

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

MICHAEL J. QUILLING, as Receiver
for Sardaukar Holdings, IBC and
Bradley C. Stark

Plaintiff,

VS.

3-D MARKETING, LLC

Defendant.

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NO. 3-06-CV-0293-L

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 seeking to recover \$150,000.00 allegedly transferred to Defendant 3-D Marketing, LLC as part of an illegal *Ponzi* scheme. As grounds for his motion, plaintiff contends that the transfers are fraudulent as a matter of law and therefore voidable under the Texas Uniform Fraudulent Transfer Act ("TUFTA"), Tex. Bus. & Comm. Code. Ann. § 24.001, *et seq.*

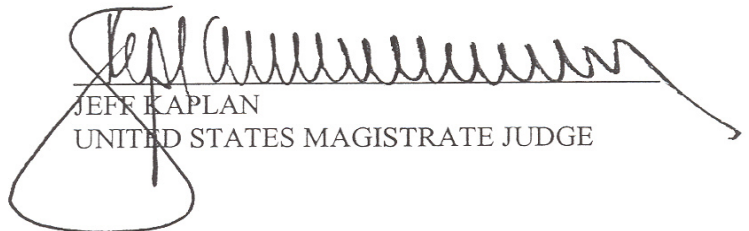
Defendant shall file a written response to the motion by **December 18, 2006**. The response must be accompanied by a brief not to exceed 25 pages in length. *See* LCivR 56.5(b) (as modified). Any affidavits, depositions, written discovery materials, or other summary judgment evidence must be included in a separate appendix. The appendix shall be numbered sequentially from the first page through the last, and include an index of all documents contained therein. An envelope that contains a non-documentary or oversized exhibit must be numbered as if it were a single page. *See* LCivR56.6(b). Plaintiff may file a reply brief, but no additional evidence, by **January 2, 2007**. The

reply shall not exceed 10 pages in length. *See* LCivR56.5(b) (as modified). No supplemental pleadings, briefs, or summary judgment evidence will be allowed without leave of court. *See* LCivR56.7.

The court intends to rule on the motion without hearing oral argument based on the written submissions of the parties. *See* LCivR 7.1(g) ("Unless otherwise directed by the presiding judge, oral argument on a motion will not be held.").

SO ORDERED.

DATED: November 20, 2006.


JEFF KAPLAN
UNITED STATES MAGISTRATE JUDGE