

**U.S. District Court
Northern District of Texas (Dallas)
CIVIL DOCKET FOR CASE #: 3:22-cv-02118-X**

Securities and Exchange Commission v. Barton et al
Assigned to: Judge Brantley Starr

Case in other court: USCA5, 22-11132
USCA5, 22-11242
USCA5, 23-10046
USCA5, 23-10515
USCA5, 23-10516
USCA5, 23-11237
USCA5, 24-10004
USCA5, 24-10788
USCA5, 25-10871
USCA5, 25-11043
USCA5, 25-11044

Cause: 15:78m(a) Securities Exchange Act

Plaintiff

Securities and Exchange Commission

Date Filed: 09/23/2022
Date Terminated: 08/07/2025
Jury Demand: Plaintiff
Nature of Suit: 850 Other Statutes: Securities/Commodities/Exchange
Jurisdiction: Federal Question

represented by **Keefe M Bernstein**
Securities and Exchange Commission
801 Cherry Street
Suite 1900
Fort Worth, TX 76102
817-900-2607
Fax: 817-978-4927
Email: bernsteink@sec.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David B Reece
US Securities & Exchange Commission
Burnett Plaza Suite 1900
801 Cherry St Unit # 18
Fort Worth, TX 76102-6882
817-978-6476
Fax: 817-978-4927
Email: reece@sec.gov
TERMINATED: 07/20/2023

James E Etri
Securities and Exchange Commission
801 Cherry Street
Fort Worth, TX 76102
817-978-1406
Email: ctrij@sec.gov
TERMINATED: 04/02/2025

V.

Defendant

Timothy Barton

represented by **Jules P Slim**
Attorney and Counselor
PO Box 140307
Irving, TX 75014-0307
214-350-5183
Email: jslim@slimlawfirm.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Edwin Andrew Huffman
Katten Muchin Rosenman LLP
2121 North Pearl Street
Ste 1100
Dallas, TX 75201
469-627-7044
Fax: 214-765-3602
Email: ted.huffman@katten.com
TERMINATED: 07/19/2023

Javan Porter
Holland & Knight LLP
1722 Routh Street, Suite 1500
Dallas, TX 75201
601-441-0342
Fax: 214-964-9501
Email: javan.porter@hkllaw.com
TERMINATED: 02/03/2023

Michael Christopher Dingman
Office of the Attorney General
202 N 9th St.
Richmond, VA 23219
804-921-7025
Email: mdingman@ftc.gov
TERMINATED: 01/04/2024
PRO HAC VICE

Michael J Edney
Hunton
2200 Pennsylvania Ave NW
Washington, DC 20037
202-778-2204
Email: MEdney@Hunton.com
TERMINATED: 01/08/2026

Richard B Roper , III
Vartabedian, Katz, Hester & Haynes LLP
301 Commerce St., Ste. 2200
Fort Worth, TX 76102
817-309-9092
Email: richard.roper@vkh.com
TERMINATED: 02/03/2023

Sean O'Connell
Hunton Andrews Kurth LLP
2200 Pennsylvania Avenue NW
Suite 905
Washington, DC 20037
202-955-1500
Fax: 202-778-2201

Solomon George Norred
Norred Law PLLC
515 E Border
Arlington, TX 76010
817-704-3984
Fax: 817-524-6686
TERMINATED: 08/28/2025

Warren V Norred
Norred Law PLLC
515 E Border Street
Arlington, TX 76010
817-704-3984
Fax: 817-524-6686
Email: warren@norredlaw.com
TERMINATED: 08/28/2025

Defendant
Carnegie Development LLC

Defendant
Wall007 LLC

Defendant
Wall009 LLC

Defendant
Wall010 LLC

Defendant
Wall011 LLC

Defendant
Wall012 LLC

Defendant
Wall016 LLC

Defendant
Wall017 LLC

Defendant
Wall018 LLC

Defendant
Wall019 LLC

Defendant
Haoqiang Fu
also known as
Michael Fu

Defendant
Stephen T Wall

represented by **Michael P Heiskell**
Johnson Vaughn & Heiskell
500 W 7th Street
Suite 700
Fort Worth, TX 76102
817-457-2999
Email: mheiskell@johnson-vaughn-heiskell.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant
DJJ Land Partners LLC
Relief Defendant

Defendant
LDG001 LLC
Relief Defendant

V.

Movant
Southern Properties Capital Ltd
Party and attorney are active (attorney has been terminated to restrict access to sealed filings)
TERMINATED: 10/05/2023

represented by **C Gregory Shamoun**
Shamoun & Norman, LLP
1800 Valley View Lane
Suite 200
Farmers Branch, TX 75234
214-987-1745
Email: g@snlegal.com
TERMINATED: 03/06/2023
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brian Keith Norman
 Shamoun & Norman LLP
 1800 Valley View Lane, Suite 200
 Farmers Branch, TX 75234
 214-987-1745
 Fax: 214-521-9033
 Email: bkn@snlegal.com
 TERMINATED: 03/06/2023
 ATTORNEY TO BE NOTICED

Jeffrey Blair Norris
 Shamoun & Norman LLP
 1800 Valley View Lane
 Suite 200
 Farmers Branch, TX 75234
 214-987-1745
 Fax: 214-521-9033
 Email: bn@snlegal.com
 TERMINATED: 06/02/2023
 ATTORNEY TO BE NOTICED

Movant**Hunton Andrews Kurth LLP**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)
 TERMINATED: 04/12/2023

represented by **Greg Waller**

Hunton Andrews Kurth LLP
 600 Travis Street
 Suite 4200
 Houston, TX 77002
 713-220-4790
 Fax: 713-238-7434
 Email: gregwaller@huntonak.com
 TERMINATED: 04/11/2023
 ATTORNEY TO BE NOTICED

Movant**First Development Company of Ohio LLC**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings.)
 TERMINATED: 09/03/2024

represented by **Jonathan Alexander Gitlin**

Offit Kurman
 700 North Pearl Street
 Suite 1610
 Dallas, TX 75201
 214-593-4983
 Email: jonathan.gitlin@offitkurman.com
 TERMINATED: 09/03/2024
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Movant**Texas Republic Bank NA**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)
 TERMINATED: 11/30/2023

represented by **Patrick Joseph Schurr**

Scheef & Stone LLP
 2600 Network Boulevard
 Suite 400
 Frisco, TX 75034
 214-472-2100
 Fax: 214-472-2150
 Email: patrick.schurr@solidcounsel.com
 TERMINATED: 11/21/2023
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Shirley Berlinda Rose

Scheef & Stone LLP
 2600 Network Boulevard
 Suite 400
 Frisco, TX 75034
 214-472-2100
 Fax: 214-472-2150
 TERMINATED: 11/21/2023

Movant**Daniel Crow**

Motion termed per [421] Order
 TERMINATED: 11/30/2023

represented by **Daniel Crow**

3526 Arrowhead Dr
 Dallas, TX 75204
 214-263-8704
 PRO SE

Movant**Marine Creek Ventures LLC**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings.)

represented by **Michael D Napoli**

Akerman LLP
 2001 Ross Avenue, Suite 3600
 Dallas, TX 75201
 214-720-4300
 Fax: 214-981-9339
 Email: michael.napoli@akerman.com
 TERMINATED: 09/22/2025
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Movant**DLP Real Estate Capital Inc**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings.)

represented by **Michael D Napoli**

(See above for address)
 TERMINATED: 09/22/2025
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Movant**DLP Winter Haven Ventures LLC**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings.)

represented by **Michael D Napoli**

(See above for address)
 TERMINATED: 09/22/2025
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Movant

Orchard Farms Ventures LLC

Party and attorney are active (attorney has been terminated to restrict access to sealed filings.)

Interested Party

HNGH Turtle Creek

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

Interested Party

Maximilien Barton

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

Interested Party

Gillespie Villas LLC

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

Interested Party

Venus59 LLC

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

Interested Party

TRTX Properties LLC

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

Interested Party

MXBA LLC

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

Interested Party

represented by **Michael D Napoli**

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

represented by **George W Hicks**

Kirkland & Ellis LLP
1301 Pennsylvania Avenue NW
Washington, DC 20004
202-389-5000
Fax: 202-389-5200
Email: george.hicks@kirkland.com
TERMINATED: 07/30/2024
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Erin Angela Nealy Cox

Kirkland & Ellis LLP
4550 Travis Street
Dallas, TX 75205
214-972-1847
Email: erin.nealycox@kirkland.com
TERMINATED: 11/14/2022

John Joseph Kane

Kane Russell Coleman & Logan PC
901 Main Street
Suite 5200
Dallas, TX 75202
214/777-4200
Fax: 214/777-4299
Email: jkane@krcl.com
TERMINATED: 11/14/2022
ATTORNEY TO BE NOTICED

represented by **Nathan Benjamin Baum**

Norton Rose Fulbright US LLP
2200 Ross Avenue
Suite 2800
Dallas, TX 75201
214-855-7487
Fax: 214-855-8200
Email: nathan.baum@nortonrosefulbright.com
TERMINATED: 11/14/2022
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christopher Ryan Cooke

Norton Rose Fulbright US LLP
111 W Houston Street
Suite 1800
San Antonio, TX 78205
210-270-7175
TERMINATED: 11/14/2022

represented by **Nathan Benjamin Baum**

(See above for address)
TERMINATED: 11/14/2022
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christopher Ryan Cooke

(See above for address)
TERMINATED: 11/14/2022

represented by **Nathan Benjamin Baum**

(See above for address)
TERMINATED: 11/14/2022
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christopher Ryan Cooke

(See above for address)
TERMINATED: 11/14/2022

represented by **Nathan Benjamin Baum**

(See above for address)
TERMINATED: 11/14/2022
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christopher Ryan Cooke

(See above for address)
TERMINATED: 11/14/2022

represented by **Nathan Benjamin Baum**

(See above for address)
TERMINATED: 11/14/2022
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christopher Ryan Cooke

(See above for address)
TERMINATED: 11/14/2022

Titan Investments LLC

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

Interested Party.**Palisades-TC LLC**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

Interested Party.**David Dhiraj Ramolia**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

Interested Party.**Southern Star Capital LLC**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)
doing business as
Reliance Mortgage Company

Interested Party.**Circle H Contractors LP**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

Interested Party.**MFO Venus Development LLC**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

Interested Party.**Tamamoi LLC**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

represented by **Nathan Benjamin Baum**

(See above for address)
TERMINATED: 11/14/2022
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

represented by **Christopher Ryan Cooke**

(See above for address)
TERMINATED: 11/14/2022

represented by **Jeffrey M Tillotson**

Tillotson Johnson & Patton
1201 Main Street, Suite 1300
Dallas, TX 75202
214-382-3040
Email: jtillotson@tillotsonlaw.com
TERMINATED: 11/27/2023
ATTORNEY TO BE NOTICED

represented by **Jonathan Patton**

Tillotson Johnson & Patton
1201 Main Street
Suite 1300
Dallas, TX 75202
214-382-3041
Fax: 214-292-6564
Email: jpatton@tillotsonlaw.com
TERMINATED: 12/07/2022
ATTORNEY TO BE NOTICED

represented by **Eliot Dana Shavin**

Chandler & Shavin PLLC
12377 Merit Drive, Suite 880
Dallas, TX 75251
214-522-2010
Email: shavin@chandlershavin.com
TERMINATED: 12/20/2022
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

represented by **Corinna Pia Chandler**

Chandler & Shavin, PLLC
12377 Merit Drive, Suite 880
Dallas, TX 75251
972-863-9063
Email: chandler@chandlershavin.com
TERMINATED: 12/22/2022
ATTORNEY TO BE NOTICED

represented by **Daniel Rasoul Alexander**

Chandler & Shavin PLLC
12377 Merit Drive
Suite 880
Dallas, TX 75251
469-236-4503
Email: alexander@chandlershavin.com
TERMINATED: 12/23/2022
ATTORNEY TO BE NOTICED

represented by **Robert W Buchholz**

Law Office of Robert W Buchholz PC
5220 Spring Valley Road, Suite 618
Dallas, TX 75254
214-754-5500
Fax: 214-754-9100
Email: bob@attorneybob.com
TERMINATED: 01/10/2023
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

represented by **Aaron Thomas Capps**

Capps and Associates PLLC
1700 Pacific Ave.
Suite 1045
Dallas, TX 75201
469-236-7719
Email: acapps@cappspllc.com
TERMINATED: 01/11/2023
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

represented by **Ian Edward Fullington**

Moss & Associates, LLC
6950 TPC Drive
Suite 300
McKinney, TX 75070
469-625-9063
Email: ifullington@mosscom.com
TERMINATED: 02/10/2023
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

represented by **Howard Marc Spector**

Spector & Cox PLLC
12770 Coit Rd
Suite 850
Dallas, TX 75251

214-365-5377
 Email: hms7@cornell.edu
 TERMINATED: 03/16/2023
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Sarah Melissa Cox
 Spector & Cox PLLC
 12770 Coit Rd
 Suite 850
 Dallas, TX 75251
 214-310-1321
 Email: sarah@spectorcox.com
 ATTORNEY TO BE NOTICED

Interested Party**3820 Illinois LLC**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

represented by **Howard Marc Spector**
 (See above for address)
 TERMINATED: 03/16/2023
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Sarah Melissa Cox
 (See above for address)
 ATTORNEY TO BE NOTICED

Interested Party**Vertical Street Ventures LLC**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

represented by **Matthias Kleinsasser**
 Winstead PC
 300 Throckmorton Street
 Suite 1700
 Fort Worth, TX 76102
 817-420-8200
 Fax: 817-420-8201
 Email: mkleinsasser@winstead.com
 TERMINATED: 03/17/2023
 LEAD ATTORNEY

Joseph J Wielebinski
 Winstead PC
 2728 N. Harwood Street, Ste. 500
 Dallas, TX 75201
 214-745-5210
 Fax: 214-745-5390
 Email: jwielebinski@winstead.com
 TERMINATED: 03/17/2023

Interested Party**McCormick 101 LLC**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

represented by **Clay Marshall Taylor**
 Dentons US LLP
 100 Crescent Court
 Suite 900
 Dallas, TX 75201
 214-647-2496
 Email: clay.taylor@dentons.com
 TERMINATED: 02/25/2025
 ATTORNEY TO BE NOTICED

Gwen I Walraven
 Bell Nunnally & Martin
 2323 Ross Avenue
 Suite 1900
 Dallas, TX 75201
 214-740-1484
 Fax: 214-740-5705
 Email: gwalraven@bellnunnally.com
 TERMINATED: 02/26/2024
 ATTORNEY TO BE NOTICED

Jill L Nicholson
 Dentons US LLP
 233 South Wacker Drive
 Suite 5900
 Chicago, IL 60606-6361
 312-876-8130
 Email: jill.nicholson@dentons.com
 TERMINATED: 02/25/2025
 PRO HAC VICE
 ATTORNEY TO BE NOTICED

Kasheem Shane Thomas
 Bell Nunnally & Martin LLP
 2323 Ross Avenue
 Suite 1900
 Dallas, TX 75201
 214-740-1400
 Fax: 214-740-1499
 Email: sthomas@bellnunnally.com
 TERMINATED: 02/14/2024
 ATTORNEY TO BE NOTICED

Lewis Floyd Collins , III
 Bell Nunnally & Martin LLP
 2323 Ross Avenue
 Suite 1900
 Dallas, TX 75201
 214-740-1400
 Fax: 214-740-1499
 Email: lcollins@bellnunnally.com
 TERMINATED: 02/26/2024
 ATTORNEY TO BE NOTICED

Phillip Kyle Cheves
 Polsinelli PC

2950 N Harwood Street
Suite 2100
Dallas, TX 75201
214-661-5514
Fax: 214-481-1872
Email: kcheves@polsinelli.com
TERMINATED: 02/25/2025

Russell W Mills
Bell Nunnally & Martin
2323 Ross Ave.
Suite 1900
Dallas, TX 75201
214-740-1431
Fax: 214-740-1499
Email: rmills@bellnunnally.com
TERMINATED: 02/26/2024
ATTORNEY TO BE NOTICED

Spencer Dennis Hamilton
Dentons US LLP
100 Crescent Court, Suite 900
Dallas, TX 75201
214-259-0900
Email: spencer.hamilton@dentons.com
TERMINATED: 02/25/2025
ATTORNEY TO BE NOTICED

Interested Party.**Serena Badgley**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

Interested Party**Pioneer Finance Inc**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

Interested Party.**The Dixon Water Foundation**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

Interested Party.**Truist Bank**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

Interested Party.**Louisiana National Bank**

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

represented by **Ryan Eric Chapple**

Cain & Skarnulis PLLC
303 Colorado Street
Suite 2850
Austin, TX 78701
512-477-5000
Fax: 512-477-5011
Email: rchapple@cstrial.com
TERMINATED: 09/28/2023
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

represented by **John B Scott**

Scott & Scott, PLLC
316 W. 12th St.
Suite 200
Austin, TX 78701
817/691-5817
Email: john.scott@scottpllc.net
TERMINATED: 06/27/2024
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lindsay Lombard Buchanan

Baker Botts LLP
910 Louisiana
Houston, TX 77002
713-229-1234
Email: lindsay.buchanan@bakerbotts.com
TERMINATED: 06/28/2024

Tina Quy Phi Nguyen

Baker Botts
One Shell Plaza
910 Louisiana
Houston, TX 77002
713/229-1304
Fax: 713/229-7904
Email: tina.nguyen@bakerbotts.com
TERMINATED: 06/28/2024

represented by **Deborah M Perry**

Munsch Hardt Kopf & Harr, PC
500 N. Akard Street
Suite 4000
Dallas, TX 75201
214-855-7565
Email: dperry@munsch.com
TERMINATED: 01/12/2024
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

represented by **Gordon Welborne Green**

Troutman Pepper Locke LLP
2200 Ross Ave.
Suite 2800
Dallas, TX 75201
214-740-8027
Email: gordon.green@troutman.com
TERMINATED: 03/12/2024
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

represented by **Martin Allen Sosland**

Vartabedian Katz Hester & Haynes LLP
2200 Ross Avenue
Suite 4200w
Dallas, TX 75201
817-214-4990
Email: martin.sosland@vkh.com

TERMINATED: 07/09/2024
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Interested Party

City of Frisco, Texas

Party and attorney are active (attorney has been terminated to restrict access to sealed filings)

represented by **Douglas Steve Bird**

Linebarger Goggan Blair & Sampson
PO Box 17428
Austin, TX 78760
512-447-6675
Fax: 512-693-0728
Email: lydia.verosky@lgbs.com
TERMINATED: 02/17/2025
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ethan J Ranis

Linebarger Goggan Blair & Sampson LLP
PO Box 17428
Austin, TX 78760
512-447-6675
Email: lydia.verosky@lgbs.com
TERMINATED: 02/17/2025
ATTORNEY TO BE NOTICED

V.

Receiver

Receiver

represented by **Cort Thomas**

Brown Fox PLLC
8111 Preston Road, Suite 300
Dallas, TX 75225
214-367-6094
Fax: 214-327-5001
Email: cort@brownfoxlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

C Alan Carrillo

Brown Fox PLLC
8111 Preston Road, Suite 300
Dallas, TX 75225
214-327-5000
Fax: 214-327-5001
Email: Alan@brownfoxlaw.com
ATTORNEY TO BE NOTICED

Charlene Cantrell Koonce

Brown Fox PLLC
8111 Preston Road, Suite 300
Dallas, TX 75225
214-327-5000
Fax: 214-327-5001
Email: charlene@brownfoxlaw.com
ATTORNEY TO BE NOTICED

James Frederick Hopper, Jr

Brown Fox PLLC
8111 Preston Road
Suite 300
Dallas, TX 75225
214-327-5000
Fax: 214-327-5001
Email: jimmy@brownfoxlaw.com
ATTORNEY TO BE NOTICED

Tim Wells

Brown Fox PLLC
8111 Preston Rd
Suite 300
Dallas, TX 75225
214-327-5000
Fax: 214-327-5001
Email: tim@brownfoxlaw.com
TERMINATED: 08/04/2025

V.

Mediator

ADR Provider

represented by **Harlin D Hale**

US Bankruptcy Court
1100 Commerce St
12th Floor
Dallas, TX 75242
214-753-2000
Email: hdh_districtdocs@txnb.uscourts.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Intervenor

United States of America

represented by **Renee M Hunter-DOJ**

United States Attorney's Office
Northern District of Texas
1100 Commerce Street
Suite 300
Dallas, TX 75242
214-659-8798
Email: renee.hunter@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/23/2022	1	COMPLAINT WITH JURY DEMAND against Timothy Barton, Carnegie Development, LLC, DJD Land Partners, LLC, Haoqiang Fu (A/K/A Michael Fu), LDG001, LLC, Stephen T Wall, Wall007, LLC, Wall009, LLC, Wall010, LLC, Wall011, LLC, Wall012, LLC, Wall016, LLC, Wall017, LLC, Wall018, LLC, Wall019, LLC filed by Securities and Exchange Commission. (Filer fee note- Filed by the USA) Plaintiff will submit summons(es) for issuance. In each Notice of Electronic Filing, the judge assignment is indicated, and a link to the Judges Copy Requirements and Judge Specific Requirements is provided. The court reminds the filer that any required copy of this and future documents must be delivered to the judge, in the manner prescribed, within three business days of filing. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: Attorney Information - Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Attachments: # 1 Cover Sheet) (Bernstein, Keefe) (Entered: 09/23/2022)
09/23/2022	2	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Securities and Exchange Commission. (Clerk QC note: No affiliate entered in ECF). (Bernstein, Keefe) (Entered: 09/23/2022)
09/23/2022	3	Request for Clerk to issue Summons filed by Securities and Exchange Commission. (Bernstein, Keefe) (Entered: 09/23/2022)
09/23/2022	4	New Case Note: A filing fee is not due for this case. Pursuant to Misc. Order 6, Plaintiff is provided the Notice of Right to Consent to Proceed Before A U.S. Magistrate Judge (Judge Toliver). Clerk to provide copy to plaintiff if not received electronically. (mlb) (Entered: 09/23/2022)
09/23/2022	5	Summons Issued as to Timothy Barton, Carnegie Development LLC, DJD Land Partners LLC, Haoqiang Fu, LDG001 LLC, Stephen T Wall, Wall007 LLC, Wall009 LLC, Wall010 LLC, Wall011 LLC, Wall012 LLC, Wall016 LLC, Wall017 LLC, Wall018 LLC, Wall019 LLC. (mlb) (Entered: 09/23/2022)
09/26/2022	6	Expedited MOTION for Appointment of Receiver filed by Securities and Exchange Commission with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Bernstein, Keefe) Modified text on 9/27/2022 (ygl). (Entered: 09/26/2022)
09/26/2022	7	Appendix in Support filed by Securities and Exchange Commission re 6 MOTION Plaintiff's Expedited Motion for Appointment of Receiver and Brief In Support (Attachments: # 1 Additional Page(s) Part 1 of 5) (Bernstein, Keefe) (Entered: 09/26/2022)
09/26/2022	8	ADDITIONAL ATTACHMENTS to 7 Appendix in Support by Plaintiff Securities and Exchange Commission. (Bernstein, Keefe) (Entered: 09/26/2022)
09/26/2022	9	ADDITIONAL ATTACHMENTS to 7 Appendix in Support by Plaintiff Securities and Exchange Commission. (Attachments: # 1 Additional Page(s) Appendix Part 4 of 5, # 2 Additional Page(s) Appendix Part 5 of 5) (Bernstein, Keefe) (Entered: 09/26/2022)
09/28/2022	10	SUMMONS Returned Executed as to Timothy Barton ; served on 9/26/2022; Carnegie Development LLC ; served on 9/26/2022; DJD Land Partners LLC ; served on 9/26/2022; LDG001 LLC ; served on 9/26/2022; Stephen T Wall ; served on 9/26/2022; Wall007 LLC ; served on 9/26/2022; Wall009 LLC ; served on 9/26/2022; Wall010 LLC ; served on 9/26/2022; Wall011 LLC ; served on 9/26/2022; Wall012 LLC ; served on 9/26/2022; Wall016 LLC ; served on 9/26/2022; Wall017 LLC ; served on 9/26/2022; Wall018 LLC ; served on 9/26/2022; Wall019 LLC ; served on 9/26/2022. (Bernstein, Keefe) (Entered: 09/28/2022)
09/28/2022	11	WAIVER OF SERVICE Returned Executed as to Haoqiang Fu. Waiver sent on 9/26/2022. (Bernstein, Keefe) (Entered: 09/28/2022)
09/28/2022	12	NOTICE of Service of Plaintiff Securities and Exchange Commission's Expedited Motion for Appointment of Receiver re: 11 Waiver of Service Executed, 10 Summons Returned,, filed by Securities and Exchange Commission (Bernstein, Keefe) (Entered: 09/28/2022)
10/05/2022	13	NOTICE of Attorney Appearance by Richard B Roper, III on behalf of Timothy Barton. (Filer confirms contact info in ECF is current.) (Roper, Richard) (Entered: 10/05/2022)
10/05/2022	14	NOTICE of Attorney Appearance by Richard B Roper, III on behalf of Timothy Barton. (Filer confirms contact info in ECF is current.) (Roper, Richard) (Entered: 10/05/2022)
10/05/2022	15	NOTICE of Attorney Appearance by Richard B Roper, III for Javan Porter on behalf of Timothy Barton. (Roper, Richard) (Entered: 10/05/2022)
10/05/2022	16	NOTICE of Attorney Appearance by Michael P Heiskell on behalf of Stephen T Wall. (Filer confirms contact info in ECF is current.) (Heiskell, Michael) (Entered: 10/05/2022)
10/12/2022	17	NOTICE of Attorney Appearance by Edwin Andrew Huffman for Edwin "Ted" A. Huffman, Michael J. Edney, Sean B. O'Connell, and Michael Dingman on behalf of Timothy Barton. (Huffman, Edwin) (Entered: 10/12/2022)
10/14/2022	18	Agreed Motion for Extension of Time to File Answer filed by Timothy Barton (Attachments: # 1 Agreed Proposed Order) (Huffman, Edwin) (Entered: 10/14/2022)
10/14/2022	19	MOTION for Extension of Time to File Response/Reply to 6 MOTION Plaintiff's Expedited Motion for Appointment of Receiver and Brief In Support filed by Timothy Barton (Attachments: # 1 Proposed Order) (Huffman, Edwin) (Entered: 10/14/2022)
10/15/2022	20	ELECTRONIC ORDER: The Court DENIES 19 Motion to Extend Time to File Response. The Response is due October 17, 2022. (Ordered by Judge Brantley Starr on 10/15/2022) (chmb) (Entered: 10/15/2022)
10/17/2022	21	ELECTRONIC ORDER granting 18 Motion for Extension of Time to File Answer. The answer is due 11/16/2022. (Ordered by Judge Brantley Starr on 10/17/2022) (chmb) (Entered: 10/17/2022)
10/17/2022	22	Agreed Motion for Extension of Time to File Answer filed by Stephen T Wall (Attachments: # 1 Proposed Order) (Heiskell, Michael) (Entered: 10/17/2022)
10/17/2022	23	Agreed Motion for Extension of Time to File Answer for the Relief Defendants filed by Timothy Barton (Attachments: # 1 Agreed Proposed Order) (Huffman, Edwin) (Entered: 10/17/2022)
10/17/2022	24	RESPONSE filed by Timothy Barton re: 6 MOTION Plaintiff's Expedited Motion for Appointment of Receiver and Brief In Support (Huffman, Edwin) (Entered: 10/18/2022)
10/18/2022	25	Appendix in Support filed by Timothy Barton re 24 Response/Objection (Huffman, Edwin) (Entered: 10/18/2022)
10/18/2022	26	ELECTRONIC ORDER granting 22 Motion for Extension of Time to File Answer. The answer is due 11/16/2022. (Ordered by Judge Brantley Starr on 10/18/2022) (chmb) (Entered: 10/18/2022)
10/18/2022	27	ELECTRONIC ORDER granting 23 Motion for Extension of Time to File Answer. The answer is due 11/16/2022. (Ordered by Judge Brantley Starr on 10/18/2022) (chmb) (Entered: 10/18/2022)
10/18/2022	28	Application for Admission Pro Hac Vice with Certificate of Good Standing for Attorney Michael Dingman (Filing fee \$100; Receipt number ATXNDC-13232815) filed by Timothy Barton (Attachments: # 1 Certificate of Good Standing) (Huffman, Edwin) (Entered: 10/18/2022)
10/18/2022	29	Order GRANTING 6 Motion for Appointment of Receiver. (Ordered by Judge Brantley Starr on 10/18/2022) (chmb) (Entered: 10/18/2022)
10/18/2022	30	NOTICE of Attorney Appearance by Charlene Cantrell Koonce on behalf of Receiver. (Filer confirms contact info in ECF is current.) (Koonce, Charlene) (Entered: 10/18/2022)
10/19/2022	31	ELECTRONIC ORDER granting 28 Application for Admission Pro Hac Vice of Michael Dingman. Important Reminder: Unless excused for cause, an attorney who is not an ECF user must register within 14 days of the date the attorney appears in a case pursuant to LR 5.1(f) and LCR 49.2(g). (Ordered by Judge Brantley Starr on 10/19/2022) (chmb) (Entered: 10/19/2022)
10/20/2022	32	Emergency MOTION to Amend/Correct 29 Order on Motion for Miscellaneous Relief filed by Timothy Barton (Attachments: # 1 Proposed Order) (Edney, Michael) (Entered: 10/20/2022)
10/20/2022	33	ELECTRONIC ORDER: The Court DENIES Defendant Barton's 32 Motion to Amend the Court's Order Appointing the Receiver. (Ordered by Judge Brantley Starr on 10/20/2022) (chmb) (Entered: 10/20/2022)
10/25/2022	34	SUMMONS Returned Executed as to DJD Land Partners LLC ; served on 10/6/2022; LDG001 LLC ; served on 10/6/2022; Wall007 LLC ; served on 10/6/2022; Wall009 LLC ; served on 10/6/2022; Wall010 LLC ; served on 10/6/2022; Wall011 LLC ; served on 10/6/2022; Wall012 LLC ; served on 10/6/2022; Wall016 LLC ; served on 10/6/2022; Wall017 LLC ; served on 10/6/2022; Wall018 LLC ; served on 10/6/2022; Wall019 LLC ; served on 10/6/2022. (Bernstein, Keefe) (Entered: 10/25/2022)
10/25/2022	35	SUMMONS Returned Executed as to Carnegie Development LLC ; served on 10/20/2022. (Bernstein, Keefe) (Entered: 10/25/2022)
10/25/2022	36	SUMMONS Returned Executed as to Haoqiang Fu. Served on 10/17/2022. (Bernstein, Keefe) Modified docket on 10/26/2022 (oyh). (Entered: 10/25/2022)
10/26/2022	37	MOTION Receiver's Unopposed Motion for Approval of Engagement Agreements filed by Receiver (Attachments: # 1 Appendix, # 2 Proposed Order) (Thomas, Cort) (Entered: 10/26/2022)
10/27/2022	38	ORDER: The Court GRANTS the Receiver's 37 Motion for Approval of Engagement Agreements. The Receiver's engagements of Brown Fox, PLLC, Ahuja & Clark, PLLC, and Veracity Forensics LLC, and the terms of each, are APPROVED. Fees and expenses incurred by the engaged professionals shall be paid in accordance with the terms of the Order Appointing Receiver. (Ordered by Judge Brantley Starr on 10/27/2022) (chmb) (Entered: 10/27/2022)
10/27/2022	39	NOTICE FILED: Peckar & Abramson (frw) (Entered: 10/27/2022)
10/28/2022	40	ELECTRONIC ORDER: The Court has received, by mail, a request from interested non-party Peckar & Abramson for a hearing on the Securities and Exchange Commission's 6 Motion for Appointment of Receiver. This letter, which the Court filed at Doc. 39 , is dated October 24, 2022. But on October 18, 2022, the Court entered an Order at Doc. 29 granting the SEC's Motion. Construing Peckar & Abramson's letter as a motion for a hearing, the Court thus DENIES AS MOOT the motion, and invites Peckar & Abramson to visit the following website to sign up for the federal courts' Case Management/Electronic Case Files (CM/ECF) system for future reference and filing purposes in federal court: https://www.uscourts.gov/court-records/electronic-filing-cmef (Ordered by Judge Brantley Starr on 10/28/2022) (chmb) (Entered: 10/28/2022)
11/01/2022	41	MOTION to Supplement Order Appointing Receiver filed by Receiver re 29 Order . (Attachments: # 1 Proposed Order) (Koonce, Charlene) (Entered: 11/01/2022)
11/01/2022	42	Appendix in Support filed by Receiver re 41 MOTION to Supplement Order Appointing Receiver. (Koonce, Charlene) (Entered: 11/01/2022)
11/01/2022	43	ELECTRONIC ORDER: The Court ORDERS an expedited response to 41 the Receiver's Motion to Supplement Order Appointing Receiver. Anyone wishing to respond must respond within ten (10) days. (Ordered by Judge Brantley Starr on 11/1/2022) (chmb) (Entered: 11/01/2022)

11/02/2022	44	Unopposed MOTION to Intervene, MOTION to Stay <i>Proceedings</i> filed by United States of America (Attachments: # 1 Proposed Order). Party United States of America added. Attorney Renee M Hunter-DOJ added to party United States of America (pty:intv) (Hunter-DOJ, Renee) (Entered: 11/02/2022)
11/03/2022	45	***VACATED PER 48 ORDER***ORDER: The Court GRANTS 44 the United States of America's Motion to Intervene and Stay Proceedings. This proceeding is STAYED until otherwise ordered by the Court. Nothing in this Order shall prevent the Court-appointed Receiver from performing the duties and exercising the powers set forth in Doc. No. 29 the Court's Order Appointing Receiver. (Ordered by Judge Brantley Starr on 11/3/2022) (chmb) Modified on 11/4/2022 (ykp). (Entered: 11/03/2022)
11/03/2022	46	NOTICE of <i>INTENT TO FILE RESPONSE TO THE GOVERNMENT'S MOTION TO STAY PROCEEDINGS</i> re: 44 Unopposed MOTION to Intervene MOTION to Stay <i>Proceedings</i> filed by Timothy Barton (Edney, Michael) (Entered: 11/03/2022)
11/04/2022	47	MOTION for Order Governing Administration of Receivership Estate, Notice of Disposition of Certain Personal Property, and Brief in Support filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Koonce, Charlene) (Entered: 11/04/2022)
11/04/2022	48	ELECTRONIC ORDER: The Court VACATES its Order at Doc. No. 45 granting the Government's Motion to Intervene and Stay Proceedings. Defendant Barton, who opposes the motion, has ten (10) days from the date of this Order to file a response. The Government will then have five (5) days to reply. Each party's filing should address what communication it had with the other party regarding whether Defendant Barton opposed the Government's 44 Motion to Intervene and Stay Proceedings. (Ordered by Judge Brantley Starr on 11/4/2022) (chmb) (Entered: 11/04/2022)
11/04/2022	49	ELECTRONIC ORDER: The Court ORDERS an expedited response to 47 the Receiver's Motion for Order Governing Administration of Receivership Estate. Any response must be filed within ten (10) days of this Order. (Ordered by Judge Brantley Starr on 11/4/2022) (chmb) (Entered: 11/04/2022)
11/07/2022	50	AFFIDAVIT re 29 Order on Motion for Miscellaneous Relief by Bank of America, N.A.. (Moeller, Evan) (Entered: 11/07/2022)
11/11/2022	51	RESPONSE AND OBJECTION filed by HNGH Turtle Creek re: 47 MOTION for Order Governing Administration of Receivership Estate, Notice of Disposition of Certain Personal Property, and Brief in Support, 41 MOTION to Supplement Order Appointing Receiver (Attachments: # 1 Appendix) (Nealy Cox, Erin) (Entered: 11/11/2022)
11/11/2022	52	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by HNGH Turtle Creek. (Clerk QC note: Affiliate entry indicated). (Nealy Cox, Erin) (Entered: 11/11/2022)
11/14/2022	53	RESPONSE filed by Maximilien Barton, Gillespie Villas LLC, Venus59 LLC, TRTX Properties LLC, MXBA LLC, Titan Investments LLC re: 41 MOTION to Supplement Order Appointing Receiver (Attachments: # 1 Exhibit(s) Appendix, # 2 Proposed Order) (Baum, Nathan) (Entered: 11/14/2022)
11/14/2022	54	RESPONSE filed by Timothy Barton re: 44 Unopposed MOTION to Intervene MOTION to Stay <i>Proceedings</i> (Attachments: # 1 Proposed Order) (Edney, Michael) (Entered: 11/14/2022)
11/14/2022	55	RESPONSE filed by Timothy Barton re: 41 MOTION to Supplement Order Appointing Receiver (Edney, Michael) (Entered: 11/14/2022)
11/14/2022	56	RESPONSE filed by Timothy Barton re: 47 MOTION for Order Governing Administration of Receivership Estate, Notice of Disposition of Certain Personal Property, and Brief in Support (Edney, Michael) (Entered: 11/14/2022)
11/14/2022	57	Appendix in Support filed by Timothy Barton re 56 Response/Objection (Edney, Michael) (Entered: 11/15/2022)
11/15/2022	58	Appendix in Support filed by Timothy Barton re 55 Response/Objection (Edney, Michael) (Entered: 11/15/2022)
11/15/2022	59	Agreed Motion for Second Extension of Time to File Answer filed by Timothy Barton (Attachments: # 1 Proposed Order) (Edney, Michael) Modified text on 11/16/2022 (ygl). (Entered: 11/15/2022)
11/16/2022	60	ELECTRONIC ORDER granting 59 Motion for Extension of Time to File Answer. (Ordered by Judge Brantley Starr on 11/16/2022) (chmb) (Entered: 11/16/2022)
11/16/2022	61	Agreed Motion for Extension of Time to File Answer <i>Second Extension to File Answer Complaint</i> filed by Stephen T Wall (Attachments: # 1 Proposed Order) (Heiskell, Michael) (Entered: 11/16/2022)
11/16/2022	62	ORDER: The Court GRANTS the Receivers 41 Motion to Supplement Order Appointing Receiver as detailed herein. As to non-party HNGHs 51 Response and Objection, the Court withholds judgment regarding the ownership of real property located at 2999 Turtle Creek Boulevard, Dallas, Texas 75219, because that question is not yet properly before the Court. (Ordered by Judge Brantley Starr on 11/16/2022) (chmb) (Entered: 11/16/2022)
11/16/2022	63	ORDER: The Court GRANTS the Receivers 47 Motion for Order Governing Administration of Receivership Estate, Etc. As to non-party HNGHs 51 Response and Objection, the Court withholds judgment regarding the ownership of real property located at 2999 Turtle Creek Boulevard, Dallas, Texas 75219, because that question is not yet properly before the Court. (Ordered by Judge Brantley Starr on 11/16/2022) (chmb) (Entered: 11/16/2022)
11/16/2022	64	ORDER: The Court GRANTS 44 the United States of America's Motion to Intervene and Stay Proceedings. This proceeding is STAYED until otherwise ordered by the Court. Nothing in this Order shall prevent the Court-appointed Receiver from performing the duties and exercising the powers set forth in 29 the Court's Order Appointing Receiver, as supplemented by 62 the Court's Order Supplementing the Order Appointing Receiver. (Ordered by Judge Brantley Starr on 11/16/2022) (chmb) (Main Document 64 replaced on 11/16/2022) (rekc). (Entered: 11/16/2022)
11/16/2022	65	ELECTRONIC ORDER: The Court VACATES AS MOOT 61 , Stephen T. Wall's Motion for Extension of Time to File Answer in light of 64 the Court's Order staying proceedings. (Ordered by Judge Brantley Starr on 11/16/2022) (chmb) (Entered: 11/16/2022)
11/17/2022	66	NOTICE OF INTERLOCUTORY APPEAL as to 63 Order on Motion for Miscellaneous Relief, 33 Order on Motion to Amend/Correct, 62 Order on Motion for Miscellaneous Relief, 29 Order on Motion for Miscellaneous Relief to the Fifth Circuit by Timothy Barton. Filing fee \$505, receipt number ATXNDC-1331453. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions here . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (Edney, Michael) (Entered: 11/17/2022)
11/17/2022	67	STATUS REPORT <i>Receiver's Initial Status Report</i> filed by Receiver. (Thomas, Cort) (Entered: 11/17/2022)
11/21/2022	68	AMENDED DOCUMENT by Bank of America, N.A.. Amendment to 50 Affidavit. . (Moeller, Evan) (Entered: 11/21/2022)
11/21/2022		USCA Case Number 22-11132 in USCA5 for 66 Notice of Appeal filed by Timothy Barton. (svc) (Entered: 11/21/2022)
11/25/2022	69	MOTION to Intervene and to Confirm Ownership of Property Located at 2999 Turtle Creek Boulevard filed by HNGH Turtle Creek (Attachments: # 1 Proposed Order) (Nealy Cox, Erin) (Entered: 11/25/2022)
11/25/2022	70	Appendix in Support filed by HNGH Turtle Creek re 69 MOTION to Intervene and to Confirm Ownership of Property Located at 2999 Turtle Creek Boulevard (Nealy Cox, Erin) (Entered: 11/25/2022)
11/28/2022	71	MOTION to Stay <i>Pending Appeal</i> filed by Timothy Barton (Edney, Michael) (Entered: 11/28/2022)
11/28/2022	72	Appendix in Support filed by Timothy Barton re 71 MOTION to Stay <i>Pending Appeal</i> (Edney, Michael) (Entered: 11/28/2022)
11/30/2022	73	Brief/Memorandum in Support filed by Receiver re 41 MOTION to Supplement Order Appointing Receiver and Further Motion to Supplement (Attachments: # 1 Declaration(s) Part 1, # 2 Declaration(s) Part 2) (Koonce, Charlene) (Entered: 11/30/2022)
11/30/2022	74	Appendix in Support filed by Receiver re 73 Brief/Memorandum in Support of Motion (Attachments: # 1 Exhibit(s) Part 1, # 2 Exhibit(s) Part 2) (Koonce, Charlene) (Entered: 11/30/2022)
12/01/2022		Record on Appeal for USCA5 22-11132 (related to 66 appeal): Record consisting of: 1 ECF electronic record on appeal (eROA) is certified. PLEASE NOTE THE FOLLOWING: Licensed attorneys must have filed an appearance in the USCA5 case and be registered for electronic filing in the USCA5 to access the paginated eROA in the USCA5 ECF system. (Take these steps immediately if you have not already done so. Once you have filed the notice of appearance and/or USCA5 ECF registration, it may take up to 3 business days for the circuit to notify the district clerk that we may grant you access to the eROA in the USCA5 ECF system.) To access the paginated record, log in to the USCA5 ECF system, and under the Utilities menu, select Electronic Record on Appeal. Pro se litigants may request a copy of the record by contacting the appeals deputy in advance to arrange delivery. (mcrd) (Entered: 12/01/2022)
12/01/2022	75	ELECTRONIC ORDER: The Court ORDERS an expedited response to 71 Timothy Barton's Motion to Stay Pending Appeal. A response is due by December 9th, with a reply due by December 12th. The Receiver may respond to this motion within this timeframe as well. (Ordered by Judge Brantley Starr on 12/1/2022) (chmb) (Entered: 12/01/2022)
12/02/2022	76	MOTION Receiver's Motion for Appointment of Appraisers, Approval of Appraisals of Rock Creek Property, and Setting Hearing Regarding Approval of Sale of Rock Creek Property filed by Receiver (Attachments: # 1 Proposed Order) (Koonce, Charlene) (Entered: 12/02/2022)
12/02/2022	77	Appendix in Support filed by Receiver re 76 MOTION Receiver's Motion for Appointment of Appraisers, Approval of Appraisals of Rock Creek Property, and Setting Hearing Regarding Approval of Sale of Rock Creek Property (Koonce, Charlene) (Entered: 12/02/2022)
12/05/2022	78	ELECTRONIC ORDER: The Court ORDERS expedited briefing on the Receiver's 76 Motion for Appointment of Appraisers, Approval of Appraisals, and Setting a Hearing. A response is due by December 12, 2022, with a reply due by December 15, 2022. It is further ordered that on December 19, 2022, at 10:00 AM, the Court will hold a hearing to consider arguments and objections regarding confirmation of the sale described in the Motion. (Ordered by Judge Brantley Starr on 12/5/2022) (chmb) (Entered: 12/05/2022)
12/05/2022	79	NOTICE OF HEARING to consider arguments and objections regarding confirmation of the sale described in the Receiver's 76 Motion. Hearing set for 12/19/2022 10:00 AM in US Courthouse, Courtroom 1525, 1100 Commerce St., Dallas, TX 75242-1310 before Judge Brantley Starr. (chmb) (Entered: 12/05/2022)
12/07/2022	80	NOTICE of Attorney Appearance by Jonathan Patton on behalf of Palisades-TC, LLC. (Filer confirms contact info in ECF is current.) (Patton, Jonathan) (Entered: 12/07/2022)
12/07/2022	81	RESPONSE filed by Timothy Barton re: 73 Brief/Memorandum in Support of Motion (Edney, Michael) (Entered: 12/07/2022)

12/07/2022	82	RESPONSE filed by Maximilien Barton, Gillespie Villas LLC, MXBA LLC, TRTX Properties LLC, Titan Investments LLC, Venus59 LLC re: 73 Brief/Memorandum in Support of Motion (Attachments: # 1 Appendix to Response to Supplemental Motion) (Baum, Nathan) (Entered: 12/07/2022)
12/09/2022	83	RESPONSE filed by Securities and Exchange Commission re: 71 MOTION to Stay <i>Pending Appeal</i> (Attachments: # 1 Proposed Order) (Bernstein, Keefe) (Entered: 12/09/2022)
12/09/2022	84	RESPONSE filed by Receiver re: 71 MOTION to Stay <i>Pending Appeal</i> (Koonce, Charlene) (Entered: 12/09/2022)
12/09/2022	85	Appendix in Support filed by Receiver re 84 Response/Objection (Koonce, Charlene) (Entered: 12/09/2022)
12/12/2022	86	MOTION for Extension of Time to File Response/Reply to 76 MOTION Receiver's Motion for Appointment of Appraisers, Approval of Appraisals of Rock Creek Property, and Setting Hearing Regarding Approval of Sale of Rock Creek Property, 71 MOTION to Stay <i>Pending Appeal</i> filed by Timothy Barton (Attachments: # 1 Proposed Order) (Huffman, Edwin) (Entered: 12/12/2022)
12/12/2022	87	ELECTRONIC ORDER granting 86 Motion to Extend Time to File Response/Reply. Defendant Timothy Barton's response to 76 the Receiver's Motion for Appointment of Appraisers, etc., and his reply the SEC's response to his 71 Motion to Stay are both due tomorrow, December 13, 2022. (Ordered by Judge Brantley Starr on 12/12/2022) (chmb) (Entered: 12/12/2022)
12/13/2022	88	ORDER: The Court GRANTS the Receiver's 73 Motion to Supplement Order Appointing Receiver. (Ordered by Judge Brantley Starr on 12/13/2022) (chmb) (Entered: 12/13/2022)
12/13/2022	89	NOTICE of <i>Intended Sale of Personal Property</i> filed by Receiver (Koonce, Charlene) (Entered: 12/13/2022)
12/13/2022	90	REPLY filed by Timothy Barton re: 71 MOTION to Stay <i>Pending Appeal</i> (Edney, Michael) (Entered: 12/13/2022)
12/13/2022	91	RESPONSE AND OBJECTION filed by Timothy Barton re: 76 MOTION Receiver's Motion for Appointment of Appraisers, Approval of Appraisals of Rock Creek Property, and Setting Hearing Regarding Approval of Sale of Rock Creek Property (Edney, Michael) (Entered: 12/13/2022)
12/13/2022	92	Appendix in Support filed by Timothy Barton re 91 Response/Objection, to <i>Motion for Sale of Rock Creek Property [ECF No. 76], and Cross-Motion for Order Prohibiting Sale of Personal Property Located at Rock Creek Home</i> (Edney, Michael) (Entered: 12/13/2022)
12/15/2022	93	REPLY filed by Receiver re: 76 MOTION Receiver's Motion for Appointment of Appraisers, Approval of Appraisals of Rock Creek Property, and Setting Hearing Regarding Approval of Sale of Rock Creek Property (Koonce, Charlene) (Entered: 12/15/2022)
12/15/2022	94	RESPONSE filed by Receiver re: 69 MOTION to Intervene and to <i>Confirm Ownership of Property Located at 2999 Turtle Creek Boulevard</i> (Koonce, Charlene) (Entered: 12/15/2022)
12/15/2022	95	MOTION to Ratify Agreement with DLP Capital and Other DLP Entities filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Exhibit(s) A - Agreement, # 2 Proposed Order) (Thomas, Cort) (Entered: 12/15/2022)
12/16/2022	96	MOTION Verified and Emergency Motion to Declare Lis Pendens Void filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Exhibit(s) A, # 2 Proposed Order) (Koonce, Charlene) (Entered: 12/16/2022)
12/16/2022	97	RESPONSE filed by Timothy Barton re: 69 MOTION to Intervene and to <i>Confirm Ownership of Property Located at 2999 Turtle Creek Boulevard</i> (Edney, Michael) (Entered: 12/16/2022)
12/16/2022	98	ELECTRONIC ORDER: The Court ORDERS expedited briefing on 95 the Receiver's Motion to Ratify Agreement with DLP Capital and Other DLP Entities. Any response is due by the close of business on Tuesday, December 20, 2022. (Ordered by Judge Brantley Starr on 12/16/2022) (chmb) (Entered: 12/16/2022)
12/16/2022	99	ORDER: The Court GRANTS IN PART 76 the Receiver's Motion for Appointment of Appraisers, Approval of Appraisals of Rock Creek Property, and Setting Hearing Regarding Approval of Sale of Rock Creek Property. (Ordered by Judge Brantley Starr on 12/16/2022) (chmb) (Entered: 12/16/2022)
12/16/2022		Hearing/Deadline Modification: Hearing set per 99 Order. Hearing set for 12/19/2022 10:00 AM before Judge Brantley Starr. (axm) (Entered: 12/19/2022)
12/18/2022	100	NOTICE of <i>Publication Regarding Sale of Rock Creek Property</i> re: 76 MOTION Receiver's Motion for Appointment of Appraisers, Approval of Appraisals of Rock Creek Property, and Setting Hearing Regarding Approval of Sale of Rock Creek Property filed by Receiver (Thomas, Cort) (Entered: 12/18/2022)
12/19/2022	101	Appendix in Support filed by Receiver re 100 Notice (Other), of <i>Publication Regarding Sale of Rock Creek Property</i> (Thomas, Cort) (Entered: 12/19/2022)
12/19/2022	102	RESPONSE AND OBJECTION filed by Timothy Barton re: 96 MOTION Verified and Emergency Motion to Declare Lis Pendens Void (Edney, Michael) (Entered: 12/19/2022)
12/19/2022	103	Minute Entry for proceedings held before Judge Brantley Starr: Hearing on approval of sale held on 12/19/2022. Statements heard from Ms. Koonce, Mr. Edney and Mr. Bernstein. Court to issue order with ruling. Court is adjourn.. Attorney Appearances: Plaintiff - Keefe Bernstein; Defense - Michael Edney, Ted Huffman, Receiver - Charlene Koonce, Cort Thomas (No exhibits)(Court Reporter Kelli Ann Willis). (Frye, Kevin) (Entered: 12/19/2022)
12/20/2022	104	ORDER GRANTING MOTION TO APPROVE SALE: The Court GRANTS the Receiver's motion for sale of the Property [Doc. No. 76] and DENIES Barton's motion to prohibit the sale [Doc. No. 91]. The Court GRANTS the Receiver's motion to declare the lis pendens void and ORDERS Barton to pay, within three days of this Order, \$1,200 to the Receiver for fees incurred in opposing the lis pendens. [Doc. No. 96]. During the hearing, defense counsel made an oral motion to stay the sale of the Property should the Court find that selling it is in the Receiverships best interest. For the reasons stated at the hearing, the Court DENIES that oral motion. (Ordered by Judge Brantley Starr on 12/20/2022) (ndt) (Entered: 12/20/2022)
12/20/2022	105	NOTICE of Attorney Appearance by Eliot Dana Shavin for Corinna Chandler and Daniel Alexander on behalf of David Dhiraj Ramolia. (Shavin, Eliot) (Entered: 12/20/2022)
12/20/2022	106	RESPONSE AND OBJECTION filed by Timothy Barton re: 95 MOTION to Ratify Agreement with DLP Capital and Other DLP Entities (Edney, Michael) (Entered: 12/20/2022)
12/20/2022	107	Appendix in Support filed by Timothy Barton re 106 Response/Objection to the <i>Receivers Verified Motion To Ratify Agreement With DLP Capital and Other DLP Entities</i> (Edney, Michael) (Entered: 12/20/2022)
12/21/2022	108	NOTICE OF INTERLOCUTORY APPEAL as to 104 Order on Motion for Miscellaneous Relief., to the Fifth Circuit by Timothy Barton. Filing fee \$505, receipt number ATXNDC-13393416. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically notified. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions here . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (Edney, Michael) (Entered: 12/21/2022)
12/21/2022	109	ORDER granting Receiver's 95 Motion to Ratify Agreement With DLP Capital and Other DLP Entities (Ordered by Judge Brantley Starr on 12/21/2022) (rekc) Modified date filed on 12/22/2022 (rekc). (Entered: 12/22/2022)
12/22/2022	110	MOTION Receiver's Motion for Appointment of Appraisers, Approval of Appraisals of Frisco Gate Property and Setting Hearing Regarding Approval of Sale of Frisco Gate Property filed by Receiver (Attachments: # 1 Proposed Order) (Thomas, Cort) (Entered: 12/22/2022)
12/22/2022	111	Appendix in Support filed by Receiver re 110 MOTION Receiver's Motion for Appointment of Appraisers, Approval of Appraisals of Frisco Gate Property and Setting Hearing Regarding Approval of Sale of Frisco Gate Property (Thomas, Cort) (Entered: 12/22/2022)
12/23/2022	112	NOTICE OF INTERLOCUTORY APPEAL as to 109 Order on Motion for Miscellaneous Relief to the Fifth Circuit by Timothy Barton. Filing fee \$505, receipt number ATXNDC-13396690. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically notified. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions here . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (Edney, Michael) (Entered: 12/23/2022)
12/23/2022	113	NOTICE of Attorney Appearance by Daniel Rasoul Alexander on behalf of David Dhiraj Ramolia. (Filer confirms contact info in ECF is current.) (Alexander, Daniel) (Entered: 12/23/2022)
12/27/2022	114	MOTION to Stay re 109 Order on Motion for Miscellaneous Relief filed by Timothy Barton with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Edney, Michael) (Entered: 12/27/2022)
12/29/2022	115	ELECTRONIC ORDER: The Court ORDERS expedited briefing on 110 the Receiver's Motion for Appointment of Appraisers, Approval of Appraisals of Frisco Gate Property, and Setting Hearing Regarding Approval of Sale, and 114 Barton's Motion to Stay. As to 110 , the response is due January 9, 2023, with a reply due January 12, 2023. As to 114 , the response is due January 4, 2023, with a reply due January 9, 2023. (Ordered by Judge Brantley Starr on 12/29/2022) (chmb) (Entered: 12/29/2022)
12/29/2022	116	REPLY filed by HNGH Turtle Creek re: 94 Response/Objection (Nealy Cox, Erin) (Entered: 12/29/2022)
12/29/2022	117	REPLY filed by HNGH Turtle Creek re: 69 MOTION to Intervene and to <i>Confirm Ownership of Property Located at 2999 Turtle Creek Boulevard</i> (Nealy Cox, Erin) (Entered: 12/29/2022)
01/04/2023	118	Transcript Order Form: re 108 Notice of Appeal,,,, transcript requested by Timothy Barton for Hearing on approval of sale held 12/19/22 (Court Reporter: Kelli Ann Willis.) Payment method: Private funds - Requester has obtained the estimate from the reporter and has paid or will pay the cost as directed. Reminder: If the transcript is ordered for an appeal, Appellant must also file a copy of the order form with the appeals court. (Edney, Michael) (Entered: 01/04/2023)
01/04/2023	119	RESPONSE filed by Receiver re: 114 MOTION to Stay re 109 Order on Motion for Miscellaneous Relief (Koonce, Charlene) (Entered: 01/04/2023)
01/04/2023	120	Appendix in Support filed by Receiver re 119 Response/Objection (Koonce, Charlene) (Entered: 01/04/2023)
01/06/2023	121	Notice of Filing of Official Electronic Transcript of Sale Approval Proceedings held on 12-19-2022 before Judge Brantley Starr. Court Reporter/Transcriber Kelli Ann Willis, Telephone number 214-753-2654. Parties are notified of their duty to review the transcript. A copy may be purchased from the court reporter or viewed at the clerk's office. If the transcript contains personal identifiers that must be redacted under MO 61, Fed.R.Civ.P. 5.2 or Fed.R.Crim.P. 49.1, or if the transcript contains the name of a minor child victim or a minor child witness that must be redacted under 18 U.S.C. § 3509, file a Redaction Request - Transcript within 21 days. If no action is taken, the entire transcript will be made available through PACER without redaction after 90 calendar

		days. The clerk will mail a copy of this notice to parties not electronically noticed. (72 pages) Redaction Request due 1/27/2023. Redacted Transcript Deadline set for 2/6/2023. Release of Transcript Restriction set for 4/6/2023. (kaw) (Main Document 121 replaced on 1/10/2023) (chmb). Modified on 1/10/2023 (chmb). (Entered: 01/06/2023)
01/06/2023		USCA Case Number 22-11242 for 112 Notice of Appeal filed by Timothy Barton. (svc) (Entered: 01/06/2023)
01/06/2023	122	ORDER of USCA IT IS ORDERED that Appellant's opposed motion to stay the district court's order appointing a Receiver, pending appeal, is DENIED. IT IS FURTHER ORDERED that Appellant's opposed alternative motion to stay several components of that order and others that have become part of it, pending appeal, is DENIED as to 108 Notice of Appeal filed by Timothy Barton, 66 Notice of Appeal filed by Timothy Barton, 112 Notice of Appeal filed by Timothy Barton. (svc) (Entered: 01/09/2023)
01/09/2023	123	NOTICE of <i>Non-Opposition</i> re: 110 MOTION Receiver's Motion for Appointment of Appraisers, Approval of Appraisals of Frisco Gate Property and Setting Hearing Regarding Approval of Sale of Frisco Gate Property filed by Timothy Barton (Edney, Michael) (Entered: 01/09/2023)
01/09/2023	124	REPLY filed by Timothy Barton re: 114 MOTION to Stay re 109 Order on Motion for Miscellaneous Relief (Edney, Michael) (Entered: 01/09/2023)
01/10/2023	125	Corrected REPLY filed by Timothy Barton re: 114 MOTION to Stay re 109 Order on Motion for Miscellaneous Relief (Edney, Michael) Modified text on 1/10/2023 per Attorney Michael Edney(sxf). (Entered: 01/10/2023)
01/10/2023	126	NOTICE of <i>REQUEST FOR NOTICE OF FILINGS</i> filed by Southern Star Capital, LLC (Buchholz, Robert) (Entered: 01/10/2023)
01/11/2023	127	NOTICE of Attorney Appearance by Aaron Thomas Capps on behalf of Circle H Contractors, LP. (Filer confirms contact info in ECF is current.) (Capps, Aaron) (Entered: 01/11/2023)
01/12/2023	128	ORDER: The Court GRANTS IN PART the Receiver's 110 Motion for Appointment of Appraisers, Approval of Appraisals of Frisco Gate Property, and Setting Hearing Regarding Approval of Sale. (Ordered by Judge Brantley Starr on 1/12/2023) (chmb) (Entered: 01/12/2023)
01/12/2023	129	ELECTRONIC Notice of Hearing on Motion 110 set for 1/30/2023 02:00 PM in US Courthouse, Courtroom 1525, 1100 Commerce St., Dallas, TX 75242-1310 before Judge Brantley Starr. (chmb) (Entered: 01/12/2023)
01/12/2023	130	NOTICE OF INTERLOCUTORY APPEAL as to 88 Order to the Fifth Circuit by Maximilien Barton, Gillespie Villas LLC, TRTX Properties LLC, Titan Investments LLC, Venus59 LLC. Filing fee \$505, receipt number ATXNDC-13437910. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions here . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (Baum, Nathan) (Entered: 01/12/2023)
01/17/2023	131	AMENDED NOTICE OF HEARING: The Court RESCHEDULES the Hearing on Motion 110 set by the Court's order 128 . The Hearing is set for 1/31/2023 at 02:00 PM in US Courthouse, Courtroom 1525, 1100 Commerce St., Dallas, TX 75242-1310 before Judge Brantley Starr. (chmb) (Entered: 01/17/2023)
01/17/2023		Record on Appeal for USCA5 22-11226 (related to 108 appeal): Record consisting of: 1 ECF electronic record on appeal (eROA) is certified, 1 Volume(s) electronic transcript,. PLEASE NOTE THE FOLLOWING: Licensed attorneys must have filed an appearance in the USCA5 case and be registered for electronic filing in the USCA5 to access the paginated eROA in the USCA5 ECF system. (Take these steps immediately if you have not already done so. Once you have filed the notice of appearance and/or USCA5 ECF registration, it may take up to 3 business days for the circuit to notify the district clerk that we may grant you access to the eROA in the USCA5 ECF system.) To access the paginated record, log in to the USCA5 ECF system, and under the Utilities menu, select Electronic Record on Appeal. Pro se litigants may request a copy of the record by contacting the appeals deputy , in advance to arrange delivery. (mcrd) (Entered: 01/17/2023)
01/17/2023	132	ORDER denying 71 Motion to Stay. (Ordered by Judge Brantley Starr on 1/17/2023) (chmb) (Entered: 01/17/2023)
01/19/2023	133	MOTION to Compel Documents and Information, Request for Sanctions, or Alternatively, Motion for Show Cause Hearing, and Brief in Support filed by Receiver with Brief/Memorandum in Support. (Koonce, Charlene) (Entered: 01/19/2023)
01/19/2023	134	Appendix in Support filed by Receiver re 133 MOTION to Compel Documents and Information, Request for Sanctions, or Alternatively, Motion for Show Cause Hearing, and Brief in Support (Koonce, Charlene) (Entered: 01/19/2023)
01/26/2023	135	Transcript Order Form: re 130 Notice of Appeal,,, transcript not requested Reminder: If the transcript is ordered for an appeal, Appellant must also file a copy of the order form with the appeals court.. (Baum, Nathan) (Entered: 01/26/2023)
01/30/2023		Record on Appeal for USCA5 23-10046 (related to 130 appeal): Record consisting of: 10 ECF electronic record on appeal (eROA) is certified, 1 Volume(s) electronic transcript,. PLEASE NOTE THE FOLLOWING: Licensed attorneys must have filed an appearance in the USCA5 case and be registered for electronic filing in the USCA5 to access the paginated eROA in the USCA5 ECF system. (Take these steps immediately if you have not already done so. Once you have filed the notice of appearance and/or USCA5 ECF registration, it may take up to 3 business days for the circuit to notify the district clerk that we may grant you access to the eROA in the USCA5 ECF system.) To access the paginated record, log in to the USCA5 ECF system, and under the Utilities menu, select Electronic Record on Appeal. Pro se litigants may request a copy of the record by contacting the appeals deputy , in advance to arrange delivery. (svc) (Entered: 01/30/2023)
01/30/2023	136	AMENDED NOTICE OF HEARING: Due to the risk of inclement weather tomorrow, the Motion Hearing set for 1/31/2023 at 02:00 PM will take place over telephone instead of in person. The Court will send call-in information to the parties before the hearing. (chmb) (Entered: 01/30/2023)
01/30/2023	137	NOTICE of Publication Regarding Sale of Frisco Property and Notice of Addendum to Purchase and Sale Contract re: 110 MOTION Receiver's Motion for Appointment of Appraisers, Approval of Appraisals of Frisco Gate Property and Setting Hearing Regarding Approval of Sale of Frisco Gate Property, 131 Notice of Hearing, filed by Receiver (Thomas, Cort) (Entered: 01/30/2023)
01/30/2023	138	Appendix in Support filed by Receiver re 137 Notice (Other), of Publication Regarding Sale of Frisco Gate Property and Notice of Addendum to Purchase and Sale Contract (Thomas, Cort) (Entered: 01/30/2023)
01/30/2023	139	STATUS REPORT <i>Second Status Report of Receiver (4Q22)</i> filed by Receiver. (Attachments: # 1 Exhibit(s) A - SFAR) (Thomas, Cort) (Entered: 01/30/2023)
01/31/2023	140	ELECTRONIC Minute Entry for proceedings held before Judge Brantley Starr: Telephone Hearing held on 1/31/2023, re: Approval of Sale of Frisco Gate Property. Court to enter order approving sale. Court to enter order approval sale. Attorney Appearances: Plaintiff - Keeffe Bernstein; Defense - Richard Roper, Jonathan Patton, Daniel Alexander, Robert Buchholz; Receivers - Charlene Koonce, Cort Thomas (Court Reporter: Kelli Ann Willis) (No exhibits) Time in Court - :10. (chmb) (Entered: 01/31/2023)
01/31/2023	141	AFFIDAVIT re 62 Order on Motion for Miscellaneous Relief, 29 Order on Motion for Miscellaneous Relief, 88 Order <i>Second Amended Certified Statement</i> by Bank of America, N.A.. (Moeller, Evan) (Entered: 01/31/2023)
01/31/2023	142	ORDER: For the reasons stated at today's hearing, the Court GRANTS 110 the Receiver's motion to approve the sale of property. (Ordered by Judge Brantley Starr on 1/31/2023) (chmb) (Entered: 01/31/2023)
02/01/2023	143	MOTION to Ratify Agreement with Lumar Land & Cattle and Brief in Support filed by Receiver with Brief/Memorandum in Support. (Koonce, Charlene) (Entered: 02/01/2023)
02/01/2023	144	Appendix in Support filed by Receiver re 143 MOTION to Ratify Agreement with Lumar Land & Cattle and Brief in Support (Koonce, Charlene) (Entered: 02/01/2023)
02/02/2023	145	Notice of Filing of Official Electronic Transcript of Sale Approval Proceedings held on 01-31-23 before Judge Brantley Starr. Court Reporter/Transcriber Kelli Ann Willis, Telephone number 214-753-2654. Parties are notified of their duty to review the transcript. A copy may be purchased from the court reporter or viewed at the clerk's office. If the transcript contains personal identifiers that must be redacted under MO 61, Fed.R.Civ.P. 5.2 or Fed.R.Crim.P. 49.1, or if the transcript contains the name of a minor child victim or a minor child witness that must be redacted under 18 U.S.C. § 3509, file a Redaction Request - Transcript within 21 days. If no action is taken, the entire transcript will be made available through PACER without redaction after 90 calendar days. The clerk will mail a copy of this notice to parties not electronically noticed. (17 pages) Redaction Request due 2/23/2023. Redacted Transcript Deadline set for 3/6/2023. Release of Transcript Restriction set for 5/3/2023. (kaw) (Entered: 02/02/2023)
02/02/2023	146	ELECTRONIC ORDER: The Court ORDERS expedited briefing on the Receiver's 143 Motion to Ratify Agreement, with a response due February 10, 2023, and a reply due February 15, 2023. (Ordered by Judge Brantley Starr on 2/2/2023) (chmb) (Entered: 02/02/2023)
02/02/2023	147	Unopposed MOTION to Withdraw 13 Notice of Attorney Appearance filed by Timothy Barton with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Roper, Richard) (Entered: 02/02/2023)
02/03/2023	148	ELECTRONIC ORDER granting 147 Motion to Withdraw as Counsel for attorneys Richard B. Roper and Javan Porter. (Ordered by Judge Brantley Starr on 2/3/2023) (chmb) (Entered: 02/03/2023)
02/06/2023	149	MOTION for Extension of Time to File Response/Reply to 133 MOTION to Compel Documents and Information, Request for Sanctions, or Alternatively, Motion for Show Cause Hearing, and Brief in Support filed by Timothy Barton (Attachments: # 1 Proposed Order) (Huffman, Edwin) (Entered: 02/06/2023)
02/07/2023	150	ELECTRONIC ORDER granting 149 Motion to Extend Time to File Response. The new deadline for Defendant's response is February 16, 2023. (Ordered by Judge Brantley Starr on 2/7/2023) (chmb) (Entered: 02/07/2023)
02/09/2023	151	Supplemental Document by HNGH Turtle Creek as to 69 MOTION to Intervene and to Confirm Ownership of Property Located at 2999 Turtle Creek Boulevard . (Nealy Cox, Erin) (Entered: 02/09/2023)
02/09/2023	152	Supplemental Document by HNGH Turtle Creek as to 70 Appendix in Support of Motion to Intervene and to Confirm Ownership of Property Located at 2999 Turtle Creek Boulevard. (Nealy Cox, Erin) (Entered: 02/09/2023)
02/10/2023	153	NOTICE of Attorney Appearance by Ian Edward Fullington on behalf of MFO Venus Development, LLC. (Filer confirms contact info in ECF is current.) (Fullington, Ian) (Entered: 02/10/2023)

02/10/2023	154	ELECTRONIC ORDER granting in part and denying in part 69 Motion to Intervene and to Confirm Ownership of Property. The Court GRANTS permission to intervene and DENIES the request to confirm ownership of the property at issue. The Court ORDERS the parties to mediate their dispute, and APPOINTS Judge Harlin Hale as mediator. (Ordered by Judge Brantley Starr on 2/10/2023) (chmb) (Entered: 02/10/2023)
02/10/2023	155	Response in Opposition filed by Timothy Barton re 143 MOTION to Ratify Agreement with Lumar Land & Cattle and Brief in Support (<i>Response Brief</i>) (Attachments: # 1 Exhibit(s) A) (Edney, Michael) Modified docket text on 2/13/2023 (ykp). (Entered: 02/10/2023)
02/14/2023	156	MOTION First Quarterly Fee Application (4Q22) filed by Receiver (Attachments: # 1 Proposed Order) (Thomas, Cort) (Entered: 02/14/2023)
02/14/2023	157	Appendix in Support filed by Receiver re 156 MOTION First Quarterly Fee Application (4Q22) (Thomas, Cort) (Entered: 02/14/2023)
02/15/2023	158	NOTICE of <i>INTENT TO FILE OPPOSITION TO THE RECEIVERS FIRST QUARTERLY FEE APPLICATION</i> re: 156 MOTION First Quarterly Fee Application (4Q22) filed by Timothy Barton (Edney, Michael) (Entered: 02/15/2023)
02/15/2023	159	REPLY filed by Receiver re: 143 MOTION to Ratify Agreement with Lumar Land & Cattle and Brief in Support (Koonce, Charlene) (Entered: 02/15/2023)
02/16/2023	160	RESPONSE filed by Timothy Barton re: 133 MOTION to Compel Documents and Information, Request for Sanctions, or Alternatively, Motion for Show Cause Hearing, and Brief in Support (Attachments: # 1 Declaration(s)) (Edney, Michael) (Entered: 02/16/2023)
02/22/2023	161	MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Parc at Windmill Farms filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Koonce, Charlene) (Entered: 02/22/2023)
02/22/2023	162	Appendix in Support filed by Receiver re 161 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Parc at Windmill Farms (Attachments: # 1 Exhibit(s)) (Koonce, Charlene) (Entered: 02/22/2023)
02/22/2023	163	ORDER granting 143 Motion to Ratify. (Ordered by Judge Brantley Starr on 2/22/2023) (chmb) (Entered: 02/22/2023)
02/22/2023	164	MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Bellwether Ridge filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Koonce, Charlene) (Entered: 02/22/2023)
02/22/2023	165	Appendix in Support filed by Receiver re 164 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Bellwether Ridge (Attachments: # 1 Exhibit(s)) (Koonce, Charlene) (Entered: 02/22/2023)
03/01/2023	166	REPLY filed by Receiver re: 133 MOTION to Compel Documents and Information, Request for Sanctions, or Alternatively, Motion for Show Cause Hearing, and Brief in Support (Attachments: # 1 Exhibit(s) A) (Koonce, Charlene) (Entered: 03/01/2023)
03/02/2023	167	MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing and Approval of Sale of Amerigold Suites filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Koonce, Charlene) (Entered: 03/02/2023)
03/02/2023	168	Appendix in Support filed by Receiver re 167 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing and Approval of Sale of Amerigold Suites (Koonce, Charlene) (Entered: 03/02/2023)
03/02/2023	169	ELECTRONIC ORDER: The Court ORDERS expedited briefing on the Receiver's motions for appointment of appraisers, approval of appraisals, approval hearing, and approval of sale of 161 Parc at Windmill Farms, 164 Bellwether Ridge, and 167 Amerigold Suites. All responses to these three motions are due by March 10, 2023, with reply briefing due by March 17, 2023. It is further ORDERED that on March 20, 2023, from 2:00 PM to 3:30 PM, the Court will hold a hearing to consider arguments and objections regarding confirmation of the sales described in each motion, dedicating 30 minutes to each of the three sales. (Ordered by Judge Brantley Starr on 3/2/2023) (chmb) (Entered: 03/02/2023)
03/02/2023	170	ELECTRONIC Notice of Hearing Motion Hearing set for 3/20/2023 02:00 PM to 3:30 PM in US Courthouse, Courtroom 1525, 1100 Commerce St., Dallas, TX 75242-1310 before Judge Brantley Starr. The hearing will allocate 30 minutes for each of the Receiver's motions for appointment of appraisers, approval of appraisals, approval hearing, and approval of sale of 161 Parc at Windmill Farms, 164 Bellwether Ridge, and 167 Amerigold Suites, taking the motions in the order they were filed. (chmb) (Entered: 03/02/2023)
03/02/2023	171	ELECTRONIC ORDER: The Court ORDERS the Receiver to serve Southern Properties with a copy of 169 & 170 the Court's orders setting motion hearings. (Ordered by Judge Brantley Starr on 3/2/2023) (chmb) (Entered: 03/02/2023)
03/02/2023		Record on Appeal for USCA5 22-11242 (related to 112 appeal): Record consisting of: 13 ECF electronic record on appeal (eROA) is certified, 2 Volume(s) electronic transcript.. PLEASE NOTE THE FOLLOWING: Licensed attorneys must have filed an appearance in the USCA5 case and be registered for electronic filing in the USCA5 to access the paginated eROA in the USCA5 ECF system. (Take these steps immediately if you have not already done so. Once you have filed the notice of appearance and/or USCA5 ECF registration, it may take up to 3 business days for the circuit to notify the district clerk that we may grant you access to the eROA in the USCA5 ECF system.) To access the paginated record, log in to the USCA5 ECF system, and under the Utilities menu, select Electronic Record on Appeal. Pro se litigants may request a copy of the record by contacting the appeals deputy in advance to arrange delivery. (svc) (Entered: 03/02/2023)
03/02/2023		USCA Case Number 23-10046 in USCA5 for 130 Notice of Appeal filed by Gillespie Villas LLC, Titan Investments LLC, TRTX Properties LLC, Venus59 LLC, Maximilien Barton. (svc) (Entered: 03/02/2023)
03/02/2023	172	NOTICE of <i>INTENT TO MOVE FOR LEAVE TO FILE SUR-REPLY TO THE RECEIVERS MOTION FOR CONTEMPT AS TO NEW EVIDENCE, ARGUMENTS, AND EXPANDED RELIEF SOUGHT IN THE RECEIVERS REPLY BRIEF</i> re: 166 Reply, 133 MOTION to Compel Documents and Information, Request for Sanctions, or Alternatively, Motion for Show Cause Hearing, and Brief in Support filed by Timothy Barton (Edney, Michael) (Entered: 03/02/2023)
03/06/2023	173	NOTICE of Attorney Appearance by Brian Keith Norman for C. Gregory Shamoun on behalf of Southern Properties Capital, Ltd.. (Norman, Brian) (Entered: 03/06/2023)
03/06/2023	174	First MOTION to Continue <i>Filing and Hearing Dates</i> filed by Southern Properties Capital, Ltd. with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Norman, Brian) (Entered: 03/06/2023)
03/07/2023	175	ELECTRONIC ORDER denying 174 Motion to Continue. (Ordered by Judge Brantley Starr on 3/7/2023) (chmb) (Entered: 03/07/2023)
03/07/2023	176	RESPONSE filed by Timothy Barton re: 156 MOTION First Quarterly Fee Application (4Q22) (Huffman, Edwin) (Entered: 03/07/2023)
03/10/2023	177	MOTION to Intervene filed by Southern Properties Capital, Ltd. (Attachments: # 1 Proposed Order) (Norman, Brian) (Entered: 03/10/2023)
03/10/2023	178	RESPONSE filed by Southern Properties Capital, Ltd. re: 161 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Parc at Windmill Farms, 164 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Bellwether Ridge (Norman, Brian) (Entered: 03/10/2023)
03/10/2023	179	Appendix in Support filed by Southern Properties Capital, Ltd. re 178 Response/Objection, <i>Volume 1</i> (Norman, Brian) (Entered: 03/10/2023)
03/10/2023	180	Appendix in Support filed by Southern Properties Capital, Ltd. re 178 Response/Objection, <i>Volume 2</i> (Norman, Brian) (Entered: 03/10/2023)
03/10/2023	181	Appendix in Support filed by Southern Properties Capital, Ltd. re 178 Response/Objection, <i>Volume 3</i> (Norman, Brian) (Entered: 03/10/2023)
03/10/2023	182	Appendix in Support filed by Southern Properties Capital, Ltd. re 178 Response/Objection, <i>Volume 4</i> (Norman, Brian) (Entered: 03/10/2023)
03/10/2023	183	Appendix in Support filed by Southern Properties Capital, Ltd. re 178 Response/Objection, <i>Volume 5</i> (Norman, Brian) (Entered: 03/10/2023)
03/10/2023	184	INTERVENOR COMPLAINT against Receiver filed by Southern Properties Capital, Ltd.. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: Attorney Information - Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Norman, Brian) (Entered: 03/10/2023)
03/10/2023	185	RESPONSE filed by Timothy Barton re: 167 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing and Approval of Sale of Amerigold Suites, 161 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Parc at Windmill Farms, 164 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Bellwether Ridge (Edney, Michael) (Entered: 03/10/2023)
03/11/2023	186	Appendix in Support filed by Timothy Barton re 185 Response/Objection, <i>Appendix ISO Response to Receiver Property Sale Motions</i> (Edney, Michael) (Entered: 03/11/2023)
03/11/2023	187	ADDITIONAL ATTACHMENTS to 186 Appendix in Support by Defendant Timothy Barton. (Edney, Michael) (Entered: 03/11/2023)
03/15/2023	188	MOTION to Continue <i>Hearing Regarding Approval of Sales of Parc at Windmill Farms and Bellwether Ridge, and Motion to Stay Southern Properties' Motion to Intervene</i> filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Koonce, Charlene) (Entered: 03/15/2023)
03/15/2023	189	RESPONSE filed by Southern Properties Capital, Ltd. re: 188 MOTION to Continue <i>Hearing Regarding Approval of Sales of Parc at Windmill Farms and Bellwether Ridge, and Motion to Stay Southern Properties' Motion to Intervene</i> (Norman, Brian) (Entered: 03/15/2023)
03/16/2023	190	ELECTRONIC ORDER granting 188 Motion to Continue. The Court CANCELS the hearings scheduled at Doc. No. 169 on the Receiver's motions for appointment of appraisers, approval of appraisals, approval hearing, and approval of sale of 161 Parc at Windmill Farms and 164 Bellwether Ridge. This Order does not affect the hearing scheduled at Doc. No. 169 on the Receiver's motion regarding 167 Amerigold Suites. The Court ORDERS the Receiver to move for summary judgment regarding the Receivership Entities' interests in and Southern Properties' competing claim to these properties (Parc at Windmill Farms and Bellwether Ridge) by April 13, 2023. Any response from Southern Properties (which may incorporate by reference Southern Properties' pending Response and Objection at Doc. No. 178) is due by May 4, 2023. Any reply by the Receiver is due by May 18, 2023. (Ordered by Judge Brantley Starr on 3/16/2023) (chmb) (Entered: 03/16/2023)
03/16/2023	191	NOTICE of Attorney Appearance by Howard Marc Spector on behalf of Tamamoi, LLC, 3820 Illinois, LLC. (Filer confirms contact info in ECF is current.) (Spector, Howard) (Entered: 03/16/2023)

03/17/2023	192	NOTICE of Attorney Appearance by Matthias Kleinsasser on behalf of Vertical Street Ventures, LLC. (Filer confirms contact info in ECF is current.). Party Vertical Street Ventures, LLC added. (Kleinsasser, Matthias) (Entered: 03/17/2023)
03/17/2023	193	REPLY filed by Receiver re: 167 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing and Approval of Sale of Amerigold Suites, 161 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Windmill Farms, 164 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Bellwether Ridge (Koonce, Charlene) (Entered: 03/17/2023)
03/17/2023	194	Appendix in Support filed by Receiver re 193 Reply, (Koonce, Charlene) (Entered: 03/17/2023)
03/19/2023	195	ORDER granting 156 Receiver's Motion For First Quarterly Fee Application (Ordered by Judge Brantley Starr on 3/19/2023) (chmb) (Entered: 03/19/2023)
03/20/2023	196	NOTICE of Attorney Appearance by Joseph J Wielebinski on behalf of Vertical Street Ventures, LLC. (Filer confirms contact info in ECF is current.) (Wielebinski, Joseph) (Entered: 03/20/2023)
03/20/2023	197	ORDER granting in part 167 Motion (Ordered by Judge Brantley Starr on 3/20/2023) (chmb) (Entered: 03/20/2023)
03/20/2023	198	ELECTRONIC Minute Entry for proceedings held before Judge Brantley Starr: Motion Hearing held on 3/20/2023. re: 167 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing and Approval of Sale of Amerigold Suites. Statements heard from Ms. Koonce, Mr. Edney and Mr. Bernstein. Court to issue order with ruling. Court is adjourn. Attorney Appearances: Plaintiff - Keefe Bernstein; Defense - Michael Edney, Ted Huffman, Corinna Chandler, Receiver Charlene Koonce, Cort Thomas (Court Reporter: Kelli Ann Willis) (No exhibits) Time in Court - :30. (chmb) (Entered: 03/20/2023)
03/21/2023	199	MOTION to Compel Documents and Information from Attorneys, Request for Sanctions, and Brief in Support filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Koonce, Charlene) (Entered: 03/21/2023)
03/21/2023	200	Appendix in Support filed by Receiver re 199 MOTION to Compel Documents and Information from Attorneys, Request for Sanctions, and Brief in Support (Koonce, Charlene) (Entered: 03/21/2023)
03/23/2023	201	MOTION for Leave to File Surreply to Receiver's Motion to Compel filed by Timothy Barton with Brief/Memorandum in Support. (Attachments: # 1 Exhibit(s) Exhibit A - Proposed Surreply, # 2 Proposed Order Proposed Order - Granting Leave to File Surreply, # 3 Proposed Order Proposed Order - Privilege Protocol Order, # 4 Proposed Order Proposed Order - Order on Privilege Protocol Conference) (Edney, Michael) (Entered: 03/23/2023)
03/29/2023	202	ORDER: The Court GRANTS 167 motion to sell property. (Ordered by Judge Brantley Starr on 3/29/2023) (chmb) (Entered: 03/29/2023)
03/31/2023	203	MOTION to Stay re 184 Intervenor Complaint,, 177 MOTION to Intervene Receiver's Response to Southern Properties Capital, Ltd.'s Motion for Intervention, Complaint in Intervention and Renewed Motion to Stay filed by Receiver (Attachments: # 1 Proposed Order) (Wells, Tim) (Entered: 03/31/2023)
04/11/2023	204	MOTION for Extension of Time to File Response/Reply to 199 MOTION to Compel Documents and Information from Attorneys, Request for Sanctions, and Brief in Support filed by Hunton Andrews Kurth LLP (Attachments: # 1 Proposed Order). Party NON-PARTY HUNTON ANDREWS KURTH LLP added.Attorney Greg Waller added to party Hunton Andrews Kurth LLP(pty.mov) (Waller, Greg) (Entered: 04/11/2023)
04/12/2023	205	ELECTRONIC ORDER granting 204 Motion to Extend Time to File Response. (Ordered by Judge Brantley Starr on 4/12/2023) (chmb) (Entered: 04/12/2023)
04/13/2023	206	MOTION for Summary Judgment Regarding Southern Properties Capital, Ltd.'s Claimed Ownership Interest in Certain Receivership Entities and Properties filed by Receiver (Koonce, Charlene) (Entered: 04/13/2023)
04/13/2023	207	Brief/Memorandum in Support filed by Receiver re: 206 Motion for Summary Judgment Regarding Southern Properties Capital, Ltd.'s Claimed Ownership Interest in Certain Receivership Properties. (Koonce, Charlene) Modified event text on 5/31/2023 (axm). (Entered: 04/13/2023)
04/13/2023	208	Appendix in Support filed by Receiver re 207 MOTION for Summary Judgment Brief in Support of Motion for Summary Judgment Regarding Southern Properties Capital, Ltd.'s Claimed Ownership Interest in Certain Receivership Properties (Attachments: # 1 Additional Page(s) Exhibits A-29 - A-44 (APP355-APP628), # 2 Additional Page(s) Exhibits A-45 - A-62 (APP629-APP908), # 3 Additional Page(s) Exhibits A-63 - A-67 (APP909-APP959), # 4 Additional Page(s) Exhibits A-68 - A-71 (APP960-APP1030), # 5 Additional Page(s) Exhibits A-72 - A-77 (APP1031-APP1130)) (Koonce, Charlene) (Entered: 04/13/2023)
04/17/2023	209	NOTICE of Third Party Offers to Purchase 2999 Turtle Creek Property filed by Timothy Barton (Attachments: # 1 Exhibit(s) A) (Edney, Michael) (Entered: 04/17/2023)
04/17/2023	210	MOTION to Approve Settlement Agreement with HNGH Turtle Creek, LLC filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Exhibit(s) A - Settlement Agreement, # 2 Exhibit(s) B - Order Enforcing Agreed Orders, # 3 Proposed Order) (Thomas, Cort) (Entered: 04/17/2023)
04/18/2023	211	MOTION Expedited Motion to Confirm Litigation Stay filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Wells, Tim) (Entered: 04/18/2023)
04/18/2023	212	Appendix in Support filed by Receiver re 211 MOTION Expedited Motion to Confirm Litigation Stay (Wells, Tim) (Entered: 04/18/2023)
04/21/2023	213	NOTICE of Intended Auction of Contents of 2999 Turtle Creek Blvd. filed by Receiver (Koonce, Charlene) (Entered: 04/21/2023)
04/21/2023	214	Appendix in Support filed by Receiver re 213 Notice (Other) (Koonce, Charlene) (Entered: 04/21/2023)
04/24/2023	215	First MOTION to Strike 206 MOTION for Summary Judgment Regarding Southern Properties Capital, Ltd.'s Claimed Ownership Interest in Certain Receivership Entities and Properties, 207 MOTION for Summary Judgment Brief in Support of Motion for Summary Judgment Regarding Southern Properties Capital, Ltd.'s Claimed Ownership Interest in Certain Receivership Properties with Respect to Ingleside and Opelika filed by Southern Properties Capital Ltd with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Norman, Brian) (Entered: 04/24/2023)
04/25/2023	216	ELECTRONIC ORDER: In his Reply in support of his Motion to Compel (Doc. 133), the Receiver proposed a privilege protocol and asked the Court to enter it. Doc. 166 at pp. 9-10. The Court ORDERS Barton to respond to the Receiver's proposed privilege protocol by May 3, 2023. Any reply from the Receiver is due May 9, 2023. (Ordered by Judge Brantley Starr on 4/25/2023) (chmb) (Entered: 04/25/2023)
04/25/2023	217	ELECTRONIC ORDER granting 203 Motion to Stay. The Court STAYS 184 Southern Properties' Intervenor Complaint and all associated deadlines. The Court will enter a new schedule for Southern Properties' Intervenor Complaint, if needed, after the completion of the pending summary proceeding. (Ordered by Judge Brantley Starr on 4/25/2023) (chmb) (Entered: 04/25/2023)
04/25/2023	218	ORDER granting 211 Unopposed Motion to Confirm Litigation Stay. (Ordered by Judge Brantley Starr on 4/25/2023) (axm) (Entered: 04/25/2023)
04/25/2023	219	ORDER denying 114 Motion to Stay Pending Appeal. (Ordered by Judge Brantley Starr on 4/25/2023) (axm) (Entered: 04/25/2023)
04/26/2023	220	MOTION for Extension of Time to File Response/Reply to 207 MOTION for Summary Judgment Brief in Support of Motion for Summary Judgment Regarding Southern Properties Capital, Ltd.'s Claimed Ownership Interest in Certain Receivership Properties, 206 MOTION for Summary Judgment Regarding Southern Properties Capital, Ltd.'s Claimed Ownership Interest in Certain Receivership Entities and Properties filed by Receiver (Koonce, Charlene) (Entered: 04/26/2023)
04/27/2023	221	ELECTRONIC ORDER granting 220 Motion to Extend Time to File Response/Reply. Southern Properties' Response is due May 16, 2023, and the Receiver's Reply is due June 5, 2023. (Ordered by Judge Brantley Starr on 4/27/2023) (chmb) (Entered: 04/27/2023)
04/27/2023	222	NOTICE of Receiver's Withdrawal of Motion to Compel Documents and Information from Attorneys re: 199 MOTION to Compel Documents and Information from Attorneys, Request for Sanctions, and Brief in Support filed by Receiver (Koonce, Charlene) (Entered: 04/27/2023)
04/27/2023	223	OBJECTION filed by Timothy Barton re: 213 Notice (Other) (Attachments: # 1 Exhibit A, # 2 Exhibit B) (Edney, Michael) (Entered: 04/27/2023)
04/28/2023	224	ELECTRONIC ORDER: Having reviewed the Receiver's 222 Notice, the Court DENIES AS MOOT the Receiver's 199 Motion to Compel. This order is WITHOUT PREJUDICE. (Ordered by Judge Brantley Starr on 4/28/2023) (chmb) (Entered: 04/28/2023)
04/30/2023	225	STATUS REPORT Third Quarterly Report of Receiver (IQ23) filed by Receiver. (Attachments: # 1 Exhibit(s) A - SFAR) (Thomas, Cort) (Entered: 04/30/2023)
05/03/2023	226	RESPONSE filed by Receiver re: 215 First MOTION to Strike 206 MOTION for Summary Judgment Regarding Southern Properties Capital, Ltd.'s Claimed Ownership Interest in Certain Receivership Entities and Properties, 207 MOTION for Summary Judgment Brief in Support (Attachments: # 1 Proposed Order) (Koonce, Charlene) (Entered: 05/03/2023)
05/03/2023	227	RESPONSE filed by Receiver re: 223 Response/Objection (Attachments: # 1 Proposed Order) (Koonce, Charlene) (Entered: 05/03/2023)
05/03/2023	228	Appendix in Support filed by Receiver re 227 Response/Objection (Koonce, Charlene) (Entered: 05/03/2023)
05/03/2023	229	RESPONSE filed by Timothy Barton re: 166 Reply, 133 MOTION to Compel Documents and Information, Request for Sanctions, or Alternatively, Motion for Show Cause Hearing, and Brief in Support (Attachments: # 1 Exhibit A - Proposed Privilege Protocol Order) (Edney, Michael) (Entered: 05/03/2023)
05/08/2023	230	RESPONSE AND OBJECTION filed by Timothy Barton re: 210 MOTION to Approve Settlement Agreement with HNGH Turtle Creek, LLC (Edney, Michael) (Entered: 05/08/2023)
05/08/2023	231	Appendix in Support filed by Timothy Barton re 230 Response/Objection to the Receiver's Motion to Approve Settlement Agreement with HNGH Turtle Creek, LLC (Edney, Michael) (Entered: 05/08/2023)
05/09/2023	232	REPLY filed by Receiver re: 229 Response/Objection, 133 MOTION to Compel Documents and Information, Request for Sanctions, or Alternatively, Motion for Show Cause Hearing, and Brief in Support (Koonce, Charlene) (Entered: 05/09/2023)
05/11/2023	233	REPLY filed by Southern Properties Capital Ltd re: 215 First MOTION to Strike 206 MOTION for Summary Judgment Regarding Southern Properties Capital, Ltd.'s Claimed Ownership Interest in Certain Receivership Entities and Properties, 207 MOTION for Summary Judgment Brief in Support (Norman, Brian) (Entered: 05/11/2023)

05/15/2023	234	ELECTRONIC ORDER: Having carefully considered Southern Properties motion to strike the Receivers motion for summary judgment regarding Southern Properties claimed ownership in Parc at Ingleside and Parc at Opelika (Doc. 215), the Court DENIES the motion. The Court GRANTS the Receivers request for leave to include these properties nunc pro tunc in the Receivers summary-judgment motion. And the Court GRANTS Southern Properties request for an extension of time to respond to the Receivers motion for summary judgment (Doc. 206). The new deadlines are as follows. Southern Properties response is due May 30, 2023. The Receivers reply is due June 20, 2023. (Ordered by Judge Brantley Starr on 5/15/2023) (chmb) (Entered: 05/15/2023)
05/15/2023	235	ORDER granting 133 Motion to Compel; denying 201 Motion for Leave to File A Sur-Reply. The Court ORDERS Barton to provide the following information, materials, and documents to the Receiver by the close of business (5pm central time) on the third calendar day from the date of this Order. If Barton fails to fully comply by providing all listed information, documents, and materials by the close of business (5pm central time) on the third calendar day from the date of this Order, the Receiver shall file a Notice describing all information and materials that have not been provided. Upon the filing of such Notice, sanctions in the amount of \$500 per day will begin to accrue until such time as the Receiver files a Notice of Compliance indicating Barton's full compliance with this Order. (Ordered by Judge Brantley Starr on 5/15/2023) (ykp) (Entered: 05/15/2023)
05/15/2023	236	ORDER granting 210 Receiver's Motion to Approve Settlement Agreement with HNGH Turtle Creek, LLC.: The Court GRANTS the motion and APPROVES the Settlement Agreement, finding that it is fair and equitable and in the best interests of the Receivership Estate. Furthermore, the Court LIFTS THE STAY of In re 2999TC Acquisitions, LLC, Case No. 21-31954 in the U.S. Bankruptcy Court for the Northern District of Texas. the Court OVERRULES Barton's objection to the intended auction subject to the directions below, GRANTS the Receiver's motion, DENIES Barton's request for a hearing, and STRIKES Barton's request for a preliminary injunction. Within one (1) calendar day of the date of this Order, the Court ORDERS Barton to provide sworn statements attesting to his ownership of the specific items he claims are his personal property. (Ordered by Judge Brantley Starr on 5/15/2023) (ykp) (Entered: 05/15/2023)
05/15/2023	237	MOTION Second Quarterly Fee Application (IQ23) filed by Receiver (Attachments: # 1 Proposed Order) (Thomas, Cort) (Entered: 05/15/2023)
05/15/2023	238	Appendix in Support filed by Receiver re 237 MOTION Second Quarterly Fee Application (IQ23) (Thomas, Cort) (Entered: 05/15/2023)
05/16/2023	239	NOTICE OF INTERLOCUTORY APPEAL as to 202 Order to the Fifth Circuit by Timothy Barton. Filing fee \$505, receipt number ATXNDC-13745208. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions here . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (Edney, Michael) (Entered: 05/16/2023)
05/16/2023	240	NOTICE OF INTERLOCUTORY APPEAL as to 236 Order Lifting Stay,,, Terminate Motions,,, to the Fifth Circuit by Timothy Barton. Filing fee \$505, receipt number ATXNDC-13745223. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions here . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (Edney, Michael) (Entered: 05/16/2023)
05/22/2023		USCA Case Number 23-10515 in USCA5 for 239 Notice of Appeal filed by Timothy Barton. (svc) (Entered: 05/22/2023)
05/23/2023	241	Transcript Order Form: re 239 Notice of Appeal,,, transcript requested by Timothy Barton for Hearing held 3/20/23 (Court Reporter: Kelli Ann Willis.) Payment method: Private funds - Requester has obtained the estimate from the reporter and has paid or will pay the cost as directed. Reminder: If the transcript is ordered for an appeal, Appellant must also file a copy of the order form with the appeals court. (Edney, Michael) (Entered: 05/23/2023)
05/23/2023	242	Transcript Order Form: re 240 Notice of Appeal,,, transcript not requested Reminder: If the transcript is ordered for an appeal, Appellant must also file a copy of the order form with the appeals court. (Edney, Michael) (Entered: 05/23/2023)
05/23/2023		USCA Case Number 23-10516 in USCA5 for 240 Notice of Appeal filed by Timothy Barton. (svc) (Entered: 05/23/2023)
05/24/2023	243	NOTICE of <i>Non-Compliance with Order</i> re: 235 Order filed by Receiver. (Wells, Tim) Modified text on 5/24/2023 (sxf). (Entered: 05/24/2023)
05/24/2023	244	Appendix in Support filed by Receiver re 243 Notice (Other) of <i>Non-Compliance with Order</i> 235 (Wells, Tim) (Entered: 05/24/2023)
05/25/2023	245	MOTION to Intervene and MOTION to Lift Stay filed by First Development Company of Ohio, LLC with Brief/Memorandum in Support. (Attachments: # 1 Appendix, # 2 Proposed Order). Party First Development Company of Ohio, LLC added. Attorney Jonathan Alexander Gitlin added to party First Development Company of Ohio, LLC(pty:intv) (Gitlin, Jonathan). Added MOTION to Lift Stay on 5/25/2023 (twd). (Entered: 05/25/2023)
05/25/2023	246	ORDER of USCA as to 239 Notice of Appeal filed by Timothy Barton. Denying Motion to intervene without prejudice to Movant's right to properly file an amicus brief if he so chooses filed by Cortney Christopher Thomas in 23-10515; denying Motion to dismiss appeal for lack of jurisdiction; denied as moot motion for expedited ruling on motion. (svc) (Entered: 05/25/2023)
05/30/2023	247	Brief/Memorandum in Support filed by Southern Properties Capital Ltd re 254 Response to Motion for Summary Judgment <i>Regarding Southern Properties Capital, Ltd.'s Claimed Ownership Interest in Certain Receivership Entities and Properties</i> (Norman, Brian) Modified text and linkage on 5/31/2023 (axm). (Entered: 05/30/2023)
05/30/2023	248	Appendix in Support filed by Southern Properties Capital Ltd re 247 Brief/Memorandum in Support of Motion, <i>Volume 1</i> (Norman, Brian) (Entered: 05/30/2023)
05/30/2023	249	Appendix in Support filed by Southern Properties Capital Ltd re 247 Brief/Memorandum in Support of Motion, <i>Volume 2</i> (Norman, Brian) (Entered: 05/30/2023)
05/30/2023	250	Appendix in Support filed by Southern Properties Capital Ltd re 247 Brief/Memorandum in Support of Motion, <i>Volume 3</i> (Norman, Brian) (Entered: 05/30/2023)
05/30/2023	251	Appendix in Support filed by Southern Properties Capital Ltd re 247 Brief/Memorandum in Support of Motion, <i>Volume 4</i> (Norman, Brian) (Entered: 05/30/2023)
05/30/2023	252	Appendix in Support filed by Southern Properties Capital Ltd re 247 Brief/Memorandum in Support of Motion, <i>Volume 5</i> (Norman, Brian) (Entered: 05/30/2023)
05/30/2023	253	Appendix in Support filed by Southern Properties Capital Ltd re 247 Brief/Memorandum in Support of Motion, <i>Volume 6</i> (Norman, Brian) (Entered: 05/30/2023)
05/30/2023	254	RESPONSE filed by Southern Properties Capital Ltd re: 206 Motion for Summary Judgment <i>Regarding Southern Properties Capital, Ltd.'s Claimed Ownership Interest in Certain Receivership Properties</i> . (Norman, Brian) Modified text and linkage on 5/31/2023 (axm). (Entered: 05/30/2023)
06/02/2023	255	NOTICE of <i>Certification Regarding Use of Artificial Intelligence</i> filed by Southern Properties Capital Ltd (Norman, Brian) (Entered: 06/02/2023)
06/05/2023	256	RESPONSE AND OBJECTION filed by Timothy Barton re: 237 MOTION Second Quarterly Fee Application (IQ23) (Edney, Michael) (Entered: 06/05/2023)
06/06/2023		Record on Appeal for USCA5 23-10516 (related to 239 , 240 appeal): Record consisting of: 1 ECF electronic record on appeal (eROA) is certified, 2 Volume(s) electronic transcript.. PLEASE NOTE THE FOLLOWING: Licensed attorneys must have filed an appearance in the USCA5 case and be registered for electronic filing in the USCA5 to access the paginated eROA in the USCA5 ECF system. (Take these steps immediately if you have not already done so. Once you have filed the notice of appearance and/or USCA5 ECF registration, it may take up to 3 business days for the circuit to notify the district clerk that we may grant you access to the eROA in the USCA5 ECF system.) To access the paginated record, log in to the USCA5 ECF system, and under the Utilities menu, select Electronic Record on Appeal. Pro se litigants may request a copy of the record by contacting the appeals deputy , in advance to arrange delivery. (mcrd) (Entered: 06/06/2023)
06/08/2023	257	Notice of Filing of Official Electronic Transcript of Appointment of Appraiser, et al. Proceedings held on 03-20-23 before Judge Brantley Starr. Court Reporter/Transcriber Kelli Ann Willis, Telephone number 214-753-2654. Parties are notified of their duty to review the transcript. A copy may be purchased from the court reporter or viewed at the clerk's office. If the transcript contains personal identifiers that must be redacted under MO 61, Fed.R.Civ.P. 5.2 or Fed.R.Crim.P. 49.1, or if the transcript contains the name of a minor child victim or a minor child witness that must be redacted under 18 U.S.C. § 3509, file a Redaction Request - Transcript within 21 days. If no action is taken, the entire transcript will be made available through PACER without redaction after 90 calendar days. The clerk will mail a copy of this notice to parties not electronically noticed. (40 pages) Redaction Request due 6/29/2023. Redacted Transcript Deadline set for 7/10/2023. Release of Transcript Restriction set for 9/6/2023. (kaw) Modified on 6/8/2023 (chmb). (Main Document 257 replaced on 6/8/2023) (cfr). (Entered: 06/08/2023)
06/08/2023	258	Electronic Standing Order - If they have not already done so, all attorneys appearing in this case must file a Certificate Regarding Judge-Specific Requirements on the docket attesting that they have read, and will comply with, the judge-specific requirements for this Court, including the Court's order concerning generative artificial intelligence. The judge-specific requirements and a template Certificate may be found at: Certificate Regarding Judge-Specific Requirements . To file the Certificate, please use the event entitled Certificate Regarding Judge-Specific Requirements. This event is located in the Other Documents selection, which is under the Other Filings category of the Civil page in ECF. Please contact the ECF help desk at 214-753-2633 for filing assistance. (Ordered by Judge Brantley Starr on 6/8/2023) (twd) (Entered: 06/08/2023)
06/08/2023	259	Certificate Regarding Judge-Specific Requirements. (Buchholz, Robert) (Entered: 06/08/2023)
06/08/2023	260	Certificate Regarding Judge-Specific Requirements. (Bernstein, Keefe) (Entered: 06/08/2023)
06/08/2023	261	Certificate Regarding Judge-Specific Requirements. (Reece, David) (Entered: 06/08/2023)
06/08/2023	262	Certificate Regarding Judge-Specific Requirements. (Shavin, Eliot) (Entered: 06/08/2023)
06/08/2023	263	Certificate Regarding Judge-Specific Requirements. (Fullington, Ian) (Entered: 06/08/2023)
06/08/2023	265	ORDER of USCA: COURT ORDER denying without prejudice Motion for stay pending appeal filed by Appellant Mr. Timothy Barton. (svc) (Entered: 06/09/2023)
06/08/2023	266	Received letter from USCA5: NO COURT REPORTER ACKNOWLEDGMENT RECEIVED for Ms. Kelli Ann Willis. (svc) (Entered: 06/09/2023)
06/09/2023	264	Certificate Regarding Judge-Specific Requirements. (Heiskell, Michael) (Entered: 06/09/2023)
06/09/2023	267	MOTION for Extension of Time to File Response/Reply to 207 Brief in Support of Motion for Summary Judgment, 206 MOTION for Summary Judgment <i>Regarding Southern Properties Capital, Ltd.'s Claimed Ownership Interest in Certain Receivership Entities and Properties</i> filed by Receiver (Attachments: # 1 Proposed Order Proposed Order) (Koonce, Charlene) (Entered: 06/09/2023)

06/09/2023	268	Certificate Regarding Judge-Specific Requirements. (Thomas, Cort) (Entered: 06/09/2023)
06/09/2023	269	Certificate Regarding Judge-Specific Requirements. (Alexander, Daniel) (Entered: 06/09/2023)
06/09/2023	270	RESPONSE filed by Southern Properties Capital Ltd re: 267 MOTION for Extension of Time to File Response/Reply to 207 Brief in Support of Motion for Summary Judgment, 206 MOTION for Summary Judgment <i>Regarding Southern Properties Capital, Ltd.'s Claimed Ownership Interest in Certain Receivership (Norman, Brian)</i> (Entered: 06/09/2023)
06/09/2023	271	Certificate Regarding Judge-Specific Requirements. (Nealy Cox, Erin) (Entered: 06/09/2023)
06/09/2023	272	Certificate Regarding Judge-Specific Requirements. (Hicks, George) (Entered: 06/09/2023)
06/09/2023	275	ORDER of USCA as to 66 Notice of Appeal filed by Timothy Barton. Barton requests a stay of an event that already occurred by the time he filed his renewed motion, so his request for emergency relief is DENIED as moot. The remainder of his motion will be carried with the case. (svc) (Entered: 06/12/2023)
06/10/2023	273	ELECTRONIC ORDER granting 267 Motion to Extend Time to File Reply. The deadline for the Receiver's Reply is June 30, 2023. (Ordered by Judge Brantley Starr on 6/10/2023) (chmb) (Entered: 06/10/2023)
06/11/2023	274	Certificate Regarding Judge-Specific Requirements. (Gitlin, Jonathan) (Entered: 06/11/2023)
06/12/2023	276	Certificate Regarding Judge-Specific Requirements. (Patton, Jonathan) (Entered: 06/12/2023)
06/12/2023	277	Certificate Regarding Judge-Specific Requirements. (Patton, Jonathan) (Entered: 06/12/2023)
06/12/2023	278	Certificate Regarding Judge-Specific Requirements. (Chandler, Corinna) (Entered: 06/12/2023)
06/12/2023	279	Certificate Regarding Judge-Specific Requirements. (Etri, James) (Entered: 06/12/2023)
06/12/2023	280	Certificate Regarding Judge-Specific Requirements. (DeYoung, Kyle) (Entered: 06/12/2023)
06/13/2023	281	Certificate Regarding Judge-Specific Requirements. (Edney, Michael) (Entered: 06/13/2023)
06/14/2023	282	Certificate Regarding Judge-Specific Requirements. (Cooke, Christopher) (Entered: 06/14/2023)
06/15/2023	283	***DISREGARD FILED IN ERROR per attorney***RESPONSE filed by Receiver re: 245 MOTION to InterveneMOTION to Lift Stay (Koonce, Charlene) Modified on 6/15/2023 (svc). (Entered: 06/15/2023)
06/15/2023	284	RESPONSE filed by Receiver re: 245 MOTION to InterveneMOTION to Lift Stay (Koonce, Charlene) (Entered: 06/15/2023)
06/15/2023	285	Appendix in Support filed by Receiver re 284 Response/Objection (Koonce, Charlene) (Entered: 06/15/2023)
06/15/2023	286	RESPONSE filed by Securities and Exchange Commission re: 245 MOTION to InterveneMOTION to Lift Stay (Attachments: # 1 Proposed Order) (Bernstein, Keefe) (Entered: 06/15/2023)
06/19/2023	287	ORDER granting 237 Motion for Second Quarterly Fee Application. (Ordered by Judge Brantley Starr on 6/19/2023) (chmb) (Entered: 06/19/2023)
06/21/2023		Record on Appeal for USCA5 23-10515 (related to 239 appeal): Record consisting of: 1 ECF electronic record on appeal (eROA) is certified, 3 Volume(s) electronic transcript. PLEASE NOTE THE FOLLOWING: Licensed attorneys must have filed an appearance in the USCA5 case and be registered for electronic filing in the USCA5 to access the paginated eROA in the USCA5 ECF system. (Take these steps immediately if you have not already done so. Once you have filed the notice of appearance and/or USCA5 ECF registration, it may take up to 3 business days for the circuit to notify the district clerk that we may grant you access to the eROA in the USCA5 ECF system.) To access the paginated record, log in to the USCA5 ECF system, and under the Utilities menu, select Electronic Record on Appeal. Pro se litigants may request a copy of the record by contacting the appeals deputy in advance to arrange delivery. (axm) (Entered: 06/21/2023)
06/29/2023	288	MOTION to Stay re 208 Appendix in Support., 207 Brief in Support of Motion for Summary Judgment, 206 MOTION for Summary Judgment <i>Regarding Southern Properties Capital, Ltd.'s Claimed Ownership Interest in Certain Receivership Entities and Properties</i> filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Koonce, Charlene) (Entered: 06/29/2023)
06/29/2023	289	RESPONSE filed by Southern Properties Capital Ltd re: 288 MOTION to Stay re 208 Appendix in Support., 207 Brief in Support of Motion for Summary Judgment, 206 MOTION for Summary Judgment <i>Regarding Southern Properties Capital, Ltd.'s Claimed Ownership Interest in Certain Receivership Enti (Norman, Brian)</i> (Entered: 06/29/2023)
06/29/2023	290	ELECTRONIC ORDER granting 288 Motion to Stay Deadline. Due to the Fifth Circuit's opinion vacating the receivership order effective in 90 days, the Court STAYS the deadline for the Receiver's reply in support of his motion for summary judgment (Doc. 206). The Court will set a new deadline for this briefing in due course. (Ordered by Judge Brantley Starr on 6/29/2023) (chmb) (Entered: 06/29/2023)
07/05/2023	291	ELECTRONIC ORDER: The Fifth Circuit remanded to the Court for further proceedings in accordance with its most recent opinion in this case. In the interest of expediency, the Court ORDERS the parties to meet and confer and, by July 12, 2023, inform the Court whether they agree to proceed before a mandate issues from the Fifth Circuit. (Ordered by Judge Brantley Starr on 7/5/2023) (chmb) (Entered: 07/05/2023)
07/12/2023	292	Joint STATUS REPORT of Defendant Barton and Plaintiff SEC in Response to this Court's July 5, 2023 Order filed by Timothy Barton. (Edney, Michael) (Entered: 07/12/2023)
07/16/2023	293	ELECTRONIC ORDER: The Court has reviewed the parties Joint Status Report (Doc. 292), and because the parties have not consented to proceed before the mandate issues, the Court lacks jurisdiction to order the parties to proceed. Once the mandate issues, the Court intends to order the SEC to move for appointment of a receiver. Consistent with the Fifth Circuit's opinion, the Court will require the SEC's motion to (1) request appointment of a receiver under the factors set out in <i>Netsphere, Inc. v. Baron</i> , 703 F.3d 296, 305 (5th Cir. 2012); (2) request injunctive relief; and (3) provide a basis for the inclusion of entities in the receivership that complies with the Fifth Circuit's standard, i.e., that limits the receivership to entities that received or benefited from assets traceable to Bartons alleged fraudulent activities that are the subject of this litigation. That motion will be due within one week of the Fifth Circuit's mandate issuing. The Court will set a briefing schedule for the motion once the mandate issues. (Ordered by Judge Brantley Starr on 7/16/2023) (chmb) (Entered: 07/16/2023)
07/17/2023	294	ORDER of USCA as to 240 Notice of Appeal filed by Timothy Barton. IT IS ORDERED that the appellee's opposed motion to dismiss the appeal is GRANTED. (svc) (Entered: 07/18/2023)
07/18/2023	295	Unopposed MOTION to Withdraw as Attorney filed by Timothy Barton (Huffman, Edwin) (Entered: 07/18/2023)
07/19/2023	296	ELECTRONIC ORDER granting 295 Motion to Withdraw as Attorney. (Ordered by Judge Brantley Starr on 7/19/2023) (chmb) (Entered: 07/19/2023)
07/19/2023	297	Unopposed MOTION to Withdraw as Attorney as to <i>David B. Reece</i> filed by Securities and Exchange Commission (Attachments: # 1 Proposed Order) (Bernstein, Keefe) (Entered: 07/19/2023)
07/20/2023	298	ELECTRONIC ORDER granting 297 Motion to Withdraw as Attorney. (Ordered by Judge Brantley Starr on 7/20/2023) (chmb) (Entered: 07/20/2023)
07/31/2023	299	STATUS REPORT <i>Fourth Quarterly Report of Receiver (2Q23)</i> filed by Receiver. (Attachments: # 1 Exhibit(s) A - SFAR) (Thomas, Cort) (Entered: 07/31/2023)
08/14/2023	300	MOTION Third Quarterly Fee Application (2Q23) filed by Receiver (Attachments: # 1 Proposed Order) (Thomas, Cort) (Entered: 08/14/2023)
08/14/2023	301	Appendix in Support filed by Receiver re 300 MOTION Third Quarterly Fee Application (2Q23) (Thomas, Cort) (Entered: 08/14/2023)
08/22/2023	302	NOTICE of Attorney Appearance by Patrick Joseph Schurr on behalf of Texas Republic Bank, N.A.. (Filer confirms contact info in ECF is current.) (Schurr, Patrick) (Entered: 08/22/2023)
08/22/2023	303	Certificate Regarding Judge-Specific Requirements. (Schurr, Patrick) (Entered: 08/22/2023)
08/31/2023	304	ORDER of USCA as to 66 Notice of Appeal filed by Timothy Barton. The Court VACATE the district court's order appointing a receiver effective 90 days from the issuance of this court's mandate and REMAND for further proceedings consistent with this opinion. We also GRANT in part Barton's motion for a partial stay pending appeal. (svc) (Entered: 08/31/2023)
08/31/2023	305	ELECTRONIC ORDER: The Court ORDERS the SEC to move for entry of a new receivership order by September 7, 2023, with a response due by September 28, 2023, and any reply due by October 5, 2023. Additionally, the Court ORDERS the Receiver to file by September 14, 2023 a declaration providing all information obtained since his appointment that he believes is relevant to the Courts consideration of a proposed new receivership order, or anything else he believes will assist the Court or help inform the Courts deliberation on this matter. (Ordered by Judge Brantley Starr on 8/31/2023) (chmb) (Entered: 08/31/2023)
08/31/2023	306	ELECTRONIC ORDER: The Court DENIES WITHOUT PREJUDICE all pending motions in this case. Parties may refile all such motions after the Court resolves the SEC's motion for entry of a new receivership order. (Ordered by Judge Brantley Starr on 8/31/2023) (chmb) (Entered: 08/31/2023)
09/05/2023	307	NOTICE of Attorney Appearance by Russell W Mills on behalf of McCormick 101, LLC. (Filer confirms contact info in ECF is current.). Party McCormick 101, LLC added. (Mills, Russell) (Entered: 09/05/2023)
09/05/2023	308	DECLARATION AND INTERIM REPORT filed by Receiver. (Thomas, Cort) Modified title on 9/10/2023 (axm). (Entered: 09/05/2023)
09/07/2023	309	MOTION for Appointment of a Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose filed by Securities and Exchange Commission with Brief/Memorandum in Support re 305 Order. (Attachments: # 1 Proposed Order For Appointment of A Receiver, # 2 Proposed Order Preliminary Injunction) (Bernstein, Keefe) (Entered: 09/07/2023)
09/07/2023	310	Appendix in Support filed by Securities and Exchange Commission re 309 MOTION for Appointment of a Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose. (Attachments: # 1 Declaration(s) Supp. App001-004, # 2 Exhibit(s) A Supp. App005-010, # 3 Exhibit(s) B Supp. App011-012) (Bernstein, Keefe) (Entered: 09/07/2023)
09/12/2023	311	MOTION Lifting of Stay; Exception from Order Appointing Receiver; or Adequate Protection re 29 Order on Motion for Miscellaneous Relief filed by McCormick 101, LLC (Attachments: # 1 Proposed Order Order Granting Motion for Lifting Stay) (Mills, Russell) (Entered: 09/12/2023)

09/12/2023	312	Appendix in Support filed by McCormick 101, LLC re 311 MOTION Lifting of Stay; Exception from Order Appointing Receiver; or Adequate Protection re 29 Order on Motion for Miscellaneous Relief (Mills, Russell) (Entered: 09/12/2023)
09/12/2023	313	Certificate Regarding Judge-Specific Requirements. (Mills, Russell) (Entered: 09/12/2023)
09/26/2023	314	MOTION for Extension of Time to File Response/Reply to 309 MOTION for Appointment of a Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose filed by Timothy Barton (Attachments: # 1 Proposed Order) (Edney, Michael) (Entered: 09/26/2023)
09/27/2023	315	ELECTRONIC ORDER granting in part and denying in part 314 Motion to Extend Time to File Response/Reply. The Court ORDERS expedited briefing. The Court ORDERS that Defendant's Response is due by October 2, 2023. Any Reply is due by October 9, 2023. The Court will hold a hearing on the 309 Motion for Appointment of a Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose on October 11, 2023 at 2:00 PM. Further details will be provided. (Ordered by Judge Brantley Starr on 9/27/2023) (chmb) (Entered: 09/27/2023)
09/27/2023		Hearing/Deadline Modification: Deadlines/hearings terminated and reset per 315 Order on Motion to Extend Time to File Response/Reply. Responses due by 10/2/2023. Replies due by 10/9/2023. Motion Hearing set for 10/11/2023 02:00 PM before Judge Brantley Starr. (oyh) (Entered: 09/28/2023)
09/28/2023	316	RESPONSE AND OBJECTION filed by Receiver re: 311 MOTION Lifting of Stay; Exception from Order Appointing Receiver; or Adequate Protection re 29 Order on Motion for Miscellaneous Relief (Koonce, Charlene) (Entered: 09/28/2023)
09/28/2023	317	Appendix in Support filed by Receiver re 316 Response/Objection (Koonce, Charlene) (Entered: 09/28/2023)
09/28/2023	318	NOTICE of Attorney Appearance by Ryan Eric Chapple on behalf of Serena Badgley. (Filer confirms contact info in ECF is current.). Party Serena Badgley added. (Chapple, Ryan) (Entered: 09/28/2023)
09/28/2023	319	Certificate Regarding Judge-Specific Requirements. (Chapple, Ryan) (Entered: 09/28/2023)
09/28/2023	320	OBJECTION filed by Serena Badgley re: 309 MOTION for Appointment of a Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose (Attachments: # 1 Exhibit(s) Exhibit A, # 2 Exhibit(s) Exhibit B, # 3 Exhibit(s) Exhibit C, # 4 Exhibit(s) Exhibit D, # 5 Exhibit(s) Exhibit E) (Chapple, Ryan) (Entered: 09/28/2023)
09/28/2023	321	MOTION for Clarification of the Scope of Order Appointing Receiver or, in the Alternative, Motion for Order Lifting Stay filed by McCormick 101, LLC with Brief/Memorandum in Support re 29 Order. (Walraven, Gwen) Modified text on 10/3/2023 (axm). (Entered: 09/28/2023)
09/28/2023	322	Appendix in Support filed by McCormick 101, LLC re 321 MOTION for Clarification of the Scope of Order Appointing Receiver or, in the Alternative, Motion for Order Lifting Stay. (Attachments: # 1 Exhibit(s) A, # 2 Exhibit(s) B, # 3 Exhibit(s) C, # 4 Proposed Order) (Walraven, Gwen) (Entered: 09/28/2023)
09/29/2023	323	ELECTRONIC ORDER: The hearing for the 309 Motion for Appointment of a Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose will begin at 1:30 p.m. on October 11, 2023. The Court will allot 1.5 hours to the SEC and 1.5 hours to Barton for examining witnesses. Witness lists are due October 6, 2023. The Court will rely on the parties' papers for legal arguments. (Ordered by Judge Brantley Starr on 9/29/2023) (chmb) (Entered: 09/29/2023)
09/29/2023	324	RESPONSE filed by Securities and Exchange Commission re: 311 MOTION Lifting of Stay; Exception from Order Appointing Receiver; or Adequate Protection re 29 Order on Motion for Miscellaneous Relief (Attachments: # 1 Proposed Order) (Bernstein, Keefe) (Entered: 09/29/2023)
09/29/2023	325	RESPONSE filed by Securities and Exchange Commission re: 321 MOTION to Stay re 29 Order on Motion for Miscellaneous Relief <i>Motion of McCormick 101, LLC for (1) Clarification of the Scope of Order Appointing Receiver [Doc 2] Or (2) in the Alternative, Motion for Order Uplifting Stay</i> . (Attachments: # 1 Proposed Order) (Bernstein, Keefe) (Entered: 09/29/2023)
10/02/2023	326	RESPONSE filed by Maximilien Barton, Gillespie Villas LLC, MXBA LLC, TRTX Properties LLC, Titan Investments LLC, Venus59 LLC re: 309 MOTION for Appointment of a Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose (Cooke, Christopher) (Entered: 10/02/2023)
10/02/2023	327	MOTION to Intervene and Request to Present Witness at Hearing on SEC's Motion, or, in the Alternative, Request to File Amicus Brief filed by Southern Properties Capital Ltd with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Norman, Brian) Modified on 10/9/2023 (axm). (Entered: 10/02/2023)
10/02/2023	328	Unopposed MOTION for Extension of Page Limit filed by Timothy Barton (Attachments: # 1 Proposed Order) (Edney, Michael) (Entered: 10/02/2023)
10/02/2023	329	RESPONSE filed by Southern Properties Capital Ltd re: 309 MOTION for Appointment of a Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose (Norman, Brian) (Entered: 10/02/2023)
10/02/2023	330	Appendix in Support filed by Southern Properties Capital Ltd re 329 Response/Objection <i>Volume 1</i> (Norman, Brian) (Entered: 10/02/2023)
10/02/2023	331	Appendix in Support filed by Southern Properties Capital Ltd re 329 Response/Objection <i>Volume 2</i> (Norman, Brian) (Entered: 10/02/2023)
10/02/2023	332	Appendix in Support filed by Southern Properties Capital Ltd re 329 Response/Objection <i>Volume 3</i> (Norman, Brian) (Entered: 10/02/2023)
10/02/2023	333	Appendix in Support filed by Southern Properties Capital Ltd re 329 Response/Objection <i>Volume 4</i> (Norman, Brian) (Entered: 10/02/2023)
10/02/2023	334	RESPONSE AND OBJECTION filed by Timothy Barton re: 309 MOTION for Appointment of a Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose (Edney, Michael) (Entered: 10/02/2023)
10/02/2023	335	Appendix in Support filed by Timothy Barton re 334 Response/Objection <i>Response to MOTION for Appointment of a Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose</i> (Edney, Michael) (Entered: 10/02/2023)
10/03/2023	336	Appendix in Support filed by Southern Properties Capital Ltd re 329 Response/Objection <i>Volume 5</i> (Norman, Brian) (Entered: 10/03/2023)
10/04/2023	337	ELECTRONIC ORDER: The Court GRANTS 328 Defendant Barton's Unopposed Motion for Extension of Page Limit. (Unless the document has already been filed, clerk to enter the document as of the date of this order.) (Ordered by Judge Brantley Starr on 10/4/2023) (chmb) (Entered: 10/04/2023)
10/04/2023	338	Appendix in Support filed by Serena Badgley re 320 Response/Objection, (Attachments: # 1 Exhibit(s), # 2 Exhibit(s), # 3 Exhibit(s), # 4 Exhibit(s), # 5 Exhibit(s)) (Chapple, Ryan) (Entered: 10/04/2023)
10/04/2023	339	(SUPPLEMENTAL) RESPONSE AND OBJECTION filed by Timothy Barton re: 309 MOTION for Appointment of a Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose (<i>with Tables and Appendix citations</i>). (Edney, Michael) Modified text and linkage on 10/4/2023 (axm). (Entered: 10/04/2023)
10/04/2023	340	Appendix in Support filed by Timothy Barton re 339 (Supplemental) RESPONSE AND OBJECTION to Motion for Appointment of a Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose. (Edney, Michael) Modified text and linkage on 10/4/2023 (axm). (Entered: 10/04/2023)
10/05/2023	341	MOTION to Exceed Page Limits in its Reply in Support of its Motion for Appointment of a Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose filed by Securities and Exchange Commission (Attachments: # 1 Proposed Order) (Bernstein, Keefe) (Entered: 10/05/2023)
10/05/2023	342	ELECTRONIC ORDER: The Court GRANTS 341 Plaintiff SEC's Unopposed Motion for Extension of Page Limit. (Ordered by Judge Brantley Starr on 10/5/2023) (chmb) (Entered: 10/05/2023)
10/05/2023	343	ELECTRONIC ORDER: The Court DENIES WITHOUT PREJUDICE 327 Southern Properties Capital, Ltd.'s Motion for Intervention, Request to Present a Witness at Hearing on SEC's Motion, and, in the Alternative, Request to File Amicus Brief, and Brief in Support. As the Court previously held at 306 , SPC may refile its motion after the Court resolves the SEC's motion for entry of a new receivership order. Only the SEC and Barton will have time to present witnesses at the hearing. (Ordered by Judge Brantley Starr on 10/5/2023) (chmb) (Entered: 10/05/2023)
10/05/2023	344	ELECTRONIC ORDER: The hearing for the 309 Motion for Appointment of a Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose will now begin at 1:00 PM on October 11, 2023. The SEC and Barton will still have the allotted 1.5 hours each for examining witnesses. (Ordered by Judge Brantley Starr on 10/5/2023) (chmb) (Entered: 10/05/2023)
10/06/2023	345	RESPONSE filed by Receiver re: 321 MOTION for Clarification of the Scope of Order Appointing Receiver or, in the Alternative, Motion for Order Lifting Sta (Koonce, Charlene) (Entered: 10/06/2023)
10/06/2023	346	Witness List by Securities and Exchange Commission. (Bernstein, Keefe) (Entered: 10/06/2023)
10/06/2023	347	NOTICE of Attorney Appearance by Tina Quy Phi Nguyen on behalf of Pioneer Finance, Inc. (Filer confirms contact info in ECF is current.) (Nguyen, Tina) (Entered: 10/06/2023)
10/06/2023	348	MOTION to Intervene filed by Pioneer Finance, Inc. (Attachments: # 1 Exhibit(s) A, # 2 Exhibit(s) B, # 3 Exhibit(s) C, # 4 Exhibit(s) D, # 5 Exhibit(s) E, # 6 Exhibit(s) F, # 7 Exhibit(s) G, # 8 Proposed Order) (Nguyen, Tina) (Entered: 10/06/2023)
10/06/2023	349	MOTION to Lift Stay and for Exception from the Court's Order Appointing Receiver (Dkt. 29) re 29 Order on Motion for Miscellaneous Relief filed by Pioneer Finance, Inc. (Attachments: # 1 Exhibit(s) A, # 2 Exhibit(s) B, # 3 Exhibit(s) C, # 4 Exhibit(s) D, # 5 Exhibit(s) E, # 6 Exhibit(s) F, # 7 Exhibit(s) G, # 8 Proposed Order) (Nguyen, Tina) (Entered: 10/06/2023)
10/06/2023	350	Witness List by Timothy Barton. (Edney, Michael) (Entered: 10/06/2023)
10/09/2023	351	MOTION to Quash OR, IN THE ALTERNATIVE, MOTION in Limine () filed by Timothy Barton with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Edney, Michael) (Entered: 10/09/2023)
10/09/2023	352	REPLY filed by Securities and Exchange Commission re: 309 MOTION for Appointment of a Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose (Bernstein, Keefe) (Entered: 10/09/2023)
10/10/2023	353	MOTION FOR ORAL ARGUMENT filed by Timothy Barton (Edney, Michael) (Entered: 10/10/2023)

10/10/2023	354	ELECTRONIC ORDER granting Barton's Motion to Quash 351 . (Ordered by Judge Brantley Starr on 10/10/2023) (chmb) (Entered: 10/10/2023)
10/11/2023	355	NOTICE of Status to the Court re: 338 Appendix in Support, 309 MOTION for Appointment of a Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose, 320 Response/Objection, filed by Serena Badgley (Chapple, Ryan) (Entered: 10/11/2023)
10/11/2023	356	ELECTRONIC Minute Entry for proceedings held before Judge Brantley Starr: Motion Hearing held on 10/11/2023. Re: 309 MOTION for Appointment of a Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose. Attorney Appearances: Plaintiff - Keefe Bernstein; Defense - Michael Edney, Roger Gibson; Receivers - Cort Thomas, Charlene Koonce; Tim Wells (Court Reporter: Kelli Ann Willis) (Exhibits admitted - returned to party) Time in Court - 3:50. (chmb) (Entered: 10/11/2023)
10/12/2023	357	NOTICE of Attorney Appearance by Lindsay Lombard Buchanan on behalf of Pioneer Finance, Inc.. (Filer confirms contact info in ECF is current.) (Buchanan, Lindsay) (Entered: 10/12/2023)
10/12/2023	358	MOTION for Hearing <i>Regarding Venus59 LLC</i> filed by Daniel Crow. (axm) (Entered: 10/12/2023)
10/12/2023	360	JUDGMENT/MANDATE of USCA as to 239 Notice of Appeal filed by Timothy Barton. The appellee's opposed motion to dismiss the appeal is GRANTED for the reason that the appeal is moot in light of the decision in No. 22-11132. Issued as Mandate: 10/12/2023. (axm) (Entered: 10/15/2023)
10/13/2023	359	Notice of Filing of Official Electronic Transcript of Motion for Appointment of Receiver Proceedings held on 10-11-23 before Judge Brantley Starr. Court Reporter/Transcriber Kelli Ann Willis, Telephone number 214-753-2654. Parties are notified of their duty to review the transcript. A copy may be purchased from the court reporter or viewed at the clerk's office. If the transcript contains personal identifiers that must be redacted under MO 61, Fed.R.Civ.P. 5.2 or Fed.R.Crim.P. 49.1, or if the transcript contains the name of a minor child victim or a minor child witness that must be redacted under 18 U.S.C. § 3509, file a Redaction Request - Transcript within 21 days. If no action is taken, the entire transcript will be made available through PACER without redaction after 90 calendar days. The clerk will mail a copy of this notice to parties not electronically notified. (215 pages) Redaction Request due 11/3/2023. Redacted Transcript Deadline set for 11/13/2023. Release of Transcript Restriction set for 1/11/2024. (kaw) (Entered: 10/13/2023)
10/19/2023	361	MOTION to Supplement the Record in Support of Its Motion for Appointment of A Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose re 309 MOTION for Appointment of a Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose filed by Securities and Exchange Commission with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order, # 2 Exhibit(s) A Part 1 of 4) (Bernstein, Keefe) (Entered: 10/19/2023)
10/19/2023	362	ADDITIONAL ATTACHMENTS to 361 Motion for Miscellaneous Relief, by Plaintiff Securities and Exchange Commission. (Bernstein, Keefe) (Entered: 10/19/2023)
10/19/2023	363	ADDITIONAL ATTACHMENTS to 361 Motion for Miscellaneous Relief, by Plaintiff Securities and Exchange Commission. (Bernstein, Keefe) (Entered: 10/19/2023)
10/19/2023	364	ADDITIONAL ATTACHMENTS to 361 Motion for Miscellaneous Relief, by Plaintiff Securities and Exchange Commission. (Bernstein, Keefe) (Entered: 10/19/2023)
10/19/2023	365	RESPONSE to Limited Objections to Motion for Appointment of Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose filed by Receiver re: 320 Response/Objection, (Koonce, Charlene) Modified text on 10/22/2023 (axm). (Entered: 10/19/2023)
10/20/2023	366	MANDATE of USCA as to 239 Notice of Appeal, filed by Timothy Barton. The appellee's opposed motion to dismiss the appeal is GRANTED for the reason that the appeal is moot in light of the decision in No. 22-11132. Issued as Mandate: 10/20/2023. (axm) Modified linkage on 10/9/2024 (axm). (Entered: 10/22/2023)
10/24/2023	367	Opinion of USCA in accordance with USCA judgment re 108 Notice of Appeal filed by Timothy Barton. We DISMISS this appeal as MOOT. (axm) (Entered: 10/25/2023)
10/24/2023	368	JUDGMENT/MANDATE of USCA as to 108 Notice of Appeal filed by Timothy Barton. The appeal is DISMISSED as moot. Issued as Mandate: 10/24/2023. (axm) (Entered: 10/25/2023)
10/27/2023	369	RESPONSE AND OBJECTION filed by Securities and Exchange Commission re: 349 MOTION to Lift Stay and for Exception from the Court's Order Appointing Receiver (Dkt. 29) re 29 Order on Motion for Miscellaneous Relief, 348 MOTION to Intervene (Attachments: # 1 Proposed Order) (Bernstein, Keefe) (Entered: 10/27/2023)
10/27/2023	370	RESPONSE filed by Receiver re: 349 MOTION to Lift Stay and for Exception from the Court's Order Appointing Receiver (Dkt. 29) re 29 Order on Motion for Miscellaneous Relief, 348 MOTION to Intervene (Koonce, Charlene) (Entered: 10/27/2023)
10/27/2023	371	Appendix in Support filed by Receiver re 370 Response/Objection (Koonce, Charlene) (Entered: 10/27/2023)
10/27/2023	372	Expedited MOTION to Approve, Ratify and Adopt <i>and Otherwise "Bless" Previous Actions of Receiver and Orders Issued Prior to Effective Date of Vacatur of Initial Receivership Order</i> filed by Receiver. (Koonce, Charlene) Modified title on 11/9/2023 (axm). (Entered: 10/27/2023)
10/30/2023	373	STATUS REPORT <i>Fifth Quarterly Status Report of Receiver (3Q23)</i> filed by Receiver. (Attachments: # 1 Exhibit(s) A - SFAR) (Thomas, Cort) (Entered: 10/30/2023)
11/01/2023	374	Expedited MOTION to Ratify Orders Appointing Appraisers, <i>Approving Appraisals and Approving Sale of Real Estate</i> filed by Receiver. (Attachments: # 1 Proposed Order) (Koonce, Charlene) Modified on 11/9/2023 (axm). (Entered: 11/01/2023)
11/01/2023	375	Appendix in Support filed by Receiver re 374 Expedited MOTION to Ratify Orders Appointing Appraisers, <i>Approving Appraisals and Approving Sale of Real Estate</i> . (Koonce, Charlene) (Entered: 11/01/2023)
11/01/2023	376	MOTION Ratify Frisco Gate Property Orders, Authorize Sale, and Stay Accrual of Interest filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Koonce, Charlene) (Entered: 11/01/2023)
11/01/2023	377	Appendix in Support filed by Receiver re 376 MOTION Ratify Frisco Gate Property Orders, Authorize Sale, and Stay Accrual of Interest (Koonce, Charlene) (Entered: 11/01/2023)
11/01/2023	378	MOTION Ratify the Amerigold Suites Orders, Authorize Sale, and Stay Accrual of Interest filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Koonce, Charlene) (Entered: 11/01/2023)
11/01/2023	379	Appendix in Support filed by Receiver re 378 MOTION Ratify the Amerigold Suites Orders, Authorize Sale, and Stay Accrual of Interest (Koonce, Charlene) (Entered: 11/01/2023)
11/02/2023	380	RESPONSE AND OBJECTION filed by Receiver re: 358 MOTION for Hearing (Koonce, Charlene) (Entered: 11/02/2023)
11/03/2023	381	ELECTRONIC ORDER: The Court ORDERS an expedited response to the SEC's Motion to Supplement the Record [Doc. 361]. Any response must be filed by November 6, 2023. (Ordered by Judge Brantley Starr on 11/3/2023) (chmb) (Entered: 11/03/2023)
11/03/2023	382	ELECTRONIC ORDER: The Court ORDERS an expedited response to the Receiver's ratifying motions [Docs. 372 , 374 , 376 , and 378 . Any response must be filed by 11/10/2023. (Ordered by Judge Brantley Starr on 11/3/2023) (chmb) Docket text modified on 11/3/2023 (twd). (Entered: 11/03/2023)
11/03/2023	383	REPLY filed by Pioneer Finance, Inc. re: 349 MOTION to Lift Stay and for Exception from the Court's Order Appointing Receiver (Dkt. 29) re 29 Order on Motion for Miscellaneous Relief, 348 MOTION to Intervene (Attachments: # 1 Exhibit(s) A) (Nguyen, Tina) (Entered: 11/03/2023)
11/03/2023	384	MOTION for Extension of Time to File Fourth Quarterly Fee Application filed by Receiver (Attachments: # 1 Proposed Order) (Thomas, Cort) (Entered: 11/03/2023)
11/03/2023	385	ELECTRONIC ORDER: Regarding the Southern Properties Capital, Ltd. testimony, the Court ADMITS the Erik Johnson Declaration [Doc. 330 at 4-25] into evidence as Defense Exhibit F. Any response must be filed by November 10, 2023. (Ordered by Judge Brantley Starr on 11/3/2023) (chmb) (Entered: 11/03/2023)
11/06/2023	386	RESPONSE AND OBJECTION filed by Timothy Barton re: 361 MOTION to Supplement the Record in Support of Its Motion for Appointment of A Receiver, for a Preliminary Injunction and Ancillary Relief, and to Lift Stay for Limited Purpose re 309 MOTION for Appointment of a Receiver, for a Preliminary Injunctio (Edney, Michael) (Entered: 11/06/2023)
11/08/2023	387	MOTION for Extension of Time to File Response/Reply to 372 MOTION Ratify previous Actions of Receiver filed by Timothy Barton (Attachments: # 1 Proposed Order) (Edney, Michael) (Entered: 11/08/2023)
11/09/2023	388	ELECTRONIC ORDER: The Court DENIES Barton's extension motion to respond to the Receiver's ratifying motions. [Doc. 387] The Court has set an expedited briefing schedule for a reason. The Court is under a tight timeline to resolve the SEC's appointment of a receivership, and this schedule is warranted so the Court has time to decide the issues before it. And Barton objected to the Court ordering briefing before the mandate issued, so this timeline is a product of Barton. Accordingly, the Court will be sticking to its expedited briefing schedule. (Ordered by Judge Brantley Starr on 11/9/2023) (chmb) (Entered: 11/09/2023)
11/09/2023	389	ELECTRONIC ORDER: The Court must expeditiously resolve the questions of whether there is a receivership, the scope if there is one, and ratification of past actions. Any payment of receivership fees is a separate matter not falling under the Fifth Circuit's deadline. Accordingly, the Court GRANTS the Receiver's request for an extension to file the fourth quarterly report. [Doc. 384] (Ordered by Judge Brantley Starr on 11/9/2023) (chmb) (Entered: 11/09/2023)
11/10/2023	390	Proposed Findings of Fact in Support of its Motion for Appointment of Receiver, for a Preliminary Injunction and Ancillary Relief and to Lift Stay for Limited Purpose by Securities and Exchange Commission. (Bernstein, Keefe) Modified text on 12/3/2023 (axm). (Entered: 11/10/2023)
11/10/2023	391	Certificate Regarding Judge-Specific Requirements. (Walraven, Gwen) (Entered: 11/10/2023)
11/10/2023	392	Joint STIPULATION and Agreed Order Regarding Receiver's Verified and Expedited Motion to (I) Ratify Order Appointing Appraisers, Approving Appraisals and Approving Sale of Real Estate as Required by 28 U.S.C. 2001 With Respect to the Rock Creek Property, (II) Authorize the Sale Free and Clear of All Liens, and (III) Stay Accrual of Post-Receivership Default Rate Interest by Receiver. (Koonce, Charlene) (Entered: 11/10/2023)
11/10/2023	393	RESPONSE AND OBJECTION filed by Texas Republic Bank, N.A. re: 376 MOTION Ratify Frisco Gate Property Orders, Authorize Sale, and Stay Accrual of Interest (Schurr, Patrick) (Entered: 11/10/2023)
11/10/2023	394	Certificate Regarding Judge-Specific Requirements. (Walraven, Gwen) (Entered: 11/10/2023)
11/10/2023	395	OBJECTION filed by McCormick 101, LLC re: 378 MOTION Ratify the Amerigold Suites Orders, Authorize Sale, and Stay Accrual of Interest (Walraven, Gwen) (Entered: 11/10/2023)

11/10/2023	396	Expedited MOTION to Amend Order Supplementing Receivership Order and notice of Supplemental Information Regarding Myra Park 635 LLC filed by Receiver re: 29 Order, 62 Order. (Attachments: # 1 Proposed Order) (Koonce, Charlene) Modified text on 12/3/2023 (axm). (Entered: 11/10/2023)
11/10/2023	397	RESPONSE filed by Timothy Barton re: 372 Expedited MOTION to Approve, Ratify and Adopt <i>and Otherwise "Bless" Previous Actions of Receiver and Orders Issued Prior to Effective Date of Vacatur of Initial Receivership Order</i> (Edney, Michael) (Entered: 11/10/2023)
11/10/2023	398	Brief in Support of Proposed Findings of Fact and Conclusion of Law by Timothy Barton. (Edney, Michael) Modified event text on 12/3/2023 (axm). (Entered: 11/10/2023)
11/11/2023	399	Proposed Findings of Fact and Conclusions of Law and Proposed Order by Timothy Barton. (Edney, Michael) (Entered: 11/11/2023)
11/11/2023	400	Brief/Memorandum in Support filed by Timothy Barton re: 399 Proposed Findings of Fact. (Edney, Michael) Modified event text on 12/3/2023 (axm). (Entered: 11/11/2023)
11/11/2023	401	Brief/Memorandum in Support filed by Timothy Barton re: 400 Proposed Findings of Fact (Edney, Michael) Modified event text on 12/3/2023 (axm). (Entered: 11/11/2023)
11/11/2023	402	MOTION for Leave to File Corrected Memorandum filed by Timothy Barton (Edney, Michael) (Entered: 11/11/2023)
11/13/2023	403	ELECTRONIC ORDER: Barton filed his proposed findings of fact and accompanying legal arguments late. The Court will GRANT Barton's motion for leave (Doc. 402) and will consider (Doc. 400) as Barton's proposed findings of fact and conclusions of law, though it seems to the Court that (Doc. 401) is identical to (Doc. 400). (Ordered by Judge Brantley Starr on 11/13/2023) (chmb) (Entered: 11/13/2023)
11/14/2023	404	AMENDED CERTIFICATE of Conference re 372 Expedited MOTION to Approve, Ratify and Adopt <i>and Otherwise "Bless" Previous Actions of Receiver and Orders Issued Prior to Effective Date of Vacatur of Initial Receivership Order</i> by Receiver. (Koonce, Charlene) Modified event text on 12/3/2023 (axm). (Entered: 11/14/2023)
11/14/2023	405	RESPONSE AND OBJECTION filed by Timothy Barton re: 396 Expedited MOTION to Amend Order Supplementing Receivership Order and notice of Supplemental Information Regarding Myra Park 635 LLC. (Edney, Michael) Modified text on 12/3/2023 (axm). (Entered: 11/14/2023)
11/15/2023	406	ORDER GRANTING SECS 361 MOTION TO SUPPLEMENT THE RECORD. (Ordered by Judge Brantley Starr on 11/15/2023) (oyh) (Entered: 11/15/2023)
11/15/2023	407	Corrected RESPONSE AND OBJECTIONS filed by Timothy Barton re: 396 Expedited MOTION to Amend Order Supplementing Receivership Order and notice of Supplemental Information Regarding Myra Park 635 LLC. (Edney, Michael) Modified event text and linkage on 12/3/2023 (axm). (Entered: 11/15/2023)
11/16/2023	408	REPLY filed by Receiver re: 372 Expedited MOTION to Approve, Ratify and Adopt <i>and Otherwise "Bless" Previous Actions of Receiver and Orders Issued Prior to Effective Date of Vacatur of Initial Receivership Order</i> (Koonce, Charlene) (Entered: 11/16/2023)
11/16/2023	409	Joint STIPULATION by McCormick 101, LLC, Receiver. (Koonce, Charlene) (Entered: 11/16/2023)
11/17/2023	410	REPLY filed by Receiver re: 376 MOTION Ratify Frisco Gate Property Orders, Authorize Sale, and Stay Accrual of Interest (Carrillo, C) (Entered: 11/17/2023)
11/20/2023	411	Sur-reply filed by Texas Republic Bank, N.A. re: 376 MOTION Ratify Frisco Gate Property Orders, Authorize Sale, and Stay Accrual of Interest (Attachments: # 1 Exhibit(s), # 2 Exhibit(s)) (Schurr, Patrick) (Entered: 11/20/2023)
11/21/2023	412	Unopposed MOTION for Leave to File Sur-Reply Nunc Pro Tunc filed by Texas Republic Bank, N.A. (Attachments: # 1 Proposed Order) (Schurr, Patrick) (Entered: 11/21/2023)
11/22/2023	413	Unopposed MOTION to Intervene <i>with regard to the sale of the Frisco Gate Property Only</i> filed by Texas Republic Bank, N.A. (Attachments: # 1 Exhibit(s) A, # 2 Proposed Order) (Schurr, Patrick) (Entered: 11/22/2023)
11/27/2023	414	Unopposed MOTION to Intervene <i>On a Limited Basis Regarding the Sale of the Frisco Gate Property Only</i> filed by Palisades-TC, LLC with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Patton, Jonathan) (Entered: 11/27/2023)
11/29/2023	415	ORDER: The Court finds that Myra Park 635, LLC is exempted from any prior order based on the Receivers motion regarding Myra Park 635, LLC. (Doc. 396). (Ordered by Judge Brantley Starr on 11/29/2023) (chmb) Modified text on 11/29/2023 (ndt). (Entered: 11/29/2023)
11/29/2023	416	ORDER: The Court GRANTS IN PART the SEC's motion. (Doc. 309). (Ordered by Judge Brantley Starr on 11/29/2023) (chmb) (Entered: 11/29/2023)
11/29/2023	417	ORDER: The Court enters the attached Order Appointing Receiver. (Ordered by Judge Brantley Starr on 11/29/2023) (chmb) (Entered: 11/29/2023)
11/29/2023	418	ORDER: The Court GRANTS IN PART the SEC's motion for a preliminary injunction and ancillary relief and to lift the stay. (Doc. 309). (Ordered by Judge Brantley Starr on 11/29/2023) (chmb) (Entered: 11/29/2023)
11/29/2023	419	ORDER: The Court GRANTS IN PART the Receiver's blessing motion. (Doc. 372). (Ordered by Judge Brantley Starr on 11/29/2023) (chmb) (Entered: 11/29/2023)
11/29/2023	420	ORDER: The Court CONSTRUES the Receiver's ratifying motions (Docs. 374 , 376 , and 378) as motions to appoint appraisers, approve appraisals, and set hearings for the Rock Creek Property, the Frisco Gate Property, and the Amerigold Suites. The Court sets hearings on these three motions on December 11, 2023 at 1:30 p.m. The Court also ORDERS expedited briefing. Any response is due by December 6, 2023. (Ordered by Judge Brantley Starr on 11/29/2023) (chmb) (Entered: 11/29/2023)
11/29/2023	421	ELECTRONIC ORDER: The Court DENIES WITHOUT PREJUDICE all pending motions in this case. Parties may refile all such motions now that the Court has resolved the SEC's motion for entry of a new receivership order. (Ordered by Judge Brantley Starr on 11/29/2023) (chmb) (Entered: 11/29/2023)
11/29/2023		Hearing Modification: Hearing set per 420 Order. Motion Hearing set for 12/11/2023 01:30 PM before Judge Brantley Starr. (oyh) (Entered: 11/30/2023)
12/01/2023	422	Unopposed MOTION to Continue <i>Hearing</i> filed by Timothy Barton (Edney, Michael) (Entered: 12/01/2023)
12/04/2023	423	ELECTRONIC ORDER: The Court GRANTS Barton's unopposed Motion to Continue Hearing. (Doc. 422). The hearings on the Receiver's motions to appoint appraisers, approve appraisals, and set hearings for the sales of the Rock Creek Property, the Frisco Gate Property, and the Amerigold Suites will be held on December 14, 2023 at 1:30 p.m. (Ordered by Judge Brantley Starr on 12/4/2023) (chmb) (Entered: 12/04/2023)
12/04/2023		***Clerk's Notice of delivery: (see NEF for details) Docket No:415,416,417,418,419,420. Mon Dec 4 18:08:04 CST 2023 (crt) (Entered: 12/04/2023)
12/04/2023		***Clerk's Notice of delivery: (see NEF for details) Docket No:415,416,417,418,419,420. Mon Dec 4 18:08:14 CST 2023 (crt) (Entered: 12/04/2023)
12/04/2023		Hearing/Deadline Modification: Motion Hearing reset for 12/14/2023 at 01:30 PM before Judge Brantley Starr. (Per 423 Electronic Order.) (twd) (Entered: 12/05/2023)
12/05/2023		***Clerk's Notice of delivery: (see NEF for details) Docket No:421,423. Tue Dec 5 09:13:00 CST 2023 (crt) (Entered: 12/05/2023)
12/05/2023	424	Unopposed MOTION to Amend the Preliminary Injunction and Receivership Orders filed by Timothy Barton re: 417 Order, 418 Order. (Attachments: # 1 Proposed Order) (Edney, Michael) Modified on 12/26/2023 (axm). (Entered: 12/05/2023)
12/06/2023	425	RESPONSE AND OBJECTION to Receiver's 110 Motion for Appointment of Appraisers, Approval of Appraisals and a Hearing Regarding Approval of Sale of Frisco Gate Property filed by Texas Republic Bank NA re: 420 Order. (Schurr, Patrick) Modified text on 12/21/2023 (axm). (Entered: 12/06/2023)
12/06/2023	426	***Duplicate Entry of # 425 *** RESPONSE AND OBJECTION filed by Texas Republic Bank NA re: 110 MOTION Receiver's Motion for Appointment of Appraisers, Approval of Appraisals of Frisco Gate Property and Setting Hearing Regarding Approval of Sale of Frisco Gate Property, 376 MOTION Ratify Frisco Gate Property Orders, Authorize Sale, and Stay Accrual of Interest (Schurr, Patrick) Modified on 12/21/2023 (axm). (Entered: 12/06/2023)
12/06/2023	427	ELECTRONIC ORDER: The Court GRANTS Barton's motion to amend deadlines (Doc. 424) in the Receivership Order and Preliminary Injunction Order. Accordingly, in the Receivership Order, the deadlines for the Receivership Entities to provide the Receiver a sworn statement (Doc. 417 at 12-13) and for Barton to serve on the Receiver a declaration (Doc. 417 at 15) are amended to forty-five days after the entry of the Receivership Order. In the Preliminary Injunction Order, the deadline for Barton to give a sworn accounting (Doc. 418 at 11) is amended to forty-five days after the entry of the Preliminary Injunction Order. (Ordered by Judge Brantley Starr on 12/6/2023) (chmb) (Entered: 12/06/2023)
12/06/2023		***Clerk's Notice of delivery: (see NEF for details) Docket No:427. Wed Dec 6 15:10:19 CST 2023 (crt) (Entered: 12/06/2023)
12/06/2023	428	OBJECTION filed by Timothy Barton re: 374 Expedited MOTION to Ratify Orders Appointing Appraisers, <i>Approving Appraisals and Approving Sale of Real Estate</i> , 376 MOTION Ratify Frisco Gate Property Orders, Authorize Sale, and Stay Accrual of Interest, 378 MOTION Ratify the Amerigold Suites Orders, Authorize Sale, and Stay Accrual of Interest (Edney, Michael) (Entered: 12/06/2023)
12/07/2023	429	NOTICE OF INTERLOCUTORY APPEAL as to 419 Order, 417 Order, 416 Order, 420 Order, 418 Order, 427 Order on Motion to Amend/Correct., to the Fifth Circuit by Timothy Barton. Filing fee \$605, receipt number ATXNDC-14227507. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically notified. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions here . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (Edney, Michael) (Entered: 12/07/2023)
12/12/2023	430	Unopposed MOTION to Intervene <i>On a Limited Basis With Respect to the Frisco Gate Property</i> filed by Palisades-TC, LLC with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Patton, Jonathan) (Entered: 12/12/2023)
12/12/2023	431	MOTION for Leave to File to Exceed Page Limitation in Receiver's Reply to Consolidated Response filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Exhibit(s) A, # 2 Proposed Order) (Koonce, Charlene) (Entered: 12/12/2023)
12/14/2023	432	ELECTRONIC ORDER: Regarding the hearing on the Frisco Gate Property, the scope of the hearing is to determine if a sale of the Property is in the best interest of the Receivership, not to determine potential distribution of sale proceeds. The Court has received papers on Palisades's interest and Texas Republic Bank's default interest argument and will resolve those issues on the

		papers. (Ordered by Judge Brantley Starr on 12/14/2023) (chmb) (Entered: 12/14/2023)
12/14/2023	433	NOTICE of <i>Publication</i> re: 374 Expedited MOTION to Ratify Orders Appointing Appraisers, <i>Approving Appraisals and Approving Sale of Real Estate</i> . 376 MOTION Ratify Frisco Gate Property Orders, Authorize Sale, and Stay Accrual of Interest, 378 MOTION Ratify the Amerigold Suites Orders, Authorize Sale, and Stay Accrual of Interest filed by Receiver (Attachments: # 1 Exhibit(s) A, # 2 Exhibit(s) B) (Thomas, Cort) (Entered: 12/14/2023)
12/14/2023	434	ELECTRONIC ORDER granting 431 Motion for Leave to File. (Unless the document has already been filed, clerk to enter the document as of the date of this order.) (Ordered by Judge Brantley Starr on 12/14/2023) (chmb) (Entered: 12/14/2023)
12/14/2023	435	REPLY to Defendant Timothy Barton's Consolidated Opposition to Receiver's Verified Motions for Authorization to Sell Three Receivership Properties filed by Receiver re: 374 Expedited MOTION to Ratify Orders Appointing Appraisers, 376 MOTION Ratify Frisco Gate Property Orders, Authorize Sale, and Stay Accrual of Interest, 378 MOTION Ratify the Amerigold Suites Orders, Authorize Sale, and Stay Accrual of Interest. (agc) (Entered: 12/14/2023)
12/14/2023	439	ELECTRONIC Minute Entry for proceedings held before Judge Brantley Starr: Motion Hearing held on 12/14/2023. Hearing on the Receiver's motions to appoint appraisers and approve appraisals sale of the Rock Creek Property, the Frisco Gate Property, and the Amerigold Suites. Attorney Appearances: Plaintiff - Keefe Bernstein; Defense - Michael Edney; Receiver - Cort Thomas, Charlene Koonce, Tim Wells; (Court Reporter: Kelli Ann Willis) (No exhibits) Time in Court - 1:15. (chmb) Modified filed date on 1/15/2024 (axm). (Entered: 12/18/2023)
12/15/2023	436	ORDER APPROVING SALE re: Amerigold Suites. (Ordered by Judge Brantley Starr on 12/15/2023) (axm) (Entered: 12/16/2023)
12/15/2023	437	ORDER APPROVING SALE re: Rock Creek Property. (Ordered by Judge Brantley Starr on 12/15/2023) (axm) (Entered: 12/16/2023)
12/15/2023	438	ORDER APPROVING SALE: The Court APPROVES the sale of the Frisco Gate Property. Before closing, the Court will address by subsequent ruling the interests of Texas Republic Bank, N.A. and Palisades-TC, LLC. (Ordered by Judge Brantley Starr on 12/15/2023) (axm) (Entered: 12/16/2023)
12/17/2023		USCA Case Number 23-11237 in USCA5 for 429 Notice of Appeal filed by Timothy Barton. (axm) (Entered: 12/17/2023)
12/29/2023	440	NOTICE OF INTERLOCUTORY APPEAL as to 438 Order on Motion to Intervene, 436 Order, 437 Order to the Fifth Circuit by Timothy Barton. Filing fee \$605, receipt number ATXND-14277425. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions here . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (Edney, Michael) (Entered: 12/29/2023)
01/02/2024	441	MOTION Permission to Abandon Certain Personal Property re 419 Order filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Exhibit(s) A, # 2 Exhibit(s) B, # 3 Exhibit(s) C) (Koonce, Charlene) (Entered: 01/02/2024)
01/02/2024	442	Electronic Copy of Admitted Hearing or Trial Exhibit(s) re 429 Notice of Appeal filed by Securities and Exchange Commission. Exhibits are available for public inspection at the clerk's office. (Attachments: # 1 Exhibit(s) Part 1 of 5, # 2 Exhibit(s) Part 2 of 5) (Bernstein, Keefe) (Entered: 01/02/2024)
01/02/2024	443	Electronic Copy of Admitted Hearing or Trial Exhibit(s) re 429 Notice of Appeal filed by Securities and Exchange Commission. Exhibits are available for public inspection at the clerk's office. (Bernstein, Keefe) (Entered: 01/02/2024)
01/02/2024	444	Electronic Copy of Admitted Hearing or Trial Exhibit(s) re 429 Notice of Appeal filed by Securities and Exchange Commission. Exhibits are available for public inspection at the clerk's office. (Attachments: # 1 Exhibit(s) Part 5 of 5) (Bernstein, Keefe) (Entered: 01/02/2024)
01/03/2024	445	ELECTRONIC ORDER: The Court ORDERS expedited briefing on the Receiver's Motion for Permission to Abandon Certain Personal Property [Doc. 441]. Defendant's Response is due by January 4, 2024 at 12:00 p.m. (Ordered by Judge Brantley Starr on 1/3/2024) (chmb) (Entered: 01/03/2024)
01/03/2024	446	Unopposed MOTION to Withdraw as Attorney <i>Michael Dingman</i> filed by Timothy Barton (Attachments: # 1 Proposed Order) (Dingman, Michael) (Entered: 01/03/2024)
01/03/2024	447	NOTICE of <i>Withdrawal</i> re: 441 MOTION Permission to Abandon Certain Personal Property re 419 Order filed by Receiver (Koonce, Charlene) (Entered: 01/03/2024)
01/04/2024	448	ELECTRONIC ORDER: The Court MOOTS the Receiver's Motion for Permission to Abandon Certain Personal Property [Doc. 441] in light of the Receiver's Notice of Withdrawal [Doc. 447]. (Ordered by Judge Brantley Starr on 1/4/2024) (chmb) (Entered: 01/04/2024)
01/04/2024	449	ELECTRONIC ORDER granting Motion to Withdraw as Attorney [Doc. 446]. Attorney Michael Dingman terminated. (Ordered by Judge Brantley Starr on 1/4/2024) (chmb) (Entered: 01/04/2024)
01/05/2024	450	MOTION to Lift Litigation Stay of BM318 Bankruptcy Case re 417 Order filed by Receiver. (Carrillo, C) (Entered: 01/05/2024)
01/05/2024		USCA Case Number 24-10004 in USCA5 for 440 Notice of Appeal filed by Timothy Barton. (axm) (Entered: 01/05/2024)
01/08/2024	451	ORDER REGARDING THE FRISCO GATE PROPERTY. (Ordered by Judge Brantley Starr on 1/8/2024) (kaf) (Entered: 01/08/2024)
01/08/2024	452	Transcript Order Form re: 440 Notice of Appeal, transcript requested by Timothy Barton for Hearing 12/14/2023 (Court Reporter: Kelli Ann Willis.) Payment method: Private funds - Requester has obtained the estimate from the reporter and has paid or will pay the cost as directed. Reminder: If the transcript is ordered for an appeal, Appellant must also file a copy of the order form with the appeals court. (Edney, Michael) (Entered: 01/08/2024)
01/12/2024	453	NOTICE of Attorney Appearance by Deborah M Perry for Dennis L. Roossien, Jr. on behalf of The Dixon Water Foundation.. Party The Dixon Water Foundation added. (Perry, Deborah) (Entered: 01/12/2024)
01/12/2024	454	Certificate Regarding Judge-Specific Requirements. (Perry, Deborah) (Entered: 01/12/2024)
01/25/2024		Record on Appeal for USCA5 23-11237 (related to 429 appeal): Record consisting of: 1 ECF electronic record on appeal (eROA) is certified, 4 Volume(s) electronic transcript. PLEASE NOTE THE FOLLOWING: Licensed attorneys must have filed an appearance in the USCA5 case and be registered for electronic filing in the USCA5 to access the paginated eROA in the USCA5 ECF system. (Take these steps immediately if you have not already done so. Once you have filed the notice of appearance and/or USCA5 ECF registration, it may take up to 3 business days for the circuit to notify the district clerk that we may grant you access to the eROA in the USCA5 ECF system.) To access the paginated record, log in to the USCA5 ECF system, and under the Utilities menu, select Electronic Record on Appeal. Pro se litigants may request a copy of the record by contacting the appeals deputy in advance to arrange delivery. (axm) (Entered: 01/25/2024)
01/26/2024	455	RESPONSE AND OBJECTION filed by Timothy Barton re: 450 MOTION to Lift Litigation Stay of BM318 Bankruptcy Case (Edney, Michael) (Entered: 01/26/2024)
01/30/2024	456	STATUS REPORT <i>Sixth Quarterly Report of Receiver</i> filed by Receiver. (Attachments: # 1 Exhibit(s) A - SFAR) (Thomas, Cort) (Entered: 01/30/2024)
02/03/2024	457	MOTION for Reconsideration re 451 Order filed by Texas Republic Bank NA with Brief/Memorandum in Support. (Attachments: # 1 Exhibit(s), # 2 Proposed Order) (Schurr, Patrick) (Entered: 02/03/2024)
02/09/2024	458	REPLY filed by Receiver re: 450 MOTION to Lift Litigation Stay of BM318 Bankruptcy Case (Carrillo, C) (Entered: 02/09/2024)
02/12/2024	459	NOTICE of <i>Intended Auction of Art and Antiques</i> filed by Receiver (Attachments: # 1 Exhibit(s) A) (Koonce, Charlene) (Entered: 02/12/2024)
02/14/2024	460	MOTION for Extension of Time to File Third, Fourth, and Fifth Quarterly Fee Applications filed by Receiver (Attachments: # 1 Proposed Order) (Thomas, Cort) (Entered: 02/14/2024)
02/14/2024	461	MOTION to Withdraw as Attorney and <i>Substitute Counsel of Record</i> filed by McCormick 101, LLC (Attachments: # 1 Proposed Order) (Mills, Russell) (Entered: 02/14/2024)
02/16/2024	462	OBJECTION filed by Timothy Barton re: 459 Notice (Other) (Edney, Michael) (Entered: 02/16/2024)
02/16/2024	463	MOTION Modify Stay Provision Set Forth in Receiver Order filed by McCormick 101, LLC (Attachments: # 1 Proposed Order) (Mills, Russell) (Entered: 02/16/2024)
02/20/2024	466	USCA Letter Invoking Transcript Discount. Court Reporter: Kelli Ann Willis. Discount of 10 percent invoked. (axm) (Entered: 02/23/2024)
02/21/2024	464	ELECTRONIC ORDER granting 460 the Receiver's unopposed motion for extension of time to file the Third, Fourth, and Fifth Quarterly Fee Applications. The deadline to file those fee applications is extended to May 14, 2024. (Ordered by Judge Brantley Starr on 2/21/2024) (chmb) (Entered: 02/21/2024)
02/21/2024	465	Notice of Filing of Official Electronic Transcript of Motion to Approve Sale Proceedings held on 12-14-23 before Judge Brantley Starr. Court Reporter/Transcriber Kelli Ann Willis, Telephone number 214-753-2654. Parties are notified of their duty to review the transcript. A copy may be purchased from the court reporter or viewed at the clerk's office. If the transcript contains personal identifiers that must be redacted under MO 61, Fed.R.Civ.P. 5.2 or Fed.R.Crim.P. 49.1, or if the transcript contains the name of a minor child victim or a minor child witness that must be redacted under 18 U.S.C. § 3509, file a Redaction Request - Transcript within 21 days. If no action is taken, the entire transcript will be made available through PACER without redaction after 90 calendar days. The clerk will mail a copy of this notice to parties not electronically noticed. (83 pages) Redaction Request due 3/13/2024. Redacted Transcript Deadline set for 3/25/2024. Release of Transcript Restriction set for 5/21/2024. (kaw) (Entered: 02/21/2024)
02/23/2024	467	RESPONSE filed by Receiver re: 457 MOTION for Reconsideration re 451 Order (Carrillo, C) (Entered: 02/23/2024)
02/23/2024	468	RESPONSE filed by Palisades-TC, LLC re: 457 MOTION for Reconsideration re 451 Order (Patton, Jonathan) (Entered: 02/23/2024)
02/26/2024	469	ELECTRONIC ORDER granting 461 Motion to Withdraw and Substitute Attorney. Attorneys Russell W. Mills, Gwen I. Walraven, and Lewis F. Collins, III terminated. (Ordered by Judge Brantley Starr on 2/26/2024) (chmb) (Entered: 02/26/2024)
02/26/2024	474	Opinion of USCA in accordance with USCA judgment re 130 Notice of Appeal filed by Gillespie Villas LLC, Titan Investments LLC, TRTX Properties LLC, Venus59 LLC, Maximilien Barton. The appeal is DISMISSED AS MOOT. (axm) (Entered: 03/03/2024)

02/26/2024	475	JUDGMENT/MANDATE of USCA as to 130 Notice of Appeal filed by Gillespie Villas LLC, Titan Investments LLC, TRTX Properties LLC, Venus59 LLC, Maximilien Barton. The appeal is DISMISSED as moot. Issued as Mandate: 2/26/2024. (axm) (Entered: 03/03/2024)
02/27/2024		***Clerk's Notice of delivery: (see NEF for details) Docket No:469. Tue Feb 27 11:41:11 CST 2024 (crt) (Entered: 02/27/2024)
02/27/2024	470	RESPONSE filed by Receiver re: 462 Response/Objection (Attachments: # 1 Exhibit(s) 1) (Koonce, Charlene) (Entered: 02/27/2024)
03/01/2024	471	*** Please Disregard per Attorney*** MOTION Lift Litigation Stay for Limited Purpose filed by Receiver with Brief/Memorandum in Support. (Koonce, Charlene) Modified on 3/1/2024 (kcr). (Entered: 03/01/2024)
03/01/2024	472	MOTION for Leave to File Complaints Against Third Parties filed by Receiver with Brief/Memorandum in Support. (Koonce, Charlene) (Entered: 03/01/2024)
03/01/2024	473	***Duplicate Entry of # 472 *** MOTION for Leave to File Complaint against Third Parties filed by Receiver with Brief/Memorandum in Support. (Koonce, Charlene) Modified text and inkage on 3/3/2024 (axm). (Entered: 03/01/2024)
03/04/2024	476	MOTION Lift Litigation Stay for Limited Purpose filed by Receiver with Brief/Memorandum in Support. (Koonce, Charlene) (Entered: 03/04/2024)
03/07/2024	477	ORDER: The Court DENIES McCormick's 463 motion to modify the stay provision in the Receivership Order and further DENIES McCormick's request to proceed with a foreclosure sale of the Amerigold Suites. (Ordered by Judge Brantley Starr on 3/7/2024) (ykp) (Entered: 03/07/2024)
03/08/2024		Record on Appeal for USCA5 24-10004 (related to 440 appeal): Record consisting of: 1 ECF electronic record on appeal (eROA) is certified, 5 Volume(s) electronic transcript. PLEASE NOTE THE FOLLOWING: Licensed attorneys must have filed an appearance in the USCA5 case and be registered for electronic filing in the USCA5 to access the paginated eROA in the USCA5 ECF system. (Take these steps immediately if you have not already done so. Once you have filed the notice of appearance and/or USCA5 ECF registration, it may take up to 3 business days for the circuit to notify the district clerk that we may grant you access to the eROA in the USCA5 ECF system.) To access the paginated record, log in to the USCA5 ECF system, and under the Utilities menu, select Electronic Record on Appeal. Pro se litigants may request a copy of the record by contacting the appeals deputy , in advance to arrange delivery. (mcrd) (Entered: 03/08/2024)
03/08/2024	478	NOTICE of <i>Noncompliance and Continuing Interference</i> re: 417 Order, 427 Order on Motion to Amend/Correct,, filed by Receiver (Koonce, Charlene) (Entered: 03/08/2024)
03/12/2024	479	NOTICE of <i>No Objection</i> re: 472 MOTION for Leave to File Complaints Against Third Parties filed by Receiver (Wells, Tim) (Entered: 03/12/2024)
03/12/2024	480	NOTICE of <i>No Objection</i> re: 476 MOTION Lift Litigation Stay for Limited Purpose filed by Receiver (Wells, Tim) (Entered: 03/12/2024)
03/12/2024	481	NOTICE of Attorney Appearance by Gordon Welborne Green on behalf of Truist Bank. (Filer confirms contact info in ECF is current.). Party Truist Bank added. (Green, Gordon) (Entered: 03/12/2024)
03/15/2024	482	MOTION for Hearing and Exemption from Receiver filed by Daniel Crow. (axm) (Entered: 03/18/2024)
03/28/2024	483	NOTICE of <i>Intended Auction of Art</i> filed by Receiver (Koonce, Charlene) (Entered: 03/28/2024)
04/04/2024	485	MOTION for Judgment filed by Maximilien Barton. (ndt) (Entered: 04/05/2024)
04/05/2024	484	RESPONSE AND OBJECTION filed by Receiver re: 482 MOTION for Hearing (Koonce, Charlene) (Entered: 04/05/2024)
04/15/2024	486	ORDER: Before the Court is the Receiver's 450 motion to lift the litigation stay of the BM318 bankruptcy case. The Court GRANTS the motion and LIFTS THE STAY of In re BM318, LLC, Case No. 20-042789-mxm in the U.S. Bankruptcy Court for the Northern District of Texas, Fort Worth Division and BM318, LLC, Plaintiff v. The Dixon Water Foundation, Defendant, Lumar Land & Cattle, LLC, Plaintiff-in-intervention, Adv. No. 21-04051-mxm in the U.S. Bankruptcy Court for the Northern District of Texas, Fort Worth Division, so that the Bankruptcy Court may consider the settlement agreements from litigation that progressed before the litigation stay. (Ordered by Judge Brantley Starr on 4/15/2024) (ykp) (Entered: 04/15/2024)
04/17/2024	487	MOTION to Ratify Settlement Agreement with Somerset-Lost Creek Golf, Ltd and The Beryl Artz Bypass Trust and Brief in Support filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Thomas, Cort) (Entered: 04/17/2024)
04/19/2024	488	ORDER granting 472 MOTION for Leave to File Complaints Against Third Parties. (The requesting party must file the document with the clerk.) (Ordered by Judge Brantley Starr on 4/19/2024) (ykp) (Entered: 04/19/2024)
04/19/2024	489	ORDER granting 476 MOTION Lift Litigation Stay for Limited Purpose: The Court GRANTS the motion and LIFTS THE STAY to allow for a mediation between Badgley and Goldmark's insurance carrier, consistent with Badgley's agreement on the Receiver's conditions that: "(1) a representative for the Receiver is permitted to attend only to the extent necessary and only by telephone; (2) payment of any deductible amount is either waived or submitted as a claim for payment in any claims process; and (3) the Receiver retains discretion to oppose any settlement that exceeds policy limits." (Ordered by Judge Brantley Starr on 4/19/2024) (ykp) (Entered: 04/19/2024)
04/26/2024	490	RESPONSE filed by Receiver re: 485 MOTION for Judgment (Wells, Tim) (Entered: 04/26/2024)
04/30/2024	491	STATUS REPORT <i>Seventh Quarterly Report of Receiver (1Q24)</i> filed by Receiver. (Attachments: # 1 Exhibit(s) A - SFAR) (Thomas, Cort) (Entered: 04/30/2024)
05/06/2024	492	Opinion of USCA in accordance with USCA judgment re 112 Notice of Appeal filed by Timothy Barton. (axm) (Entered: 05/08/2024)
05/06/2024	493	JUDGMENT/MANDATE of USCA as to 112 Notice of Appeal filed by Timothy Barton. The appeal is DISMISSED as moot. Issued as Mandate: 5/6/2024. (axm) (Entered: 05/08/2024)
05/15/2024	494	MOTION to Ratify Settlement Agreement with Tamamoi, LLC and 3820 Illinois, LLC and Brief in Support filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Exhibit(s) A, # 2 Proposed Order) (Thomas, Cort) (Entered: 05/15/2024)
05/15/2024	495	NOTICE of <i>INTENTION TO OPPOSE RECEIVERS VERIFIED MOTION TO RATIFY SETTLEMENT AGREEMENT</i> re: 494 MOTION to Ratify Settlement Agreement with Tamamoi, LLC and 3820 Illinois, LLC and Brief in Support filed by Timothy Barton (Edney, Michael) (Entered: 05/15/2024)
05/15/2024	496	MOTION to Extend Time to File Third, Fourth, Fifth, and Sixth Quarterly Fee Applications filed by Receiver (Attachments: # 1 Proposed Order) (Thomas, Cort) (Entered: 05/15/2024)
05/24/2024	497	ORDER granting 487 MOTION to Ratify Settlement Agreement with Somerset-Lost Creek Golf, Ltd and The Beryl Artz Bypass Trust. The Court hereby RATIFIES the Settlement Agreement finding it is fair and equitable and in the best interests of the Receivership Estate. Furthermore, the Court LIFTS THE STAY of Somerset-Lost Creek Golf, Ltd. v. Tim Barton, LC Aledo TX, LLC, MJM Acquisitions, LLC, and Wall010, LLC, Cause No. 096-319595-20 pending in the 96th Judicial District of Tarrant County, Texas for the limited purpose of allowing the Receiver to dismiss the case. (Ordered by Judge Brantley Starr on 5/24/2024) (ykp) (Entered: 05/24/2024)
05/24/2024	498	MOTION to Modify Stay Provision Set Forth in Receiver Order filed by Southern Star Capital LLC with Brief/Memorandum in Support re 417 Order. (Attachments: # 1 Proposed Order) (Buchholz, Robert) Modified text on 7/8/2024 (axm). (Entered: 05/24/2024)
05/24/2024	499	Appendix in Support filed by Southern Star Capital LLC re 498 MOTION Lifting of Stay; Exception from Order Appointing Receiver re 417 Order (Buchholz, Robert) (Entered: 05/24/2024)
06/05/2024	500	MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Amerigold Suites filed by Receiver with. (Attachments: # 1 Proposed Order) (Wells, Tim) (Entered: 06/05/2024)
06/05/2024	501	Appendix in Support filed by Receiver re 500 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Amerigold Suites (Wells, Tim) (Entered: 06/05/2024)
06/05/2024	502	MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Hall Street Property filed by Receiver. (Attachments: # 1 Proposed Order) (Wells, Tim) (Entered: 06/05/2024)
06/05/2024	503	Appendix in Support filed by Receiver re 502 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Hall Street Property (Wells, Tim) (Entered: 06/05/2024)
06/05/2024	504	RESPONSE AND OBJECTION filed by Timothy Barton re: 494 MOTION to Ratify Settlement Agreement with Tamamoi, LLC and 3820 Illinois, LLC and Brief in Support (Edney, Michael) (Entered: 06/05/2024)
06/07/2024	505	Re-Urging MOTION to Intervene and Lift Litigation Stay filed by First Development Company of Ohio LLC re: 245 Motion. (Attachments: # 1 Proposed Order) (Gitlin, Jonathan) Modified text and linkage on 6/17/2024 (axm). (Entered: 06/07/2024)
06/07/2024	506	AMENDED CERTIFICATE of Conference re 500 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Amerigold Suites by Receiver. (Wells, Tim) Modified event text on 6/17/2024 (axm). (Entered: 06/07/2024)
06/07/2024	507	AMENDED CERTIFICATE of Conference re 502 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Hall Street Property by Receiver. (Wells, Tim) Modified event text on 6/17/2024 (axm). (Entered: 06/07/2024)
06/14/2024	508	RESPONSE filed by Receiver re: 498 MOTION Lifting of Stay; Exception from Order Appointing Receiver re 417 Order (Koonce, Charlene) (Entered: 06/14/2024)
06/14/2024	509	RESPONSE filed by Securities and Exchange Commission re: 498 MOTION Lifting of Stay; Exception from Order Appointing Receiver re 417 Order (Attachments: # 1 Proposed Order) (Bernstein, Keefe) (Entered: 06/14/2024)
06/18/2024	510	MEMORANDUM OPINION AND ORDER denying 457 Motion for Reconsideration. (Ordered by Judge Brantley Starr on 6/18/2024) (kcr) (Entered: 06/18/2024)
06/18/2024		***Clerk's Notice of delivery: (see NEF for details) Docket No:510. Tue Jun 18 10:14:11 CDT 2024 (crt) (Entered: 06/18/2024)

06/18/2024	511	RESPONSE filed by 3820 Illinois LLC, Tamamoi LLC re: 494 MOTION to Ratify Settlement Agreement with Tamamoi, LLC and 3820 Illinois, LLC and Brief in Support (Attachments: # 1 Exhibit(s), # 2 Exhibit(s), # 3 Exhibit(s), # 4 Exhibit(s), # 5 Exhibit(s)) (Cox, Sarah) (Entered: 06/18/2024)
06/18/2024	512	Declaration of <i>Jim Richardson</i> filed by 3820 Illinois LLC, Tamamoi LLC re 511 Response/Objection. (Cox, Sarah) Modified text on 6/21/2024 (axm). (Entered: 06/18/2024)
06/18/2024	513	REPLY filed by Receiver re: 494 MOTION to Ratify Settlement Agreement with Tamamoi, LLC and 3820 Illinois, LLC and Brief in Support (Koonce, Charlene) (Entered: 06/18/2024)
06/18/2024	514	MOTION to Extend Page Limitation for Receiver's Reply in Support of Verified Motion to Ratify Settlement Agreement with <i>Tamamoi, LLC and 3820 Illinois, LLC</i> filed by Receiver (Attachments: # 1 Proposed Order) (Koonce, Charlene) (Entered: 06/18/2024)
06/25/2024	515	ELECTRONIC ORDER: The hearings on the Receiver's motions to appoint appraisers, approve appraisals, and set hearings for the sales of the Amerigold Suites and the Hall Street Property (Docs. 500 , 502) will be held on July 23, 2024 at 10:00 a.m. (Ordered by Judge Brantley Starr on 6/25/2024) (chmb) (Entered: 06/25/2024)
06/26/2024	516	RESPONSE AND OBJECTION filed by Timothy Barton re: 500 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Amerigold Suites (Edney, Michael) (Entered: 06/26/2024)
06/26/2024	517	RESPONSE AND OBJECTION filed by Timothy Barton re: 502 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Hall Street Property (Edney, Michael) (Entered: 06/26/2024)
06/27/2024	518	MOTION to Withdraw as Attorney <i>Tina Q. Nguyen and Lindsay Buchanan</i> , MOTION to Substitute Attorney, <i>John B. Scott</i> . Motion filed by Pioneer Finance, Inc. (Attachments: # 1 Proposed Order) (Nguyen, Tina) Modified text on 7/8/2024 (axm). (Entered: 06/27/2024)
06/28/2024	519	RESPONSE filed by Receiver re: 505 Re-Urging MOTION to Intervene and Lift Litigation Stay. (Koonce, Charlene) Modified text on 7/8/2024 (axm). (Entered: 06/28/2024)
06/28/2024	520	ELECTRONIC ORDER granting 518 unopposed motion to withdraw as attorney and motion to substitute attorney. Attorney Lindsay Lombard Buchanan and Tina Quy Phi Nguyen terminated; Lindsay Lombard Buchanan and Tina Quy Phi Nguyen no longer associated with this case. Attorney John B. Scott is substituted as counsel of record for Pioneer Finance, Inc. (Ordered by Judge Brantley Starr on 6/28/2024) (chmb) (Entered: 06/28/2024)
06/28/2024	521	RESPONSE filed by Securities and Exchange Commission re: 505 Re-Urging MOTION to Intervene and Lift Litigation Stay. (Attachments: # 1 Proposed Order) (Bernstein, Keefe) Modified text on 7/8/2024 (axm). (Entered: 06/28/2024)
06/28/2024	522	REPLY filed by Southern Star Capital LLC re: 498 MOTION to Modify Stay Provision Set Forth in Receiver Order. (Buchholz, Robert) Modified text on 7/8/2024 (axm). (Entered: 06/28/2024)
07/02/2024	523	ELECTRONIC ORDER granting (Doc. 496) the Receiver's partially unopposed motion for extension of time to file the Third, Fourth, Fifth, and Sixth Quarterly Fee Applications. The deadline to file those fee applications is extended to August 14, 2024. (Ordered by Judge Brantley Starr on 7/2/2024) (chmb) (Entered: 07/02/2024)
07/08/2024	524	MOTION to Ratify BM318, LLC's Settlement Agreements with The Dixon Water Foundation and Lumar Land & Cattle, LLC filed by Receiver with Brief/Memorandum in Support. (Carrillo, C) Modified on 7/11/2024 (ykp). (Entered: 07/08/2024)
07/08/2024	525	Appendix in Support filed by Receiver re 524 MOTION to Ratify BM318, LLC's Settlement Agreements with The Dixon Water Foundation and Lumar Land & Cattle, LLC and Brief in Support (Carrillo, C) (Entered: 07/08/2024)
07/09/2024	526	NOTICE of Attorney Appearance by Martin Allen Sosland on behalf of Louisiana National Bank. (Filer confirms contact info in ECF is current.). Party Louisiana National Bank added. (Sosland, Martin) (Entered: 07/09/2024)
07/09/2024	527	Certificate Regarding Judge-Specific Requirements. (Sosland, Martin) (Entered: 07/09/2024)
07/10/2024	528	REPLY filed by Receiver re: 502 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Hall Street Property, 500 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Amerigold Suites (Koonce, Charlene) (Entered: 07/10/2024)
07/11/2024	529	ELECTRONIC ORDER granting 514 Motion for Leave to File. (The requesting party must file the document with the clerk.) (Ordered by Judge Brantley Starr on 7/11/2024) (chmb) Modified text to add filing instruction on 7/11/2024 (ykp). (Entered: 07/11/2024)
07/17/2024	530	NOTICE of <i>Continued Interference with Receiver's Management of Receivership Property</i> filed by Receiver (Koonce, Charlene) (Entered: 07/17/2024)
07/17/2024	531	ORDER granting 500 Motion for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Amerigold Suites. The Court APPOINTS the appraisers for the purpose of providing their appraisals of the Property and ACCEPTS the appraisals they provided in satisfaction of 28 U.S.C. section 2001(b). (Ordered by Judge Brantley Starr on 7/17/2024) (kcr) (Entered: 07/17/2024)
07/17/2024	532	ORDER granting 502 Motion for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Hall Street Property. The Court APPOINTS the appraisers for the purpose of providing their appraisals of the Property and ACCEPTS the appraisals they provided in satisfaction of 28 U.S.C. section 2001(b). (Ordered by Judge Brantley Starr on 7/17/2024) (kcr) (Entered: 07/17/2024)
07/19/2024	533	MOTION to Adjourn Hearing on Receiver's Motions re 502 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Hall Street Property, 500 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Amerigold Suites filed by Timothy Barton (Attachments: # 1 Exhibit(s) A) (Edney, Michael) (Entered: 07/19/2024)
07/22/2024	534	ELECTRONIC ORDER denying 533 motion to adjourn hearing. The hearings on the Receiver's motions to approve the sales of the Amerigold Suites and the Hall Street Property (Docs. 500 , 502) will still be held on July 23, 2024 at 10:00 a.m. (Ordered by Judge Brantley Starr on 7/22/2024) (chmb) (Entered: 07/22/2024)
07/23/2024	535	NOTICE of <i>Publication Regarding Sale of Amerigold Suites and Hall Street Property</i> re: 502 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Hall Street Property, 500 MOTION for Appointment of Appraisers, Approval of Appraisals, Approval Hearing, and Approval of Sale of Amerigold Suites filed by Receiver (Thomas, Cort) (Entered: 07/23/2024)
07/23/2024	536	ELECTRONIC Minute Entry for proceedings held before Judge Brantley Starr: Motion Hearing held on 7/23/2024 re 500 and 502 Motion for Appointment of Appraisal and Approval of Appraisals. Attorney Appearances: Plaintiff - Keefe Bernstein; Defense - Michael Edney, Receivers - Tim Wells, Kort Thomas. (Court Reporter: Rachel Erickson) (No exhibits) Time in Court - :40. (chmb) (Entered: 07/23/2024)
07/25/2024	537	ORDER: The Court APPROVES the sale of the Property. The Court additionally AUTHORIZES the Receiver to sell and to convey title to the Amerigold Suites free and clear of mortgages, liens, claims and encumbrances, after paying all secured lienholders in accordance with contractual terms. (Ordered by Judge Brantley Starr on 7/25/2024) (kcr) (Entered: 07/25/2024)
07/25/2024	538	ORDER: The Court APPROVES the sale of the Hall Street Property. The Court additionally AUTHORIZES the Receiver to sell and to convey title to the Hall Street Property free and clear of mortgages, liens, claims and encumbrances, after paying all secured lienholders in accordance with contractual terms. (Ordered by Judge Brantley Starr on 7/25/2024) (kcr) (Entered: 07/25/2024)
07/26/2024	539	MOTION Receiver's Renewed, Partially Unopposed Third Quarterly Fee Application filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Thomas, Cort) (Entered: 07/26/2024)
07/26/2024	540	Appendix in Support filed by Receiver re 539 MOTION Receiver's Renewed, Partially Unopposed Third Quarterly Fee Application (Thomas, Cort) (Entered: 07/26/2024)
07/29/2024	541	RESPONSE AND OBJECTION filed by Timothy Barton re: 524 MOTION to Ratify BM318, LLC's Settlement Agreements with The Dixon Water Foundation and Lumar Land & Cattle, LLC (Edney, Michael) (Entered: 07/29/2024)
07/29/2024	542	Appendix in Support filed by Timothy Barton re 541 Response/Objection to <i>Ratify BM318, LLC's Settlement Agreements with The Dixon Water Foundation and Lumar Land & Cattle LLC</i> (Edney, Michael) (Entered: 07/29/2024)
07/30/2024	543	STATUS REPORT <i>Eighth Quarterly Report of Receiver (2Q24)</i> filed by Receiver. (Attachments: # 1 Exhibit(s) A - SFAR) (Thomas, Cort) (Entered: 07/30/2024)
08/01/2024	544	MOTION for Leave to File Documents Under Seal filed by Timothy Barton (Attachments: # 1 Proposed Order) (Edney, Michael) (Entered: 08/01/2024)
08/08/2024	545	ELECTRONIC ORDER denying 544 Motion for Leave to File. Before the Court is Timothy Barton's motion for leave to file documents under seal. The Court may well end up sealing documents at Barton's request. But there are two hurdles Barton has yet to clear. First, under Local Rule 79.3(c), Barton "must attach the proposed sealed document as an exhibit." That document can be provisionally sealed. There's a good reason the Court must have the document at issue, which is the second hurdle Barton must clear. In the Fifth Circuit, a party seeking to file a specific document under seal must move for leave to do so and: (1) identify precisely what information (pages, lines, etc.) the party wants sealed; (2) conduct a line-by-line, page-by-page analysis explaining and briefing why the risks of disclosure outweigh the public's right to know; and (3) explain why no other viable alternative to sealing exists. Planned Parenthood of Greater Tex. Family Planning & Preventative Health Servs., Inc. v. Kaufman, No. 17-50534, Doc. 00514098372, at 2 (5th Cir. Aug. 1, 2017). Further, all facts recited in any such motion must be verified by the oath or declaration of a person or persons with personal knowledge, which will assist the Court in making fact findings that can withstand appellate scrutiny. If the facts supporting sealing are known by the respondent, then the response to the sealing motion must contain the declaration supporting sealing with the line-by-line analysis. Accordingly, the Court must deny without prejudice Barton's motion. (Ordered by Judge Brantley Starr on 8/8/2024) (Entered: 08/08/2024)
08/12/2024	546	REPLY filed by Receiver re: 524 MOTION to Ratify BM318, LLC's Settlement Agreements with The Dixon Water Foundation and Lumar Land & Cattle, LLC (Carrillo, C) (Entered: 08/12/2024)
08/13/2024	547	Unopposed MOTION to Extend Time to File Fourth, Fifth, Sixth, and Seventh Quarterly Fee Applications filed by Receiver (Attachments: # 1 Proposed Order) (Thomas, Cort) (Entered: 08/13/2024)
08/14/2024	548	ORDER denying without prejudice 482 Motion for Hearing and Exemption from Receivership; denying without prejudice 485 Motion for Judgment (Ordered by Judge Brantley Starr on 8/14/2024) (cfk) Modified text on 8/19/2024 (cfk). (Entered: 08/14/2024)
08/14/2024	549	ORDER granting 494 Motion to Ratify Settlement Agreement with Tamamoi, LLC and 3820 Illinois, LLC. (Ordered by Judge Brantley Starr on 8/14/2024) (cfk) (Entered: 08/14/2024)

08/14/2024	550	ORDER granting 524 Motion to Ratify BM318, LLC's Settlement Agreements with The Dixon Water Foundation and Lumar Land & Cattle, LLC. (Ordered by Judge Brantley Starr on 8/14/2024) (cfk) (Entered: 08/14/2024)
08/14/2024	551	ORDER denying 498 Motion to Modify Stay Provision Set Forth in Receiver Order. (Ordered by Judge Brantley Starr on 8/14/2024) (cfk) (Entered: 08/14/2024)
08/20/2024	552	ELECTRONIC ORDER granting 547 Motion to Extend Time. Before the Court is the Receivers Unopposed Motion for Extension of Time to File Fourth, Fifth Quarterly Fee Applications. Having considered the Motion, the Court is of the opinion that it should be and hereby is GRANTED. Accordingly, the Receivers deadline to file his Fourth, Fifth, Sixth, and Seventh Quarterly Fee Applications is hereby EXTENDED until November 14, 2024. (Ordered by Judge Brantley Starr on 8/20/2024) (Entered: 08/20/2024)
08/20/2024	553	ORDER granting 539 Motion It is hereby ORDERED that the Receiver is authorized to pay from the receivership assets recovered by the Receiver the following fees and expenses: 1. The sum of \$81,283.19 shall be paid to Cort Thomas for his services as Receiver and expenses incurred from April 1, 2023 through June 30, 2023.2. The sum of \$208,628.50 shall be paid to Brown Fox, PLLC for its services as counsel to the Receiver from April 1, 2023 through June 30, 2023.3. The sum of \$137,937.98 shall be paid to Ahuja & Clark, PLLC for its services as accountant to the Receiver and expenses incurred from April 1, 2023 through June 30, 2023.4. The sum of \$9,891.36 shall be paid to Veracity Forensics LLC for its services as digital asset and discovery advisor to the Receiver from April 1, 2023 through June 30, 2023. (Ordered by Judge Brantley Starr on 8/20/2024) (Entered: 08/20/2024)
08/21/2024	554	NOTICE OF INTERLOCUTORY APPEAL as to 538 Order, 550 Order on Motion for Miscellaneous Relief, 537 Order, 549 Order on Motion for Miscellaneous Relief to the Fifth Circuit by Timothy Barton. Filing fee \$605, receipt number ATXNDC-14856970. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions here . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (Edney, Michael) (Entered: 08/21/2024)
08/22/2024	555	(Document Restricted) Sealed Motion for Leave to File Documents Under Seal (Sealed pursuant to motion to seal) filed by Timothy Barton (Attachments: # 1 SEALED-Proposed Motion for Protective Order, # 2 Proposed Order) (Edney, Michael) (Entered: 08/22/2024)
08/23/2024	556	Special Order No. 3-354: Effective August 23, 2024, the cases listed on Exhibit A to this order are transferred to Magistrate Judge Brian McKay and shall henceforth carry the suffix letters BW. This case has been reassigned pursuant to Special Order No. 3-354. (The clerk has mailed a copy to all non-ECF users.) (Ordered by Chief Judge David C. Godbey on 8/23/2024) (cea) (Entered: 08/23/2024)
08/23/2024	557	NOTICE of Authority (<i>Starbucks v. McKinney</i>) filed by Securities and Exchange Commission (Bernstein, Keefe) (Entered: 08/23/2024)
08/23/2024	558	MOTION for Order to Show Cause <i>Hearing, Sanctions, Injunctive Relief</i> filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Koonce, Charlene) (Entered: 08/23/2024)
08/23/2024	559	Appendix in Support filed by Receiver re 558 MOTION for Order to Show Cause <i>Hearing, Sanctions, Injunctive Relief, and Brief in Support</i> (Koonce, Charlene) (Entered: 08/23/2024)
08/27/2024	560	RESPONSE filed by Receiver re: 555 (Document Restricted) Sealed Motion for Leave to File Documents Under Seal (Sealed pursuant to motion to seal) (Attachments: # 1 Exhibit(s) A) (Koonce, Charlene) (Entered: 08/27/2024)
08/29/2024	561	Notice of Filing of Official Electronic Transcript of Motion Proceedings held on 7/23/2024 before Judge Brantley Starr. Court Reporter/Transcriber Rachel Erickson, Telephone number 214-753-2170. Parties are notified of their duty to review the transcript. A copy may be purchased from the court reporter or viewed at the clerk's office. If the transcript contains personal identifiers that must be redacted under MO 61, Fed.R.Civ.P. 5.2 or Fed.R.Crim.P. 49.1, or if the transcript contains the name of a minor child victim or a minor child witness that must be redacted under 18 U.S.C. § 3509, file a Redaction Request - Transcript within 21 days. If no action is taken, the entire transcript will be made available through PACER without redaction after 90 calendar days. The clerk will mail a copy of this notice to parties not electronically noticed. (27 pages) Redaction Request due 9/19/2024. Redacted Transcript Deadline set for 9/30/2024. Release of Transcript Restriction set for 11/27/2024. (rce) (Entered: 08/29/2024)
09/03/2024	562	ORDER denying 505 Motion The Court DENIES the motion from First Development Company of Ohio, LLC to intervene and lift the stay. (Ordered by Judge Brantley Starr on 9/3/2024) (Entered: 09/03/2024)
09/03/2024		USCA Case Number 24-10788 in USCA5 for 554 Notice of Appeal filed by Timothy Barton. (axm) (Entered: 09/03/2024)
09/04/2024	563	MOTION To Modify Stay Provision Set Forth in Receiver Order filed by McCormick 101 LLC (Attachments: # 1 Exhibit(s) A - Termination Letter, # 2 Proposed Order Proposed Order) (Cheves, Phillip) (Entered: 09/04/2024)
09/05/2024	564	Transcript Order Form: re 554 Notice of Appeal, transcript not requested. Reminder: If the transcript is ordered for an appeal, Appellant must also file a copy of the order form with the appeals court. (Edney, Michael) (Entered: 09/05/2024)
09/13/2024	565	Unopposed Third MOTION for Extension of Time to File Response/Reply to 558 MOTION for Order to Show Cause <i>Hearing, Sanctions, Injunctive Relief</i> filed by Timothy Barton (Edney, Michael) Modified on text 9/30/2024 (axm). (Entered: 09/13/2024)
09/13/2024	566	ELECTRONIC ORDER granting Defendant Barton's 565 Motion to Extend Time to File Response/Reply. Barton's response to 558 Motion is due September 17, 2024. (Ordered by Judge Brantley Starr on 9/13/2024) (chmb) (Entered: 09/13/2024)
09/13/2024		Deadline set: Responses due by 9/17/2024. (kaf) (Entered: 09/16/2024)
09/17/2024	567	Unopposed Second MOTION for Extension of Time to File Response/Reply to 558 MOTION for Order to Show Cause filed by Timothy Barton (Edney, Michael) Modified text and linkage on 9/30/2024 (axm). (Entered: 09/17/2024)
09/20/2024	568	Unopposed Third MOTION for Extension of Time to File Response/Reply to 558 MOTION for Order to Show Cause <i>Hearing, Sanctions, Injunctive Relief</i> filed by Timothy Barton (Edney, Michael) (Entered: 09/20/2024)
09/25/2024	569	RESPONSE AND OBJECTION filed by Securities and Exchange Commission re: 563 MOTION To Modify Stay Provision Set Forth in Receiver Order (Bernstein, Keefe) (Entered: 09/25/2024)
09/25/2024	570	RESPONSE filed by Receiver re: 563 MOTION To Modify Stay Provision Set Forth in Receiver Order (Carrillo, C) (Entered: 09/25/2024)
09/25/2024	571	Unopposed Fourth MOTION for Extension of Time to File Response/Reply to 558 MOTION for Order to Show Cause <i>Hearing, Sanctions, Injunctive Relief</i> filed by Timothy Barton (Edney, Michael) Modified text on 9/30/2024 (axm). (Entered: 09/25/2024)
09/26/2024	572	ELECTRONIC ORDER granting Defendant Barton's unopposed 571 Motion to Extend Time to File Response to Receivers 558 Motion. Barton's response is now due Friday, September 27, 2024. (Ordered by Judge Brantley Starr on 9/26/2024) (chmb) (Entered: 09/26/2024)
09/26/2024	573	ELECTRONIC ORDER finding moot Defendant Barton's 567 and 568 Motions for Extension of Time to Respond to Receiver's 558 Motion for Order to Show Cause in light of 572 Order. (Ordered by Judge Brantley Starr on 9/26/2024) (chmb) (Entered: 09/26/2024)
09/27/2024	574	Unopposed Fifth MOTION to Extend Time to <i>File a Response to Motion for Show Cause Hearing, Sanctions & Injunctive Relief</i> filed by Timothy Barton (Edney, Michael) (Entered: 09/27/2024)
09/30/2024		Record on Appeal for USCA5 24-10788 (related to 554 appeal): Record consisting of: 1 ECF electronic record on appeal (eROA) is certified, 6 Volume(s) electronic transcript, Sealed or ex parte electronic document number(s): 555 (circuit approval is required for access). PLEASE NOTE THE FOLLOWING: Licensed attorneys must have filed an appearance in the USCA5 case and be registered for electronic filing in the USCA5 to access the paginated eROA in the USCA5 ECF system. (Take these steps immediately if you have not already done so. Once you have filed the notice of appearance and/or USCA5 ECF registration, it may take up to 3 business days for the circuit to notify the district clerk that we may grant you access to the eROA in the USCA5 ECF system.) To access the paginated record, log in to the USCA5 ECF system, and under the Utilities menu, select Electronic Record on Appeal. Pro se litigants may request a copy of the record by contacting the appeals deputy , in advance to arrange delivery. (axm) (Entered: 09/30/2024)
09/30/2024	575	ELECTRONIC ORDER granting Timothy Barton's 574 Motion to Extend Time. Barton's response is due 7 days from this order: October 7, 2024. The Court will extend this deadline no further and will deny any additional requests. (Ordered by Judge Brantley Starr on 9/30/2024) (chmb) (Entered: 09/30/2024)
10/07/2024	576	REPLY filed by McCormick 101 LLC re: 563 MOTION To Modify Stay Provision Set Forth in Receiver Order (Cheves, Phillip) (Entered: 10/07/2024)
10/07/2024	577	NOTICE of Resolution and Submission of Proposed Order re: 558 MOTION for Order to Show Cause <i>Hearing, Sanctions, Injunctive Relief</i> filed by Timothy Barton, Receiver (Attachments: # 1 Proposed Order) (Koonce, Charlene) (Entered: 10/07/2024)
10/07/2024	578	Opinion of USCA in accordance with USCA judgment re 240 Notice of Appeal filed by Timothy Barton. (axm) (Entered: 10/09/2024)
10/07/2024	579	JUDGMENT/MANDATE of USCA as to 240 Notice of Appeal filed by Timothy Barton. The appeal is DISMISSED AS MOOT. Issued as Mandate: 10/7/2024. (axm) (Entered: 10/09/2024)
10/10/2024	580	ORDER denying without prejudice 558 Motion for Order to Show Cause. (Ordered by Judge Brantley Starr on 10/10/2024) (Attachments: # 1 Agreed Proposed Order) (frw) (Entered: 10/10/2024)
10/16/2024	581	ELECTRONIC ORDER: Notice of deficiency in Defendant Timothy Barton's 555 Motion for Leave to File Under Seal. Though Barton did conduct a page-by-page, line-by-line analysis as the Court instructed in Order 545, the Fifth Circuit also requires all facts in motions to seal be verified by a signed declaration. Defendant has until October 23, 2024, to file such declaration to perfect his motion to seal. (Ordered by Judge Brantley Starr on 10/16/2024) (chmb) (Entered: 10/16/2024)
10/25/2024	582	Declaration of Micheal J. Edney filed by Timothy Barton re 581 Order, 555 (Document Restricted) Sealed Motion for Leave to File Documents Under Seal. (Edney, Michael) Modified title on 11/12/2024 (axm). (Entered: 10/25/2024)
10/30/2024	583	STATUS REPORT <i>Ninth Quarterly Status Report of Receiver (3Q24)</i> filed by Receiver. (Attachments: # 1 Exhibit(s) A - SFAR) (Thomas, Cort) (Entered: 10/30/2024)

11/06/2024	584	ORDER denying 563 Motion To Modify Stay Provision Set Forth in Receiver Order. (Ordered by Judge Brantley Starr on 11/6/2024) (ndt) (Entered: 11/06/2024)
11/06/2024	585	MEMORANDUM OPINION AND ORDER DENYING BARTON'S 555 MOTION TO SEAL: The Court DENIES Barton's 555 motion to seal but GRANTS his request to refile the underlying document without the language at issue. (Ordered by Judge Brantley Starr on 11/6/2024) (kcr) (Entered: 11/07/2024)
11/15/2024	586	MOTION to Extend Time to File Fourth, Fifth, Sixth, Seventh, and Eighth Quarterly Fee Applications filed by Receiver (Attachments: # 1 Proposed Order) (Thomas, Cort) (Entered: 11/15/2024)
11/18/2024	587	MOTION for Protective Order filed by Timothy Barton (Attachments: # 1 Proposed Order) (Edney, Michael) (Entered: 11/18/2024)
11/19/2024	588	ELECTRONIC ORDER: The Court requests expedited briefing on Receiver's 586 Motion to Extend Time to File Fourth, Fifth, Sixth, Seventh, and Eighth Quarterly Fee Applications. Any party who wishes to oppose must file a response by Monday, November 25, 2024. (Ordered by Judge Brantley Starr on 11/19/2024) (chmb) (Entered: 11/19/2024)
11/26/2024	589	NOTICE of <i>DEFENDANTS NON-OPPOSITION</i> re: 586 MOTION to Extend Time to File Fourth, Fifth, Sixth, Seventh, and Eighth Quarterly Fee Applications, 588 Order, filed by Timothy Barton (Edney, Michael) (Entered: 11/26/2024)
12/02/2024	590	ORDER granting 586 to Extend Time to File Fourth, Fifth, Sixth, Seventh, and Eighth Quarterly Fee Applications. Accordingly, the Receiver's deadline to file his Fourth, Fifth, Sixth, Seventh, and Eighth Quarterly Fee Applications is hereby EXTENDED until 2/14/2025. (Ordered by Judge Brantley Starr on 12/2/2024) (kcr) (Entered: 12/02/2024)
12/09/2024	591	RESPONSE filed by Receiver re: 587 MOTION for Protective Order (Koonce, Charlene) (Entered: 12/09/2024)
12/23/2024	592	REPLY filed by Timothy Barton re: 587 MOTION for Protective Order (Edney, Michael) (Entered: 12/23/2024)
12/31/2024	593	Partially Unopposed Fourth Quarterly Fee Application (3Q23) filed by Receiver (Attachments: # 1 Proposed Order) (Thomas, Cort) Modified text on 1/15/2025 (axm). (Entered: 12/31/2024)
12/31/2024	594	Appendix in Support filed by Receiver re 593 MOTION Fourth Quarterly Fee Application (3Q23) (Thomas, Cort) (Entered: 12/31/2024)
01/01/2025	595	NOTICE of Attorney Appearance by Warren V Norred on behalf of Timothy Barton. (Filer confirms contact info in ECF is current.) (Norred, Warren) (Entered: 01/01/2025)
01/02/2025	596	OBJECTION filed by Timothy Barton re: 593 MOTION Fourth Quarterly Fee Application (3Q23) (Norred, Warren) (Entered: 01/02/2025)
01/21/2025	597	RESPONSE AND OBJECTION filed by Timothy Barton re: 593 Partially Unopposed Fourth Quarterly Fee Application (3Q23) (Attachments: # 1 Appendix) (Norred, Warren) (Entered: 01/21/2025)
01/29/2025	598	REPLY filed by Receiver re: 593 Partially Unopposed Fourth Quarterly Fee Application (3Q23) (Koonce, Charlene) (Entered: 01/29/2025)
01/29/2025	599	STATUS REPORT <i>Tenth Quarterly Report of Receiver (4Q24)</i> filed by Receiver. (Attachments: # 1 Exhibit(s) A - SFAR) (Thomas, Cort) (Entered: 01/29/2025)
02/14/2025	600	Unopposed MOTION to Extend Time to File Fifth, Sixth, Seventh, Eighth and Ninth Quarterly Fee Applications filed by Receiver (Attachments: # 1 Proposed Order) (Thomas, Cort) (Entered: 02/14/2025)
02/17/2025	601	NOTICE of Attorney Appearance by Douglas Steve Bird on behalf of City of Frisco, Texas. (Filer confirms contact info in ECF is current.). Party City of Frisco, Texas added. (Bird, Douglas) (Entered: 02/17/2025)
02/17/2025	602	NOTICE of Attorney Appearance by Ethan J Ranis on behalf of City of Frisco, Texas. (Filer confirms contact info in ECF is current.) (Ranis, Ethan) (Entered: 02/17/2025)
02/18/2025	603	ELECTRONIC ORDER granting the Receiver's 600 Motion to Extend Time. The Receiver's Fifth, Sixth, Seventh, Eighth, and Ninth Quarterly Fee Applications are now due May 15, 2025. (Ordered by Judge Brantley Starr on 2/18/2025) (chmb) (Entered: 02/18/2025)
02/19/2025	604	MOTION for More Definite Statement <i>in Response to the Tenth Quarterly Report</i> filed by Timothy Barton with Brief/Memorandum in Support. (Norred, Warren) (Entered: 02/19/2025)
02/25/2025	605	Unopposed MOTION to Withdraw as Attorney and Substitute Counsel of Record filed by McCormick 101 LLC (Attachments: # 1 Proposed Order) (Cheves, Phillip) (Entered: 02/25/2025)
02/25/2025	606	ELECTRONIC ORDER granting Interested Party McCormick 101, LLC's 605 Motion to Withdraw and Substitute Counsel of Record. Attorney Phillip Kyle Cheves terminated. (Ordered by Judge Brantley Starr on 2/25/2025) (chmb) (Entered: 02/25/2025)
02/26/2025	607	NOTICE of Attorney Appearance by Clay Marshall Taylor on behalf of McCormick 101 LLC. (Filer confirms contact info in ECF is current.) (Taylor, Clay) (Entered: 02/26/2025)
02/26/2025	608	NOTICE of Attorney Appearance by Spencer Dennis Hamilton on behalf of McCormick 101 LLC. (Filer confirms contact info in ECF is current.) (Hamilton, Spencer) (Entered: 02/26/2025)
02/26/2025	609	ORDER GRANTING RECEIVER'S SECOND FEE APPLICATION: The Court GRANTS the 593 application and ORDERS that the Receiver is authorized to pay from the Receivership assets the following fees and expenses. (Ordered by Judge Brantley Starr on 2/26/2025) (twd) (Entered: 02/27/2025)
02/27/2025	610	Application for Admission Pro Hac Vice with Certificate of Good Standing (Filing fee \$100; Receipt number ATXNDC-15299788) filed by McCormick 101 LLC (Attachments: # 1 Certificate of Good Standing) (Nicholson, Jill) (Entered: 02/27/2025)
02/28/2025	611	ELECTRONIC ORDER granting 610 Application for Admission Pro Hac Vice of Jill L. Nicholson. Important Reminder: Unless excused for cause, an attorney who is not an ECF user must register within 14 days of the date the attorney appears in a case pursuant to LR 5.1(f) and LCrR 49.2(g). (Ordered by Judge Brantley Starr on 2/28/2025) (chmb) (Entered: 02/28/2025)
03/06/2025	612	MOTION for (1) Immediate Third-Party Inspection of Amerigold Suites Regarding Tenant Life Safety Issues and (2) Other Related Relief filed by McCormick 101 LLC (Attachments: # 1 Proposed Order) (Hamilton, Spencer) (Entered: 03/06/2025)
03/06/2025	613	Brief/Memorandum in Support filed by McCormick 101 LLC re 612 MOTION for (1) Immediate Third-Party Inspection of Amerigold Suites Regarding Tenant Life Safety Issues and (2) Other Related Relief (Hamilton, Spencer) (Entered: 03/06/2025)
03/06/2025	614	Appendix in Support filed by McCormick 101 LLC re 612 MOTION for (1) Immediate Third-Party Inspection of Amerigold Suites Regarding Tenant Life Safety Issues and (2) Other Related Relief, 613 Brief/Memorandum in Support of Motion (Attachments: # 1 Exhibit(s) 1-72) (Hamilton, Spencer) (Entered: 03/06/2025)
03/06/2025	615	MOTION for Expedited Briefing re 612 MOTION for (1) Immediate Third-Party Inspection of Amerigold Suites Regarding Tenant Life Safety Issues and (2) Other Related Relief filed by McCormick 101 LLC (Attachments: # 1 Proposed Order) (Hamilton, Spencer) (Entered: 03/06/2025)
03/12/2025	616	RESPONSE filed by Receiver re: 604 MOTION for More Definite Statement <i>in Response to the Tenth Quarterly Report</i> (Attachments: # 1 Exhibit(s) A) (Koonce, Charlene) (Entered: 03/12/2025)
03/17/2025	617	MOTION to Withdraw as Attorney <i>James E. Etri</i> filed by Securities and Exchange Commission (Attachments: # 1 Proposed Order) (Bernstein, Keefe) (Entered: 03/17/2025)
03/20/2025	618	REPLY filed by Timothy Barton re: 604 MOTION for More Definite Statement <i>in Response to the Tenth Quarterly Report</i> (Norred, Warren) (Entered: 03/20/2025)
03/27/2025	619	RESPONSE AND OBJECTION filed by Securities and Exchange Commission re: 612 MOTION for (1) Immediate Third-Party Inspection of Amerigold Suites Regarding Tenant Life Safety Issues and (2) Other Related Relief (Attachments: # 1 Proposed Order) (Bernstein, Keefe) (Entered: 03/27/2025)
03/27/2025	620	RESPONSE filed by Receiver re: 615 MOTION for Expedited Briefing re 612 MOTION for (1) Immediate Third-Party Inspection of Amerigold Suites Regarding Tenant Life Safety Issues and (2) Other Related Relief. (Wells, Tim) (Entered: 03/27/2025)
03/27/2025	621	Appendix in Support filed by Receiver re 620 Response/Objection, (Wells, Tim) (Entered: 03/27/2025)
03/30/2025	622	REPLY filed by McCormick 101 LLC re: 612 MOTION for (1) Immediate Third-Party Inspection of Amerigold Suites Regarding Tenant Life Safety Issues and (2) Other Related Relief (Hamilton, Spencer) (Entered: 03/30/2025)
03/30/2025	623	REQUEST FOR HEARING re: 612 MOTION for (1) Immediate Third-Party Inspection of Amerigold Suites Regarding Tenant Life Safety Issues and (2) Other Related Relief filed by McCormick 101 LLC (Hamilton, Spencer) Modified event and text on 3/31/2025 (kaf). (Entered: 03/30/2025)
04/02/2025	624	ELECTRONIC ORDER granting the SEC's 617 Motion to Withdraw as Attorney. Attorney James E Etri hereby terminated. (Ordered by Judge Brantley Starr on 4/2/2025) (chmb) (Entered: 04/02/2025)
04/04/2025	625	MOTION for Order to Show Cause for <i>Failure to Preserve Receivership Assets and Joinder to McCormick 101 LLC's Motion for Third-Party Inspection</i> filed by Timothy Barton with Brief/Memorandum in Support. (Norred, Warren) (Entered: 04/04/2025)
04/09/2025	626	REPLY filed by McCormick 101 LLC re: 612 MOTION for (1) Immediate Third-Party Inspection of Amerigold Suites Regarding Tenant Life Safety Issues and (2) Other Related Relief (Hamilton, Spencer) (Entered: 04/09/2025)
04/09/2025	627	Appendix in Support filed by McCormick 101 LLC re 626 Reply (Hamilton, Spencer) (Entered: 04/09/2025)
04/09/2025	628	AMENDED REPLY filed by McCormick 101 LLC re: 612 MOTION for (1) Immediate Third-Party Inspection of Amerigold Suites Regarding Tenant Life Safety Issues and (2) Other Related Relief. (Hamilton, Spencer) Modified text and linkage on 4/11/2025 (axm). (Entered: 04/09/2025)
04/09/2025	629	Amended Appendix in Support filed by McCormick 101 LLC re: 628 Amended Reply. (Hamilton, Spencer) Modified text and linkage on 4/11/2025 (axm). (Entered: 04/09/2025)
04/10/2025	630	MEMORANDUM OPINION AND ORDER: The Court GRANTS IN PART AND DENIES IN PART McCormick's motion at Doc. 612 . The Court grants the motion as to permitting a third-party inspection of Amerigold Suites, though the Receiver shall choose the third-party inspector. The Court denies the motion as to lifting the stay so that McCormick can foreclose on Amerigold Suites and go after Barton. The Court further FINDS AS MOOT McCormick's motions for expedited briefing and a hearing. (Docs. 615 & 623). (Ordered by Judge Brantley Starr on 4/10/2025) (kcr) (Entered: 04/10/2025)

04/10/2025	631	ORDER: The Court GRANTS both Barton's request for a protective order and the Receiver's request for a motion to compel. Barton presented two options to the Court for a protective order. The Court enters the second. ACCORDINGLY, it is hereby ORDERED that Defendant provide the Receiver with the information requested. But the Court also ORDERS Barton to turn all the relevant documents over to the Receiver: "documents evidencing payments or security agreements received from or for the benefit of Barton, and the due diligence, if any, conducted regarding the source of any fees paid on Barton's behalf." (Ordered by Judge Brantley Starr on 4/10/2025) (kcr) (Entered: 04/10/2025)
04/23/2025	632	ELECTRONIC ORDER denying 625 Motion for Order to Show Cause. The Court denies this motion for the reasons in its opinion at Doc. 630.(Ordered by Judge Brantley Starr on 4/23/2025) (Entered: 04/23/2025)
04/25/2025	633	MOTION to Ratify Settlement Agreements with Elite Jet Solutions, LLC and First Development Company of Ohio, LLC and Brief in Support filed by Receiver with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Thomas, Cort) (Entered: 04/25/2025)
04/25/2025	634	Appendix in Support filed by Receiver re 633 MOTION to Ratify Settlement Agreements with Elite Jet Solutions, LLC and First Development Company of Ohio, LLC and Brief in Support (Thomas, Cort) (Entered: 04/25/2025)
04/29/2025	635	AMENDED CERTIFICATE of Conference re 633 MOTION to Ratify Settlement Agreements with Elite Jet Solutions, LLC and First Development Company of Ohio, LLC and Brief in Support by Tim Wells on behalf of Receiver (Wells, Tim) (Entered: 04/29/2025)
04/30/2025	636	STATUS REPORT <i>Eleventh Quarterly Report of Receiver (1Q25)</i> filed by Receiver. (Attachments: # 1 Exhibit(s) A - SFAR) (Thomas, Cort) (Entered: 04/30/2025)
05/13/2025	637	Unopposed MOTION to Extend Time to File Fifth, Sixth, Seventh, Eighth, Ninth, and Tenth Quarterly Fee Applications filed by Receiver (Attachments: # 1 Proposed Order) (Thomas, Cort) (Entered: 05/13/2025)
05/14/2025	638	ELECTRONIC ORDER. The Court GRANTS the Receiver's 637 Unopposed Motion for Extension of Time to File Fifth, Sixth, Seventh, Eighth, Ninth, and Tenth Quarterly Fee Applications. The applications are now due August 14, 2025. (Ordered by Judge Brantley Starr on 5/14/2025) (chmb) (Entered: 05/14/2025)
05/14/2025	639	ORDER granting 633 Motion to Ratify Settlement Agreements. (Ordered by Judge Brantley Starr on 5/14/2025) (ndt) (Entered: 05/14/2025)
05/19/2025	640	NOTICE of Barton's <i>Continued Interference and Violations of Receivership Order</i> filed by Receiver (Koonce, Charlene) (Entered: 05/19/2025)
05/21/2025	641	ORDER re: 640 Notice of Barton's Continued Interference and Violations of Receivership Order. The Court ORDERS Timothy Barton to file a response by Tuesday, 5/27/2025, explaining how he and his counsel are not in violation of the Receivership Order. (Ordered by Judge Brantley Starr on 5/21/2025) (axm) (Entered: 05/21/2025)
05/23/2025	642	Unopposed MOTION to Extend Time Unopposed filed by Timothy Barton (Edney, Michael) (Entered: 05/23/2025)
05/27/2025	643	ELECTRONIC ORDER. The Court GRANTS Barton's 642 Motion for Extension of Time. Barton's response to the Court's order at Doc. 641 is now due June 4, 2025. (Ordered by Judge Brantley Starr on 5/27/2025) (chmb) (Entered: 05/27/2025)
06/04/2025	644	NOTICE of <i>Attorney Unavailability</i> filed by Timothy Barton (Norred, Warren) (Entered: 06/04/2025)
06/04/2025	645	RESPONSE to the Court's Order Regarding Defendant's Compliance with the Receivership Order filed by Timothy Barton re: 641 Order. (Attachments: # 1 Exhibit(s) A, # 2 Exhibit(s) B) (Edney, Michael) Modified text on 6/5/2025 (axm). (Entered: 06/04/2025)
06/04/2025	646	RESPONSE filed by Timothy Barton re: 641 Order. (Norred, Warren) (Entered: 06/04/2025)
06/11/2025	647	REPLY to Barton's <i>Response to Order to Show Cause Compliance with the Receivership Order</i> filed by Receiver re: 645 Response/Objection, 646 Response/Objection. (Attachments: # 1 Exhibit(s) A) (Thomas, Cort) (Entered: 06/11/2025)
06/20/2025	648	MOTION Lift Litigation Stay filed by Receiver (Attachments: # 1 Proposed Order) (Carrillo, C) (Entered: 06/20/2025)
06/23/2025	649	ORDER: The Court MODIFIES the Receivership Order such that Barton and his counsel must obtain clearance from the Court before filing any future bar grievances to prevent the Receivership estate from being depleted for meritless grievances. (Ordered by Judge Brantley Starr on 6/23/2025) (kcr) (Entered: 06/24/2025)
06/23/2025	650	ORDER APPOINTING RECEIVER: IT IS HEREBY ORDERED THAT: The Court hereby takes exclusive jurisdiction and possession of the assets, of whatever kind and wherever situated, of the following entities that each received or benefited from assets traceable to Barton's alleged fraudulent activities that are the subject of this litigation. Until further Order of this Court, Cortney C. Thomas is hereby appointed to serve without bond as receiver (the "Receiver") for the estates of the Receivership Entities. (Ordered by Judge Brantley Starr on 6/23/2025) (kcr) (Entered: 06/24/2025)
06/23/2025	651	Opinion of USCA in accordance with USCA judgment re 429 Notice of Appeal filed by Timothy Barton. We AFFIRM the imposition and scope of the receivership and the grant of a preliminary injunction. We DISMISS Barton's appeal of administrative orders unrelated to sales for lack of jurisdiction. And we DENY his request to reassign the case to another district-court judge. [USCA 23-11237] (axm) (Entered: 06/24/2025)
06/23/2025	652	JUDGMENT/MANDATE of USCA as to 429 Notice of Appeal filed by Timothy Barton. We AFFIRM the imposition and scope of the receivership and the grant of a preliminary injunction. We DISMISS Barton's appeal of administrative orders unrelated to sales for lack of jurisdiction. And we DENY his request to reassign the case to another district-court judge. Issued as Mandate: 06/23/2025. (axm) (Entered: 06/24/2025)
07/07/2025	653	ORDER denying 604 Motion for More Definite Statement. (Ordered by Judge Brantley Starr on 7/7/2025) (axm) (Entered: 07/08/2025)
07/08/2025	654	MOTION Fifth Quarterly Fee Application (4Q23) filed by Receiver (Attachments: # 1 Proposed Order) (Thomas, Cort) (Entered: 07/08/2025)
07/08/2025	655	Appendix in Support filed by Receiver re 654 MOTION Fifth Quarterly Fee Application (4Q23) (Thomas, Cort) (Entered: 07/08/2025)
07/08/2025	656	MOTION Sixth Quarterly Fee Application (1Q24) filed by Receiver (Attachments: # 1 Proposed Order) (Thomas, Cort) (Entered: 07/08/2025)
07/08/2025	657	Appendix in Support filed by Receiver re 656 MOTION Sixth Quarterly Fee Application (1Q24) (Thomas, Cort) (Entered: 07/08/2025)
07/22/2025	658	NOTICE OF INTERLOCUTORY APPEAL as to 650 Order to the Fifth Circuit by Timothy Barton. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions here . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (kaf) (Entered: 07/23/2025)
07/22/2025	659	NOTICE OF INTERLOCUTORY APPEAL as to 649 Order, to the Fifth Circuit by Timothy Barton. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions here . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (kaf) (Entered: 07/23/2025)
07/24/2025		***Clerk's Notice of delivery: (see NEF for details) Docket No:658, 659. Thu Jul 24 12:09:21 CDT 2025 (crt) (Entered: 07/24/2025)
07/28/2025	660	ORDER granting 648 Motion Lift Litigation Stay. (Ordered by Judge Brantley Starr on 7/28/2025) (ndt) (Entered: 07/28/2025)
07/29/2025	661	NOTICE of Attorney Appearance by James Frederick Hopper, Jr on behalf of Receiver. (Filer confirms contact info in ECF is current.) (Hopper, James) (Entered: 07/29/2025)
07/29/2025	662	MOTION to Withdraw as Attorney filed by Timothy Barton. (Norred, Warren) Modified text on 8/11/2025 (axm). (Entered: 07/29/2025)
07/30/2025	663	STATUS REPORT <i>Twelfth Quarterly Status Report of Receiver (2Q25)</i> filed by Receiver. (Attachments: # 1 Exhibit(s) A - SFAR) (Thomas, Cort) (Entered: 07/30/2025)
07/31/2025	664	Unopposed MOTION to Withdraw as Attorney for Receiver filed by Receiver (Attachments: # 1 Proposed Order) (Wells, Tim) (Entered: 07/31/2025)
08/04/2025	665	AMENDED DOCUMENT (<i>Corrected Ex. A - SFAR</i>) by Receiver. Amendment to 663 Status Report. (Thomas, Cort) (Entered: 08/04/2025)
08/04/2025	666	ELECTRONIC ORDER granting the Receiver's 664 Motion to Withdraw as Attorney. Attorney Tim Wells terminated. (Ordered by Judge Brantley Starr on 8/4/2025) (chmb) (Entered: 08/04/2025)
08/04/2025	667	ORDER granting 654 Fifth Quarterly Fee Application; granting 656 Sixth Quarterly Fee Application. (Ordered by Judge Brantley Starr on 8/4/2025) (kcr) (Entered: 08/05/2025)
08/05/2025	668	MOTION to Extend Time to File Seventh, Eighth, Ninth, Tenth, and Eleventh Quarterly Fee Applications filed by Receiver (Attachments: # 1 Proposed Order) (Thomas, Cort) (Entered: 08/05/2025)
08/05/2025	669	***STRICKEN PER 670 ELECTRONIC ORDER*** CONSOLIDATED OBJECTION TO RECEIVER'S FOURTH AND FIFTH INTERIM FEE APPLICATIONS AND REQUEST FOR ORAL ARGUMENT filed by Timothy Barton re: 667 Order on Fifth Quarterly Fee Application, 593 Partially Unopposed Fourth Quarterly Fee Application (3Q23) ***FILED PRO SE USING EMERGENCY FILING EMAIL*** (Attachments: # 1 Exhibit(s), # 2 Exhibit(s), # 3 Exhibit(s)) (cea) Modified on 8/7/2025 (axm). (Entered: 08/06/2025)
08/07/2025	670	ELECTRONIC ORDER: Though one of Barton's attorneys, Warren Norred, filed a motion to withdraw, Barton is still represented, both by Warren Norred and by Michael Edney, Solomon Norred, and Sean O'Connell. Barton cannot enter filings pro se when he is represented by counsel. See <i>United States v. Alvarado</i> , 321 Fed. App'x 399, 400 (5th Cir. 2009). Therefore, the Court STRIKES Barton's pro se filing at Doc. 669 . (Ordered by Judge Brantley Starr on 8/7/2025) (chmb) (Entered: 08/07/2025)
08/07/2025	671	ELECTRONIC ORDER. In light of the 5.5 month continuance recently granted in Barton's related criminal case, which must resolve before this case can, the Court ADMINISTRATIVELY CLOSES this matter. This order does not prevent any party from making appropriate filings in this case. And nothing in this Order shall preclude the Court-appointed Receiver from performing

		the duties and obligations, and from exercising the powers and rights, set forth in the Courts Order Appointing Receiver. (Ordered by Judge Brantley Starr on 8/7/2025) (chmb) Modified on 8/13/2025 (chmb). (Entered: 08/07/2025)
08/07/2025	672	ELECTRONIC ORDER The Court GRANTS the Receiver's 668 Motion to Extend Time. The deadline for the Receiver to file his Seventh, Eighth, Ninth, Tenth, and Eleventh Quarterly Fee Applications is hereby extended to November 14, 2025. (Ordered by Judge Brantley Starr on 8/7/2025) (chmb) (Entered: 08/07/2025)
08/07/2025	673	MOTION to Withdraw as Attorney filed by Timothy Barton (Norred, Warren) (Entered: 08/07/2025)
08/07/2025		Civil Case Terminated per 671 Electronic Order. (axm) (Entered: 08/07/2025)
08/11/2025		USCA Case Number 25-10871 in USCA5 for 658 Notice of Appeal filed by Timothy Barton, 659 Notice of Appeal filed by Timothy Barton. (axm) (Entered: 08/11/2025)
08/21/2025	674	ORDER denying 662 673 Motions to Withdraw as Attorney. (Ordered by Judge Brantley Starr on 8/21/2025) (cfk) (Entered: 08/21/2025)
08/27/2025	675	MOTION for Reconsideration <i>Order Denying Withdrawal</i> filed by Timothy Barton with Brief/Memorandum in Support re 673 MOTION to Withdraw as Attorney, 674 Order on Motion to Withdraw as Attorney. (Norred, Warren) Modified text on 8/29/2025 (axm). (Entered: 08/27/2025)
08/28/2025	676	ORDER granting 675 Motion for reconsideration and Motions to withdraw as counsel for Timothy Barton. (Ordered by Judge Brantley Starr on 8/28/2025) (kcr) (Entered: 08/28/2025)
09/05/2025	677	ORDER of USCA as to 658 Notice of Appeal filed by Timothy Barton, 659 Notice of Appeal filed by Timothy Barton. The appeal is dismissed for want of prosecution. The appellant failed to timely pay the fee. [USCA25-10871] (axm) (Entered: 09/08/2025)
09/09/2025		Confirmation of receipt of payment from Timothy Barton in the amount of \$605.00. Transaction posted on 9/8/2025. Receipt number 300019700 processed by km. (ali) Lifted restriction on 9/9/2025 (ali). (Entered: 09/09/2025)
09/09/2025	678	NOTICE OF APPEAL as to 660 Order on Motion for Miscellaneous Relief to the Fifth Circuit by Timothy Barton. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions here . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. ***FILED PRO SE USING EMERGENCY FILING EMAIL*** (cea) (Entered: 09/10/2025)
09/09/2025	679	NOTICE OF APPEAL as to 667 Order on Motion for Miscellaneous Relief, to the Fifth Circuit by Timothy Barton. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions here . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. ***FILED PRO SE USING EMERGENCY FILING EMAIL*** (cea) (Entered: 09/10/2025)
09/12/2025	680	CLERK ORDER of USCA: The court has granted appellant's motion to reinstate the appeal. [25-10871] (axm) (Entered: 09/12/2025)
09/22/2025	681	MOTION to Declare Lis Pendens Void filed by Marine Creek Ventures, LLC, DLP Real Estate Capital, Inc., DLP Winter Haven Ventures, LLC, Orchard Farms Ventures, LLC (Attachments: # 1 Exhibit(s), # 2 Exhibit(s), # 3 Exhibit(s), # 4 Proposed Order). Party DLP Real Estate Capital, Inc., DLP Winter Haven Ventures, LLC, Orchard Farms Ventures, LLC, Marine Creek Ventures, LLC added. Attorney Michael D Napoli added to party Marine Creek Ventures, LLC(pty:ip), Attorney Michael D Napoli added to party DLP Real Estate Capital, Inc.(pty:ip), Attorney Michael D Napoli added to party DLP Winter Haven Ventures, LLC(pty:ip), Attorney Michael D Napoli added to party Orchard Farms Ventures, LLC(pty:ip) (Napoli, Michael) (Entered: 09/22/2025)
09/24/2025		USCA Case Number 25-11043 in USCA5 for 678 Notice of Appeal filed by Timothy Barton. (axm) (Entered: 09/24/2025)
09/24/2025		USCA Case Number 25-11044 in USCA5 for 679 Notice of Appeal filed by Timothy Barton. (axm) (Entered: 09/24/2025)
10/03/2025		Record on Appeal for USCA5 25-10871 (related to 658 , 659 appeal): Record consisting of: 1 ECF electronic record on appeal (eROA) is certified, 6 Volume(s) electronic transcript, Sealed or ex parte electronic document number(s): 555 (circuit approval is required for access). PLEASE NOTE THE FOLLOWING: Licensed attorneys must have filed an appearance in the USCA5 case and be registered for electronic filing in the USCA5 to access the paginated eROA in the USCA5 ECF system. (Take these steps immediately if you have not already done so. Once you have filed the notice of appearance and/or USCA5 ECF registration, it may take up to 3 business days for the circuit to notify the district clerk that we may grant you access to the eROA in the USCA5 ECF system.) To access the paginated record, log in to the USCA5 ECF system, and under the Utilities menu, select Electronic Record on Appeal. Pro se litigants may request a copy of the record by contacting the appeals deputy , in advance to arrange delivery. (axm) (Entered: 10/03/2025)
10/06/2025		Record on Appeal for USCA5 25-10871 (related to 658 , 659 appeal): transmitted to Timothy Barton on disk only by hand delivery. (axm) (Entered: 10/06/2025)
10/06/2025	682	ELECTRONIC ORDER: The Court ORDERS Barton to respond to DLP Entities' Motion to Declare Lis Pendens Void [Doc. 681] by October 9, 2025 at 5 PM. DLP Entities shall file any reply by October 14, 2025 at 5 PM. (Ordered by Judge Brantley Starr on 10/6/2025) (chmb) (Entered: 10/06/2025)
10/07/2025		Confirmation of receipt of payment from Timothy Barton in the amount of \$605.00. Transaction posted on 10/6/2025. Receipt number 300020138 processed by km. (ali) Lifted restriction on 10/7/2025 (ali). (Entered: 10/07/2025)
10/09/2025	683	NOTICE of Attorney Appearance by Jules P Slim on behalf of Timothy Barton. (Filer confirms contact info in ECF is current.) (Slim, Jules) (Entered: 10/09/2025)
10/09/2025	684	RESPONSE filed by Timothy Barton re: 681 MOTION to Declare Lis Pendens Void (Attachments: # 1 Exhibit(s) EX 1 Supreme Court extension granted, # 2 Proposed Order Order Denying Motion to Expunge) (Slim, Jules) (Entered: 10/09/2025)
10/14/2025	685	REPLY filed by DLP Real Estate Capital Inc, DLP Winter Haven Ventures LLC, Marine Creek Ventures LLC, Orchard Farms Ventures LLC re: 681 MOTION to Declare Lis Pendens Void (Napoli, Michael) (Entered: 10/14/2025)
10/15/2025		Confirmation of receipt of payment from Timothy Barton in the amount of \$605.00. Transaction posted on 10/14/2025. Receipt number 300020268 processed by kb. (ali) Lifted restriction on 10/15/2025 (ali). (Entered: 10/15/2025)
10/17/2025	687	ORDER of USCA as to 658 Notice of Appeal filed by Timothy Barton. Appellant's motion for an administrative stay is GRANTED, which will continue until further order of this court. [USCA 25-10871] (axm) (Entered: 10/20/2025)
10/19/2025	686	NOTICE of <i>Administrative Stay Regarding Motion to Expunge Lis Pendens</i> filed by Timothy Barton re: 681 MOTION to Declare Lis Pendens Void. (Attachments: # 1 Exhibit(s) EX 1 Order Granting Administrative Stay, # 2 Exhibit(s) EX 2 Barton's Motion for Stay pending appeal) (Slim, Jules) Modified event text on 10/23/2025 (axm). (Entered: 10/19/2025)
10/27/2025	688	MOTION to Declare Lis Pendens Void filed by 3820 Illinois LLC, Tamamoi LLC. (Attachments: # 1 Declaration(s), # 2 Exhibit(s), # 3 Exhibit(s), # 4 Exhibit(s), # 5 Exhibit(s), # 6 Exhibit(s), # 7 Proposed Order) Attorney Sarah Melissa Cox added to party 3820 Illinois LLC(pty:ip), Attorney Sarah Melissa Cox added to party Tamamoi LLC(pty:ip) (Cox, Sarah) Modified text on 10/28/2025 (axm). (Entered: 10/27/2025)
10/30/2025	689	<i>Thirteenth Quarterly STATUS REPORT of Receiver (3Q25)</i> filed by Receiver. (Attachments: # 1 Exhibit(s) A - SFAR) (Thomas, Cort) (Entered: 10/30/2025)
11/06/2025	690	NOTICE of Limited Termination of Counsel filed by Timothy Barton. ***FILED PRO SE USING EMERGENCY FILING EMAIL*** (cea) (Entered: 11/07/2025)
11/09/2025	691	Emergency MOTION to Stay <i>Pending Appeal, or, Alternatively, for an Administrative Stay, with Expedited Consideration</i> filed by Timothy Barton re 687 USCA Order. (Attachments: # 1 Proposed Order) (Slim, Jules) Modified text on 11/19/2025 (axm). (Entered: 11/09/2025)
11/10/2025		Record on Appeal for USCA5 25-11044 (related to 679 appeal): Record consisting of: 1 ECF electronic record on appeal (eROA) is certified, 6 Volume(s) electronic transcript, Sealed or ex parte electronic document number(s): 555 (circuit approval is required for access), 1 Electronic Presentence Report/SOR certified to USCA. PLEASE NOTE THE FOLLOWING: Licensed attorneys must have filed an appearance in the USCA5 case and be registered for electronic filing in the USCA5 to access the paginated eROA in the USCA5 ECF system. (Take these steps immediately if you have not already done so. Once you have filed the notice of appearance and/or USCA5 ECF registration, it may take up to 3 business days for the circuit to notify the district clerk that we may grant you access to the eROA in the USCA5 ECF system.) To access the paginated record, log in to the USCA5 ECF system, and under the Utilities menu, select Electronic Record on Appeal. Pro se litigants may request a copy of the record by contacting the appeals deputy , in advance to arrange delivery. (axm) (Entered: 11/10/2025)
11/10/2025		Record on Appeal for USCA5 25-11043 (related to 678 appeal): Record consisting of: 1 ECF electronic record on appeal (eROA) is certified, 6 Volume(s) electronic transcript, Sealed or ex parte electronic document number(s): 555 (circuit approval is required for access). PLEASE NOTE THE FOLLOWING: Licensed attorneys must have filed an appearance in the USCA5 case and be registered for electronic filing in the USCA5 to access the paginated eROA in the USCA5 ECF system. (Take these steps immediately if you have not already done so. Once you have filed the notice of appearance and/or USCA5 ECF registration, it may take up to 3 business days for the circuit to notify the district clerk that we may grant you access to the eROA in the USCA5 ECF system.) To access the paginated record, log in to the USCA5 ECF system, and under the Utilities menu, select Electronic Record on Appeal. Pro se litigants may request a copy of the record by contacting the appeals deputy , in advance to arrange delivery. (axm) (Entered: 11/10/2025)
11/11/2025	692	MOTION for Extension of Time to File Seventh, Eighth, Ninth, Tenth, Eleventh, and Twelfth Quarterly Fee Applications filed by Receiver (Attachments: # 1 Proposed Order) (Thomas, Cort) (Entered: 11/11/2025)
11/12/2025	693	ELECTRONIC ORDER granting 692 Motion for Extension of Time to File. The Court GRANTS the Receiver's 692 Motion to Extend Time. The deadline for the Receiver to file his Seventh, Eighth, Ninth, Tenth, and Eleventh Quarterly Fee Applications is hereby extended to February 14, 2026. (Ordered by Judge Brantley Starr on 11/12/2025) (chmb) (Entered: 11/12/2025)
11/18/2025	694	RESPONSE filed by Securities and Exchange Commission re: 691 Emergency MOTION to Stay <i>Pending Appeal, or, Alternatively, for an Administrative Stay, with Expedited Consideration</i> . (Attachments: # 1 Proposed Order) (Bernstein, Keefe) (Entered: 11/18/2025)
11/21/2025	695	STATUS REPORT filed by DLP Real Estate Capital Inc, DLP Winter Haven Ventures LLC, Marine Creek Ventures LLC, Orchard Farms Ventures LLC. (Napoli, Michael) (Entered: 11/21/2025)

12/10/2025	696	REPLY filed by Timothy Barton re: 691 Emergency MOTION to Stay Pending Appeal, or, Alternatively, for an Administrative Stay, with Expedited Consideration (Slim, Jules) (Entered: 12/10/2025)
12/22/2025		Record on Appeal for USCA5 25-11043 (related to 678 appeal): transmitted to Timothy L Barton on disk only by hand delivery. (axm) (Entered: 12/22/2025)
12/22/2025		Record on Appeal for USCA5 25-11044 (related to 679 appeal): transmitted to Timothy L Barton on disk only by hand delivery. (axm) (Entered: 12/22/2025)
12/22/2025	697	Request to Remove Attorney Michael J Edney from Docket filed by Timothy Barton. (cflk) (Entered: 12/22/2025)
01/08/2026	698	ELECTRONIC ORDER granting in part and denying in part 697 Motion to Withdraw as Attorney. Before the Court is Defendant Timothy Barton's Motion to Remove Michael J. Edney from the docket and to update the docket to reflect that he is proceeding pro se. The Court notes that after Mr. Barton submitted his Notice of Limited Termination of Counsel on November 6, 2025 (Doc. 690), he filed an Emergency Motion to Stay (Doc. 691) through his attorney, Jules Slim, on November 9, 2025. Ms. Slim has not sought leave from this Court to withdraw as counsel. Accordingly, the Court GRANTS Mr. Barton's motion to remove Mr. Edney from the docket, but DENIES his motion to proceed pro se. (Ordered by Judge Brantley Starr on 1/8/2026) (chmb) (Entered: 01/08/2026)
01/08/2026	699	ELECTRONIC Order Referring Motion re: 681 MOTION to Declare Lis Pendens Void, 688 MOTION to Declare Lis Pendens Void Motion(s) referred to Magistrate Judge Brian McKay. (Ordered by Judge Brantley Starr on 1/8/2026) (chmb) (Entered: 01/08/2026)
01/08/2026	700	ORDER: The Court concludes that Mr. Barton has not met his burden and DENIES 691 the motion. (Ordered by Judge Brantley Starr on 1/8/2026) (frw) (Main Document 700 replaced on 1/9/2026) (axm). (Entered: 01/08/2026)
01/08/2026	701	*** DISREGARD DOCKETED IN ERROR *** SCHEDULING ORDER: Jury Trial set for 11/6/2026 01:30 PM before Judge Brantley Starr. Deadline for mediation is on or before 7/21/2026. Amended Pleadings due by 1/29/2026. Discovery due by 5/8/2026. Pretrial Conference set for 11/2/2026 01:30 PM. Joinder of Parties due by 1/29/2026. Motions due by 7/28/2026. Pretrial Order due by 10/23/2026. Status Report due by 7/28/2026. (Ordered by Judge Brantley Starr on 1/8/2026) (frw) Modified on 1/8/2026 (frw). (Entered: 01/08/2026)
01/16/2026	702	Court Request for Recusal: Pursuant to instruction in Special Order 3-249, the Clerk has reassigned the case to Magistrate Judge David L. Horan for all further proceedings. Future filings should indicate the case number as: 22-CV-2118-X-BN. (frw) (Entered: 01/16/2026)
01/16/2026	703	Court Request for Recusal: Magistrate Judge David L. Horan recused. Pursuant to instruction in Special Order 3-249, the Clerk has reassigned the case to Magistrate Judge Rebecca Rutherford for all further proceedings. Future filings should indicate the case number as: 3:22-cv-02118-X-BT. (cea) (Entered: 01/16/2026)
01/16/2026		CASE Returned to District Judge; Magistrate Judge Rebecca Rutherford no longer assigned to case. ***Case referred in error*** (cea) (Entered: 01/20/2026)
01/20/2026	704	STATUS REPORT filed by DLP Real Estate Capital Inc, DLP Winter Haven Ventures LLC, Marine Creek Ventures LLC, Orchard Farms Ventures LLC. (Napoli, Michael) (Entered: 01/20/2026)
01/20/2026	705	ELECTRONIC Order Referring Motion re: 681 MOTION to Declare Lis Pendens Void, 688 MOTION to Declare Lis Pendens Void Motion(s) referred to Magistrate Judge Rebecca Rutherford. (Ordered by Judge Brantley Starr on 1/20/2026) (chmb) (Entered: 01/20/2026)
01/21/2026	706	ORDER of USCA as to 679 Notice of Appeal filed by Timothy Barton. Appellee's opposed motion to dismiss the appeal for lack of jurisdiction is GRANTED. Mandate issue date is 03/16/2026. [USCA 25-11044] (axm) Modified on 1/25/2026 (axm). (Entered: 01/21/2026)
01/30/2026	707	STATUS REPORT <i>Fourteenth Quarterly Status Report of Receiver (4Q25)</i> filed by Receiver. (Attachments: # 1 Exhibit(s) A - SFAR) (Thomas, Cort) (Entered: 01/30/2026)
02/10/2026	708	MOTION for Extension of Time to File Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, and Thirteenth Quarterly Fee Applications filed by Receiver (Attachments: # 1 Proposed Order) (Thomas, Cort) (Entered: 02/10/2026)
02/10/2026	709	STATUS REPORT filed by DLP Real Estate Capital Inc, DLP Winter Haven Ventures LLC, Marine Creek Ventures LLC, Orchard Farms Ventures LLC. (Napoli, Michael) (Entered: 02/10/2026)
02/10/2026	710	Emergency MOTION to Modify Receivership Over Homestead filed by Timothy Barton re: 650 Order. (Slim, Jules) (Entered: 02/10/2026)
02/13/2026	711	ELECTRONIC ORDER granting 708 Motion for Extension of Time to File Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, and Thirteenth Quarterly Fee Applications filed by Receiver. Before the Court is the Receiver's Motion to Extend Time to File the Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, and Thirteenth Quarterly Fee Applications. (Doc. 708). The Court GRANTS the motion. The applications shall be due May 14, 2025. (Ordered by Judge Brantley Starr on 2/13/2026) (chmb) (Entered: 02/13/2026)
02/23/2026	712	Second STATUS REPORT filed by DLP Real Estate Capital Inc, DLP Winter Haven Ventures LLC, Marine Creek Ventures LLC, Orchard Farms Ventures LLC. (Napoli, Michael) (Entered: 02/23/2026)
02/26/2026	713	NOTICE of Change in Role of Counsel filed by Timothy Barton. ***FILED PRO SE USING EMERGENCY FILING EMAIL*** (cea) (Entered: 02/27/2026)
03/03/2026	714	RESPONSE AND OBJECTION filed by Receiver re: 710 Emergency MOTION to Modify Receivership Over Homestead (Koonce, Charlene) (Entered: 03/03/2026)
03/05/2026	715	RESPONSE filed by Timothy Barton re: 712 Status Report. (knb) (Entered: 03/06/2026)
03/05/2026	716	RESPONSE and Request to Evaluate filed by Timothy Barton re: 712 Status Report. (knb) (Entered: 03/06/2026)
03/16/2026	717	MOTION for Leave to Proceed Pro Se and Authorization to File Electronically (CM/ECF) filed by Timothy Barton. (axm) (Entered: 03/17/2026)
03/16/2026	718	MANDATE of USCA as to 679 Notice of Appeal filed by Timothy Barton. Issued as Mandate: 3/16/2026. [USCA 25-11044] (axm) (Entered: 03/17/2026)
03/24/2026	719	RESPONSE filed by Securities and Exchange Commission re: 717 MOTION for Leave to Proceed Pro Se and Authorization to File Electronically (CM/ECF) filed by (Attachments: # 1 Proposed Order) (Bernstein, Keefe) (Entered: 03/24/2026)
03/25/2026	720	ELECTRONIC ORDER denying 717 Motion to Withdraw as Attorney. Before the Court is Defendant Barton's motion to proceed pro se. (Doc. 717) Because Mr. Barton is still represented by Ms. Slim, the Court DENIES the motion. (Ordered by Judge Brantley Starr on 3/25/2026) (chmb) (Entered: 03/25/2026)
03/30/2026	722	Received letter from USCA5: Supreme Court Order received denying petition for writ of certiorari. (axm) (Entered: 04/06/2026)
04/01/2026	721	Third STATUS REPORT filed by DLP Real Estate Capital Inc, DLP Winter Haven Ventures LLC, Marine Creek Ventures LLC, Orchard Farms Ventures LLC. (Attachments: # 1 Exhibit(s)) (Napoli, Michael) (Entered: 04/01/2026)
04/08/2026	723	ORDER denying 710 Emergency Motion to Modify Receivership over Homestead. (Ordered by Judge Brantley Starr on 4/8/2026) (cea) (Entered: 04/09/2026)
04/14/2026	724	Unopposed MOTION to Withdraw as Attorney for Defendant Timothy Barton filed by Timothy Barton (Attachments: # 1 Proposed Order) (Slim, Jules) (Entered: 04/14/2026)

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