



*Expedited Order Authorizing Liquidation of Certain Bryant Defendants Receivership Assets* (the “**Motion**”) and respectfully shows the Court as follows:

1. Since the Receiver’s appointment over the Bryant Defendants Receivership Estate (the “**Bryant Receivership Estate**”), the Receiver has worked diligently to understand the business model used by BUCF and to collect, marshal, and take control over the Bryant Defendants Receivership Assets (the “**Bryant Receivership Assets**”) pursuant to this Court’s directives.

2. On July 28, 2017, the Receiver filed her *Motion of Receiver (I) for Order Authorizing Liquidation of Furniture, Fixtures, Equipment, and Other Items and Termination of Certain Leases, (II) to Approve Procedures to Sell Certain Personal Property, and (III) to Release Funds from Certain Frozen Bank Accounts into the Receiver’s Account* (the “**Motion to Liquidate**”) [Dkt. No. 66], which provides a detailed account of the Receiver’s proposed liquidation plan and various sales procedures to liquidate different Bryant Receivership Assets to maximize value and eliminate unnecessary expenses to the Receivership. The Receiver incorporates, as if fully set forth herein, her *Motion to Liquidate* [Dkt. No. 66].

3. In the *Motion to Liquidate*, the Receiver explained that the Bryant Receivership Estate contains assets of value, including a swing set (the “**Swing Set**”), a horse in the Receiver’s possession (the “**Horse**”), a 1936 Ford Roadster (the “**Roadster**”), and a 2013 Cross Country Motorcycle (the “**Motorcycle**”).<sup>1</sup> These assets have the potential to generate significant value for the Receivership Estate through private sales to appropriate third parties.

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<sup>1</sup> The Receiver is confirming whether any outstanding or perfected liens exist against the Roadster and the Motorcycle, and she will give notice of the intent to sell to any purported lienholders. The Receiver proposes to satisfy any existing liens on sale of the respective vehicle and reserves her right to come to the Court to the extent that any dispute arises with respect to the existence or satisfaction of any lien.

4. It is critical to expedite the generation of income for the Receivership Estate, as the Receiver, in discharging her duties, has accrued significant expenses while only having limited funds in the Receiver's account.

5. To provide the Receiver with adequate resources to continue discharging her duties, as she is charged to do so by this Court, the Receiver respectfully requests emergency relief of an order authorizing the liquidation of the Swing Set, the Horse, the Roadster, and the Motorcycle through private sales, as described in the *Motion to Liquidate*. Such a result would maximize the value of these assets to the Receivership Estate, constitute the most time and cost-efficient method of liquidation, and provide the Receiver with critical funds in order to continue discharging her duties.

6. Therefore, the Receiver respectfully requests that the Court consider this request on an emergency basis pursuant to Local Rule CV-7(1), and that the Court hold an immediate hearing on this Motion. The Receiver prays that the Court will grant the Receiver an expedited order authorizing her to liquidate the Swing Set, the Horse, the Roadster, and the Motorcycle through private sales to appropriate third parties, as described in the *Motion to Liquidate*. The Receiver further prays for such other and further relief, general or special, at law or in equity, to which she may show herself justly entitled.

Dated: July 31, 2017.

Respectfully submitted,

By: /s/ Timothy E. Hudson

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**COUNSEL TO RECEIVER**

**CERTIFICATE OF SERVICE**

I hereby certify that on July 31, 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:

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**COUNSEL FOR CERTAIN RELIEF DEFENDANTS**

/s/ Timothy E. Hudson  
Timothy E. Hudson

**CERTIFICATE OF CONFERENCE**

Mackenzie S. Wallace, counsel for the Receiver, and counsel for Plaintiff, conferred on July 31, 2017, in compliance with the meet and confer requirement in Local Rule CV-7(h). Counsel for Plaintiff has not indicated whether he is opposed or unopposed to the relief sought in this Motion.

Mackenzie S. Wallace, counsel for the Receiver, and Certain Relief Defendants conferred on July 31, 2017, in compliance with the meet and confer requirement in Local Rule CV-7(h). Counsel for the Wammel Defendants has not indicated whether he is opposed or unopposed to the relief sought in this Motion. Mackenzie S. Wallace, counsel for the Receiver, and Thurman P. Bryant, Jr. conferred on July 31, 2017, in compliance with the meet and confer requirement in Local Rule CV-7(h). Mr. Bryant Jr. has not indicated whether he is opposed or unopposed to the relief sought in this Motion.

Mackenzie S. Wallace, counsel for the Receiver, and Defendant Thurman P. Bryant, III conferred on July 31, 2017, in compliance with the meet and confer requirement in Local Rule CV-7(h). Defendant Thurman P. Bryant, III is opposed to the relief sought in this Motion. No such agreement as to this Motion could be reached. Discussions between counsel for the Receiver and Defendant Thurman P. Bryant, III have conclusively ended in an impasse, leaving an open issue for the Court to resolve.

/s/ Timothy E. Hudson  
Timothy E. Hudson

**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.	§	

**ORDER GRANTING THE EMERGENCY MOTION OF RECEIVER  
FOR EXPEDITED ORDER AUTHORIZING LIQUIDATION  
OF CERTAIN BRYANT DEFENDANTS RECEIVERSHIP ASSETS**

On this date, the Court considered the *Emergency Motion of Receiver for Expedited Order Authorizing Liquidation of Certain Bryant Defendants Receivership Assets* (the “Motion”).<sup>1</sup> The Court, having considered the Motion, finds that an expedited hearing and briefing schedule on the Motion is in the best interests of the parties. Accordingly,

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

- The Plaintiff, Defendants, and Relief Defendants may each serve and file a response

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<sup>1</sup> All capitalized terms not expressly defined herein shall have the same meaning as ascribed in the Motion.

by \_\_\_\_\_ at \_\_\_\_\_.

- The Receiver may serve and file a reply by \_\_\_\_\_ at \_\_\_\_\_.
- The Receiver's Motion is hereby set for hearing on \_\_\_\_\_ at \_\_\_\_\_.

**IT IS SO ORDERED.**