

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.

GARY McDUFF, ET AL.

Defendants.

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NO. 3-06-CV-0959-L

**ORDER**

Plaintiff Michael J. Quilling, as Receiver for Megafund Corporation and related entities, has filed a motion for partial summary judgment in this civil action seeking to recover \$304,272.58 allegedly transferred to Defendant Gary McDuff and his various companies, Secured Clearing Corporation, First Global Foundation, and Southern Trust Company, 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.*

McDuff 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