. Magistrate Judge. (aat) [Entry date 02/08/02]
- 2/8/02 823 UNOPPOSED MOTION with memorandum in support by receiver Michael J Quilling to sell real property at private sale free and clear of all liens, claims and encumbrances (Pottawatomie Property) (13) (Exhibit not imaged) (aat) [Entry date 02/11/02]
- 2/11/02 824 ORDER SETTING HEARING Motion hearing set for 8:30 3/1/02 for receiver's [823-1] unopposed motion to sell real property at private sale free and clear of all liens, claims and encumbrances (Pottawatomie Property). Written objections to the motion must be filed by 2.25.02. See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 2/11/02 Page(s): 2 (aat)
- 2/15/02 -- Motion hearing held re: [809-1] receiver's motion to close case and for discharge (Cord/Winterhawk Receivership Estate). (mlh)
- 2/15/02 825 Minute order: Motion hearing held before Magistrate Judge Jeff Kaplan. Court Reporter: electronic. (mlh)
- 2/15/02 826 ORDER ACCEPTING IN PART & MODIFYING IN PART [819-1] FINDINGS & RECOMMENDATION OF THE U.S. MAGISTRATE JUDGE The Court sustains the limited objections filed by the receiver on 2/5/02 and accepts the findings and recommendation, except that the amounts allowed are modified as follows: Michael Arnold \$12,000, William Hutton \$16,000, Tim Long \$16,000, Steven Morris \$156,000. Ordered that the findings and recommendation of the U.S. Magistrate Judge are accepted in part and modified in part and the claims described in the findings and recommendation at the second to last page and in Exhibit 1 thereto are allowed, as modified above as to Arnold, Hutton, Long & Morris; and the

claims described in Exhibit 2 to the findings and recommendation are denied. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 2.15.02 Page(s): 2 (mlh)

- 2/15/02 827 FINDINGS, CONCLUSIONS AND RECOMMENDATIONS of Magistrate Judge Jeff Kaplan Re: receiver's [809-1] motion to close case and for discharge (Cord/Winterhawk Receivership Estate). Motion no longer referred. The magistrate judge finds that all matters relating to the Cord/Winterhawk Estate have been concluded and that this estate should be closed. Recommended that the Cord/Winterhawk Estate should be closed to any further proceedings and the receiver should be discharged from any further service or responsibility to the estate; the bond posted by the receiver should be released, but only insofar as it relates to the Cord/Winterhawk Estate; the receiver should be authorized to abandon and destroy all records relating to the Cord/Winterhawk Estate; and the receiver should be authorized to pay the remaining funds of \$9,864.18 to the law firm of Quilling, Selander, Cummiskey & Lownds, P.C. to cover legal fees and expenses. (2) (mlh)
[Entry date 02/19/02] [Edit date 02/25/02]
- 2/15/02 828 INSTRUCTIONS FOR SERVICE & NOTICE of right to object. Signed by Magistrate Judge Kaplan (2) (mlh)
[Entry date 02/19/02]
- 2/20/02 829 CERTIFIED MAIL as to Art Selander executed 2/19/02 re: [827-1] findings & recommendations of the U.S. Magistrate Judge (mlh) [Entry date 02/21/02]
- 2/21/02 830 CERTIFIED MAIL executed 2/19/02 as to Robert Brunig re: [827-1] findings & recommendations of the U.S. Magistrate Judge (mlh) [Entry date 02/22/02]
- 3/1/02 831 STIPULATION AND CONSENT OF IGW TRUST by defendant IGW Trust, SEC.(6) (lmr) [Entry date 03/04/02] [Edit date 03/04/02]
- 3/1/02 832 STIPULATION AND CONSENT OF WILLARD VEARL SMITH by defendant Willard Vearl Smith, SEC.(6) (lmr) [Entry date 03/04/02] [Edit date 03/04/02]
- 3/1/02 833 STIPULATION AND CONSENT OF RAYMOND G. PARR by defendant Raymond G Parr, SEC.(7) (lmr) [Entry date 03/04/02] [Edit date 03/04/02]
- 3/1/02 834 STIPULATION AND CONSENT OF MVP NETWORK, INC by defendant MVP Network Inc, SEC, Michael J. Quilling.(6) (lmr)
[Entry date 03/04/02] [Edit date 03/04/02]
- 3/1/02 835 STIPULATION AND CONSENT OF STEVEN C. ROBERTS by plaintiff SEC, defendant Steven Roberts.(6) (lmr)
[Entry date 03/04/02] [Edit date 03/04/02]

- 3/1/02 836 STIPULATION AND CONSENT OF GENE COULTER by plaintiff SEC, defendant Gene Coulter.(6) (lmr) [Entry date 03/04/02]
- 3/1/02 837 STIPULATION AND CONSENT OF QUENTIN D. HIX by defendant Quentin Hix, plaintiff SEC.(7) (lmr) [Entry date 03/04/02]
- 3/1/02 838 STIPULATION AND CONSENT OF HOWE FINANCIAL TRUST by receiver Michael J Quilling, plaintiff SEC.(5) (lmr) [Entry date 03/04/02]
- 3/1/02 839 STIPULATION AND CONSENT OF CARL LADANE WEAVER by defendant Carl LaDane Weaver, plaintiff SEC.(7) (lmr) [Entry date 03/04/02]
- 3/1/02 840 STIPULATION AND CONSENT OF CAROLYN DON HICKS by defendant Carolyn Don Hicks, plaintiff SEC.(7) (lmr) [Entry date 03/04/02]
- 3/1/02 841 NOTICE OF DISMISSAL OF CLAIM OF CIVIL MONEY PENALTY AGAINST FUNDING RESOUC E GROUP by plaintiff SEC.(3) (lmr) [Entry date 03/04/02]
- 3/1/02 842 ORDER Motion hearing set for 8:30 3/22/02 for [823-1] motion to sell real property at private sale free and clear of all liens, claims and encumbrances (Pottawatomie Property)...written objections to the mt n must be filed by 3/15/02. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 3/4/02 Page(s) 2 (jrb) [Entry date 03/04/02]
- 3/5/02 843 SECOND INTERIM APPLICATION with memorandum in support by receiver Michael J Quilling to allow and pay (1) receiver's fees and expenses and (2) attorneys' fees and expenses (National Union v. United Holdings pending in Phoenix Arizona) (17) (Exhibit not imaged) (aat) [Entry date 03/06/02]
- 3/5/02 844 FOURTH INTERIM APPLICATION with memorandum in support by receiver Michael J Quilling to allow and pay (1) receiver's fees and expenses and (2) attorneys' fees and expenses (Quilling v. Wolcott Lifetime Trust, et al, pending in Grand Rapids, Michigan) (15+) (Exhibits not imaged) (aat) [Entry date 03/06/02]
- 3/5/02 845 FOURTH INTERIM APPLICATION with memorandum in support by receiver Michael J Quilling to allow and pay (1) receiver's fees and expenses and attorneys' fees and expenses (Quilling v. David Johnson pending in Memphis, TN) (15+) (Exhibits not imaged) (aat) [Entry date 03/06/02] [Edit date 03/06/02]
- 3/5/02 846 FOURTH INTERIM APPLICATION with memorandum in support by receiver Michael J Quilling to allow and pay (1) receiver's fees and expenses and attorneys' fees and expenses (Quilling v. Mark Tally pending in Memphis, TN)

(15+) (Exhibits not imaged) (aat) [Entry date 03/06/02]

- 3/6/02 847 AGREED FINAL JUDGMENT OF PERMANENT INJUNCTION AND OTHER
EQUITABLE RELIEF AS TO CARL LADANE WEAVER Ordered that
Weaver shall make full disgorgement to Michael J. Quilling,
Esq., Quilling, Selander, Cummiskey & Lownds, PC, 2001 Bryan
St., Ste. 1800, Dallas, TX 75201-3730 as temporary receiver
of \$58,180.00, together with prejudgment interest. Further
ordered that Weaver shall cause his wife Sarah Weaver to
withdraw her claim to disgorgement based on the following
investments: 2/28/97 Funders Marketing \$10,000; 3/26/97
Funders Marketing \$40,000; 11/10/97 IGW Trust \$20,000 for a
total of \$70,000 and to forever abandon that claim. See
order for specifics. (Signed by Judge Barbara M. G. Lynn)
Copies to counsel: 3.7.02 Page(s): 7 (mlh)
[Entry date 03/07/02] [Edit date 03/15/02]
- 3/6/02 848 AGREED FINAL JUDGMENT AS TO HOWE FINANCIAL TRUST Ordered
that Howe shall make full disgorgement, i.e., all of its
assets up to \$1,000,000, to Michael J. Quilling, Esq.,
Quilling, Selander, Cummiskey & Lownds, PC, 1800 Bryan
Tower, 2001 Bryan St., Dallas, TX 75201-3730 as temporary
receiver. See order for specifics. (Signed by Judge
Barbara M. G. Lynn) Copies to counsel: 3.7.02 Page(s): 3
(mlh) [Entry date 03/07/02]
- 3/6/02 849 AGREED FINAL JUDGMENT OF PERMANENT INJUNCTION & OTHER
EQUITABLE RELIEF AGAINST WILLARD VEARL SMITH Ordered that
Smith shall make full disgorgement, i.e., \$53,021.03,
together with prejudgment interest, i.e., \$10,764.90, by
disgorging \$63,985.93 to Michael J. Quilling, Esq.,
Quilling, Selander, Cummiskey & Lownds, PC, 2001 Bryan St.,
Suite 1800, Dallas, TX 75201-3730. See order for
specifics. (Signed by Judge Barbara M. G. Lynn) Copies to
counsel: 3.7.02 Page(s): 6 (mlh) [Entry date 03/07/02]
- 3/6/02 850 AGREED FINAL JUDGMENT OF PERMANENT INJUNCTION & OTHER
EQUITABLE RELIEF AS TO RAYMOND G. PARR Ordered that Parr
shall disgorge the amount of \$606,893, representing his net
receipts from the conduct alleged in the complaint and the
amendments thereto, less the total assets (currently valued
at \$106,287) recovered by or assigned to Michael J.
Quilling, Esq., Quilling, Selander, Cummiskey & Lownds, PC,
2001 Bryan St., Suite 1800, Dallas, TX 75201-3070 as
temporary receiver. See order for specifics. (Signed by
Judge Barbara M. G. Lynn) Copies to counsel: 3.7.02
Page(s): 7 (mlh) [Entry date 03/07/02]
- 3/6/02 851 AGREED FINAL JUDGMENT OF PERMANENT INJUNCTION & OTHER
EQUITABLE RELIEF AGAINST IGW TRUST Ordered that IGW Trust
shall disgorge the amount of \$1,334,000, representing its
receipts from the conduct alleged in the complaint and the
amendments thereto, plus prejudgment interest thereon in

the amount of \$223,931.33. If IGW Trust shall make disgorgement to Michael J. Quilling, Esq., Quilling, Selander, Cummiskey & Lownds, PC, 2001 Bryan St., Suite 1800, Dallas, TX 75201-3070 as temporary receiver, of \$30,000, the balance of the amount which IGW Trust is to disgorge shall be waived. See order for specifics. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 3.7.02 Page(s): 7 (mlh) [Entry date 03/07/02]

- 3/6/02 852 AGREED FINAL JUDGMENT OF PERMANENT INJUNCTION & OTHER EQUITABLE RELIEF AGAINST MVP NETWORK INC Ordered that MVP shall disgorge the amount of \$5,684,306.32, representing its receipts from the conduct alleged in the complaint and the amendments thereto, plus prejudgment interest thereon. See order for specifics. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 3.7.02 Page(s): 6 (mlh) [Entry date 03/07/02]
- 3/6/02 853 AGREED FINAL JUDGMENT OF PERMANENT INJUNCTION & OTHER EQUITABLE RELIEF AGAINST GENE COULTER Ordered that within 90 days of the entry of this final judgment, Coulter shall disgorge the amount of \$11,598, representing his net receipts from the conduct alleged in the complaint and the amendments thereto, plus prejudgment interest thereon. See order for specifics. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 3.7.02 Page(s): 7 (mlh) [Entry date 03/07/02]
- 3/6/02 854 AGREED FINAL JUDGMENT OF PERMANENT INJUNCTION & OTHER EQUITABLE RELIEF AS TO STEVEN C. ROBERTS Ordered that based on Roberts' 6/30/00 entry of a guilty plea before the U.S. District Court for the Southern District of Texas to 7 counts of mail fraud based on the same conduct as that which underlies this action and based on that Court's 10/27/00 sentencing of Roberts to 27 months in prison & 3 years of supervised release and its requiring Roberts to make restitution in the amount of \$3,373,000, see United States v. Roberts, Case No. 4:00cr00140 (S.D. Tex.), the Court foregoes requiring Roberts to make disgorgement, together with prejudgment interest or to pay a civil money penalty. See order for specifics. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 3.7.02 Page(s): 5 (mlh) [Entry date 03/07/02]
- 3/6/02 855 AGREED FINAL JUDGMENT OF PERMANENT INJUNCTION & OTHER EQUITABLE RELIEF AGAINST QUENTIN D. HIX Ordered that Hix shall make full disgorgement to Michael J. Quilling, Esq., Quilling, Selander, Cummiskey & Lownds PC, 2001 Bryan St., Suite 1800, Dallas, TX 75201-3730 as temporary receiver of \$79,500 together with prejudgment interest. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 3.7.02 Page(s): 6 (mlh) [Entry date 03/07/02]

- 3/6/02 856 AGREED FINAL JUDGMENT OF PERMANENT INJUNCTION & OTHER
EQUITABLE RELIEF AGAINST CAROLYN DON HICKS Ordered that
Hicks shall disgorge the amount of \$172,810.50,
representing his receipts from the conduct alleged in the
complaint and the amendments thereto, plus prejudgment
interest thereon in the amount of \$29,008.76. If Hicks
shall make disgorgement to Michael J. Quilling, Esq. of
Quilling, Selander, Cummiskey & Lownds, PC in Dallas, TX as
temporary receiver, of \$45,000, the balance of the amount
which Hicks is to disgorge shall be waived. (Signed by
Judge Barbara M. G. Lynn) Copies to counsel: 3.7.02
Page(s): 7 (mlh) [Entry date 03/07/02]
- 3/7/02 857 ORDER OF DISMISSAL Upon consideration of the SEC's notice
of dismissal of claim of civil money penalty against
Funding Resource Group, filed 3/1/02, the Court dismisses
defendant Funding Resource Group from this case, with
prejudice, pursuant to FRCP 41(a). (Signed by Judge
Barbara M. G. Lynn) Copies to counsel: 3.8.02 Page(s) 1
(mlh) [Entry date 03/08/02]
- 3/7/02 858 ORDER SETTING HEARING: Motion hearing set for 10:00 4/19/02
for [846-1] receiver's motion to allow and pay receiver's
fees and expenses and attorneys' fees and expenses (Talley).
Response to receiver's [846-1] motion to allow and pay
receiver's fees and expenses and attorneys' fees and
expenses due 4/9/02. (Signed by Magistrate Judge Jeff
Kaplan) Copies to counsel: 3.8.02 Page(s): 2 (mlh)
[Entry date 03/08/02] [Edit date 03/19/02]
- 3/7/02 859 ORDER SETTING HEARING: Motion hearing set for 10:00 4/19/02
for receiver's [845-1] motion to allow and pay receiver's
fees and expenses and attorneys' fees and expenses
(Johnson). Response to receiver's [845-1] motion to allow
and pay receiver's fees and expenses and attorneys' fees and
expenses due 4/9/02. (Signed by Magistrate Judge Jeff
Kaplan) Copies to counsel: 3.8.02 Page(s): 2 (mlh)
[Entry date 03/08/02] [Edit date 03/19/02]
- 3/7/02 860 ORDER SETTING HEARING: Motion hearing set for 10:00 4/19/02
for receiver's [843-1] motion to allow and pay receiver's
fees and expenses and attorneys' fees and expenses (National
Union). Response to receiver's [843-1] motion to allow and
pay (1) receiver's fees and expenses and (2) attorneys' fees
and expenses due 4/9/02. (Signed by Magistrate Judge Jeff
Kaplan) Copies to counsel: 3.8.02 Page(s): 2 (mlh)
[Entry date 03/08/02] [Edit date 03/19/02]
- 3/7/02 861 ORDER SETTING HEARING: Motion hearing set for 10:00 4/19/02
for receiver's [844-1] motion to allow and pay (1)
receiver's fees and expenses and (2) attorneys' fees and
expenses (Wolcott). Response to receiver's [844-1] motion
to allow and pay (1) receiver's fees and expenses and (2)

attorneys' fees and expenses due 4/9/02. (Signed by
Magistrate Judge Jeff Kaplan) Copies to counsel: 3.8.02
Page(s): 2 (mlh) [Entry date 03/08/02]
[Edit date 03/19/02]

- 3/19/02 862 ORDER granting [809-1] receiver's motion for discharge (Cord/Winterhawk Receivership Estate). Having reviewed the findings and recommendation of Magistrate Judge Kaplan dated 2/15/02, and noting the absence of objection, the Court accepts the findings and recommendation. Ordered that the Cord/Winterhawk Estate is closed to any further proceedings and the receiver is discharged from any further service or responsibility as to such estate. See order for specifics. (Signed by Judge Barbara M. G. Lynn) Copies to counsel: 3.19.02 Page(s) 2 (mlh)
- 3/21/02 863 MOTION by receiver Michael J Quilling to determine responsibility for filing tax returns (Funding Resource Group Receivership Estate) (9) (Exhibits not imaged.) (mlh) [Entry date 03/22/02]
- 3/21/02 864 INTERIM REPORT & PROPOSED INTERIM DISTRIBUTION PLAN by receiver Michael J Quilling (Funding Resource Group Receivership Estate) (15+) (Exhibits not imaged.) (mlh) [Entry date 03/22/02]
- 3/22/02 -- Motion hearing held re: [823-1] receiver's motion to sell real property at private sale free and clear of all liens, claims and encumbrances (Pottawatomie Property). (mlh) [Entry date 03/25/02]
- 3/22/02 865 Minute order: Motion hearing held before Magistrate Judge Jeff Kaplan. Court Reporter: electronic. (mlh) [Entry date 03/25/02]
- 3/22/02 866 CERTIFICATE OF SERVICE Re: [863-1] receiver's motion to determine responsibility for filing tax returns (Funding Resource Group Receivership Estate) by receiver Michael J Quilling (2) (mlh) [Entry date 03/25/02]
- 3/22/02 867 ORDER SETTING HEARING Motion hearing set for 10:00 4/19/02 for [863-1] receiver's motion to determine responsibility for filing tax returns (Funding Resource Group Receivership Estate). Response to receiver's [863-1] motion to determine responsibility for filing tax returns (Funding Resource Group Receivership Estate) due 4.9.02. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 3.25.02 Page(s): 2 (mlh) [Entry date 03/25/02]
- 3/22/02 868 ORDER SETTING HEARING re: receiver's interim report and proposed distribution plan (Funding Resource Group Estate). Hearing set for 4/19/02 @ 10:00 a.m. Written objections to the plan must be filed by 4/9/02. (Signed by Magistrate

Judge Jeff Kaplan) Copies to counsel: 3.25.02 Page(s): 2
(mlh) [Entry date 03/25/02]

- 3/22/02 869 ORDER granting [823-1] receiver's motion to sell real property at private sale free and clear of all liens, claims and encumbrances (Pottawatomie Property). See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 3.25.02 Page(s) 4 (mlh) [Entry date 03/25/02]
- 3/26/02 870 AMENDED MOTION to sell vehicle free & clear of all liens, claims, & encumbrances by receiver Michael J Quilling referring to [595-1] motion to sell vehicle free and clear of all liens, claims and encumbrances. RE: 1994 Chrysler LHS (4) (mlh) [Entry date 03/27/02] [Edit date 04/02/02]
- 3/27/02 871 ORDER SETTING HEARING: Motion hearing set for 10:00 4/19/02 for [870-1] receiver's amended motion to sell vehicle free & clear of all liens, claims, & encumbrances (1994 Chrysler LHS). Written objections to the motion must be filed by 4/15/02. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 3.28.02 Page(s): 2 (mlh) [Entry date 03/28/02]
- 4/11/02 872 RETURN OF SERVICE executed as to defendant Gene Coulter 4/2/02 re: 3/6/02 agreed final judgment of permanent injunction (mlh) [Entry date 04/12/02]
- 4/11/02 873 RETURN OF SERVICE executed as to defendant Carl LaDane Weaver 3/21/02 re: 3/6/02 agreed final judgment of permanent injunction. (mlh) [Entry date 04/12/02]
- 4/11/02 874 RETURN OF SERVICE executed as to defendant Carolyn Don Hicks 3/29/02 re: 3/6/02 agreed final judgment of permanent injunction (mlh) [Entry date 04/12/02]
- 4/19/02 -- Motion hearing held re: [870-1] receiver's amended motion to sell vehicle free & clear of all liens, claims, & encumbrances; receiver's [863-1] motion to determine responsibility for filing tax returns (Funding Resource Group Receivership Estate); receiver's [846-1] motion to allow and pay (1) receiver's fees and expenses and attorneys' fees and expenses; receiver's [845-1] motion to allow and pay (1) receiver's fees and expenses and attorneys' fees and expenses; receiver's [844-1] motion to allow and pay (1) receiver's fees and expenses and (2) attorneys' fees and expenses; receiver's [843-1] motion to allow and pay (1) receiver's fees and expenses and (2) attorneys' fees and expenses. (mlh) [Entry date 04/22/02]
- 4/19/02 875 Minute order: Motion hearing held before Magistrate Judge Kaplan. Court Reporter: electronic. (mlh) [Entry date 04/22/02]

- 4/19/02 876 FINDINGS, CONCLUSIONS AND RECOMMENDATIONS of Magistrate Judge Jeff Kaplan Re: receiver's interim report and proposed interim distribution plan (Funding Resource Group Estate). Recommended that the Court should approve the receiver's interim report and proposed interim distribution plan. Any claimant or interested party may file written objections to this recommendation by 5/3/02. (16) (mlh) [Entry date 04/22/02]
- 4/19/02 877 ORDER granting [863-1] receiver's motion to determine responsibility for filing tax returns (Funding Resource Group Receivership Estate). See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 4.22.02 Page(s) 2 (mlh) [Entry date 04/22/02]
- 4/19/02 878 ORDER granting [843-1] receiver's motion to allow and pay (1) receiver's fees and expenses and (2) attorneys' fees and expenses. re: National Union Fire Ins Co vs. United States Holdings Co. See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 4.22.02 Page(s) 2 (mlh) [Entry date 04/22/02]
- 4/19/02 879 ORDER granting as modified [844-1] receiver's motion to allow and pay (1) receiver's fees and expenses and (2) attorneys' fees and expenses re: Quilling v. The Wolcott Lifetime Trust. See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 4.22.02 Page(s) 3 (mlh) [Entry date 04/22/02] [Edit date 04/22/02]
- 4/19/02 880 ORDER granting as modified [846-1] receiver's motion to allow and pay (1) receiver's fees and expenses and attorneys' fees and expenses re: Quilling v. Talley. See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 4.22.02 Page(s) 3 (mlh) [Entry date 04/22/02]
- 4/19/02 881 ORDER granting [845-1] motion to allow and pay (1) receiver's fees and expenses and attorneys' fees and expenses re: Johnson litigation. See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 4.22.02 Page(s) 2 (mlh) [Entry date 04/22/02]
- 4/19/02 882 ORDER granting [870-1] receiver's amended motion to sell vehicle free & clear of all liens, claims, & encumbrances re: 1994 Chrysler LHS. See order for specifics. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 4.22.02 Page(s) 2 (mlh) [Entry date 04/22/02]
- 4/22/02 883 RETURN OF SERVICE executed as to defendant Raymond G Parr 4/15/02 re: agreed final judgment of permanent injunction (mlh) [Entry date 04/23/02]

4/23/02 884 CERTIFIED MAIL executed 4/22/02 as to Robert Brunig re: [876-1] findings & recommendations of the U.S. Magistrate Judge (mlh) [Entry date 04/24/02]

4/24/02 885 CERTIFIED MAIL executed as to Michael J Quilling 4/22/02 re: [876-1] findings & recommendations of the U.S. Magistrate Judge (mlh) [Entry date 04/25/02]

4/24/02 886 NOTICE of acknowledgment of service of 3/6/02 agreed final judgment of permanent injunction by defendant Carolyn Don Hicks on behalf of IGW Trust. (8) (Exhibit not imaged.) (mlh) [Entry date 04/25/02]

4/25/02 887 US MARSHAL'S RETURN OF SERVICE executed 4/3/02 as to Steven C. Roberts re: agreed final judgment (mlh) [Entry date 04/26/02]

5/2/02 888 ACKNOWLEDGEMENT OF SERVICE by defendant Quentin Hix.(1) (lmr)

5/15/02 889 MOTION with memorandum in support by receiver Michael J Quilling to sell real property at private sale free and clear of all liens, claims and encumbrances RE: Main Street (15+) (Exhibits not imaged.) (mlh) [Entry date 05/16/02]

5/20/02 890 SUPPLEMENTAL CERTIFICATE OF SERVICE Re: [889-1] receiver's motion to sell real property at private sale free and clear of all liens, claims and encumbrances (2) (mlh)

5/20/02 891 ORDER SETTING HEARING: Motion hearing set for 9:00 6/21/02 for [889-1] receiver's motion to sell real property at private sale free and clear of all liens, claims and encumbrances (Main Street). Written objections to receiver's [889-1] motion to sell real property at private sale free and clear of all liens, claims and encumbrances due 6/11/02. (Signed by Magistrate Judge Jeff Kaplan) Copies to counsel: 5.20.02 Page(s): 2 (mlh)

Case Flags:

MAG
LEAD
JURY

END OF DOCKET: 3:98cv2689

| | | | |
|-----------------------------|---------------|-------------------------|-----------------------|
| PACER Service Center | | | |
| Transaction Receipt | | | |
| 05/30/2002 17:50:06 | | | |
| PACER Login: | qs0002 | Client Code: | FRG/ Web-Main dociket |
| Description: | docket report | Search Criteria: | 3:98cv02689 |
| Billable Pages: | 130 | Cost: | 9.10 |
