



CLOSED, ECF, JURY, KAPLAN, PTRL

**U.S. District Court  
Northern District of Texas (Dallas)  
CIVIL DOCKET FOR CASE #: 3:06-cv-00293**

Quilling v. 3D Marketing LLC  
Assigned to: Judge Sam A Lindsay  
Referred to: Magistrate Judge Jeff Kaplan  
Cause: 28:1332 Diversity-Fraud

Date Filed: 02/15/2006  
Date Terminated: 02/28/2007  
Jury Demand: Both  
Nature of Suit: 370 Fraud or Truth-In-Lending  
Jurisdiction: Diversity

**Plaintiff**

**Michael J Quilling**  
*Receiver for Sardaukar Holdings IBC  
and Bradley C Stark*

represented by **Michael J Quilling**  
Quilling Selander Cummiskey &  
Lownds  
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**ATTORNEY TO BE NOTICED**

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V.

**Defendant****3D Marketing LLC**

represented by **Stephen Charles Schoettmer**  
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 214/969-1228  
 Fax: 214/969-1751 FAX  
 Email: steve.schoettmer@tklaw.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Interested Party****Dean Allen Steeves***Manager for 3-D Marketing LLC*

represented by **Dean Allen Steeves**  
 c/o Vivian Del Nero  
 4111 Iowa St #3  
 San Diego, CA 92104  
 PRO SE

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
02/15/2006	<a href="#">1</a>	COMPLAINT against 3D Marketing LLC filed by Michael J Quilling. (Filing fee \$250; Receipt number 227940)(klm, ) (Entered: 02/15/2006)
02/15/2006		***Magistrate Judge Sanderson chosen by random selection to handle matters that may be referred in this case. (klm, ) (Entered: 02/15/2006)
02/15/2006		DEMAND for Trial by Jury by Michael J Quilling. (see image 1) (klm, ) (Entered: 02/15/2006)
02/15/2006	<a href="#">2</a>	CERTIFICATE OF INTERESTED PERSONS by Michael J Quilling. (klm, ) (Entered: 02/15/2006)
02/15/2006	<a href="#">3</a>	Summons Issued as to 3D Marketing LLC. (klm, ) (Entered: 02/15/2006)

02/15/2006	<a href="#">4</a>	Order Designating Case for ECF - see order for specifics. (klm, ) (Entered: 02/15/2006)
02/27/2006	<a href="#">5</a>	SUMMONS Returned Executed as to 3D Marketing LLC served on 2/21/2006, answer due 3/13/2006. (Quilling, Michael) (Entered: 02/27/2006)
03/10/2006	<a href="#">6</a>	Rebuttal/General Facts filed by 3D Marketing LLC. (lmr, ) (Entered: 03/13/2006)
05/01/2006	<a href="#">7</a>	ORDER. The above-referenced matter is Transferred to the docket of the Honorable Sam A. Lindsay for possible consolidation. All future pleadings and papers shall be filed with the case number 3:06cv293-L. Case reassigned to Judge Sam A Lindsay for all further proceedings. Judge Jorge A Solis no longer assigned to case. (Signed by Judge Jorge A Solis on 05/01/06) (lmr, ) (Entered: 05/01/2006)
05/18/2006	<a href="#">8</a>	Order Designating Case for ECF - see order for specifics. (Signed by Judge Sam A Lindsay on 5/18/06) (jrb, ) (Entered: 05/18/2006)
05/18/2006		***Magistrate Judge Kaplan chosen by random selection to handle matters that may be referred in this case. (jrb, ) (Entered: 05/18/2006)
05/18/2006	<a href="#">9</a>	Standing Order of Reference : This case is hereby referred to Magistrate Judge Jeff Kaplan for pretrial management. (Signed by Judge Sam A Lindsay on 5/18/06) (jrb, ) (Entered: 05/18/2006)
05/22/2006	<a href="#">10</a>	ORDER Setting Status Conference: Status Conference set for 6/2/2006 09:00 AM before Magistrate Judge Jeff Kaplan.(See Order for specifics) (Signed by Judge Jeff Kaplan on 5/22/2006) (skt, ) (Entered: 05/22/2006)
05/22/2006	<a href="#">11</a>	Standing ORDER on Non-Dispositive Motions: The following order shall govern the filing and disposition of all discovery-related motions, pleading disputes, and other non-dispositive motions in this case. (See Order for specifics) (Signed by Judge Jeff Kaplan on 5/22/2006) (skt, ) (Entered: 05/22/2006)
06/02/2006	<a href="#">12</a>	ORDER TO SHOW CAUSE Show Cause Hearing set for 6/16/2006 09:00 AM before Magistrate Judge Jeff Kaplan. (Signed by Judge Jeff Kaplan on 6/2/06) (copies mailed as ordered)(jrb, ) (Entered: 06/02/2006)
06/14/2006	<a href="#">13</a>	STANDING ORDER FOR ELECTRONIC FILINGS RELATED TO MATTERS REFERRED TO THE UNITED STATES MAGISTRATE JUDGE (Signed by Judge Jeff Kaplan on 6/14/06) (jrb, ) (Entered: 06/14/2006)

06/14/2006	<a href="#">14</a>	Judicial NOTICE by Special Appearance, De Bene Esse, in re: Purported Order to Show Cause, Purported Jurisdictions and Purported Entitlement of Justice by Dean Allen Steeves (jrb, ) (Entered: 06/15/2006)
06/16/2006	<a href="#">15</a>	Minute Entry for proceedings held before Judge Jeff Kaplan : Show Cause Hearing held on 6/16/06. (Tape #K1102.) (klm, ) (Entered: 06/16/2006)
06/16/2006	<a href="#">16</a>	ORDER...Defendant 3-D Marketing, LLC is ordered to make an appearance in this case through a licensed attorney by July 17, 2006. See order for specifics. (Signed by Judge Jeff Kaplan on 6/16/06) (svc, ) (Entered: 06/16/2006)
07/14/2006	<a href="#">17</a>	ORDER. Defendant 3-D Marketing, LLC is ordered to make an appearance in this case through a licensed attorney by August 17, 2006. (Signed by Judge Jeff Kaplan on 7/14/06) (jrb, ) (Entered: 07/14/2006)
08/17/2006	<a href="#">18</a>	ANSWER to Complaint by 3D Marketing LLC (jrb, ) (Entered: 08/18/2006)
08/17/2006	<a href="#">19</a>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by 3D Marketing LLC. (jrb, ) (Entered: 08/18/2006)
08/18/2006	<a href="#">20</a>	DEMAND for Trial by Jury by 3D Marketing LLC. (skt, ) (Entered: 08/21/2006)
08/18/2006	<a href="#">21</a>	ORDER Setting Status Conference. Status Conference set for 9/1/2006 09:00 AM before Magistrate Judge Jeff Kaplan. (Signed by Judge Jeff Kaplan on 8/18/06) (jrb, ) (Entered: 08/21/2006)
09/01/2006	<a href="#">22</a>	INITIAL SCHEDULING ORDER. Plaintiff shall file a motion for summary judgment by November 17, 2006. Defendant shall file a combined cross-motion for summary judgment and response to plaintiff's motion for summary judgment by December 7, 2006. Amended Pleadings due by 9/15/2006. Discovery due by 11/3/2006. See order for other specifics. (Signed by Judge Jeff Kaplan on 9/1/06) (jrb, ) Modified on 9/5/2006 (jrb, ). (Entered: 09/01/2006)
11/17/2006	<a href="#">23</a>	MOTION for Summary Judgment by Michael J Quilling (Quilling, Michael) (Entered: 11/17/2006)
11/17/2006	<a href="#">24</a>	Brief/Memorandum in Support filed by Michael J Quilling re <a href="#">23</a> MOTION for Summary Judgment (Quilling, Michael) (Entered: 11/17/2006)

11/17/2006	<a href="#">25</a>	Appendix in Support filed by Michael J Quilling re <a href="#">24</a> Brief/Memorandum in Support of Motion (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit A-1# <a href="#">3</a> Exhibit B# <a href="#">4</a> Exhibit C# <a href="#">5</a> Exhibit D# <a href="#">6</a> Exhibit E# <a href="#">7</a> Exhibit F# <a href="#">8</a> Exhibit G# <a href="#">9</a> Exhibit H# <a href="#">10</a> Exhibit I# <a href="#">11</a> Exhibit J# <a href="#">12</a> Exhibit K) (Quilling, Michael) (Entered: 11/17/2006)
11/20/2006	<a href="#">26</a>	ORDER: Plaintiff Michael J. Quilling, as Receiver for Sardaukar Holdings, IBC and related entities, has filed a motion for summary judgment in this civil action. Defendant shall file a written response to the motion by December 18, 2006. Plaintiff may file a reply brief, but no additional evidence, by January 2, 2007. See order for other specifics. (Signed by Judge Jeff Kaplan on 11/20/06) (jrb, ) Modified on 11/22/2006 (lmr, ). (Entered: 11/20/2006)
12/07/2006	<a href="#">27</a>	MOTION for Summary Judgment by 3D Marketing LLC. (Schoettmer, Stephen) Modified on 12/8/2006 (jrb, ). (Entered: 12/07/2006)
12/07/2006	<a href="#">28</a>	Brief in Support of <a href="#">27</a> MOTION for Summary Judgment by 3D Marketing LLC (Schoettmer, Stephen) Modified on 12/8/2006 (jrb, ). (Entered: 12/07/2006)
12/07/2006	<a href="#">29</a>	Appendix in Support filed by 3D Marketing LLC re <a href="#">28</a> MOTION for Summary Judgment <i>Brief in Support of</i> , <a href="#">27</a> MOTION for Summary Judgment (Schoettmer, Stephen) (Entered: 12/07/2006)
12/18/2006	<a href="#">30</a>	RESPONSE in Opposition filed by 3D Marketing LLC re <a href="#">23</a> MOTION for Summary Judgment (Schoettmer, Stephen) (Entered: 12/18/2006)
12/18/2006	<a href="#">31</a>	Brief/Memorandum in Support filed by 3D Marketing LLC re <a href="#">30</a> Response in Opposition (Schoettmer, Stephen) (Entered: 12/18/2006)
12/18/2006	<a href="#">32</a>	Appendix in Support filed by 3D Marketing LLC re <a href="#">30</a> Response in Opposition (Schoettmer, Stephen) (Entered: 12/18/2006)
12/22/2006	<a href="#">33</a>	RESPONSE filed by Michael J Quilling re <a href="#">27</a> MOTION for Summary Judgment (Rodine, Brent) (Entered: 12/22/2006)
12/22/2006	<a href="#">34</a>	Brief/Memorandum in Support filed by Michael J Quilling re <a href="#">33</a> Response to Motion (Rodine, Brent) (Entered: 12/22/2006)
12/22/2006	<a href="#">35</a>	Appendix in Support filed by Michael J Quilling re <a href="#">33</a> Response to Motion <i>for Summary Judgment</i> (Rodine, Brent) (Entered: 12/22/2006)

01/02/2007	<a href="#">36</a>	REPLY Brief filed by Michael J Quilling re <a href="#">23</a> MOTION for Summary Judgment (Rodine, Brent) Modified on 1/3/2007 (jrb, ). (Entered: 01/02/2007)
02/08/2007	<a href="#">37</a>	FINDINGS AND RECOMMENDATIONS re <a href="#">23</a> MOTION for Summary Judgment filed by Michael J Quilling, <a href="#">27</a> MOTION for Summary Judgment filed by 3D Marketing LLC. The court recommends #23 should be granted and #27 should be denied. The court should enter judgment against 3D Marketing in the amount of \$150,000.00, together with prejudgment and post-judgment interest as allowed by law. See order for other specifics. (Signed by Judge Jeff Kaplan on 2/8/07) (jrb) (Entered: 02/08/2007)
02/14/2007	<a href="#">38</a>	RESPONSE in Opposition filed by 3D Marketing LLC re <a href="#">37</a> Findings and Recommendations, (Schoettmer, Stephen) (Entered: 02/14/2007)
02/20/2007	<a href="#">39</a>	RESPONSE in Opposition filed by Michael J Quilling re <a href="#">38</a> Response in Opposition <i>Reply to Defendant's Objections Regarding the Findings and Recommendations of United States Magistrate Judge</i> (Attachments: # <a href="#">1</a> Exhibit A) (Quilling, Michael) (Entered: 02/20/2007)
02/28/2007	<a href="#">40</a>	Memorandum Opinion and Order granting <a href="#">23</a> Motion for Summary Judgment filed by Michael J Quilling and denying <a href="#">27</a> Motion for Summary Judgment filed by 3D Marketing LLC. The court will issue judgment against 3-D Marketing in the amount of \$150,000, together with prejudgment and postjudgment interest as allowed by law and will impose a constructive trust on the funds transferred by Sardauker. The court also orders that 3-D Marketing disgorge the funds. (Signed by Judge Sam A Lindsay on 2/28/07) (jrb) Modified on 3/2/2007 (jb). (Entered: 03/01/2007)
03/08/2007	<a href="#">41</a>	JUDGMENT. ORDERED, ADJUDGED, and DECREED that judgment is entered in favor of Michael J. Quilling as Receiver for Sardauker Holdings, IBC and Bradley C.Stark against Defendant 3-D Marketing, LLC in the amount of \$150,000; that a constructive trust is hereby imposed on the \$150,000 in funds which the court found were voidable transfers under the Texas Uniform Fraudulent Transfer Act, Tex. Bus. & Comm. Code Ann. § 24.005 (Vernon 2002);that 3-D Marketing, LLC is to disgorge these funds to the Receiver within thirty (30) days of the entry of this Judgment; that prejudgment interest on the principal amount of \$150,000 shall be allowed from the date or dates on which 3-D Marketing received the transfer(s) to the date of this Judgment at the rate provided under applicable state law; and that postjudgment interest shall accrue on this Judgment at the applicable federal rate from the date of its entry until paid in full. It is further ORDERED, ADJUDGED, and

		DECREED that all relief not expressly granted herein is denied; that all allowable and reasonable costs are taxed against 3-D Marketing, LLC; and that this action is dismissed with prejudice. The Receiver is entitled to recover reasonable attorney's fees. (Signed by Judge Sam A Lindsay on 3/8/07) (jrb) Modified on 3/9/2007 (jb). (Entered: 03/08/2007)
03/19/2007	<a href="#">42</a>	MOTION for Entry of Judgment Nunc Pro Tunc and Brief in Support by Michael J Quilling with Brief in Support. (Attachments: # <a href="#">1</a> Exhibit A) (Rodine, Brent) Modified on 3/20/2007 (jb). (Entered: 03/19/2007)
04/11/2007	<a href="#">43</a>	MOTION for Order to Show Cause by Michael J Quilling with Brief in Support. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B# <a href="#">3</a> Exhibit C) (Rodine, Brent) (Entered: 04/11/2007)
04/13/2007	<a href="#">44</a>	ORDER TO SHOW CAUSE Show Cause Hearing set for 5/11/2007 09:00 AM before Magistrate Judge Jeff Kaplan. (Signed by Judge Jeff Kaplan on 4/13/07) (jrb) (Entered: 04/13/2007)
05/07/2007	<a href="#">45</a>	RESPONSE filed by 3D Marketing LLC re <a href="#">43</a> MOTION for Order to Show Cause <i>Hearing and Response to Court Order Dated April 13, 2007</i> (Schoettmer, Stephen) (Entered: 05/07/2007)
05/11/2007	<a href="#">46</a>	Minute Entry for proceedings held before Judge Jeff Kaplan : Show Cause Hearing held on 5/11/07. Attorney Appearances: Plaintiff - Michael Quilling/Brent Rodine; Defense - Stephen Schoettmer. (Tape #k1152.) Time in Court: 20 minutes. (jrb) (Entered: 05/11/2007)
05/11/2007	<a href="#">47</a>	ORDER denying without prejudice <a href="#">43</a> Motion for Order to Show Cause. (Signed by Judge Jeff Kaplan on 5/11/07) (jrb) (Entered: 05/11/2007)
06/01/2007	<a href="#">48</a>	***UNFILED PER ORDER OF 6/1/07***Notary's Due Presentment under Notary Seal, Bonded Promissory Note, Fiduciary Instructions, IRS Form 1040v, Summary Judgment originating with Recipient or agents thereof filed by Dean Allen Steeves. (mfw) Modified on 6/1/2007 (JB). (Entered: 06/01/2007)
06/01/2007	<a href="#">49</a>	ORDER. Dean Allen Steeves has filed a document entitled "Due Presentment Under Notary Seal." Because this document is not a proper pleading and does not relate to any matter now pending before the court, the document [Doc. #48] is stricken from the record of this case. (Signed by Judge Jeff Kaplan on 6/1/07) (jrb) Modified on 6/4/2007 (jb). (Entered: 06/01/2007)

06/05/2007	<a href="#">50</a>	Amended MOTION for Order to Show Cause by Michael J Quilling with Brief in Support. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B# <a href="#">3</a> Exhibit C# <a href="#">4</a> Exhibit D) (Quilling, Michael) (Entered: 06/05/2007)
06/06/2007	<a href="#">51</a>	ORDER TO SHOW CAUSE Show Cause Hearing set for 7/13/2007 09:00 AM before Magistrate Judge Jeff Kaplan. (Signed by Judge Jeff Kaplan on 6/6/07) (jrb) (copy mailed to counsel for 3-D Marketing LLC) (Entered: 06/06/2007)
06/25/2007	<a href="#">52</a>	***STRICKEN PER ORDER OF 6/27/07, DOC. NO. 53*** Correspondence re Falsification of Record filed by Dean Allen Steeves. See for details. (jyg) Modified on 6/27/2007 (klm). (Entered: 06/26/2007)
06/27/2007	<a href="#">53</a>	Order Unfiling <a href="#">52</a> Notice Re: Falsification of the Record Via Affidavit of Quilling filed by Dean Allen Steeves due to the following deficiency: Not a proper pleading and not signed by Steeves, and does not relate to any matter now pending before the court. (Signed by Judge Jeff Kaplan on June 27, 2007) (jyg) (Entered: 06/27/2007)
06/29/2007	<a href="#">54</a>	MOTION to Withdraw as Attorney <i>for Defendant</i> by 3D Marketing LLC (Schoettmer, Stephen) (Entered: 06/29/2007)
06/29/2007	<a href="#">55</a>	ORDER denying without prejudice <a href="#">54</a> Motion to Withdraw as Attorney. Schoettmer may refile his motion after the show cause hearing on July 13, 2007. [see order for specifics] (Signed by Judge Jeff Kaplan on 6/29/07) (cxb) (Entered: 07/02/2007)
07/03/2007	<a href="#">56</a>	Correspondence filed by Dean Allen Steeves. (bss) (Entered: 07/03/2007)
07/06/2007	<a href="#">57</a>	Amended MOTION to Withdraw as Attorney <i>for Defendant</i> by 3D Marketing LLC (Schoettmer, Stephen) (Entered: 07/06/2007)
07/06/2007	<a href="#">58</a>	ORDER: Stephen C. Schoettmer and the law firm of Thompson & Knight LLP have filed an amended motion to withdraw as counsel for Defendant 3-D Marketing, LLC. The court will consider the amended motion to withdraw immediately prior to the Show Cause Hearing scheduled for July 13, 2007 at 9:00 a.m. (Signed by Judge Jeff Kaplan on 7/6/07) (skt) (Entered: 07/09/2007)

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