

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

SECURITIES AND EXCHANGE	§	
COMMISSION	§	
	§	
Plaintiff,	§	
	§	
v.	§	Case 04:17-CV-00336-ALM
	§	
THURMAN P. BRYANT, III and	§	
BRYANT UNITED CAPITAL FUNDING,	§	
INC.	§	
	§	
Defendants,	§	
	§	
and	§	
	§	
ARTHUR F. WAMMEL, WAMMEL	§	
GROUP, LLC, THURMAN P. BRYANT,	§	
JR., CARLOS GOODSPEED a/k/a SEAN	§	
PHILLIPS d/b/a TOP AGENT	§	
ENTERTAINMENT d/b/a/ MR. TOP	§	
AGENT ENTERTAINMENT	§	
	§	
Relief Defendants.	§	

**REQUEST FOR ORDER APPROVING RECEIVER’S EMPLOYMENT OF VERITAS  
ADVISORY GROUP, INC. AS FINANCIAL CONSULTANT TO RECEIVER  
EFFECTIVE AS OF MAY 15, 2017**

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Jennifer Ecklund, the Court-appointed Receiver (the “**Receiver**”) for Thurman P. Bryant, III and Bryant Capital Funding, Inc. (collectively, the “**Defendants**”) receivership estates (together, the “**Estate**”) in the above-captioned case (the “**Case**”), hereby files this *Request for Order Approving Receiver’s Employment of Veritas Advisory Group, Inc. as Accountant to Receiver Effective as of May 15, 2017* (the “**Request**”), pursuant to this Court’s *Order Appointing Receiver* and the Local Rules for the United States District Court for the Eastern District of Texas, requesting approval of Veritas Advisory Group, Inc. (“**Veritas**”) as financial

consultant to the Receiver in this Case. In support of this Request, the Receiver respectfully represents the following:

**I.**  
**BACKGROUND**

1. On May 15, 2017, Plaintiff, the Securities and Exchange Commission (“**SEC**”), filed its Complaint [Dkt. No. 1] (the “**Complaint**”) against Defendants. Arthur F. Wammel (“**Wammel**”), Wammel Group, Inc. (“**Wammel Group**”), Carlos Goodspeed a/k/a Sean Phillips d/b/a Top Agent Entertainment d/b/a Mr. Top Agent Entertainment (“**Goodspeed**”), and Thurman P. Bryant, Jr. (“**Bryant Jr.**,” and collectively with Wammel, Wammel Group, and Goodspeed, the “**Relief Defendants**”) were named as relief defendants. The Complaint alleges the Defendants violated federal securities laws, by, among other things, engaging in fraudulent activities and misrepresentations to investors regarding guaranteed returns on “risk-free investments.”

2. On May 15, 2017, the SEC filed its application for the appointment of a receiver for Defendants [Dkt. No. 4] (the “**SEC Application**”).

3. On May 15, 2017, after the Court’s review of the SEC Application and upon the Court’s conclusion that the Court has subject matter jurisdiction over the Defendants, the Court determined that entry of an order appointing a receiver over Defendants was both necessary and appropriate to marshal, conserve, hold and operate all of the Defendants’ assets, pending further order of the Court. Accordingly, the Court entered its Order Appointing Receiver [Dkt. No. 17] (the “**Receivership Order**”) on May 15, 2017, naming Jennifer R. Ecklund as the Receiver for the Receivership Estate.

4. The same day, the Court entered the *Ex Parte* Order Granting Motion for Temporary Restraining Order [Dkt. No. 16].

5. Pursuant to the Receivership Order, the Receiver is charged with marshaling and preserving all the assets of the Defendants (the “**Receivership Assets**”).

6. Since the Receiver’s appointment by the Court on May 15, 2017, the Receiver and her team have seized certain Receivership Assets. As of the date of this Motion, the Receiver’s investigation, location, seizure, and analysis of the Receivership Assets is active and on-going.

7. Pursuant to paragraph 7.F of the Receivership Order, the Receiver has the express discretion to engage and employ accountants to assist the Receiver in carrying out her duties and responsibilities set forth in the Receivership Order. Further, pursuant to Paragraph 56, the Receiver is authorized to solicit persons and entities (“**Retained Personnel**”) to assist her in carrying out the Receiver’s duties and responsibilities described in the Order. However, the Receiver is required to obtain an order from the Court authorizing such engagement. [See Order, ¶ 56 at p. 17].

## **II.** **RELIEF REQUESTED**

8. The Receiver seeks entry of an order authorizing the employment and retention of Veritas as one of her Retained Personnel (forensic accountant to the Receiver), as of May 15, 2017, to handle accounting-related issues for the Estate, as permitted in the Receivership Order.

9. Veritas has considerable experience in matters of this character and is a firm well-qualified to represent the Receiver in connection with this Case due to the firm’s expertise in the field of accounting and specifically, forensic accounting. See Declaration of Brandi Kleinman (the “**Kleinman Declaration**”) attached hereto as **Exhibit A**.

10. Further, Veritas shall seek approval for compensation of its fees and expenses on an interim and final basis in accordance with the Receivership Order, the local rules of this

Court, the Billing Instructions for Receivers in Civil Actions Commenced by the U.S. Securities and Exchange Commission, and any other applicable orders of the Court.

11. To the best of the Receiver's knowledge, and except as disclosed in the Kleinman Declaration, Veritas does not hold or represent any interest adverse to the Estate. The Receiver believes that Veritas is disinterested and qualified to represent the Receiver in this Case. The Receiver submits that Veritas' employment in this Case would be in the best interests of the Estate and the parties-in-interest thereof.

WHEREFORE, the Receiver respectfully requests that this Court enter an Order (a) authorizing the employment of Veritas as a financial consultant for the Receiver in this Case effective as of May 15, 2017; (b) authorizing Veritas to be compensated as set forth herein; and (c) awarding the Receiver such other and further relief that this Court deems just and proper.

Dated: July 20, 2017.

Respectfully submitted,

**THOMPSON & KNIGHT LLP**

By: /s/ Timothy E. Hudson

Timothy E. Hudson  
Texas State Bar No. 24046120  
(Lead Attorney)  
**THOMPSON & KNIGHT LLP**  
1722 Routh Street, Suite 1500  
Dallas, Texas 75201  
Telephone: 214-969-1700  
Facsimile: 214-969-1751  
Tim.Hudson@tklaw.com

**COUNSEL TO RECEIVER**

**CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that Counsel for Receiver has complied with the meet and confer requirement in Local Rule CV-7(h). The Plaintiff does not oppose the relief requested; however, Mr. Bryant opposes the relief requested. Accordingly, the Request is presented to the Court for final determination.

/s/ Timothy E. Hudson

Timothy E. Hudson

**CERTIFICATE OF SERVICE**

I hereby certify that on July 20, 2017, I electronically filed the foregoing document with the Clerk for the United States District Court, Eastern District of Texas. The electronic case filing system (ECF) will send a Notice of Electronic Filing (NEF) to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means. The foregoing document will also be sent to all counsel of record via the method identified below:

**Via Electronic Mail:**

**COUNSEL FOR PLAINTIFF:**

Jason P. Reinsch  
Jessica B. Magee  
U.S. SECURITIES AND EXCHANGE COMMISSION  
Fort Worth Regional Office  
Burnett Plaza, Suite 1900  
801 Cherry Street, Unit #18  
Fort Worth, TX 76102-6882  
Telephone: (817) 900-2601  
Facsimile: (917) 978-4927  
[reinschj@sec.gov](mailto:reinschj@sec.gov)  
[mageej@sec.gov](mailto:mageej@sec.gov)

***PRO SE***

**By Electronic Mail:**

Thurman P. Bryant, III  
[Treybryant03@gmail.com](mailto:Treybryant03@gmail.com)

**COURTESY COPIES SENT TO THE FOLLOWING:**

**Via Electronic Mail:**

Toby M. Galloway  
KELLY, HART & HALLMAN LLP  
201 Main Street, Suite 2500  
Fort Worth, TX 76102  
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**COUNSEL FOR RELIEF DEFENDANTS**

/s/ Timothy E. Hudson  
Timothy E. Hudson

**IN THE UNITED STATES DISTRICT COURT  
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Relief Defendants.	§	

**DECLARATION OF BRANDI KLEINMAN IN SUPPORT OF  
EMPLOYMENT OF VERITAS ADVISORY GROUP AS FINANCIAL CONSULTANT  
TO RECEIVER EFFECTIVE AS OF MAY 15, 2017**

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I, Brandi Kleinman, declare as follows pursuant to 28 U.S.C. § 1746:

1. I am a Vice President with Veritas Advisory Group, Inc. (“Veritas”) in Dallas, Texas. I am a Certified Public Accountant and Certified in Financial Forensics, and a member of the American Institute of Certified Public Accountants. I am a member in good standing of the Texas State Board of Public Accountancy. There are no disciplinary proceedings pending against me.



2. I am an accountant hired to assist Jennifer Ecklund, the Court-appointed Receiver (the “Receiver”) for Thurman P. Bryant, III and Bryant United Capital Funding, Inc. (collectively, the “Defendants”) receivership estates (together, the “Estate”) in this case, and I submit this Declaration in support of the *Request for Order Approving Receiver’s Employment of Veritas as Financial Consultant to Receiver Effective as of May 15, 2017*.

3. Veritas has considerable experience in matters of this character and is a firm well-qualified to act as a financial consultant to the Receiver in connection with this case due to the Veritas’s expertise.

4. The Receiver seeks entry of an order authorizing the employment and retention of Veritas as of May 15, 2017, as financial consultant to the Receiver. The Receiver and Veritas have entered into the attached engagement letter, and Veritas has agreed to perform services for the Receiver in accordance with the same, which I incorporate fully herein.

5. Veritas shall seek approval for compensation of its fees and expenses on an interim and final basis in accordance with the Receivership Order, the local rules of this Court, the Billing Instructions for Receivers in Civil Actions Commenced by the U.S. Securities and Exchange Commission, and any other applicable orders of the Court. Subject to this Court’s approval of Veritas’s engagement and approval of Veritas’s applications, the Receiver shall compensate Veritas professionals at discounted hourly rates in accordance with the engagement letter.

6. In connection with its acceptance of this matter, Veritas researched its client database and performed reasonable due diligence to determine whether it has any relationships with the parties in this case. To my knowledge, based on reasonable inquiry, (a) Veritas does not hold or represent any interest adverse to the Estate; (b) to the best of my knowledge, information,

and belief, Veritas has no relationship to any of the Estate, any of the Estate's significant creditors or equity interest owners in the case; and (c) to the best of my knowledge, information, and belief, the personnel anticipated to provide the services to the Estate in connection herewith are not related to the any member of the United States Securities & Exchange Commission, or the United States District Court Judge presiding over the case.

7. Veritas has made an effort, and will continue to make an effort, to set materiality thresholds with respect to its due diligence search with respect to any connections Veritas may have with the creditors and with parties-in-interest in this case. Veritas will periodically review its files during the pendency of this case to ensure that no conflict or other disqualifying circumstances exist or arise. If any new relevant facts or relationships are discovered or arise, Veritas will promptly file a supplemental declaration.

8. By reason of the foregoing, I believe Veritas is eligible for employment and retention by the Receiver in this case as Retained Personnel (as that term is defined in the Receivership Order).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 15 2017 at Dallas, Texas.

  
Brandi Kleinman



May 23, 2017

Jennifer R. Ecklund, Esq.  
Thompson & Knight LLP  
One Arts Plaza  
1722 Routh Street, Suite 1500  
Dallas, Texas 75201

**Re: SEC v. Bryant United Capital Funding, Inc., et al.**

Dear Ms. Ecklund:

This letter confirms your retention of Veritas Advisory Group, Inc. ("Veritas"), to provide professional services in connection with the above referenced matter. Veritas shall provide professional services in connection with this matter from time to time as assigned to us orally or in writing by you.

Veritas understands that our work under this agreement is performed at your direction, and that all work performed by us under this agreement including, but not limited to, all communications, whether written or oral, between us and any attorney with your firm or any employee of your client, is confidential and privileged, which we will not reveal to any other person, except as authorized by you or as required by the legal process.

We agree to release to you all materials received or produced by us in connection with this matter. We will be unable to release materials which are proprietary to our company or its clients, and will engage counsel should such material be vigorously pursued by any of the parties who are or may become involved in this matter.

Veritas's fees will be based upon hours incurred in this engagement at individual hourly billing rates. Veritas will organize a team for purposes of this engagement. The team will include Brandi N. Kleinman as the engagement manager. She will be assisted by others as appropriate. It is our practice to communicate frequently and clearly on the scope of work we perform. Veritas will make every reasonable effort to perform this engagement in a cost-effective manner.





Jennifer R. Ecklund, Esq.  
Thompson & Knight LLP  
May 23, 2017  
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The rates outlined below reflect a discount from our standard rates and are guaranteed through December 31, 2017:

Vice President	\$325 - 375
Principal	\$260
Senior Manager	\$248
Manager	\$234
Senior Consultant	\$207
Associate Consultant	\$175
Analyst	\$104

In addition, we are reimbursed for out-of-pocket expenses including, but not limited to, travel, lodging, courier services, and high volume copying. We will submit monthly billings directly to you. It is understood that our fees and expenses are to be paid by the Receiver, Jennifer R. Ecklund (Thompson & Knight). Payment of our invoices is due and payable upon receipt. We reserve the right to cease all work and may elect to withdraw from this engagement when any invoice is unpaid for more than 60 days. We require that all unpaid invoices be paid in full prior to submission of the report or providing such testimony.

Veritas may be retained by parties who have interests which may not be consistent with those of Thompson & Knight LLP and SEC. Our determination of conflicts is based primarily on the substance of our work, as opposed to the parties involved. Veritas reserves the right to accept engagements by other parties consistent with Veritas's internal, past practices.

The total liability of our firm, its officers and employees for all claims of any kind resulting from performance or breach of services or litigation in connection with this assignment, shall be limited to the total amount of fees paid to us in connection with this assignment.

We will commence work on this engagement upon receipt of the executed original of this letter indicating you and your client's acceptance of the terms and conditions of this engagement.



Jennifer R. Ecklund, Esq.  
Thompson & Knight LLP  
May 23, 2017  
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We appreciate the opportunity to work with you on this important matter. If you have any questions, please do not hesitate to call me.

Very truly yours,

VERITAS ADVISORY GROUP, INC.

By: Brandi N. Kleinman 5/23/2017  
Brandi N. Kleinman Date

Read and Accepted:

By: Jennifer R. Ecklund 5/20/17  
Jennifer R. Ecklund, Esq. Date  
Thompson & Knight LLP

BNK/cdt