

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

MICHAEL J. QUILLING, Receiver	§	
for Sardaukar Holdings, IBC and Bradley	§	
C. Stark,	§	Civil Action No. 3:05-CV-1976(BD)
	§	
Plaintiff,	§	
	§	<b>ECF</b>
v.	§	<b>Referred to the U.S. Magistrate Judge</b>
	§	
JOHN W. STARK, JR. and BARBARA	§	
STARK,	§	
	§	(JURY TRIAL DEMANDED)
Defendants.	§	

**PLAINTIFF’S MOTION TO APPROVE AGREED ORDER  
TO STAY ALL DEADLINES PENDING SETTLEMENT**

TO THE HONORABLE JEFF A. KAPLAN, UNITED STATES MAGISTRATE JUDGE:

COMES NOW, Michael J. Quilling, the appointed Receiver for Sardaukar Holdings, IBC and Bradley C. Stark, (“Plaintiff” or “Receiver”) and requests that this Court enter an Agreed Order to stay all deadlines in this case while the parties work towards executing their proposed settlement agreement. In support of this motion, the Receiver would respectfully show unto the Court as follows:

1. On August 11, 2006 the Receiver deposed both of the Defendants in his offices in Dallas, Texas. Following those depositions, the parties participated in a face-to-face meeting to work on settling this case and they successfully reached a settlement in principle. The final settlement amount is still being determined and Defendants are still assessing their ability to pay.

2. To satisfy all or part of the settlement amount, and without admitting liability, Defendants wish to work with various banks and lenders to consider obtaining a home equity loan or second mortgage. Accordingly, the parties respectfully request that this Court stay all pending

deadlines for 60 days so that (1) the Defendants can obtain financing; (2) both parties can determine the final amount of settlement; and (3) the Receiver can obtain the Court's approval to enter into this settlement agreement. Should this Court grant the stay, the Receiver anticipates dismissing this action at that time or, in the alternative, filing his motion for summary judgment.

3. While this Court's Order of August 9, 2006 [Dkt. No. 36] only allows for an extension of time in "exceptional circumstances," the Receiver and Defendants submit that a 60-day stay is warranted in this case to accommodate their attempts to fully resolve this case.

4. The parties have, therefore, consented to entry of the Agreed Order attached as Exhibit "A" and fully incorporated for all purposes.

WHEREFORE, PREMISES CONSIDERED, the Receiver respectfully requests that this Court issue the Agreed Order attached as Exhibit "A."

Respectfully submitted,

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By: /s/ Brent J. Rodine

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ATTORNEYS FOR RECEIVER

**CERTIFICATE OF CONFERENCE**

According to Local Rule 7.1, I personally conferred with Mark A. Castillo by telephone on August 24, 2006 and it was determined that both parties agree to the relief requested.

/s/ Brent J. Rodine

Brent J. Rodine

**CERTIFICATE OF SERVICE**

This is to certify that on the 25th day of August, 2006 a true and correct copy of the above and foregoing has been served on the attorneys of record in this matter via electronic notice.

/s/ Brent J. Rodine

Brent J. Rodine