

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**United States District Court  
Southern District of Texas  
FILED**

AUG 31 2012

**David A. Bradley, Clerk of Court**  
H0028418  
\$ 455.00

**SECURITIES AND EXCHANGE  
COMMISSION,** §  
§  
**Plaintiff,** §  
§  
v. §  
§  
**ALBERT FASE KALETA and KALETA  
CAPITAL MANAGEMENT, INC.,** §  
§  
**and** §  
§  
**BUSINESSRADIO NETWORK, L.P.,  
d/b/a BizRadio and DANIEL FRISHBERG  
FINANCIAL SERVICES, INC., d/b/a  
DFFS CAPITAL MANAGEMENT, INC.,** §  
§  
**Relief Defendants.** §

**Case No. 4:09-cv-3674**

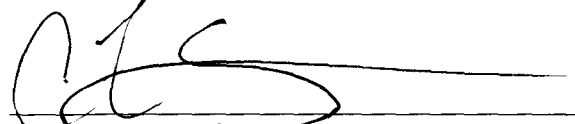
**OBJECTING INVESTORS' NOTICE OF APPEAL  
OF ORDER APPROVING SETTLEMENT WITH THE  
WALLACE BAJJALI PARTIES**

Notice is hereby given that Ronald & Lavonne Ellisor, Richard Kadlick, Sailaja Uri Konduri, Robert Ficks, Larry Mullins, Kohur & Anuradha Subramanian, Timothy Koehl, Martin Grosbol, Doug & Kay Shaffer, Phillip & Alisa K. Jones, Kevin Deering, Ed & Helena Gray, Johnny & Betty Gauntt, Tony Huerta, Marcus Erickson, George & Marene Tompkins, Thompkins, Inc., Public Express, Inc., Thompkins 2007 Family Partnership, Ltd., James & Patricia Stewart, Paul & Simona Williams, Steve Cook, Raymond Warner, John Willis, as Executor of the Estate of Geraldine J. Willis, Ronald Martens, Ellis Couch, Joseph & Sarah Miller, and Nada Por Nada, Ltd., the "Investors," "New Investors," "Objectors," or "Objecting Investors" as denominated in the pleadings

in this case, hereby appeal to the United States Court of Appeals for the Fifth Circuit from the Memorandum and Order (Doc #170) granting the Receiver's Motion for Order Approving Proposed Settlement and for Ancillary Orders, that order entered in this action on February 7, 2012, and reconsideration denied on August 1, 2012.

RESPECTFULLY SUBMITTED,

**THE SCHMIDT LAW FIRM**



C. THOMAS SCHMIDT

STATE BAR NO. 00797386

S. DIST. BAR NO. 21419

TROY TINDAL

STATE BAR NO. 2406619

S. DIST. BAR NO. 964641

3701 KIRBY DRIVE, SUITE 845

HOUSTON, TEXAS 77098

TELEPHONE: 713-568-4898

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firm@schmidtfirm.com

ATTORNEYS FOR INVESTORS

OF COUNSEL:

CHARLES L. FRIDGE, III  
STATE BAR NO. 24004286  
S. DIST. BAR NO. 32856  
3000 SMITH STREET  
HOUSTON, TEXAS 77002

**CERTIFICATE OF SERVICE**

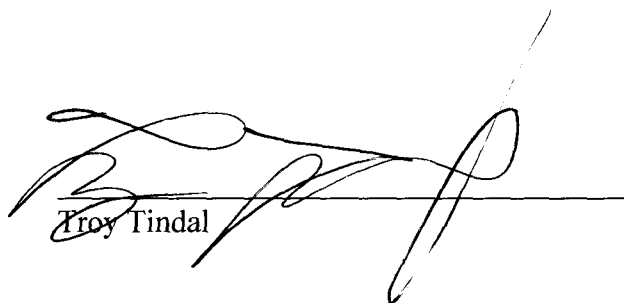
This is to certify that the above and foregoing instrument was submitted to the clerk of the court using the electronic case filing system of the court. I hereby certify that the parties below have been served electronically, on this the 31<sup>st</sup> day of August 2012:

Thomas L. Taylor, III  
The Taylor Law Offices, P.C.  
4550 Post Oak Place Drive, Suite 241  
Houston, Texas 77027

*Electronically through CM/ECF*

Daniel Hedges  
Porter & Hedges, LLP  
1000 Main Street, 36th Floor  
Houston, Texas 77002

*Electronically through CM/ECF*



Troy Tindal

**NOTICE TO PARTIES IN INTEREST**

Pursuant to Federal Rule of Appellate Procedure 3(d), Counsel for the Objecting Investors has served a copy of this notice by mail to the following parties in interest:

Yousef Boutrous  
763 Windbreak Terrace  
Houston, Texas 77079

Paul & Diane Collings  
TR Dunn Family Trust  
11607 Cherry Knoll  
Houston, Texas 77077

John Dosier  
10 Heartleaf Court  
The Woodlands, Texas 77381

Dan Gunderson  
19622 Emerald Ridge Lane  
Houston, Texas 77094

Glen and Ann Latta  
103 Rainbow Drive, #364  
Livingston, Texas 77399

Barbara Ploetz  
3013 Dianne Drive  
Middleton, Wisconsin 53562

Florence Reiley  
1540 Montgomery Road  
Bellaire, Michigan 49615

Eric Rothenberg  
9235 East Pemberton Circle Dr.  
Houston, Texas 77025

Bruce Ruisard  
Ruisard Revocable Trust  
67 S. Chandler Creek Circle  
The Woodlands, Texas 77381

Blake Taylor  
9850 Highway 6 South  
Sugar Land, Texas 77478

Don and Ethelyn Taylor  
Roger Taylor Dec Trust  
9850 Highway 6 South  
Sugar Land, Texas 77478

APPEAL, LEAD

**U.S. District Court  
SOUTHERN DISTRICT OF TEXAS (Houston)  
CIVIL DOCKET FOR CASE #: 4:09-cv-03674**

Securities & Exchange Commission v. Kaleta et al  
Assigned to: Judge Nancy F. Atlas  
Member case: [\(View Member Case\)](#)

Related Cases: [4:12-cv-02401](#)  
[4:09-cv-03674](#)  
[4:11-cv-01932](#)  
[4:11-cv-01097](#)  
[4:12-cv-01491](#)  
[4:10-cv-01189](#)

Date Filed: 11/13/2009  
Jury Demand: Plaintiff  
Nature of Suit: 850  
Securities/Commodities  
Jurisdiction: ~~Federal Question~~

U.S. Plaintiff

Cause: 15:77 Securities Fraud

**Plaintiff**

**Securities & Exchange Commission**

represented by **Timothy Sean McCole**  
Securities and Exchange Commission  
Burnett Plaza Ste 1900  
801 Cherry St  
Unit 18  
Forth Worth, TX 76102  
817-978-6453  
Email: [mccolet@sec.gov](mailto:mccolet@sec.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Albert Fase Kaleta**  
*TERMINATED: 06/09/2011*

represented by **Deon T Warner**  
550 Westcott Street  
Suite 415  
Houston, Tx 77007  
713-807-1007  
Fax: 713-807-1024  
Email: [deon@warnerandassociates.com](mailto:deon@warnerandassociates.com)  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Kaleta Capital Management, Inc.**  
*doing business as*  
BizRadio

**Defendant**

**Daniel Frishberg**  
*TERMINATED: 05/10/2012*

represented by **Aaron Frishberg**  
Law Office of Aaron David Frishberg  
116 W 111th St  
New York, NY 10026  
212-740-4544  
Email: [lawyeradf@aol.com](mailto:lawyeradf@aol.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Richard L Fuqua, II**  
Fuqua & Assoc.  
5005 Riverway Ste 250

Ste 480  
Houston, TX 77056  
713-960-0277  
Fax: 713-960-1064  
Email: [rlfuqua@fuqualegal.com](mailto:rlfuqua@fuqualegal.com)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Barrington Financial Advisors, Inc.**  
*TERMINATED: 05/10/2012*

represented by **Peter James Stanton**  
Attorney at Law  
111 Soledad  
Ste 1350  
San Antonio, TX 78205  
210-472-0500  
Fax: 210-472-0515  
Email: [stanton@pstantonlaw.com](mailto:stanton@pstantonlaw.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**William C Heath**  
*TERMINATED: 05/10/2012*

represented by **Peter James Stanton**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Elisea T Frishberg**  
*TERMINATED: 05/10/2012*

represented by **Aaron Frishberg**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Nominal Defendant**

**BusinessRadio Network, L.P.**  
*doing business as*  
Bizradio

represented by **Robert D Axelrod**  
Axelrod Smith & Kirshbaum  
5300 Memorial Dr  
Suite 700  
Houston, TX 77007  
713-861-1996  
Fax: 713-552-0202  
Email: [rdaxel@asklawhou.com](mailto:rdaxel@asklawhou.com)  
*ATTORNEY TO BE NOTICED*

**Nominal Defendant**

**Daniel Frishberg Financial Services, Inc.**  
*doing business as*  
DFFS Capital Management, Inc

represented by **Robert D Axelrod**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Consol Defendant**

**Brian De Armas**

represented by **George Anthony Kurisky, Jr**  
Johnson DeLuca et al  
1221 Lamar  
Ste 1000  
Houston, TX 77010  
713-652-2525  
Fax: 713-652-5130  
Email: [gkurisky@jdkklaw.com](mailto:gkurisky@jdkklaw.com)  
*TERMINATED: 03/10/2011*  
*ATTORNEY TO BE NOTICED*

**Michael Wayne Weston**  
Weston and Associates, PLLC  
5001 Bissonnet  
Ste 200  
Houston, TX 77401  
713-623-4242  
Fax: 713-623-2042  
Email: [mail@westonlegal.com](mailto:mail@westonlegal.com)  
*ATTORNEY TO BE NOTICED*

**Pete W Weston**  
Weston Associates PLLC  
5100 Bissonnet  
Suite 200  
Houston, TX 77401  
713-623-4242  
Fax: 713-623-2042  
Email: [mail@westonlegal.com](mailto:mail@westonlegal.com)  
*ATTORNEY TO BE NOTICED*

**Consol Defendant**

**ProTechnik Inc.**

represented by **George Anthony Kurisky , Jr**  
(See above for address)  
*TERMINATED: 03/10/2011*  
*ATTORNEY TO BE NOTICED*

**Michael Wayne Weston**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Pete W Weston**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Movant**

**Wallace Bajjali Development Partners,  
L.P.**

represented by **Susan Kopecky Hellinger**  
Porter Hedges LLP  
1000 Main Street  
36th Floor  
Houston, TX 77002-6336  
713-226-6688  
Fax: 713-226-6288  
Email: [shellinger@porterhedges.com](mailto:shellinger@porterhedges.com)  
*ATTORNEY TO BE NOTICED*

V.

**Interested Party**

**South Texas Broadcasting, Inc.**

represented by **Joseph G Epstein**  
Winstead PC  
1100 JPMorgan Chase Tower  
600 Travis  
Houston, TX 77002  
713-650-2740  
Fax: 713-650-2400  
Email: [jepstein@winstead.com](mailto:jepstein@winstead.com)  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**John W Saunders**

represented by **William E Schweinle , Jr**  
Schweinele Parish PC

440 Louisiana St  
Ste 1400  
Houston, TX 77002  
713-654-4111  
Fax: 713-655-9485  
Email: [wesjrlaw@aol.com](mailto:wesjrlaw@aol.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Barbara Doreen House**

represented by **David A Bryant , Jr**  
Bryant Gonzalez  
5020 Montrose Blvd  
6th Floor  
Houston, TX 77006  
832-487-0880  
Email: [dbryant@bryantgonzalez.com](mailto:dbryant@bryantgonzalez.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Diane Collins**

represented by **Diane Collins**  
11607 Cherryknoll Dr  
Houston, TX 77077  
PRO SE

**Troy Ted Tindal**  
Schmidt Law Firm, PLLC  
3701 Kirby Drive, Suite 845  
Houston, TX 77098  
713-568-4898  
Fax: 815-301-9000  
Email: [troy@schmidtfirm.com](mailto:troy@schmidtfirm.com)  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Ronald Ellisor**

represented by **Charles Littleton Fridge , III**  
Fridge Resendez & Wise LLC  
3000 Smith Street, Suite 1  
Houston, TX 77006  
713-226-9100  
Fax: 713-226-9800 fax  
Email: [cfridge@frw-law.com](mailto:cfridge@frw-law.com)  
*ATTORNEY TO BE NOTICED*

**Charles Thomas Schmidt**  
Schmidt Law Firm  
3701 Kirby Dr  
Ste 845  
Houston, TX 77098  
713-568-4898  
Email: [firm@schmidtfirm.com](mailto:firm@schmidtfirm.com)  
*ATTORNEY TO BE NOTICED*

**Troy Ted Tindal**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**LaVonne Ellisor**

represented by **Charles Littleton Fridge , III**  
(See above for address)  
*ATTORNEY TO BE NOTICED*



**Charles Thomas Schmidt**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Troy Ted Tindal**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Ivan Curiel**

represented by **Charles Littleton Fridge , III**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Troy Ted Tindal**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**John M Dosier**

represented by **John M Dosier**  
10 Heartleaf Court  
The Woodlands, Tx 77381  
281-682-1600  
Email: [Johndoe8@live.com](mailto:Johndoe8@live.com)  
PRO SE

**Interested Party**

**Joanne Cassidy**

represented by **Ashish Mahendru**  
Mahendru PC  
639 Heights Blvd.  
Houston, TX 77007  
713-571-1519  
Fax: 713-651-0776  
Email: [amahendru@thelitigationgroup.com](mailto:amahendru@thelitigationgroup.com)  
**LEAD ATTORNEY**  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
11/13/2009	<u>1</u>	COMPLAINT against all defendants filed by Securities & Exchange Commission. (Attachments: # <u>1</u> Civil Cover Sheet)(McCole, Timothy) (Entered: 11/13/2009)
11/13/2009	<u>2</u>	Unopposed MOTION to Enter Agreed Order Appointing Receiver by Securities & Exchange Commission, filed. Motion Docket Date 12/3/2009. (Attachments: # <u>1</u> Proposed Order)(McCole, Timothy) (Entered: 11/13/2009)
11/13/2009	<u>3</u>	Unopposed MOTION for to Enter Agreed Judgment as to Defendants Albert Fase Kaleta and Kaleta Capital Management, Inc. Judgment by Securities & Exchange Commission, filed. Motion Docket Date 12/3/2009. (Attachments: # <u>1</u> Exhibit A Consent of Albert Fase Kaleta, # <u>2</u> Exhibit B Consent of Kaleta Capital Management, Inc., # <u>3</u> Proposed Order)(McCole, Timothy) (Entered: 11/13/2009)
11/17/2009	<u>4</u>	ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 2/22/2010 at 02:00 PM in Courtroom 9F before Judge Nancy F. Atlas.(Signed by Judge Nancy F. Atlas) Parties notified.(kstrouse, ) (Entered: 11/17/2009)
11/19/2009		Summons Issued as to Albert Fase Kaleta.(rvazquez) (Entered: 11/19/2009)
11/19/2009		Summons Issued as to Kaleta Capital Management, Inc. (rvazquez) (Entered: 11/19/2009)
11/19/2009		Summons Issued as to BusinessRadio Network, L.P. (rvazquez) (Entered: 11/19/2009)

11/19/2009		Summons Issued as to Daniel Frishberg Financial Services, Inc. (rvazquez) (Entered: 11/19/2009)
11/30/2009	<u>5</u>	CERTIFICATE OF INTERESTED PARTIES by Securities & Exchange Commission, filed.(McCole, Timothy) (Entered: 11/30/2009)
12/02/2009	<u>6</u>	AGREED JUDGMENT ; GRANTED <u>3</u> Unopposed MOTION for to Enter Agreed Judgment as to Defendants Albert Fase Kaleta and Kaleta Capital Management, Inc. Judgment.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 12/02/2009)
12/02/2009	<u>7</u>	ORDER granting <u>2</u> Motion Appointing Receiver.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 12/02/2009)
12/03/2009		Summons re-issued as to BusinessRadio Network, L.P., Daniel Frishberg Financial Services, Inc., Albert Fase Kaleta, Kaleta Capital Management, Inc., filed.(rvazquez) (Entered: 12/03/2009)
02/02/2010	<u>8</u>	WAIVER OF SERVICE Returned Executed as to BusinessRadio Network, L.P. served on 2/1/2010, answer due 4/2/2010, filed.(McCole, Timothy) (Entered: 02/02/2010)
02/02/2010	<u>9</u>	WAIVER OF SERVICE Returned Executed as to Daniel Frishberg Financial Services, Inc. served on 2/1/2010, answer due 4/2/2010, filed.(McCole, Timothy) (Entered: 02/02/2010)
02/18/2010	<u>10</u>	JOINT DISCOVERY/CASE MANAGEMENT PLAN by Securities & Exchange Commission, filed.(McCole, Timothy) (Entered: 02/18/2010)
02/18/2010		***Set/Reset Deadlines/Hearings: Initial Conference set for 2/22/2010 at 02:00 PM in Courtroom 8B before Judge Nancy F. Atlas (sashabranner, ) (Entered: 02/18/2010)
02/22/2010	<u>11</u>	MINUTE ENTRY ORDER: Pretrial conference held Appearances: Timothy McCole for Plaintiff, Robert Axelrod for Defendants, Thomas Taylor III, Esq, for Receiver. Ct Reporter: ERO..Docket control order to follow.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 02/23/2010)
02/24/2010	<u>12</u>	SCHEDULING ORDER. ETT: 2 days. Bench. Amended Pleadings due by 4/23/2010 Joinder of Parties due by 4/23/2010 Pltf Expert Report due by 6/30/2010 Deft Expert Report due by 7/30/2010 Discovery due by 8/31/2010 Mediation due by 12/21/2010 Dispositive Motion Filing due by 9/30/2010 Non-Dispositive Motion Filing due by 9/30/2010 Joint Pretrial Order due by 12/13/2010 Docket Call set for 12/21/2010 at 04:00 PM in Courtroom 9F before Judge Nancy F. Atlas.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 02/24/2010)
03/11/2010	<u>13</u>	MOTION to Quash Subpoena to Produce Documents by Daniel Frishberg, filed. Motion Docket Date 4/1/2010. (Fuqua, Richard) (Entered: 03/11/2010)
03/11/2010	<u>14</u>	ORDER Setting Hearing on Motion <u>13</u> MOTION to Quash Subpoena to Produce Documents : Motion Hearing set for 3/19/2010 at 11:00 AM in Courtroom 8B before Judge Nancy F. Atlas.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 03/11/2010)
03/29/2010	<u>15</u>	CERTIFICATE OF INTERESTED PARTIES by BusinessRadio Network, L.P., filed.(Axelrod, Robert) (Entered: 03/29/2010)
04/01/2010	<u>16</u>	ANSWER to <u>1</u> Complaint by BusinessRadio Network, L.P., Daniel Frishberg Financial Services, Inc., filed.(Axelrod, Robert) (Entered: 04/01/2010)
04/21/2010	<u>17</u>	NOTICE to Take Deposition of Daniel J. Frishberg by Thomas L Taylor III, filed. (Attachments: # <u>1</u> Exhibit Subpoena)(Taylor, Thomas) (Entered: 04/21/2010)
04/21/2010	<u>18</u>	Agreed MOTION for Extension of Time To join additional parties by Thomas L Taylor III, filed. Motion Docket Date 5/12/2010. (Taylor, Thomas) (Entered: 04/21/2010)

04/22/2010	<u>19</u>	ORDER GRANTED <u>18</u> Agreed MOTION for Extension of Time To join additional parties.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 04/22/2010)
04/23/2010	<u>20</u>	NOTICE to Take Deposition of Albert Fase Kaleta by Thomas L Taylor III, filed. (Taylor, Thomas) (Entered: 04/23/2010)
04/29/2010	<u>21</u>	NOTICE to Take Deposition of Daniel Frishberg by Thomas L Taylor III, filed. (Taylor, Thomas) (Entered: 04/29/2010)
05/04/2010	<u>22</u>	First MOTION to Modify Order Appointing Receiver as to <u>7</u> Order on Motion for Miscellaneous Relief by Thomas L Taylor III, filed. Motion Docket Date 5/25/2010. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit 1–12, # <u>3</u> Exhibit 13–19, # <u>4</u> Proposed Order Modifying Order Appointing Receiver, # <u>5</u> Proposed Order Asset Freeze)(Taylor, Thomas) (Entered: 05/04/2010)
05/04/2010	<u>23</u>	NOTICE of Appearance by Gene R. Besen on behalf of Thomas L Taylor III, filed. (Besen, Gene) (Entered: 05/04/2010)
05/05/2010	<u>24</u>	ORDER Setting Hearing on Motion <u>22</u> First MOTION to Modify Order Appointing Receiver as to <u>7</u> Order on Motion for Miscellaneous ReliefFirst MOTION to Modify Order Appointing Receiver as to <u>7</u> Order on Motion for Miscellaneous Relief : Motion Hearing set for 5/6/2010 at 01:30 PM in Courtroom 9F before Judge Nancy F. Atlas.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 05/05/2010)
05/06/2010	<u>25</u>	MINUTE ENTRY ORDER: Motion hearing held Appearances: Robert D Axelrod, Deon T Warner, Timothy Sean McCole, Gene R Besen, Thomas L Taylor. Ct Reporter: ERO. First Motion to Modify Order Appointing Receiver and for Emergency Asset Freeze by Thomas L Taylor III [Doc. #22] (Motion) is held in abeyance in accordance with the record in open court.The Court Orders that discovery of Mr. Frishberg and related entities will take place on or before May 16, 2010.Parties have agreed to a stay all transfers of assets by all entities implicated in the Receivers Motion pending the Courts ruling on that Motion in accordance with the record in open court.Mr. Taylors Amended Motion to Modify Order Appointing Receiver is due June 14, 2010. Responses due June 18, 2010 by 12:00 p.m.Amended docket control order to follow.Mr. Warners Oral Motion to Appear Pro Hac Vice is GRANTED in accordance with the record in open court. Motion Hearing set for 6/22/2010 at 09:30 AM in Courtroom 9F before Judge Nancy F. Atlas.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 05/07/2010)
05/10/2010	<u>26</u>	SCHEDULING ORDER. ETT: 2 days. Bench. Amended Pleadings due by 7/15/2010 Joinder of Parties due by 7/15/2010 Pltf Expert Report due by 8/15/2010 Deft Expert Report due by 9/15/2010 Discovery due by 10/15/2010 Mediation due by 2/1/2011 Dispositive Motion Filing due by 11/15/2010 Non–Dispositive Motion Filing due by 11/15/2010 Joint Pretrial Order due by 1/24/2011 Docket Call set for 2/1/2011 at 04:00 PM in Courtroom 9F before Judge Nancy F. Atlas.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 05/10/2010)
05/13/2010	<u>27</u>	NOTICE to Take Deposition of WILLIAM HEATH by Thomas L Taylor III, filed. (Taylor, Thomas) (Entered: 05/13/2010)
05/21/2010	<u>28</u>	AO 435 TRANSCRIPT ORDER FORM by Gene R Besen. This is to order a transcript of hearing held on 5/6/10 before Judge Nancy F. Atlas (Original), filed. (smurdock, ) Forwarded to tansriber JTT 5/21/2010. Modified on 6/28/2010 (dclark, ). (Entered: 05/21/2010)
06/01/2010	<u>29</u>	NOTICE to Take Deposition of Daniel Frishberg by Thomas L Taylor III, filed. (Besen, Gene) (Entered: 06/01/2010)
06/02/2010	<u>30</u>	TRANSCRIPT re: Motions hearing held on 05–06–10 before Judge Nancy F. Atlas. Court Reporter/Transcriber Judicial Transcribers of Texas, Inc.. Release of Transcript Restriction set for 8/31/2010., filed. (lvmartin, ) (Entered: 06/02/2010)
06/03/2010	<u>31</u>	Notice of Filing of Official Transcript as to <u>30</u> Transcript. Party notified, filed. (dhansen, ) (Entered: 06/03/2010)

06/15/2010	<u>32</u>	NOTICE of Resetting. Parties notified. Motion Hearing set for 6/22/2010 at 08:30 AM (TIME CHANGE ONLY) in Courtroom 9F before Judge Nancy F. Atlas, filed. (sashabranner, ) (Entered: 06/15/2010)
06/16/2010	<u>33</u>	STIPULATION re: to Modify Order Appointing Receiver by Thomas L Taylor III, filed. (Attachments: # <u>1</u> Proposed Order)(Besen, Gene) (Entered: 06/16/2010)
06/17/2010	<u>34</u>	ORDER granting <u>22</u> Motion to Modify.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 06/17/2010)
06/17/2010	<u>35</u>	ORDER.Pursuant to the Parties Stipulation to Modify Order Appointing Receiver [Doc. # 33], it is ORDERED that the Receivers Motion to Modify Order Appointing Receiver and for Emergency Asset Freeze [Doc. # 22] (Motion) is DENIED AS MOOT. It is further ORDERED that the hearing on the Motion currently set for June 22, 2010, at 8:30 a.m., is VACATED. (Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 06/17/2010)
06/25/2010	<u>36</u>	NOTICE of Appearance by Joseph G. Epstein on behalf of South Texas Broadcasting, Inc., filed. (Epstein, Joseph) (Entered: 06/25/2010)
07/15/2010	<u>37</u>	Unopposed MOTION to Consolidate Lead Case No. 4:09-cv-3674 and Member Case No. 4:10-cv-1189 by Thomas L Taylor III, filed. Motion Docket Date 8/5/2010. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Taylor, Thomas) (Entered: 07/15/2010)
07/19/2010	<u>38</u>	ORDER granting <u>37</u> Motion to Consolidate Cases: Lead Case No. 4:09-cv-3674 and Member Case No. 4:10-cv-1189.(Signed by Judge Nancy F. Atlas) Parties notified.(jewilliams, ) (Entered: 07/19/2010)
07/21/2010	<u>39</u>	NOTICE of Appearance by William E. Schweinle, Jr. on behalf of John W. Saunders, filed. (jdav, ) (Entered: 07/21/2010)
07/29/2010	<u>40</u>	EMERGENCY MOTION by Thomas L Taylor III, filed. Motion Docket Date 8/19/2010. (Attachments: # <u>1</u> Proposed Order)(Besen, Gene) (Entered: 07/29/2010)
08/04/2010	<u>41</u>	ORDER The Court has received the Receivers Emergency Motion to Authorize Deviation from Requirements of 28 U.S.C. § 2004 for Sale of Personal Property Held by Receivership Estate [Doc. # 40] (Motion). The Motion indicates that the Securities and Exchange Commission is unopposed to the relief sought, but makes no mention of the position of any other party. It is therefore ORDERED that Defendants and Relief Defendants must file their opposition, if any, to the Motion, by August 9, 2010. Defendants and Relief Defendants are cautioned that a failure to respond will be interpreted as a statement of non-opposition. Responses due by 8/9/2010.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 08/04/2010)
08/10/2010	<u>42</u>	ORDER granting <u>40</u> Motion for Emergency.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 08/10/2010)
09/10/2010	<u>43</u>	MOTION for Approval of First Interim Fee Application by Thomas L Taylor III, filed. Motion Docket Date 10/1/2010. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Supplement Standardized Fund Accounting Report, # <u>4</u> Proposed Order)(Taylor, Thomas) (Entered: 09/10/2010)
10/08/2010	<u>44</u>	ORDER GRANTING FIRST INTERIM APPLICATION TO PAY FEES INCURRED BY THE RECEIVER AND PROFESSIONALS re: <u>43</u> Motion for Approval. The Court authorizes Receiver promptly to pay from the Receivership Estate: (1) \$229,660.32 payment to the Receiver and his firm; and (2) \$64,176.83 payment to Sonnenschein, Nath & Rosenthal, the Receivers counsel. (Signed by Judge Nancy F. Atlas) Parties notified.(amaly) (Entered: 10/08/2010)
10/29/2010	<u>45</u>	Opposed MOTION to Lift Stay by Barbara Doreen House, filed. Motion Docket Date 11/19/2010. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D, # <u>5</u> Exhibit Exhibit E, # <u>6</u> Exhibit Exhibit F, # <u>7</u> Exhibit Exhibit G, # <u>8</u> Exhibit Exhibit H)(Bryant, David) (Entered: 10/29/2010)

11/01/2010	<u>46</u>	ORDER The Court has received Movant Barbara Doreen Houses Emergency Motion for Order Declaring Movants Claims Exempt from Receivership Stay or, in the Alternative, for an Order Lifting the Stay [Doc. # 45]. It is hereby ORDERED that the Receiver file any opposition to this Motion by November 4, 2010. Receiver is cautioned that a failure to respond will be interpreted as a statement of non-opposition. Responses due by 11/4/2010.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 11/01/2010)
11/04/2010	<u>47</u>	STIPULATION re: Extension of Time to Respond to Movant's Emergency Motion by Thomas L Taylor III, filed. (Attachments: # <u>1</u> Proposed Order)(Besen, Gene) (Entered: 11/04/2010)
11/08/2010	<u>48</u>	ORDER GRANTED <u>47</u> Stipulation ( Responses due by 11/11/2010).(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 11/08/2010)
11/11/2010	<u>49</u>	STIPULATION re: Extending the Time for Receiver to Respond to Movant's Emergency Motion for Order Declaring Movant's Claims Exempt from Stay or, in the Alternative, for an Order Lifting Stay by Thomas L Taylor III, filed. (Attachments: # <u>1</u> Proposed Order)(Besen, Gene) (Entered: 11/11/2010)
11/12/2010	<u>50</u>	ORDER GRANTED <u>49</u> Stipulation, ( Responses due by 11/30/2010).(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 11/12/2010)
11/30/2010	<u>51</u>	STIPULATION re: to Extend Time for Receiver to Resond to Movant House's Emergency Motion for Order Declaring Movant's Claims Exempt from Stay or, in the Alternative, for an Order Lifting Stay by Thomas L Taylor III, filed. (Attachments: # <u>1</u> Proposed Order)(Besen, Gene) (Entered: 11/30/2010)
12/01/2010	<u>52</u>	ORDER GRANTED <u>51</u> Stipulation, ( Responses due by 12/20/2010).Receiver has until December 20, 2010 to file any opposition to Movants Motion. Receiver is cautioned that a failure to respond will be interpreted as a statement of non-opposition.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 12/01/2010)
12/20/2010	<u>53</u>	RESPONSE to <u>45</u> Opposed MOTION to Lift Stay filed by Thomas L Taylor III. (Besen, Gene) (Entered: 12/20/2010)
01/14/2011	<u>54</u>	MEMORANDUM AND ORDER DENYING <u>45</u> Opposed MOTION to Lift Stay.(Signed by Judge Nancy F. Atlas) Parties notified.(jegonzalez, ) (Entered: 01/14/2011)
01/28/2011	<u>55</u>	Sealed Letter, filed. (Entered: 01/28/2011)
01/28/2011	<u>56</u>	Sealed Letter, filed. (Entered: 01/28/2011)
01/28/2011	<u>57</u>	ORDER that Docket Call set for Tuesday, February 1, 2011 is CANCELED.. It is further ORDERED that on or before February 11, 2011 the parties are to confer and file with the Court their proposed amended dates for all outstanding deadlines in the Scheduling Order [Doc. # 26]. (Signed by Judge Nancy F. Atlas) Parties notified.(chorace) (Entered: 01/28/2011)
02/09/2011	<u>58</u>	MOTION for Johnson Deluca Kennedy &Kurisky, P.C. to Withdraw as Attorney by Brian De Armas, ProTechnik Inc., filed. Motion Docket Date 3/2/2011. (Kurisky, George) (Entered: 02/09/2011)
02/11/2011	<u>59</u>	Joint MOTION to Amend <u>57</u> Order, <u>26</u> Scheduling Order,, by Securities &Exchange Commission, filed. Motion Docket Date 3/4/2011. (Attachments: # <u>1</u> Proposed Order Second Revised Docket Control Order)(McCole, Timothy) (Entered: 02/11/2011)
02/11/2011	<u>60</u>	STATUS REPORT by Thomas L Taylor III, filed.(Taylor, Thomas) (Entered: 02/11/2011)
02/14/2011	<u>61</u>	SCHEDULING ORDER GRANTED <u>59</u> Joint MOTION to Amend <u>57</u> Order, <u>26</u> Scheduling Order,, ( Joinder of Parties due by 8/10/2011, Dispositive Motion Filing due by 5/11/2011.).(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 02/14/2011)

03/07/2011	<u>62</u>	MOTION for Entry of Order re: (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Approving Compromise of Controversies and Partial Distribution of Sale Proceeds by Thomas L Taylor III, filed. Motion Docket Date 3/28/2011. (Attachments: # <u>1</u> Affidavit of Thomas L. Taylor III, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2-4, # <u>4</u> Proposed Order)(Taylor, Thomas) (Entered: 03/07/2011)
03/10/2011	<u>63</u>	ORDER granting <u>58</u> Motion to Withdraw as Attorney. Attorney George Anthony Kurisky, Jr terminated.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 03/10/2011)
03/21/2011	<u>64</u>	NOTICE to Take Deposition of Kevin M. Londergan by Thomas L Taylor III, filed. (Attachments: # <u>1</u> Subpoena)(Taylor, Thomas) (Entered: 03/21/2011)
04/04/2011	<u>65</u>	Amended PROPOSED ORDER re: <u>62</u> MOTION for Entry of Order re: (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Approving Com MOTION for Entry of Order re: (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Approving Com MOTION for Entry of Order re: (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Approving Com, filed. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Notice of Modified Order)(Taylor, Thomas) (Entered: 04/04/2011)
04/04/2011	<u>66</u>	Modified Order Approving Sale Procedures, Fixing Deadlines and Setting Hearing on Sale of Radio Station KTEK Free and Clear of all Liens, Claims, Encumbrances and Other Interests, Approving Compromise and Related Relief ( Miscellaneous Hearing set for 6/16/2011 at 09:00 AM at Courtroom 9F before Judge Nancy F. Atlas).(Signed by Judge Nancy F. Atlas) (Attachments: # <u>1</u> Exhibit) Parties notified.(chorace) (Entered: 04/04/2011)
04/11/2011	<u>67</u>	NOTICE to Take Deposition of Kevin Londergan by Thomas L Taylor III, filed. (Taylor, Thomas) (Entered: 04/11/2011)
04/18/2011	<u>68</u>	Mail Returned Undeliverable as to Brian De Armas re: <u>66</u> Order., filed. No updated address found. (mfoley) (Entered: 04/18/2011)
05/11/2011	<u>69</u>	MOTION for <i>Final Judgment Ordering Disgorgement Plus Prejudgment Interest and a Civil Penalty and Reciting Injunctions Previously Imposed Against Defendant Albert Fase Kaleta and Brief in Support</i> Judgment by Securities & Exchange Commission, filed. Motion Docket Date 6/1/2011. (Attachments: # <u>1</u> Exhibit A Prejudgment Interest Report, # <u>2</u> Proposed Order)(McCole, Timothy) (Entered: 05/11/2011)
06/07/2011	<u>70</u>	OBJECTIONS, filed by Ronald Ellisor, LaVonne Ellisor. (Fridge, Charles) (Entered: 06/07/2011)
06/08/2011	<u>71</u>	EXHIBITS re: <u>70</u> Objections by LaVonne Ellisor, Ronald Ellisor, filed. (Attachments: # <u>1</u> Continuation 1, # <u>2</u> Continuation 2, # <u>3</u> Continuation 3, # <u>4</u> Continuation 4, # <u>5</u> Continuation 5, # <u>6</u> Continuation 6, # <u>7</u> Continuation 7, # <u>8</u> Continuation 8, # <u>9</u> Continuation 9, # <u>10</u> Continuation 10, # <u>11</u> Continuation 11, # <u>12</u> Continuation 12)(glyons) (Entered: 06/08/2011)
06/08/2011	<u>72</u>	PROPOSED ORDER <i>Confirming Sale of Radio Station</i> , filed. (Attachments: # <u>1</u> Affidavit of Publication, # <u>2</u> Proposed Order)(Taylor, Thomas) (Entered: 06/08/2011)
06/09/2011	<u>73</u>	FINAL JUDGMENT.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 06/09/2011)
06/14/2011	<u>74</u>	Unopposed MOTION for Continuance of Hearing Scheduled for June 16, 2011 and Responses to Objections by Thomas L Taylor III, filed. Motion Docket Date 7/5/2011. (Attachments: # <u>1</u> Proposed Order)(Taylor, Thomas) (Entered: 06/14/2011)

06/14/2011	<u>75</u>	Amended PROPOSED ORDER re: <u>74</u> Unopposed MOTION for Continuance of Hearing Scheduled for June 16, 2011 and Responses to Objections, filed.(Taylor, Thomas) (Entered: 06/14/2011)
06/15/2011	<u>76</u>	ORDER GRANTED <u>74</u> Unopposed MOTION for Continuance of Hearing Scheduled for June 16, 2011 and Responses to Objections ( Miscellaneous Hearing set for 6/28/2011 at 02:00 PM at Courtroom 9F before Judge Nancy F. Atlas).(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 06/15/2011)
06/15/2011	<u>77</u>	Mail Returned Undeliverable as to Brian De Armas re: <u>73</u> Final Judgment, no updated address found, filed. (pyebertsky, ) (Entered: 06/15/2011)
06/20/2011	<u>78</u>	NOTICE of Resetting. Parties notified. Miscellaneous Hearing set for 6/28/2011 at 01:30 PM (TIME CHANGE ONLY) at Courtroom 9F before Judge Nancy F. Atlas, filed. (sashabranner, ) (Entered: 06/20/2011)
06/24/2011	<u>79</u>	RESPONSE to <u>70</u> Objections to Sale of Radio Station Assets and Motion For Continuance of Confirmation Hearing, filed by South Texas Broadcasting, Inc.. (Attachments: # <u>1</u> Appendix Part 1, # <u>2</u> Appendix Part 2)(Epstein, Joseph) (Entered: 06/24/2011)
06/24/2011	<u>80</u>	OBJECTIONS to <u>62</u> MOTION for Entry of Order re: (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Approving Com MOTION for Entry of Order re: (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Approving Com MOTION for Entry of Order re: (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Approving Com, filed by Ivan Curiel. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Fridge, Charles) (Entered: 06/24/2011)
06/24/2011	<u>81</u>	RESPONSE to <u>70</u> Objections to Sale of Radio Station Assets, filed by Thomas L Taylor III. (Attachments: # <u>1</u> Exhibit 1-6, # <u>2</u> Exhibit 7 (Affidavit and Exhibits))(Taylor, Thomas) (Entered: 06/24/2011)
06/24/2011	<u>82</u>	OBJECTIONS, filed by LaVonne Ellisor, Ronald Ellisor. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Fridge, Charles) (Entered: 06/24/2011)
06/24/2011	<u>83</u>	Mail Returned Undeliverable as to Brian De Armas re: <u>76</u> Order., filed. (jhancock) (Entered: 06/27/2011)
06/27/2011	<u>84</u>	Mail Returned Undeliverable as to Brian De Armas re: <u>78</u> Notice of Resetting, filed. Updated address could not be found (glyons) (Entered: 06/27/2011)
06/28/2011	<u>85</u>	AFFIDAVIT of Thomas L. Taylor III (Supplemental) re: <u>81</u> Response, filed. (Attachments: # <u>1</u> Exhibit A)(Taylor, Thomas) (Entered: 06/28/2011)
06/28/2011	<u>86</u>	MINUTE ENTRY ORDER: Status Conference held Appearances: David Coates, Thomas Schmidt. Appearances: Timothy Sean McCole, Joseph G Epstein, Thomas L Taylor, III. Ct Reporter: ERO. Pretrial Conference set for 9/15/2011 at 09:30 AM in Courtroom 9F before Judge Nancy F. Atlas. Investors counsel may have access to all documents in Receivers possession. Investors may look for others who need notice of continued hearing. Investors list due July 29, 2011. Notice by the receiver must be sent to all investors within fourteen days after the list has been given (no later than August 8, 2011) Objections due on or before August 29, 2011. Response to objections due on or before September 7, 2011. Parties to submit an agreed order resetting this hearing and recommending to the FCC that an extension of 90 days be granted on the application to transfer the Biz Radio license. The Court recommends that the parties mediate this case after some reasonable investigation.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Main Document 86 replaced on 6/29/2011) (sashabranner, ). (Main Document 86 replaced on 6/29/2011) (sashabranner, ). (Entered: 06/29/2011)

07/01/2011	<u>87</u>	Agreed PROPOSED ORDER re: <u>62</u> MOTION for Entry of Order re: (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Approving Com MOTION for Entry of Order re: (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Approving Com MOTION for Entry of Order re: (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Approving Com, filed.(Taylor, Thomas) (Entered: 07/01/2011)
07/05/2011	<u>88</u>	ORDER 3. Receivership entities in order to effectuate the compilation of the List. The List shall be delivered to the Receiver on or before July 29, 2011.4. Notice to all Potential Parties identified in the List or by Wallace Bajjali shall be served by the Receiver on or before the earlier of (i) fourteen days after Receiver receives the List, or (ii) August 8, 2011. The Court finds that additional publication notice of the sale and theadjoined hearing on the confirmation of the sale is not required. The Receiver shall file a certificate of service reflecting such service.5. Objections, if any, by Potential Parties shall be filed by August 29, 2011 at 4:00 p.m. 6. Reponses to Objections, if any, filed by Potential Parties shall be filed by the Receiver or South Texas Broadcasting, Inc., by September 7, 2011, at 4:00 p.m. 7. The continuation of the Confirmation Hearing is set for September 15, 2011, at 9:30 a.m. before the Honorable Nancy F. Atlas, United States District Judge, Courtroom 9F, at the Unites States Courthouse, 515 Rusk Street, Houston, Texas. 8. This Court respectfully requests that the Federal Communications Commission ("FCC") grant an additional 90 day extension of time for BusinessRadio Houston Licensee, LLC and South Texas Broadcasting, Inc. to consummate the assignment of the license of KTEK(AM)beyond the current expiration date of July 22, 2011. Such an extension will greatly assist thisCourt in the administration of the Receivership Estate. The Court would entertain any appearance or communication with the Court by the FCC which might facilitate granting such an extension. Nothing in this Order should be construed as a ruling that affects the probability of the proposed sale by BusinessRadio Houston Licensee LLC to South Texas Broadcasting, Inc.being confirmed by this Court. Miscellaneous Hearing set for 9/15/2011 at 09:30 AM at Courtroom 9F before Judge Nancy F. Atlas.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabraner, ) (Entered: 07/06/2011)
07/06/2011	<u>89</u>	MOTION for Summary Judgment <i>Against ProTechnik, Inc. and Brian DeArmas</i> by Thomas L Taylor III, filed. Motion Docket Date 7/27/2011. (Attachments: # <u>1</u> Exhibit A, 1, # <u>2</u> Exhibit B, C, # <u>3</u> Exhibit D)(Taylor, Thomas) (Entered: 07/06/2011)
07/06/2011	<u>90</u>	Mail Returned Undeliverable as to Brian De Armas re: <u>86</u> Minute Entry Order, filed. No Updated Address found. (saustin, ) (Entered: 07/06/2011)
07/06/2011	<u>91</u>	Mail Returned Undeliverable as to ProTechnik Inc. re: <u>86</u> Minute Entry Order, filed. No Updated Address Found (saustin, ) (Entered: 07/06/2011)
07/18/2011	<u>92</u>	Mail Returned Undeliverable as to Brian De Armas re: <u>88</u> Order. No updated address found. (jekdall, ) (Entered: 07/18/2011)
07/21/2011	<u>93</u>	Unopposed MOTION for Extension of Time Deadline to Add New Parties by Thomas L Taylor III, filed. Motion Docket Date 8/11/2011. (Attachments: # <u>1</u> Proposed Order)(Taylor, Thomas) (Entered: 07/21/2011)
07/22/2011	<u>94</u>	ORDER granting <u>93</u> Motion for Extension of Time Amended Pleadings due by 9/23/2011..(Signed by Judge Nancy F. Atlas) Parties notified.(sashabraner, ) (Entered: 07/22/2011)
07/29/2011	<u>95</u>	<i>List of Investors</i> by LaVonne Ellisor, Ronald Ellisor, filed.(Fridge, Charles) (Entered: 07/29/2011)
08/02/2011	<u>96</u>	MOTION for Approval of Settlement with Richard D. Jordan by Thomas L Taylor III, filed. Motion Docket Date 8/23/2011. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Taylor, Thomas) (Entered: 08/02/2011)



08/08/2011	<u>97</u>	CERTIFICATE OF SERVICE of <u>62</u> MOTION for Entry of Order re: (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Approving Com MOTION for Entry of Order re: (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Approving Com MOTION for Entry of Order re: (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Approving Com, <u>66</u> Order, <u>88</u> Order,,,,,, by Thomas L Taylor III, filed.(Taylor, Thomas) (Entered: 08/08/2011)
08/08/2011	<u>98</u>	CERTIFICATE OF SERVICE of <u>62</u> MOTION for Entry of Order re: (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Approving Com MOTION for Entry of Order re: (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Approving Com MOTION for Entry of Order re: (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Approving Com, <u>66</u> Order, <u>88</u> Order,,,,,, by Thomas L Taylor III, filed.(Taylor, Thomas) (Entered: 08/08/2011)
08/10/2011	<u>99</u>	PROPOSED ORDER re: <u>89</u> MOTION for Summary Judgment <i>Against ProTechnik, Inc. and Brian DeArmas</i> , filed. (Attachments: # <u>1</u> Proposed Judgment)(Taylor, Thomas) (Entered: 08/10/2011)
08/16/2011	<u>100</u>	ORDER.The Court has received Receivers Motion for Summary Judgment AgainstProtechnik, Inc. and Brian DeArmas [Doc. # 89]. Defendants Protechnik, Inc. andBrian DeArmas, who are proceeding pro se, have not yet filed a response. It appears,however, that the address on file for these Defendants at 9848 Southwest Fwy,Houston, TX 77074, is not correct. Mail sent by the Court to these Defendants at thisaddress has repeatedly been returned as undeliverable. See Docs. # 68, # 77, # 83,# 84, # 90, # 91, # 92. Accordingly, it is herebyORDERED that Receiver shall present evidence that Defendants Protechnik,Inc. and Brian DeArmas have notice of Receivers Motion for Summary Judgment.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 08/16/2011)
08/17/2011	<u>101</u>	AFFIDAVIT of Thomas L. Taylor, III, filed. (Attachments: # <u>1</u> Exhibit A)(Taylor, Thomas) (Entered: 08/17/2011)
08/19/2011	<u>102</u>	SUGGESTION OF BANKRUPTCY by ProTechnik Inc. and Brian De Armas, filed.(arrivera, ) (Entered: 08/22/2011)
08/22/2011	<u>103</u>	ORDER STAYING CASE DENIED without prejudice <u>89</u> MOTION for Summary Judgment <i>Against ProTechnik, Inc. and Brian DeArmas</i> .The Court has been advised that Defendants Protechnik, Inc. and Brian DeArmas have filed a voluntary petition in the United States Bankruptcy Court for the Southern District of Texas. See Suggestion of Bankruptcy [Doc. # 102]. Accordingly, it is herebyORDERED that this case is STAYED AND ADMINISTRATIVELY CLOSED in accordance with 11 U.S.C. § 362(a)(1) as against Defendants Protechnik, Inc. and Brian DeArmas. It is furtherORDERED that the pending Motion for Summary Judgment [Doc. # 89] against these two Defendants is DENIED WITHOUT PREJUDICE. It is furtherORDERED that counsel for all remaining parties shall file a written statement by August 30, 2011, advising the Court whether the case should proceed in the absence of the two bankrupt Defendants or should be stayed in its entirety.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 08/22/2011)
08/22/2011	<u>104</u>	ORDER granting <u>96</u> Receiver's Motion for Approval of Settlement with Richard Jordan.(Signed by Judge Nancy F. Atlas) Parties notified.(arrivera, ) (Entered: 08/23/2011)

08/23/2011	<u>105</u>	COMPLAINT against Daniel Frishberg, Albert Fase Kaleta, Barrington Financial Advisors, Inc., William C Heath, Elisea T Frishberg (Filing fee \$ 350 receipt number 0541-8492893) filed by Thomas L Taylor III.(Taylor, Thomas) (Entered: 08/23/2011)
08/24/2011	<u>106</u>	Mail Returned Undeliverable as to Brian De Armas re: <u>100</u> Order,,, filed. No Updated address found. (saustin, ) (Entered: 08/24/2011)
08/25/2011	<u>107</u>	STATEMENT <i>Plaintiff's Statement Regarding Defendants' Suggestion of Bankruptcy</i> re: <u>103</u> Order Staying Case,,, by Securities & Exchange Commission, filed.(McCole, Timothy) (Entered: 08/25/2011)
08/25/2011	<u>108</u>	STATEMENT of Receiver re: <u>103</u> Order Staying Case,,, by Thomas L Taylor III, filed.(Taylor, Thomas) (Entered: 08/25/2011)
08/25/2011	<u>109</u>	NOTICE of Appearance by Andrew M. Goforth on behalf of Thomas L Taylor III, filed. (Goforth, Andrew) (Entered: 08/25/2011)
08/30/2011	<u>110</u>	OBJECTIONS to <u>62</u> MOTION for Entry of Order re: (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Approving Com MOTION for Entry of Order re: (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Approving Com MOTION for Entry of Order re: (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Approving Com, filed by John M Dosier. (sashabranner, ) (Entered: 08/30/2011)
09/01/2011	<u>111</u>	Amended OBJECTIONS & <i>Brief in Support of Investor Objections to Sale</i> , filed by LaVonne Ellisor, Ronald Ellisor. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Supplement)(Fridge, Charles) (Entered: 09/01/2011)
09/12/2011	<u>112</u>	RESPONSE to <u>111</u> <i>Objections and Brief In Support of Investors' Objection To Sale of Radio Station Assets</i> , filed by South Texas Broadcasting, Inc.. (Epstein, Joseph) (Entered: 09/12/2011)
09/12/2011	<u>113</u>	MOTION for Approval of Proposed Settlement and for Ancillary Orders by Thomas L Taylor III, filed. Motion Docket Date 10/3/2011. (Attachments: # <u>1</u> Exhibit 1)(Taylor, Thomas) (Entered: 09/12/2011)
09/12/2011	<u>114</u>	RESPONSE to <u>111</u> <i>Objections to Sale of Radio Station Assets</i> , filed by Thomas L Taylor III. (Taylor, Thomas) (Entered: 09/12/2011)
09/15/2011	<u>115</u>	Minute Entry for proceedings held before Judge Nancy F. Atlas. MOTION HEARING held on 9/15/2011. Parties to participate in furthe discussions and return at 2:45 p.m.. Mr. Crider's conforming bid and "earnest money" payment (per the Modified Sale Order) is due 9/22/2011. The Receiver will submit a proposed Second Modified Sale Order in conformity with procedures agreed by the parties and ordered by the Court. Parties' outlines for priorities hearing due 9/28/2011. [2:45 p.m.]: Hearing and conference resume. Hearing is continued until 10/3/2011 at 09:00 a.m. Parties are ordered (by agreement) to mediation with Magistrate Judge Nancy Johnson, which will be held on 10/5/2011. The parties must contact Magistrate Judge Johnson regarding start time, submissions, and other procedures. Appearances:David Coates, Thomas Schmidt. Timothy Sean McCole, Joseph G Epstein, Thomas L Taylor, III.(ERO:yes), filed.(bthomas, ) . (Entered: 09/16/2011)
09/16/2011	<u>116</u>	NOTICE of Setting. Parties notified. Settlement Conference set for 10/5/2011 at 10:00 AM in Courtroom 700 before Magistrate Judge Nancy K. Johnson, filed. (sbyrum, ) (Entered: 09/16/2011)
09/22/2011	<u>117</u>	Investors' Unopposed MOTION for Order for Service of Subpoenas by U.S. Marshall's Service, filed. Motion Docket Date 10/13/2011. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit A)(rosaldana) (Entered: 09/22/2011)

09/22/2011	<u>118</u>	ORDER granting <u>117</u> Motion for Order for Service of Subpoenas by U.S. Marshall's Service.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 09/22/2011)
09/26/2011	<u>119</u>	PROPOSED ORDER <i>Second Modified Order re Sales Procedures</i> , filed. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Goforth, Andrew) (Entered: 09/26/2011)
09/27/2011	<u>120</u>	ORDER APPROVING SALE PROCEDURES, FIXING DEADLINES AND SETTING HEARING ON SALE OF RADIO STATION KTEK FREE AND CLEAR OF ALL LIENS, CLAIMS, ENCUMBRANCES AND OTHER INTERESTS, APPROVING COMPROMISE AND RELATED RELIEF. the Court shall conduct a hearing to confirm the sale on October 31, 2011 at 10:00 a.m. before the Honorable Nancy F. Atlas, United States District Judge, Courtroom 9F, at the United States Courthouse, 515 Rusk Street, Houston, Texas, which hearing may be adjourned or continued by order of this Court. Any party in interest that objects to the proposed sale of the Station or other relief requested must file a written objection to the sale no later than October 21, 2011 at 4:00 p.m. and serve such objection on (i) Thomas L. Taylor III, The Taylor Law Offices, 4550 Post Oak Place Dr., Suite 241, Houston, Texas 77027, taylor@tltaylorlaw.com, and (ii) Joseph G. Epstein, Winstead PC, 1100 JPMorgan Chase Tower, 600 Travis Street, Houston, Texas 77002, jepstein@winstead.com. The Receiver shall file and serve replies to any such objectors no later than October 27, 2011 at 4:00 p.m. Parties notified.(sashabranner, ) (Entered: 09/27/2011)
09/27/2011	<u>121</u>	BRIEF / <i>Outline for Continued Hearing on Motion to Approve Sale</i> by Thomas L Taylor III, filed.(Goforth, Andrew) (Entered: 09/27/2011)
09/28/2011	<u>122</u>	BRIEF <i>Outlining South Texas Broadcasting, Inc.'s Priority and Perfection Issues for re: <u>115</u> Miscellaneous Hearing,,,</i> by South Texas Broadcasting, Inc., filed.(Epstein, Joseph) (Entered: 09/28/2011)
09/28/2011	<u>123</u>	OBJECTIONS, filed by LaVonne Ellisor, Ronald Ellisor. (Attachments: # <u>1</u> Exhibit Exhibit A)(Fridge, Charles) (Entered: 09/28/2011)
10/03/2011	<u>124</u>	Opposed MOTION Investors' Objection to Receiver's Motion for Order Approving Proposed Settlement and For Ancillary Orders by LaVonne Ellisor, Ronald Ellisor, filed. Motion Docket Date 10/24/2011. (Fridge, Charles) (Entered: 10/03/2011)
10/03/2011	<u>126</u>	MINUTE ENTRY ORDER: Motion hearing held Appearances: Joseph Epstein, Tom Barnsdale, David Coates, Dan Hedges. Appearances: Timothy Sean McCole, Thomas L Taylor, III. Ct Reporter: ERO..The objections to procedures for sale of the radio station receivership assets and STBs use of a credit bid in the sale have been withdrawn. Testimony heard on objectors priority status. Rulings are reserved. The mediation set for October 5, 2011 is cancelled. Objectors supplemental briefing due October 7, 2011, and Receivers supplement due October 17, 2011.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 10/05/2011)
10/05/2011		SETTLEMENT CONFERENCE NOT HELD***Deadlines terminated. (sbutler, ) (Entered: 10/05/2011)
10/05/2011	<u>125</u>	AO 435 TRANSCRIPT ORDER FORM by Lisa Dufffy. This is to order a transcript of Hearing held on 10/03/2011 before Judge Nancy F. Atlas (Original). Court Reporter/Transcriber: Judicial Transcribers of Texas, filed. (bdaniel, ) Modified on 10/6/2011 (dclark, ). Electronically forwarded to Judicial Transcribers of Texas 10/5/2011. (Entered: 10/05/2011)
10/05/2011	<u>127</u>	Return of Service Unexecuted as to Nancy V. Gollan re: Subpeona, filed.(kcraig, ) (Entered: 10/06/2011)
10/05/2011	<u>129</u>	PROCESS RECEIPT AND RETURN by the U.S. Marshall. Subpoena executed as to David G Wallace on 9/27/11 re: David Wallace, filed.(amaly) (Entered: 10/06/2011)
10/06/2011		Summons Issued as to Albert Fase Kaleta, filed.(kgilyard, ) (Entered: 10/06/2011)

10/06/2011	<u>128</u>	AO 435 TRANSCRIPT ORDER FORM by Kelly Cornel. This is to order a transcript of Testimony of David Wallace and Roinald Ellisor Only during a hearing held 10/3/2011 before Judge Nancy F. Atlas (Original). Court Reporter/Transcriber: Judicial Transcribers of Texas, filed. (dclark, ) Modified on 10/7/2011 (dclark, ). Expedited order electronically forwarded to Judicial Transcribers of Texas 10/6/2011. (Entered: 10/06/2011)
10/07/2011	<u>130</u>	AFFIDAVIT of David G. Wallace, filed.(Wade, Eric) (Entered: 10/07/2011)
10/07/2011	<u>131</u>	PROPOSED ORDER <i>Compelling Production Of Documents From Wallace Bajjali Entities</i> , filed.(Taylor, Thomas) (Entered: 10/07/2011)
10/07/2011	<u>132</u>	BRIEF <i>Investor's Post-Hearing Brief Regarding Perfected Security Interests in Proceeds From Sale of Radio Station Assets</i> by LaVonne Ellisor, Ronald Ellisor, filed.(Fridge, Charles) (Entered: 10/07/2011)
10/09/2011	<u>133</u>	TRANSCRIPT re: Miscellaneous Hearings held on October 3, 2011 before Judge Nancy F. Atlas. Court Reporter/Transcriber Judicial Transcribers of Texas, Inc. Release of Transcript Restriction set for 1/9/2012., filed. (mahenry, ) (Entered: 10/09/2011)
10/11/2011	<u>134</u>	Notice of Filing of Official Transcript as to <u>133</u> Transcript. Party notified, filed. (jdav, ) (Entered: 10/11/2011)
10/12/2011	<u>135</u>	MOTION for Entry of Order re: Confirmation of Sale of Radio Station KTEK by Thomas L Taylor III, filed. Motion Docket Date 11/2/2011. (Attachments: # <u>1</u> Proposed Order)(Taylor, Thomas) (Entered: 10/12/2011)
10/13/2011	<u>136</u>	ORDER GRANTED <u>135</u> MOTION for Entry of Order re: Confirmation of Sale of Radio Station KTEK ( Confirmation Hearing set for 10/27/2011 at 03:00 PM at Courtroom 9F before Judge Nancy F. Atlas).(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 10/13/2011)
10/13/2011	<u>137</u>	Letter from John Dosier re: Withdrawer of objections, filed. (sashabranner, ) (Entered: 10/13/2011)
10/13/2011	<u>138</u>	TRANSCRIPT re: Miscellaneous Hearing (Partial Transcript -- Testimony of David Wallace and Ronald Ellisor only) held on October 3, 2011 before Judge Nancy F. Atlas. Court Reporter/Transcriber Judicial Transcribers of Texas, Inc. Release of Transcript Restriction set for 1/11/2012., filed. (mahenry, ) (Entered: 10/13/2011)
10/14/2011	<u>139</u>	Notice of Filing of Official Transcript as to <u>138</u> Transcript,. Party notified, filed. (dhansen, ) (Entered: 10/14/2011)
10/14/2011	<u>140</u>	BRIEF Post-Hearing <i>Brief</i> by Thomas L Taylor III, filed.(Besen, Gene) (Entered: 10/14/2011)
10/17/2011	<u>141</u>	ORDER COMPELLING PRODUCTION OF DOCUMENTS FROM WALLACE BAJJALI ENTITIES.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 10/17/2011)
10/18/2011	<u>142</u>	RESPONSE to <u>124</u> Opposed MOTION Investors' Objection to Receiver's Motion for Order Approving Proposed Settlement and For Ancillary Orders, filed by Thomas L Taylor III. (Taylor, Thomas) (Entered: 10/18/2011)
10/24/2011	<u>143</u>	NOTICE OF HEARING re: <u>135</u> MOTION for Entry of Order re: Confirmation of Sale of Radio Station KTEK by Thomas L Taylor III, filed. (Taylor, Thomas) (Entered: 10/24/2011)
10/25/2011	<u>144</u>	DECLARATION of Thomas L. Taylor III re: <u>120</u> Order,,,,, filed.(Taylor, Thomas) (Entered: 10/25/2011)
10/26/2011	<u>145</u>	PROPOSED ORDER <i>Confirming Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances and Other Interests and Related Relief</i> , filed.(Taylor, Thomas) (Entered: 10/26/2011)
10/27/2011	<u>146</u>	ORDER GRANTED <u>113</u> MOTION for Approval of Proposed Settlement and for Ancillary Orders.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 10/27/2011)

10/27/2011	<u>147</u>	MOTION to Dismiss <u>105</u> Complaint Pursuant to Rule 9 by Barrington Financial Advisors, Inc., William C Heath, filed. Motion Docket Date 11/17/2011. (Attachments: # <u>1</u> Proposed Order)(Stanton, Peter) (Entered: 10/27/2011)
10/27/2011	<u>148</u>	MINUTE ENTRY ORDER: Final hearing on Confirmation of Sale of Radio Station and Assets held Appearances: Timothy Sean McCole, Andrew M Goforth. Ct Reporter: ERO..No objectors appeared.Signed Proposed Order Confirming Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances and Other Interests and Related Relief [Doc. #145] to follow. The October 31, 2011 hearing is vacated. (Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 10/28/2011)
11/17/2011	<u>149</u>	MOTION for Approval of Second Interim Fee Application by Thomas L Taylor III, filed. Motion Docket Date 12/8/2011. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Fund Accounting Report, # <u>5</u> Proposed Order)(Taylor, Thomas) (Entered: 11/17/2011)
11/17/2011	<u>150</u>	First AMENDED Complaint against Barrington Financial Advisors, Inc., Daniel Frishberg, Elisea T Frishberg, William C Heath, Albert Fase Kaleta filed by Thomas L Taylor III.(Taylor, Thomas) (Entered: 11/17/2011)
11/30/2011	<u>151</u>	ORDER DENIED AS MOOT <u>147</u> MOTION to Dismiss <u>105</u> Complaint Pursuant to Rule 9.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 11/30/2011)
11/30/2011	<u>152</u>	MOTION for Aaron David Frishberg to Appear Pro Hac Vice by Daniel Frishberg, Elisea T Frishberg, filed. Motion Docket Date 12/21/2011. (jdav, ) (Entered: 12/01/2011)
11/30/2011	<u>153</u>	MOTION for Extension of Time to respond to the Amended Complaint by Daniel Frishberg, Elisea T Frishberg, filed. Motion Docket Date 12/21/2011. (jdav, ) (Entered: 12/01/2011)
12/01/2011	<u>154</u>	ORDER granting <u>153</u> Motion for Extension of Time; Answer due for Daniel Frishberg 12/11/2011; Elisea T Frishberg 12/11/2011.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 12/01/2011)
12/02/2011	<u>155</u>	ORDER granting <u>152</u> MOTION for Aaron David Frishberg to Appear Pro Hac Vice.(Signed by Judge Nancy F. Atlas) Parties notified.(arrivera, ) (Entered: 12/02/2011)
12/02/2011	<u>156</u>	MEMORANDUM AND ORDER. ORDERED that Investors Objections seeking priority security interests in the proceeds of the sale of the BR Houston radio station assets are DENIED.(Signed by Judge Nancy F. Atlas) Parties notified.(arrivera, ) (Entered: 12/02/2011)
12/07/2011	<u>157</u>	EXHIBITS re: <u>132</u> Brief by LaVonne Ellisor, Ronald Ellisor, filed. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Fridge, Charles) (Entered: 12/07/2011)
12/13/2011	<u>158</u>	MOTION to Dismiss <u>150</u> Amended Complaint/Counterclaim/Crossclaim etc. by Barrington Financial Advisors, Inc., William C Heath, filed. Motion Docket Date 1/3/2012. (Attachments: # <u>1</u> Proposed Order Proposed Order on Motion to Dismiss)(Stanton, Peter) (Entered: 12/13/2011)
12/15/2011	<u>159</u>	ORDER granting <u>149</u> Motion for Approval.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 12/15/2011)
12/29/2011	<u>160</u>	Agreed MOTION for Extension of Time to Repond to Motion to Dismiss by Thomas L Taylor III, filed. Motion Docket Date 1/19/2012. (Attachments: # <u>1</u> Proposed Order)(Goforth, Andrew) (Entered: 12/29/2011)
12/30/2011	<u>161</u>	MOTION to Dismiss <u>150</u> Amended Complaint/Counterclaim/Crossclaim etc. by Daniel Frishberg, Elisea T Frishberg, filed. Motion Docket Date 1/20/2012. (Attachments: # <u>1</u> Appendix, # <u>2</u> Appendix)(Frishberg, Aaron) (Entered: 12/30/2011)
01/03/2012	<u>162</u>	ORDER granting <u>160</u> Motion for Extension of Time Responses due by 1/9/2012.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 01/03/2012)

01/09/2012	<u>163</u>	RESPONSE to <u>158</u> MOTION to Dismiss <u>150</u> Amended Complaint/Counterclaim/Crossclaim etc. MOTION to Dismiss <u>150</u> Amended Complaint/Counterclaim/Crossclaim etc. filed by Thomas L Taylor III. (Taylor, Thomas) (Entered: 01/09/2012)
01/12/2012	<u>164</u>	ORDER.The Court needs further assistance from the Court–appointed Receiver Thomas L. Taylor, III, in connection with his Motion for Order Approving Proposed Settlement and for Ancillary Orders [Doc. # 113] (Motion). The Receiver seeks approval of a proposed settlement with David Wallace, Costa Bajjali, and related entities (Wallace Bajjali Parties). The Receiver offers to present in camera for the Courts inspection Affidavits of Financial Condition and related financial documentation of the Wallace Bajjali Parties. Id. 24. The issue of collectability of judgments against the Wallace Bajjali Parties is pertinent to the Courts assessment of whether to approve the proposed settlement. This proposal for in camera inspection is not opposed and has merit. The Receiver also requests an extension of the Courts September 23, 2011, deadline for addition of new parties. The Receiver seeks to add to this case third parties... in relation to the Wallace Bajjali Parties to facilitate consideration of the present Motion. Id. 39. The Receiver appears to seek to add the Wallace Bajjali Parties, but his intentions are unclear. The request to extend the new parties deadline or to add third parties is not opposed and will be granted. It is accordinglyORDERED that, on or before January 18, 2012, the Receiver shall deliver to the Court for in camera inspection copies of the Affidavits of Financial Condition and other financial documentation of the Wallace Bajjali Parties (each document to be separately numbered) with a letter containing a detailed index of the materials being submitted. A copy of the letter, but not the Affidavits or other financial materials, must be filed in the docket of this case. It is furtherORDERED that the Receiver shall file a brief Supplement to the Motion identifying the parties he seeks to add to this case and whether they are to be Defendants, Relief–Defendants or some other. It is furtherORDERED that the Receiver shall submit a proposed order granting the extension of the September 23, 2011 deadline and identifying the specific parties to be added.SIGNED at Houston, Texas, this 12th day of January, 2012. (Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 01/12/2012)
01/18/2012	<u>165</u>	MOTION to Supplement as to <u>113</u> MOTION for Approval of Proposed Settlement and for Ancillary Orders by Thomas L Taylor III, filed. Motion Docket Date 2/8/2012. (Attachments: # <u>1</u> Proposed Order)(Goforth, Andrew) (Entered: 01/18/2012)
01/19/2012	<u>166</u>	<i>Index of Documents Delivered for In Camera Inspection</i> by Thomas L Taylor III, filed.(Goforth, Andrew) (Entered: 01/19/2012)
01/19/2012	<u>167</u>	MOTION for Extension of Time Response to Motion to Dismiss by Thomas L Taylor III, filed. Motion Docket Date 2/9/2012. (Attachments: # <u>1</u> Proposed Order)(Goforth, Andrew) (Entered: 01/19/2012)
01/20/2012	<u>168</u>	ORDER granting <u>167</u> Motion for Extension of Time; Motion–related deadline set re: <u>161</u> MOTION to Dismiss <u>150</u> Amended Complaint/Counterclaim/Crossclaim etc.. Responses due by 1/27/2012.(Signed by Judge Nancy F. Atlas) Parties notified.(arrivera, ) (Entered: 01/20/2012)
01/27/2012	<u>169</u>	RESPONSE to <u>161</u> MOTION to Dismiss <u>150</u> Amended Complaint/Counterclaim/Crossclaim etc. filed by Thomas L Taylor III. (Taylor, Thomas) (Entered: 01/27/2012)
02/07/2012	<u>170</u>	MEMORANDUM AND ORDER.the Receivers Motion for Order Approving ProposedSettlement and for Ancillary Orders [Doc. # 113] is GRANTED and theObjectors objections [Doc. # 124] are OVERRULED. It is furtherORDERED that the Receivers request relief from the September 23, 2011 deadline to add third parties is DENIED as MOOT.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 02/07/2012)
02/09/2012	<u>171</u>	Mail Returned Undeliverable as to ProTechnik Inc. re: <u>100</u> Order,,, filed. (thanniable, ) (Entered: 02/10/2012)
02/09/2012	<u>172</u>	Mail Returned Undeliverable as to ProTechnik Inc. re: <u>78</u> Notice of Resetting, filed. (thanniable, ) (Entered: 02/10/2012)

02/09/2012	<u>173</u>	Mail Returned Undeliverable as to ProTechnik Inc. re: <u>76</u> Order,, filed. (thanniable, ) (Entered: 02/10/2012)
02/09/2012	<u>174</u>	Mail Returned Undeliverable as to ProTechnik Inc. re: <u>94</u> Order on Motion for Extension of Time, filed. (thanniable, ) (Entered: 02/10/2012)
02/09/2012	<u>175</u>	Mail Returned Undeliverable as to ProTechnik Inc. re: <u>88</u> Order, filed. (thanniable, ) (Entered: 02/10/2012)
02/09/2012	<u>176</u>	Mail Returned Undeliverable as to ProTechnik Inc. re: <u>73</u> Final Judgment, filed. (thanniable, ) (Entered: 02/10/2012)
02/13/2012	<u>177</u>	Mail Returned Undeliverable as to ProTechnik Inc. re: <u>66</u> Order,, filed. (hler, ) (Entered: 02/14/2012)
03/05/2012	<u>178</u>	NOTICE of Appearance by Troy Tindal on behalf of Diane Collins, Ivan Curiel, LaVonne Ellisor, Ronald Ellisor, filed. (Tindal, Troy) (Entered: 03/05/2012)
03/06/2012	<u>179</u>	MOTION for Reconsideration of <u>170</u> Memorandum and Order, by Diane Collins, Ivan Curiel, LaVonne Ellisor, Ronald Ellisor, filed. Motion Docket Date 3/27/2012. (Attachments: # <u>1</u> Exhibit Declaration)(Tindal, Troy) (Entered: 03/06/2012)
03/13/2012	<u>180</u>	MEMORANDUM AND ORDER.the Barrington Motion [Doc. # 158] is DENIED. It is further ORDERED that the Frishberg Motion [Doc. # 161] is GRANTED in part and DENIED in part.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 03/13/2012)
03/16/2012	<u>181</u>	MOTION to Lift Stay by Joanne Cassidy, filed. Motion Docket Date 4/6/2012. (Attachments: # <u>1</u> Exhibit A)(Mahendru, Ashish) (Entered: 03/16/2012)
03/26/2012	<u>182</u>	RESPONSE to <u>179</u> MOTION for Reconsideration of <u>170</u> Memorandum and Order, filed by Thomas L Taylor III. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Taylor, Thomas) (Entered: 03/26/2012)
03/26/2012	<u>183</u>	MOTION for Leave to File Declaration of David G. Wallace by Wallace Bajjali Development Partners, L.P., filed. Motion Docket Date 4/16/2012. (Attachments: # <u>1</u> Exhibit A to Motion for Leave to File Declaration of David G. Wallace, # <u>2</u> Proposed Order Granting Motion for Leave to File Declaration of David G. Wallace)(Hellinger, Susan) (Entered: 03/26/2012)
03/29/2012	<u>184</u>	ORDER granting <u>183</u> Motion for Leave to File.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 03/29/2012)
03/29/2012	<u>185</u>	DECLARATION of David G. Wallace, filed.(sashabranner, ) (Entered: 03/29/2012)
03/29/2012	<u>186</u>	ANSWER to <u>150</u> Amended Complaint/Counterclaim/Crossclaim etc. with Jury Demand by Barrington Financial Advisors, Inc., William C Heath, filed.(Stanton, Peter) (Entered: 03/29/2012)
04/02/2012	<u>187</u>	ANSWER to <u>150</u> Amended Complaint/Counterclaim/Crossclaim etc. by Daniel Frishberg, Elisea T Frishberg, filed.(Frishberg, Aaron) (Entered: 04/02/2012)
04/02/2012	<u>188</u>	REPLY to Response to <u>179</u> MOTION for Reconsideration of <u>170</u> Memorandum and Order,, filed by Diane Collins, Ivan Curiel, LaVonne Ellisor, Ronald Ellisor. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B)(Tindal, Troy) (Entered: 04/02/2012)
04/05/2012	<u>189</u>	DECLARATION of David G. Wallace re: <u>183</u> MOTION for Leave to File Declaration of David G. Wallace, filed.(Hellinger, Susan) (Entered: 04/05/2012)
04/05/2012	<u>190</u>	RESPONSE to <u>181</u> MOTION to Lift Stay filed by Thomas L Taylor III. (Taylor, Thomas) (Entered: 04/05/2012)
04/18/2012	<u>191</u>	REPLY to Response to <u>181</u> MOTION to Lift Stay, filed by Joanne Cassidy. (Attachments: # <u>1</u> Exhibit A)(Mahendru, Ashish) (Entered: 04/18/2012)
04/24/2012	<u>192</u>	ORDER The Court has received the Objectors Motion for Reconsideration of Order Approving Settlement with the Wallace Bajjali Parties and Request for

		EvidentiaryHearing [Doc. # 179], the Receivers Response [Doc. # 182], and the Objectors Reply[Doc. # 188]. It is herebyORDERED that the Court will hold a conference (not an evidentiary hearing)on the Motion for Reconsideration on May 2, 2012 at 2:00 p.m. in Courtroom 9F ofthe U.S. Courthouse at 515 Rusk, Houston, Texas. Motion Hearing set for 5/2/2012 at 02:00 PM in Courtroom 9F before Judge Nancy F. Atlas.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 04/24/2012)
05/02/2012	<u>196</u>	MINUTE ENTRY ORDER: Motion hearing. held Appearances: Thomas Schmidt, Troy Tindal, Daniel Hedges, Susan Hellinger. Appearances: Timothy Sean McCole, Thomas L Taylor, III, Susan Kopecky Hellinger. Ct Reporter: ERO. The Objecting Investors motion for reconsideration remains pending.Parties to provide with supplemental information to opponents, additional information to be submitted the court at the next conference. Another conference is set for July 3, 2012 at 9:30 a.m. Proposed order to sever receivers complaint against Frishberg, Barrington and Heath to be submitted by Receiver to the Court.(Signed by Judge Nancy F. Atlas) Parties notified.(arrivera, ) (Entered: 05/04/2012)
05/03/2012	<u>193</u>	AO 435 TRANSCRIPT ORDER FORM by C Thomas Schmidt. This is to order a transcript of Testimony &Pretrial Conference proceedings held on 5/2/12 before Judge Nancy F. Atlas (Original), filed. (smurdock, ) Electronically forwarded to Judicial Transcribers of Texas on 5/4/2012 (emathis, ). (Entered: 05/03/2012)
05/03/2012	<u>194</u>	AO 435 TRANSCRIPT ORDER FORM by Susan K. Hellinger. This is to order a transcript of Conference on Motion to Reconsider held on 5/2/2012 before Judge Nancy F. Atlas (copy). Deposit amount \$300.00. Court Reporter/Transcriber: Judicial Transcribers of Texas filed. (thanniable, ) Copy order electronically forwarded to Judicial Transcribers on 5/4/2012 (emathis, ). (Entered: 05/03/2012)
05/04/2012	<u>195</u>	AO 435 TRANSCRIPT ORDER FORM by Schmidt Law Firm, PLLC. This is to order a transcript of Testimony of Costa Bajjali; Pre-Trial Conference held on 5/2/2012 before Judge Nancy F. Atlas (Original), filed. (mlothmann) This transcript order is a duplicate of docket entry <u>193</u> . Modified on 5/4/2012 (emathis, ). (Entered: 05/04/2012)
05/06/2012	<u>197</u>	RESPONSE to <u>179</u> MOTION for Reconsideration of <u>170</u> Memorandum and Order, filed by Daniel Frishberg. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit)(Frishberg, Aaron) (Entered: 05/06/2012)
05/08/2012	<u>198</u>	Unopposed MOTION to Sever Receiver's Ancillary Action by Thomas L Taylor III, filed. Motion Docket Date 5/29/2012. (Attachments: # <u>1</u> Proposed Order)(Taylor, Thomas) (Entered: 05/08/2012)
05/10/2012	<u>199</u>	ORDER SEVERING ANCILLARY ACTION granting <u>198</u> Unopposed MOTION to Sever Receiver's Ancillary Action. Party Elisea T Frishberg, William C Heath, Barrington Financial Advisors, Inc. and Daniel Frishberg terminated.(Signed by Judge Nancy F. Atlas) Parties notified.(arrivera, ) (Entered: 05/14/2012)
05/17/2012	<u>200</u>	TRANSCRIPT re: #192 – Motion Hearing held on May 2, 2012 before Judge Nancy F. Atlas. Court Reporter/Transcriber Judicial Transcribers of Texas, LLC. Release of Transcript Restriction set for 8/15/2012., filed. (mahenry, ) (Entered: 05/17/2012)
05/18/2012	<u>201</u>	Notice of Filing of Official Transcript as to <u>200</u> Transcript. Party notified, filed. (kcraig, ) (Entered: 05/18/2012)
05/21/2012	<u>202</u>	Sealed Event, filed. (Entered: 05/21/2012)
06/19/2012	<u>203</u>	Agreed MOTION to Reset Conference on Objecting Investors' Motion to Reconsider Wallace Bajjali Settlement by Diane Collins, Ivan Curiel, LaVonne Ellisor, Ronald Ellisor, filed. Motion Docket Date 7/10/2012. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B)(Tindal, Troy) (Entered: 06/19/2012)
06/22/2012	<u>204</u>	ORDER GRANTED <u>203</u> Agreed MOTION to Reset Conference on Objecting Investors' Motion to Reconsider Wallace Bajjali Settlement ( Pretrial Conference set for 8/1/2012 at 09:30 AM in Courtroom 9F before Judge Nancy F. Atlas)(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 06/22/2012)



07/03/2012	<u>205</u>	MEMORANDUM AND ORDER DENIED <u>181</u> MOTION to Lift Stay ( Status Report due by 8/30/2012)the Receiver must report the status of his claim for theDFFS Policy proceeds by August 30, 2012 and file a status report every fourmonths thereafter(Signed by Judge Nancy F. Atlas Parties notified.(sashabranner, ) (Entered: 07/03/2012)
07/09/2012	<u>206</u>	Sealed Event, filed. (With attachments) (Entered: 07/09/2012)
07/10/2012	<u>207</u>	NOTICE of <i>Third Interim Fee Application to Pay Fees Incurred by the Receiver and Other Professionals</i> by Thomas L Taylor III, filed. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Supplement SFAR, # <u>6</u> Proposed Order)(Taylor, Thomas) (Entered: 07/10/2012)
07/30/2012	<u>208</u>	NOTICE <i>Non-Parties Wallace Bajjali Development Partners, L.P., David Wallace, and Costa Bajjali's Update of Status of Joplin Project</i> by Wallace Bajjali Development Partners, L.P., filed. (Attachments: # <u>1</u> Exhibit A)(Hellinger, Susan) (Entered: 07/30/2012)
08/01/2012	<u>209</u>	MINUTE ENTRY ORDER: Pretrial conference held Motion for Reconsideration of Memorandum and Order [Doc. #179] is DENIED in accordance with the record in open court.Notice of Third Interim Fee Application to Pay Fees Incurred by the Receiver and Other Professionals [Doc. #207] is GRANTED in accordance with the record in open court. Written order to follow. (Signed by Judge Nancy F. Atlas Parties notified.(sashabranner, ) (Entered: 08/07/2012)
08/01/2012	<u>210</u>	ORDER APPROVING SETTLEMENT AND ENTERING FINAL BAR ORDER AND INJUNCTION (Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 08/07/2012)
08/01/2012	<u>211</u>	ORDER GRANTING THIRD INTERIM APPLICATION TO PAY FEES INCURRED BY THE RECEIVER AND OTHER PROFESSIONALS (Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 08/07/2012)
08/09/2012	<u>212</u>	NOTICE of <i>Entry of Orders in the United States Bankruptcy Court, Southern District of Texas</i> by Thomas L Taylor III, filed. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Taylor, Thomas) (Entered: 08/09/2012)
08/29/2012	<u>213</u>	STATUS REPORT by Thomas L Taylor III, filed.(Taylor, Thomas) (Entered: 08/29/2012)
08/31/2012	<u>214</u>	NOTICE OF APPEAL to US Court of Appeals for the Fifth Circuit re: <u>170</u> Memorandum and Order, by LaVonne Ellisor, Ronald Ellisor (Filing fee \$ 455), filed.(gkelner, ) (Entered: 09/04/2012)
08/31/2012		Appeal Filing fee: \$455.00 re: <u>214</u> Notice of Appeal, receipt number HOU028418, filed. (bdaniel, ) (Entered: 09/06/2012)
09/05/2012	<u>215</u>	Notice of the Filing of an Appeal. DKT13 transcript order form was mailed to appellant. Fee status: Not Paid. The following Notice of Appeal and related motions are pending in the District Court: <u>214</u> Notice of Appeal, filed. (Attachments: # <u>1</u> NOA, # <u>2</u> Memorandum, # <u>3</u> Docket sheet, # <u>4</u> DKT13 form)(smurdock, ) Modified on 9/17/2012 as to fling fee paid(blacy, ). (Entered: 09/05/2012)
09/06/2012	<u>216</u>	CLERKS NOTICE on Mandatory Electronic Filing re: <u>214</u> Notice of Appeal. Party notified, filed. (smurdock, ) (Entered: 09/06/2012)