

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

MICHAEL J. QUILLING, as Receiver
for Megafund Corporation and
Lancorp Financial Group, LLC

Plaintiff,

VS.

KENNETH WAYNE HUMPHRIES

Defendant.

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NO. 3-06-CV-0299-L

ORDER

Plaintiff Michael J. Quilling, as Receiver for Megafund Corporation and Lancorp Financial Group, LLC, has filed a motion for summary judgment in this fraudulent transfer and negligent misrepresentation action. As grounds for his motion, plaintiff contends that the summary judgment evidence conclusively establishes that false statements contained in an opinion letter prepared by Defendant Kenneth Wayne Humphries, while acting as counsel for Megafund, caused Lancorp to contribute over \$9 million to an illegal Ponzi scheme.

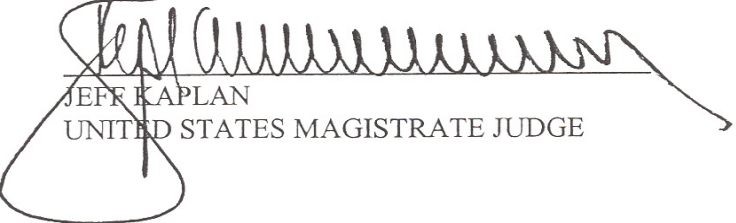
Defendant shall file a written response to the motion by **August 7, 2006**. The response must be accompanied by a brief not to exceed 25 pages in length. *See* LCivR 56.5(b) (as modified). Any affidavits, depositions, written discovery materials, or other summary judgment evidence must be included in 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* LCivR 56.6(b). Plaintiff may file a reply brief, but no additional evidence, by **August 22, 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 will 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: July 10, 2006.


JEFF KAPLAN
UNITED STATES MAGISTRATE JUDGE