

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.

HANS TSCHEBAUM, ET AL.

Defendants.

§
§
§
§
§
§
§
§
§
§
§

NO. 3-05-CV-1465-L

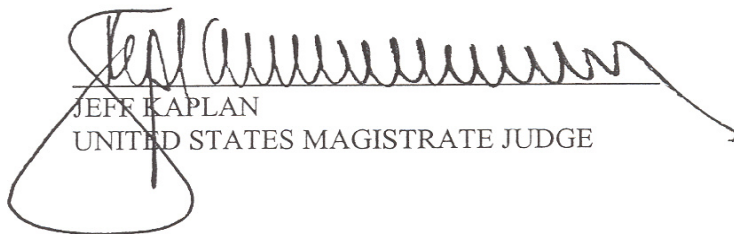
ORDER

On January 18, 2006, Michael J. Quilling, as Receiver for Sardaukar Holdings, IBC and Bradley C. Stark, filed a motion for a preliminary injunction to: (1) require Michael Tschebaum to transfer all funds in his Charles Schwab account, and deliver all documents related to that account, to the Receiver for safekeeping pending the final resolution of this case; and (2) require Hans Tschebaum to relinquish possession of a 2005 Maserati automobile allegedly purchased with investor funds. By order dated May 15, 2006, Hans Tschebaum, through his former attorney, agreed to deliver the Maserati to the Receiver. In a separate order filed today, the magistrate judge has recommended that summary judgment be granted in favor of the Receiver and against Michael Tschebaum in the amount of \$334,237.00. This sum represents the amount of investor proceeds transferred by Bradley Stark to Michael Tschebaum and deposited in his Charles Schwab account. If and when this recommendation is adopted by the district judge, the Receiver may enforce the judgment through traditional post-judgment remedies, including but not limited to the Texas turnover statute, Tex. Civ. Prac. & Rem. Code Ann. § 31.002, *et seq.*, which provides for injunctive

relief. Because a preliminary injunction is no longer necessary to preserve the status quo, the Receiver's motion [Doc. #12] is denied without prejudice.

SO ORDERED.

DATED: July 21, 2006.



JEFF KAPLAN
UNITED STATES MAGISTRATE JUDGE