

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

MICHAEL J. QUILLING, as Receiver
for Sardaukar Holdings, IBC and
Bradley C. Stark

Plaintiff,

VS.

JOHN W. STARK, JR., ET AL.

Defendants.

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NO. 3-05-CV-1976-BD

ORDER

Plaintiff Michael J. Quilling, as Receiver for Sardaukar Holdings, IBC and related entities, has filed a motion for summary judgment in this civil action seeking to recover \$173,174.06 allegedly transferred to Defendants John W. Stark, Jr. and Barbara Stark 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.*

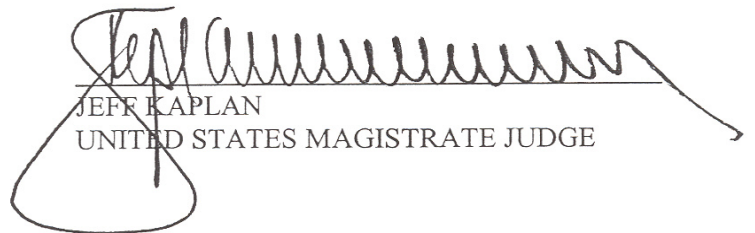
Defendant shall file a written response to the motion by **November 27, 2006**. The response must be accompanied by a brief not to exceed 25 pages in length. *See* LCivR 56.5(b) (as modified). Any affidavits, depositions, written discovery materials, or other summary judgment evidence must be included 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 **December 12, 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 25, 2006.


JEFF KAPLAN
UNITED STATES MAGISTRATE JUDGE