

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

SECURITIES AND EXCHANGE	§	
COMMISSION,	§	
	§	
Plaintiff,	§	
	§	Civil Action No. 3:05-CV-1328-BD
v.	§	
	§	ECF
MEGAFUND CORPORATION,	§	
STANLEY A. LEITNER,	§	Referred to U.S. Magistrate Judge
SARDAUKAR HOLDINGS, IBC., and	§	
BRADLEY C. STARK, CIG, LTD., and	§	
JAMES A. RUMPF, Individually, and	§	
d/b/a CILAK INTERNATIONAL,	§	
	§	
Defendants,	§	
	§	
and	§	
	§	
PAMELA C. STARK	§	
	§	
Relief Defendant.	§	
	§	

**LIMITED OBJECTION TO RECEIVER’S AMENDED FIRST MOTION
TO ALLOW “A” CLAIMS AND DISALLOW POTENTIAL “A”
CLAIMS (SARDAUKAR HOLDINGS RECEIVERSHIP ESTATE)**

TO THE HONORABLE JEFF A. KAPLAN,
UNITED STATES MAGISTRATE JUDGE:

COME NOW John Stark and Barbara Stark (the “Starks”), unlisted potential claimants to the Sardaukar Holdings Receivership Estate (the “Estate”) and file their *Limited Objection to Receiver’s Motion to Allow “A” Claims and Disallow Potential “A” Claims (Sardaukar Holdings Receivership Estate)* (the “Objection”). In support hereof, the Starks respectfully show the Court as follows:

**LIMITED OBJECTION TO RECEIVER’S AMENDED FIRST MOTION TO ALLOW “A”
CLAIMS AND DISALLOW POTENTIAL “A” CLAIMS (SARDAUKAR HOLDINGS
RECEIVERSHIP ESTATE)**

OBJECTION

1. On January 11, 2007, the court-appointed receiver in the above-entitled case (the “Receiver”) filed *Receiver’s Amended First Motion to Allow “A” Claims and Disallow Potential “A” Claims (Sardaukar Holdings Receivership Estate)* (the “Motion”) [**Docket No. 250**].

2. The Motion seeks to cut off all present and future claims against the Estate not yet filed with the Receiver, despite the fact that the Receiver believes other claims exist and such claimants have not yet filed a claim.

3. The Starks currently are defendants in a civil case related to the instant case and, as such, the Starks are potential future claimants to the Estate.¹ Upon information and belief, the Starks have not received any notice from the Receiver of the Receiver’s deadline to file a claim against the Estate. If the Receiver is allowed set a deadline prior to the Starks’ claim arising and without notice of at least the ability to make a prior potential claim, the Starks’ will be greatly prejudiced.

4. Owing to the fact that the Receiver is a party to the case against the Starks, the Receiver should have know of a potential claim of the Starks and at least sent them notice of the Motion and notice to timely file a claim. The Receiver now seeks to cut off the Starks’ ability to file a claim without notice to the Starks, despite the Receiver’s knowledge that his action against the Starks could create a claim in favor of the Starks against the Estate. Attached hereto and incorporated for all purposes are true and correct copies of John and Barbara Starks’ claims against the Estate, marked Exhibit “A”, which

¹ Case no. 3:05-cv-01976 currently pending before this Court.

were hand-delivered to the Receiver's designated receiving party on February 2, 2007 prior to the filing of this Objection.²

5. The Starks file this Objection to the Motion and hereby object to the extent that the Receiver's Motion could disallow the Starks' claims or prejudice their payment.. The Starks', claims should be allowed as being contingent upon the outcome of their pending litigation. Further, the Starks request the Court order the Receiver to segregate and reserve the amounts claimed by the Starks so as to ensure their claims can be met and can be paid in the pro-rata amount contemplated for the other claims listed by the Receiver.

6. The Starks further object to the claims by the Receiver in the name of CIG, Ltd. and Megafund. These claims are far and away the largest claims and serve only to diminish the claims made against Sardaukar by its investors (of whom the Receiver is not), as well as any other potential claimants who have not yet filed a claim, and who the Receiver believes hold a claim.

² The Starks' claims were submitted without prejudice to and without waiving their rights, claims, and defenses to current or future litigation against them.

Respectfully Submitted February 2, 2007.

THE CURTIS LAW FIRM, PC

/s/ Mark A. Castillo

Stephanie D. Curtis

Texas State Bar No. 05286800

Mark A. Castillo

Texas State Bar No. 24027795

Jason T. Rodriguez

Texas State Bar No. 24042827

901 Main Street, Suite 6515

Dallas, Texas 75202

Telephone: (214) 752-2222

Facsimile: (214) 752-0709

*COUNSEL FOR JOHN AND BARBARA
STARK*

CERTIFICATE OF SERVICE

The undersigned certifies that on February 2, 2007 a true and correct copy of the foregoing was served *via* the Court's ECF system and first class mail, postage pre-paid, to counsel for the Receiver at the address below.

Michael J. Quilling

Brent Rodine

QUILLING SELANDER CUMMISKEY & LOWNDS, P.C.

2001 Bryan Street, Suite 1800

Dallas, TX 75201-4240

COUNSEL FOR THE RECEIVER

/s/ Jason T. Rodriguez

Jason T. Rodriguez

LIMITED OBJECTION TO RECEIVER'S AMENDED FIRST MOTION TO ALLOW "A" CLAIMS AND DISALLOW POTENTIAL "A" CLAIMS (SARDAUKAR HOLDINGS RECEIVERSHIP ESTATE)