



CLOSED, ECF, JURY, KAPLAN, PTRL

**U.S. District Court  
Northern District of Texas (Dallas)  
CIVIL DOCKET FOR CASE #: 3:06-cv-01088**

Quilling v. Clark  
Assigned to: Judge Sam A Lindsay  
Referred to: Magistrate Judge Jeff Kaplan  
Cause: 28:754 Receiver of Property in Different Districts

Date Filed: 06/20/2006  
Date Terminated: 02/28/2007  
Jury Demand: Plaintiff  
Nature of Suit: 370 Fraud or Truth-In-Lending  
Jurisdiction: Federal Question

**Plaintiff**

**Michael J. Quilling**  
*Receiver for Megafund Corporation and  
Stanley A Leitner*

represented by **Michael J Quilling**  
Quilling Selander Cummiskey &  
Lownds  
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V.

**Defendant**

**Allan Clark**  
*Individually and  
 doing business as*  
 Financial Risk Specialists

represented by **Austin H England**  
 Veon & England  
 909 Lake Carolyn Parkway  
 Suite 150  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
06/20/2006	<a href="#">1</a>	COMPLAINT against Allan Clark filed by Michael J. Quilling. (Filing fee \$350; Receipt number 1573)(jrb, ) (Entered: 06/20/2006)
06/20/2006		DEMAND for Trial by Jury by Michael J. Quilling. (jrb, ) (Entered: 06/20/2006)
06/20/2006		***Magistrate Judge Sanderson chosen by random selection to handle matters that may be referred in this case. (jrb, ) (Entered: 06/20/2006)
06/20/2006	<a href="#">2</a>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Michael J. Quilling. (jrb, ) (Entered: 06/20/2006)
06/20/2006	<a href="#">3</a>	Summons Issued as to Allan Clark. (jrb, ) (Entered: 06/20/2006)
06/20/2006	<a href="#">4</a>	Order Designating Case for ECF - see order for specifics. (Signed by Judge Ed Kinkeade on 6/20/06) (jrb, ) (Entered: 06/20/2006)
06/22/2006	<a href="#">5</a>	SUMMONS Returned Executed as to Allan Clark served on 6/20/2006, answer due 7/10/2006. (Quilling, Michael) (Entered: 06/22/2006)

07/10/2006	<a href="#">6</a>	Motion to Approve Agreed Order Expanding Deadline for Defendant's Answer by Michael J. Quilling (Attachments: # <a href="#">1</a> Exhibit A)(Quilling, Michael) Modified on 7/11/2006 (jrb, ). (Entered: 07/10/2006)
07/12/2006	<a href="#">7</a>	ORDER REASSIGNING CASE. Case reassigned to Judge Sam A Lindsay for all further proceedings and shall reflect the docket number of 3:06-cv-1088-L. Judge Ed Kinkeade no longer assigned to case. (Signed by Judge Ed Kinkeade on July 12, 2006) (jyg, ) (Entered: 07/13/2006)
07/13/2006	<a href="#">8</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 7/13/06) (jrb, ) (Entered: 07/14/2006)
07/13/2006		***Magistrate Judge Kaplan chosen by random selection to handle matters that may be referred in this case. (jrb, ) (Entered: 08/25/2006)
07/18/2006	<a href="#">9</a>	Agreed ORDER granting <a href="#">6</a> Motion for Extension of Time to File Answer Allan Clark answer due 7/31/2006. (Signed by Judge Jeff Kaplan on 7/18/06) (jrb, ) (Entered: 07/19/2006)
07/31/2006	<a href="#">10</a>	ANSWER to Complaint by Allan Clark (England, Austin) (Entered: 07/31/2006)
07/31/2006	<a href="#">11</a>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Allan Clark. (England, Austin) (Entered: 07/31/2006)
08/01/2006	<a href="#">12</a>	STANDING ORDER ON NON-DISPOSITIVE MOTIONS. See order for details. (Signed by Judge Jeff Kaplan on August 1, 2006) (jyg, ) (Entered: 08/02/2006)
08/01/2006	<a href="#">13</a>	ORDER SETTING STATUS CONFERENCE. Status Conference set for 8/18/2006 09:00 AM before Magistrate Judge Jeff Kaplan. See order for details. (Signed by Judge Jeff Kaplan on August 1, 2006) (jyg, ) (Entered: 08/02/2006)
08/03/2006	<a href="#">14</a>	NOTICE OF OPTION TO CONSENT TO PROCEED BEFORE THE MAGISTRATE JUDGE. Please complete the consent form and return to the district clerk by 8/17/06. (Signed by Judge Jeff Kaplan on August 3, 2006) (jyg, ) (Entered: 08/04/2006)
08/07/2006	<a href="#">15</a>	Consent to Proceed Before the Magistrate Judge filed by Michael J. Quilling.(Quilling, Michael) Modified on 8/9/2006 (lmr, ). (Entered: 08/07/2006)
08/16/2006	<a href="#">16</a>	NOTICE by Allan Clark <i>Refusal to Consent to Proceed Before the Magistrate Judge</i> (England, Austin) (Entered: 08/16/2006)

08/18/2006	<a href="#">17</a>	INITIAL SCHEDULING ORDER: Amended Pleadings due by 9/1/2006. Discovery due by 10/20/2006. Joinder of Parties due by 9/1/2006. Motions due by 10/20/2006. See order for details. (Signed by Judge Jeff Kaplan on August 18, 2006) (jyg, ) (Entered: 08/21/2006)
10/20/2006	<a href="#">18</a>	MOTION for Summary Judgment by Michael J. Quilling (Rodine, Brent) (Entered: 10/20/2006)
10/20/2006	<a href="#">19</a>	Brief/Memorandum in Support filed by Michael J. Quilling re <a href="#">18</a> MOTION for Summary Judgment (Rodine, Brent) (Entered: 10/20/2006)
10/20/2006	<a href="#">20</a>	Appendix in Support filed by Michael J. Quilling re <a href="#">19</a> Brief/Memorandum in Support of Motion (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B# <a href="#">3</a> Errata C# <a href="#">4</a> Exhibit D# <a href="#">5</a> Exhibit E# <a href="#">6</a> Exhibit F)(Rodine, Brent) (Entered: 10/20/2006)
10/23/2006	<a href="#">21</a>	ORDER: Set Deadlines as to <a href="#">18</a> Motion for Summary Judgment. Responses due by 11/20/2006; Replies due by 12/5/2006. (Signed by Judge Jeff Kaplan on October 23, 2006) (jyg, ) (Entered: 10/23/2006)
11/17/2006	<a href="#">22</a>	Agreed MOTION for Extension of Time to File Response/Reply as to <a href="#">18</a> MOTION for Summary Judgment by Allan Clark (England, Austin) (Entered: 11/17/2006)
11/17/2006	<a href="#">23</a>	ORDER granting <a href="#">22</a> Motion to Approve Agreed Order Expanding the Deadline to Respond to Pla's Motion for Summary Judgment. Replies due by 12/15/2006. Responses due by 11/30/2006 (Signed by Judge Jeff Kaplan on November 17, 2006) (jyg, ) (Entered: 11/17/2006)
11/29/2006	<a href="#">24</a>	Agreed MOTION for Extension of Time to File Response/Reply as to <a href="#">18</a> MOTION for Summary Judgment ( <i>second</i> ) by Allan Clark (England, Austin) (Entered: 11/29/2006)
11/29/2006	<a href="#">25</a>	Agreed ORDER granting <a href="#">24</a> Motion to Extend Time to File Response to Pla's Motion for Summary Judgment.. Replies due by 12/27/2006. Responses due by 12/8/2006 No further extensions will be granted. (Signed by Judge Jeff Kaplan on November 29, 2006) (jyg, ) (Entered: 12/01/2006)
12/07/2006	<a href="#">26</a>	Unopposed MOTION to Approve an Order Expanding the Deadline to Response as to <a href="#">18</a> MOTION for Summary Judgment by Allan Clark (jyg, ) (Entered: 12/08/2006)

12/07/2006	<a href="#">27</a>	ORDER granting <a href="#">26</a> Motion to Approve an Order Expanding the Deadline to Response as to <a href="#">18</a> MOTION for Summary Judgment. However, rather than establish a new deadline for defendant to file a summary judgment response, plaintiff is directed to file a motion to approve the settlement by 12:00 noon on January 8, 2007. (Signed by Judge Jeff Kaplan on December 7, 2006) (jyg, ) (Entered: 12/08/2006)
01/09/2007	<a href="#">28</a>	ORDER: The parties are directed to submit an agreed judgment or a stipulation of dismissal and an agreed order of dismissal to the chambers of U.S. Magistrate Judge Jeff Kaplan by 12:00 noon on January 16, 2007. See order for specifics. (Signed by Judge Jeff Kaplan on January 9, 2007) (jyg) (Entered: 01/09/2007)
01/16/2007	<a href="#">29</a>	NOTICE by Michael J. Quilling <i>Plaintiff's Notice of Settlement Agreement and Dismissal of All Claims</i> (Attachments: # <a href="#">1</a> Exhibit 1) (Quilling, Michael) (Entered: 01/16/2007)
02/28/2007	<a href="#">30</a>	Order Directing Administrative Closure. See Order, February 8, 2007, SEC v. Megafund Corp., et al., Civil Action No. 3:05-CV-1328-L (approving proposed settlement between Receiver and Defendant Allan Clark, and directing the parties to submit a stipulation of dismissal and an agreed order of dismissal to this court by March 8, 2007). (Signed by Judge Sam A Lindsay on 2/28/07) (cxb) (Entered: 02/28/2007)
03/08/2007	<a href="#">31</a>	STIPULATION by Michael J. Quilling <i>of Dismissal</i> . (Rodine, Brent) (Entered: 03/08/2007)
03/13/2007	<a href="#">32</a>	ORDER OF DISMISSAL. Pursuant to Plaintiffs' Stipulation of Dismissal, filed March 8, 2007, this action is hereby dismissed with prejudice. The parties shall bear their own costs and attorney's fees. (Signed by Judge Sam A Lindsay on 03/13/07) (lmp) (Entered: 03/13/2007)

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