

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,	§	
	§	NO. 3-05-CV-1465-L
VS.	§	
	§	
HANS TSCHEBAUM, ET AL.	§	
	§	
Defendants.	§	

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 certain funds and assets allegedly transferred to defendants from a *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.* Plaintiff also has filed an amended complaint joining Palace Investments, Inc., a Washington corporation allegedly managed by Michael Tschebaum, as a defendant in this case. Counsel for the Tschebaums has agreed to accept service of process for Palace Investments.

In order to facilitate the prompt and efficient resolution of plaintiff's motion for summary judgment, which raises certain legal issues common to all defendants, Palace Investments is directed to file an answer or otherwise appear herein no later than **May 25, 2006**. Plaintiff shall file an amended motion for summary judgment seeking relief against Palace Investments, if appropriate, within three business days after this answer is filed. Palace Investments and the Tschebaum

defendants shall file a combined response to the amended motion for summary judgment by **June 8, 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 **June 23, 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: May 15, 2006.


JEFF KAPLAN
UNITED STATES MAGISTRATE JUDGE