

**PORTER  
HEDGES** LLP

**Daniel K. Hedges**  
Partner  
(713) 226-6641 Phone  
(713) 226-6241 Fax  
dhedges@porterhedges.com

1000 Main Street, 36<sup>th</sup> Floor  
Houston, Texas 77002  
(713) 226-6000 TEL  
(713) 228-1331 FAX  
porterhedges.com

December 19, 2012

011672/0001

United States Court of Appeals  
Fifth Circuit  
Office of the Clerk  
600 Maestri Place  
New Orleans, LA 70130

ATTN: Amanda Sutton-Foy, Case Manager

Re: *Securities and Exchange Commission v. Kaleta, et al.*, Case No. 12-20633

Dear Ms. Sutton-Foy:


Several of my clients were mistakenly listed as party appellees in *SEC v. Kaleta* (Case No. 12-20633). The following individual and entities were not parties in the court below and, thus, should not be listed as party appellees in the appeal: Costa Bajjali; Wallace Bajjali Development Partners, L.P.; West Houston WB Realty Fund, L.P.; Laffer Frishberg Wallace Economic Opportunity Fund, L.P.; Wallace Bajjali Investment Fund II, L.P.; and Spring Cypress Investments, L.P. Please remove those entities and the individual from the list of parties to the appeal and from the caption of the appeal.

We have conferred with Thomas Taylor, III (the Receiver) and he agrees with this request. We also attempted to confer with Troy Tindal (counsel for the appellants) on December 5, 10, and 18, 2012, but have not received a response regarding the appellants' position on this request.

For your convenience, I have attached a corrected list of the parties to the appeal and a corrected caption, both of which the Receiver has approved. Please note that the corrected caption also includes a minor correction to the description of the Receiver.

Thank you for your assistance.

Sincerely,



Daniel K. Hedges

DKH/kmc  
Enclosure

Ms. Amanda Sutton-Foy  
December 19, 2012  
Page 2

cc: Timothy McCole (via Email: [McColeT@SEC.GOV](mailto:McColeT@SEC.GOV))  
SEC – Fort Worth Regional Office

C. Thomas Schmidt (via Email: [tom@ctschmidt.com](mailto:tom@ctschmidt.com))  
Troy T. Tindal (via Email: [troy@schmidtfirm.com](mailto:troy@schmidtfirm.com))  
Thomas L. Taylor, III (via Email: [taylor@llytaylorlaw.com](mailto:taylor@llytaylorlaw.com))

**CORRECTED LIST OF PARTIES TO CASE NO. 12-20633**

**Appellants:**

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  
Tompkins, Inc.  
Public Express, Inc.  
Tompkins 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  
Nada Por Nada, Ltd.

**Appellees:**

Thomas L. Taylor, III, the Receiver of Kaleta Capital Management, Inc., BusinessRadio Network, L.P. d/b/a BizRadio, Daniel Frishberg Financial Services, Inc. d/b/a DFFS Capital Management, Inc. and all entities they own or control

CORRECTED CAPTION

Case No. 12-20633

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff

v.

ALBERT FASE KALETA,

Defendant

RONALD ELLISOR; LAVONNE ELLISOR; RICHARD KADLICK; SAILAJA URI  
KONDURI; ROBERT FICKS; ET AL,

Appellants

v.

THOMAS L. TAYLOR, III, the receiver for Kaleta Capital Management, Inc.,  
BusinessRadio Network, L.P., doing business as BizRadio, Daniel Frishberg Financial Services,  
Inc., doing business as DFFS Capital Management Inc., and all of the entities they own or  
control,

Appellees