

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

MICHAEL J. QUILLING, as Receiver	§	
for Megafund Corporation and Stanley	§	
A. Leitner	§	
	§	
Plaintiff,	§	
	§	
VS.	§	NO. 3-06-CV-1088-L
	§	
ALLAN CLARK, Individually and	§	
d/b/a FINANCIAL RISK SPECIALISTS	§	
	§	
Defendant.	§	

**ORDER**

Plaintiff Michael J. Quilling, as Receiver for Megafund Corporation and related entities, has filed a motion for summary judgment in this civil action seeking to recover \$167,316.00 allegedly transferred to Defendant Allan Clark and his company, Financial Risk Specialists, 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.*

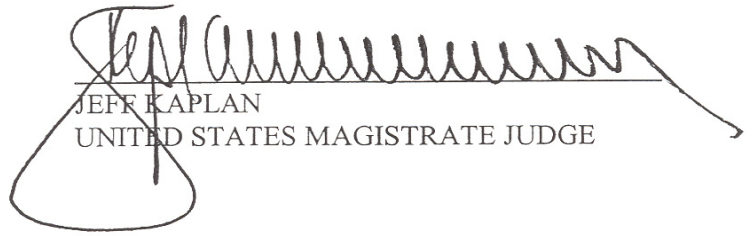
Defendant shall file a written response to the motion by **November 20, 2006**. The response must be accompanied by a brief not to exceed 25 pages in length. *See* LCivR 56.5(b) (as modified). Any affidavits, depositions, written discovery materials, or other summary judgment evidence must be included 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 **December 5, 2006**.

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: October 23, 2006.

  
JEFF KAPLAN  
UNITED STATES MAGISTRATE JUDGE