



**U.S. District Court
Western District of North Carolina (Charlotte)
CIVIL DOCKET FOR CASE #: 3:02-cv-00128**

Sec & Exchange Comm v. Gilliland, et al
Assigned to: David Keesler
Demand: \$0
Cause: 15:77 Securities Fraud

Date Filed: 03/27/2002
Jury Demand: None
Nature of Suit: 850 Securities/
Commodities
Jurisdiction: U.S. Government Plaintiff

Plaintiff

Securities and Exchange Commission

represented by **Alex Rue**

Securities and Exchange Commission
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ATTORNEY TO BE NOTICED

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V.

Defendant

Frederick J. Gilliland

Defendant

**MM APMC Banque De Commerce,
Inc.**

represented by **MM APMC Banque De Commerce,
Inc.**

M.M. APMC Banque De Commerce,
Inc.

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TERMINATED: 09/19/2002

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Date Filed	#	Docket Text
03/27/2002	<u>1</u>	COMPLAINT (former emp) (Entered: 03/27/2002)
03/27/2002		SUMMONS(ES) issued for Frederick J. Gilliland, MM APMC Banque Comme (former emp) (Entered: 03/27/2002)
03/29/2002	<u>2</u>	CONSENT/REFUSAL to Magistrate Jurisdiction by Sec & Exchange Comm - Refused (mga) (Entered: 03/29/2002)

03/29/2002	3	CASE Reassigned to Judge Graham C. Mullen - notice of reassignment mailed to parties. (mga) (Entered: 03/29/2002)
04/10/2002	4	RETURN OF SERVICE Executed as to MM ACMC Banque Comme 4/1/02 served with S&C Answer due on 4/22/02 for MM ACMC Banque Comme (bsw) (Entered: 04/11/2002)
04/29/2002	5	ANSWER to Complaint by MM ACMC Banque Comme (bsw) (Entered: 04/30/2002)
04/29/2002	6	Disclosure of Corporate Affiliations other entities with a direct financial interest in litigation by MM ACMC Banque Comme (bsw) (Entered: 05/01/2002)
04/29/2002	7	CONSENT to trial by Magistrate by MM ACMC Banque Comme (bsw) (Entered: 05/01/2002)
06/20/2002	8	RETURN OF SERVICE Executed as to Frederick J. Gilliland 6/5/02 served with S&C Answer due on 6/25/02 for Frederick J. Gilliland (bsw) (Entered: 06/21/2002)
08/01/2002	9	MOTION by Sec & Exchange Comm for Entry of Default as to Frederick J. Gilliland (bsw) (Entered: 08/02/2002)
08/05/2002	10	CLERK'S ENTRY OF DEFAULT as to Frederick J. Gilliland [9-1] motion for Entry of Default as to Frederick J. Gilliland (bsw) (Entered: 08/05/2002)
09/03/2002	11	Certificate of I.A.C. by plaintiff Sec & Exchange Comm, defendant Frederick J. Gilliland, defendant MM ACMC Banque Comme (former emp) (Entered: 09/03/2002)
09/04/2002	12	INITIAL PRETRIAL ORDER Discovery deadline is 5/15/03 Motion filing deadline is 6/16/03 Mediation due: 5/15/02 Non-Jury Trial set for 9:30 12/1/03 before Judge Graham C. Mullen (signed by Judge Graham C. Mullen) (former emp) (Entered: 09/09/2002)
01/06/2003	13	CERTIFICATE OF SERVICE by Sec & Exchange Comm (clc) (Entered: 01/07/2003)
02/03/2003	14	NOTICE of Appearance for MM ACMC Banque Comme by W. Robinson Deaton Jr. (former emp) (Entered: 02/03/2003)
03/10/2003	15	MOTION with Memorandum in Support by Sec & Exchange Comm to Transfer/reassign Case to Mag. Jdg McKnight re: related case 3:02-CV-205MCK (bsw) (Entered: 03/12/2003)

03/10/2003	16	MOTION by Sec & Exchange Comm for Appointment of Receiver (bsw) (Entered: 03/12/2003)
03/10/2003	17	MEMORANDUM by Sec & Exchange Comm in support of [16-1] motion for Appointment of Receiver by Sec & Exchange Comm (bsw) (Entered: 03/12/2003)
03/13/2003	18	ORDER granting [15-1] motion to Transfer/reassign Case to Mag. Jdg McKnight re: related case 3:02-CV-205MCK (signed by Judge Graham C. Mullen) [EOD DATE: 3/13/03] (clc) (Entered: 03/13/2003)
03/13/2003	18	CASE reassigned. to Magistrate Judge H. B. McKnight - Order/ntc of reassignment mailed to parties. (clc) (Entered: 03/13/2003)
03/24/2003	19	MOTION by Frederick J. Gilliland for Patrick B. Calcutt to Withdraw as Attorney (clc) (Entered: 03/24/2003)
05/09/2003	20	ORDER granting [19-1] motion for Patrick B. Calcutt to Withdraw as Attorney (Terminated (signed by Magistrate Judge H. B. McKnight) [EOD DATE: 5/9/03] (clc) (Entered: 05/09/2003)
05/22/2003	21	ORDER granting [16-1] motion for Appointment of Receiver (signed by Magistrate Judge H. B. McKnight) [EOD DATE: 5/22/03] (former emp) (Entered: 05/22/2003)
06/17/2003	22	MOTION by Sec & Exchange Comm for Default Judgment against Frederick J. Gilliland referred to: Judge Graham C. Mullen (clc) (Entered: 06/18/2003)
06/17/2003	23	MEMORANDUM by Sec & Exchange Comm in support of [22-1] motion for Default Judgment against Frederick J. Gilliland by Sec & Exchange Comm (clc) (Entered: 06/18/2003)
06/17/2003	24	Appendix by defendant Frederick J. Gilliland [22-1] motion for Default Judgment against Frederick J. Gilliland by Sec & Exchange Comm (clc) (Entered: 06/18/2003)
06/23/2003	25	RESPONSE by Frederick J. Gilliland to [22-1] motion for Default Judgment against Frederick J. Gilliland by Sec & Exchange Comm (clc) (Entered: 06/24/2003)
06/27/2003	26	AFFIDAVIT of Michael Quilling filed by Sec & Exchange Comm re: [23-1] support memorandum, [22-1] motion for Default Judgment against Frederick J. Gilliland (clc) (Entered: 06/27/2003)
10/02/2003	27	MOTION by Michael J. Quilling to establish claim procedures and approve claim form (clc) (Entered: 10/02/2003)

10/08/2003	28	MOTION with Memorandum in Support by Michael J. Quilling for Receiver's Fees & Expenses and Attorney Fees & Expenses (clc) (Entered: 10/08/2003)
10/22/2003	29	ORDER, Continuing this matter from the 12/1/03 term , and reset Non Jury Trial for 9:30 3/15/04 before Judge H. B. McKnight (signed by Judge H. B. McKnight) [EOD DATE: 10/24/03] (clc) (Entered: 10/24/2003)
11/03/2003		Return of Order dated 10/22/03 mailed to MM ACMC Banque De Commerce @ P. O. Box 116, Vinderen, 0374 Oslo (clc) (Entered: 11/03/2003)
11/12/2003	30	MOTION with Memorandum in Support by Michael J. Quilling for Re-Appointment of Receiver (clc) (Entered: 11/13/2003)
11/24/2003	31	ORDER granting [28-1] motion for Receiver's Fees & Expenses and Attorney Fees & Expenses (signed by Judge H. B. McKnight) [EOD DATE: 11/24/03] (former emp) (Entered: 11/24/2003)
11/24/2003	32	ORDER, Response to Motion reset to 12/17/03 for [22-1] motion for Default Judgment against Frederick J. Gilliland (signed by Judge H. B. McKnight) [EOD DATE: 11/24/03] (former emp) (Entered: 11/24/2003)
11/24/2003	33	ORDER, reappointing receiver Frederick J. Gilliland (signed by Judge H. B. McKnight) [EOD DATE: 11/24/03] (former emp) (Entered: 11/24/2003)
11/24/2003	34	ORDER granting [27-1] motion to establish claim procedures and approve claim form (signed by Judge H. B. McKnight) [EOD DATE: 11/24/03] (former emp) (Entered: 11/24/2003)
02/11/2004	35	ORDER, Continuing this matter from the 3/15/04 term , terminated deadlines (signed by Judge H. B. McKnight) [EOD DATE: 2/11/04] (clc) (Entered: 02/11/2004)
02/13/2004	36	MOTION with Memorandum in Support by Michael J. Quilling for payment of interim Receiver's fees & expenses & Attorney Fees and expenses (clc) (Entered: 02/17/2004)
02/23/2004	37	ORDER denying [22-1] motion for Default Judgment against Frederick J. Gilliland (signed by Judge H. B. McKnight) [EOD DATE: 2/23/04] (former emp) (Entered: 02/23/2004)
03/02/2004	38	MOTION by Sec & Exchange Comm for Reconsideration of [37-1] order (former emp) (Entered: 03/02/2004)

03/03/2004	39	ORDER denying [38-1] motion for Reconsideration of [37-1] order (signed by Judge H. B. McKnight) [EOD DATE: 3/3/04] (former emp) (Entered: 03/03/2004)
03/03/2004	40	RENEWED MOTION with Memorandum in Support by Sec & Exchange Comm for Default Judgment against Frederick J. Gilliland (clc) (Entered: 03/31/2004)
06/01/2004	41	ORDER granting [36-1] motion for payment of interim Receiver's fees & expenses & Attorney Fees and expenses (signed by Judge H. B. McKnight) [EOD DATE: 6/1/04] (former emp) (Entered: 06/01/2004)
06/09/2004	42	MOTION by Michael J. Quilling for Attorney Fees & costs , receiver's fees & expenses (former emp) (Entered: 06/09/2004)
06/14/2004		6/1/04 Order returned from MM ACME Banque De Commerce (former emp) (Entered: 06/14/2004)
07/20/2004	43	ORDER granting [42-1] motion for Attorney Fees & costs, granting [42-2] motion receiver's fees & expenses (signed by Judge H. B. McKnight) [EOD DATE: 7/20/04] (former emp) (Entered: 07/20/2004)
07/22/2004	44	ORDER granting [40-1] motion for Default Judgment against Frederick J. Gilliland (signed by Judge H. B. McKnight) [EOD DATE: 7/22/04] (former emp) (Entered: 07/22/2004)
10/13/2004	45	FOURTH MOTION by Michael J. Quilling to allow & pay fees & expenses and pay atty's fees & expenses (former emp) (Entered: 10/14/2004)
10/14/2004	46	NOTICE of filing proposed jgm gainst dft Gilliland by Sec & Exchange Comm (former emp) (Entered: 10/15/2004)
10/26/2004	47	Final JUDGMENT as to dft Frederick Gilliland ; (signed by Judge H. B. McKnight) [EOD Date: 10/26/04] (former emp) (Entered: 10/26/2004)
10/27/2004	48	ORDER granting [45-1] motion to allow & pay fees & expenses and pay atty's fees & expenses (signed by Judge H. B. McKnight) [EOD DATE: 10/27/04] (former emp) (Entered: 10/27/2004)
12/17/2004		CASE reassigned to Judge Graham C. Mullen - notice of reassignment mailed to parties. (bsw) (Entered: 12/17/2004)
01/10/2005	49	CASE reassigned to Magistrate Judge David C. Keesler per chambers request, consent to be filed - notice of reassignment mailed to parties. (bsw) Modified on 01/10/2005 (Entered: 01/10/2005)

01/21/2005	50	MOTION by Sec & Exchange Comm for Attorney Fees & costs , allow & pay receivers fees & expenses (former emp) (Entered: 01/21/2005)
02/01/2005	51	MOTION by Michael J. Quilling to approve settlement agreement (former emp) (Entered: 02/01/2005)
03/21/2005	52	ORDER granting [51-1] motion to approve settlement agreement (signed by Magistrate Judge David C. Keesler) [EOD DATE: 3/22/05] (clc) (Entered: 03/22/2005)
04/07/2005	53	MOTION with Memorandum in Support by Michael J. Quilling for Attorney Fees and expenses of Canadian Cnsl (clc) (Entered: 04/08/2005)
04/15/2005	54	ORDER granting [50-1] motion for Attorney Fees & costs, granting [50-2] motion allow & pay receivers fees & expenses (signed by Magistrate Judge David C. Keesler) [EOD DATE: 4/15/05] (bsw) (Entered: 04/15/2005)
04/27/2005	55	SIXTH MOTION with Memorandum in Support by Michael J. Quilling for Interim Attorney & Receiver Fees & Expenses (clc) (Entered: 04/27/2005)
05/25/2005	56	ORDER granting 55 6th unopposed Motion for interim Attorney Fees . Signed by Judge David Keesler on 5/24/05. (Wallace, Betsy) (Entered: 05/25/2005)
07/14/2005	57	ORDER granting 53 Motion for Attorney Fees . Signed by Judge David Keesler on 7/14/05. (Wallace, Betsy) (Entered: 07/14/2005)
08/25/2005	58	Seventh MOTION for Attorney Fees <i>and Brief in Support with Certificate of Service</i> by Michael J. Quilling. Responses due by 9/8/2005 (Attachments: # 1 Exhibit A)(Quilling, Michael) (Entered: 08/25/2005)
09/15/2005	59	ORDER granting 58 Motion for Attorney Fees - 7th Interim Fee Application. Signed by Judge David Keesler on 9/15/05. (MacEwan, Cathy) (Entered: 09/16/2005)
11/16/2005	60	Eighth MOTION for Attorney Fees <i>with Brief in Support with Certificate of Service</i> by Michael J. Quilling. Responses due by 11/30/2005 (Attachments: # 1 Exhibit A)(Quilling, Michael) (Entered: 11/16/2005)
11/16/2005		Proposed document submitted to Judge David Keesler. (Quilling, Michael) (Entered: 11/16/2005)

12/28/2005	61	ORDER granting 60 Motion for Attorney Fees/Receiver's Eighth Interim Fee Application. Signed by Judge David Keesler on 12/28/05. (MacEwan, Cathy) (Entered: 12/29/2005)
04/21/2006	62	Second MOTION for Attorney Fees <i>and Expenses of Canadian Counsel and Brief in Support with Certificate of Service</i> by Michael J. Quilling. Responses due by 5/8/2006 (Attachments: # 1 Exhibit A# 2 Exhibit B) (Quilling, Michael) (Entered: 04/21/2006)
06/05/2006	63	ORDER granting 62 Motion for Attorney Fees (Second Interim Fee Application). Signed by Judge David Keesler on 6/5/06. (MacEwan, Cathy) (Entered: 06/05/2006)
11/01/2006	64	MOTION TO APPROVE COMPROMISE AND SETTLEMENT AGREEMENT (CRISTELL) by Michael J. Quilling. Responses due by 11/20/2006 (Quilling, Michael) (Entered: 11/01/2006)
11/01/2006	65	MOTION TO APPROVE SETTLEMENT AND RELEASE AGREEMENT by Michael J. Quilling. Responses due by 11/20/2006 (Quilling, Michael) (Entered: 11/01/2006)
11/15/2006	66	ORDER Approving Receiver's Unopposed 64 Motion to Approve Compromise and Settlement Agreement (Cristell). Signed by Judge David Keesler on 11/14/06. (com) (Entered: 11/15/2006)
11/15/2006	67	ORDER approving Receiver's Unopposed 65 Motion to Approve Settlement and Release Agreement. Signed by Judge David Keesler on 11/14/06. (com) (Entered: 11/15/2006)
11/16/2006	68	MOTION Receiver's Unopposed Ninth Interim Application to Allow and Pay (1) Receiver's Fees and Expenses and (2) Attorneys' Fees and Expenses and Brief in Support by Michael J. Quilling. Responses due by 12/4/2006 (Attachments: # 1 Exhibit A)(Quilling, Michael) (Entered: 11/16/2006)
12/20/2006	69	ORDER granting 68 Motion for interim fees and expenses. Signed by Judge David Keesler on 12/19/06. (bsw) (Entered: 12/20/2006)
02/09/2007		Mail (Order dated 12/19/06) addressed to MM APMC Banque De Commerce returned as undeliverable. (com) (Entered: 02/09/2007)
05/18/2007	70	MOTION First Motion to Allow Claims by Michael J. Quilling. (Attachments: # 1 Exhibit 1)(Quilling, Michael) (Entered: 05/18/2007)
05/30/2007	71	ORDER granting 70 Motion to Allow Claims. Signed by Judge David Keesler on 5/30/07. (com) (Entered: 05/30/2007)

06/05/2007	72	MOTION Receiver's Second Motion to Allow Claims by Michael J. Quilling. (Attachments: # 1 Exhibit 1)(Quilling, Michael) (Entered: 06/05/2007)
06/05/2007	73	MOTION Receiver's Objections to Claims by Michael J. Quilling. (Quilling, Michael) (Entered: 06/05/2007)

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