

**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., ARTHUR F. WAMMEL, §
WAMMEL GROUP, LLC, CARLOS §
GOODSPEED a/k/a SEAN PHILLIPS §
a/k/a GC d/b/a TOP AGENT §
ENTERTAINMENT d/b/a/ MR. TOP §
AGENT ENTERTAINMENT, §

Defendants, §

and §

THURMAN P. BRYANT, JR., §

Relief Defendant. §

REQUEST FOR INTERIM DISTRIBUTION

Jennifer Ecklund, the Court-appointed Receiver (the “**Receiver**”) for Defendants Thurman P. Bryant, III (“**Bryant**”) and Bryant United Capital Funding, Inc. (“**BUCF**”) (Bryant and BUCF, collectively, the “**Bryant Defendants**”) and Defendant Arthur F. Wammel (“**Wammel**”), Defendant Wammel Group, LLC (the “**Wammel Group**”), and Wammel Group Holdings Partnership (“**WGHP**”) (together Wammel, Wammel Group, and WGHP, the “**Wammel Defendants**”) receivership estates (together, the “**Receivership Estate**” or the “**Receivership**”) in the above-captioned case (the “**Case**”), submits this request for approval of a proposed pro rata interim distribution to investors.

I.
STATUS OF LIQUIDATION AND RECOVERY OF ASSETS

The Receiver now has \$758,767.34 in the Receivership Estate. As described in the Receiver's First Quarterly Report, Second Quarterly Report, Third Quarterly Report, Fourth Quarterly Report, Fifth Quarterly Report, and Sixth Quarterly Report, this net amount was funded from the liquidation of assets, the proceeds from settlement in the ancillary litigation against Carlos Goodspeed and Thurman P. Bryant, Jr. in Ancillary Civil Action No. 4:17-cv-00856, against certain Winning Investors in Ancillary Civil Action No. 4:18-cv-00359, and against certain Transferees in Ancillary Civil Action No. 4:18-cv-00360, and the balance of the Bryant Defendants' and the Wammel Defendants' accounts. In addition, the Receiver may recover and add additional amounts to the distribution fund once the remaining Receivership assets are liquidated. Further, any additional recoveries from the aforementioned ancillary litigation will be deposited into the Receivership Estate for ultimate distribution. The Receiver will also coordinate with the Special Receiver in the ancillary litigation against Wells Fargo Bank, N.A. (Case No. 4:18-cv-00452) for the return of those proceeds into the Receivership Estate for distribution.

II.
ANALYSIS OF INVESTOR CLAIMS

Since the inception of the Receivership, the Receiver has actively solicited and obtained claims and supporting documentation from those investors who believe they are owed money from the Bryant Defendants and the Wammel Defendants. On December 1, 2017, the Receiver established a claims process for investors and provided investors with claims documentation to substantiate their investments with the Bryant Defendants and the Wammel Defendants.

The Receiver asked investors to provide her with documents evidencing the amount of their investment with the Bryant Defendants and the Wammel Defendants. This process has

proven to be somewhat complex, as it has been difficult for some investors to sort out the money they actually invested with the Bryant Defendants and the Wammel Defendants from fictitious interest or profits they may have rolled over into a “new” investment.¹ Other investors simply believe their investment is larger than the principal they originally invested based on fictitious accounting statements generated by the Bryant Defendants and the Wammel Defendants and provided to the investors over time.² Other investors do not have supporting documentation substantiating the amounts they claim that they invested with the Bryant Defendants and the Wammel Defendants.³ To the extent investors did not submit completed claims forms, the Receiver relies on her forensic accountant’s review of the financial documentation for the Bryant Defendants and the Wammel Defendants to determine the net loss for each net losing investor.

The Receiver has taken the following steps to identify the net losing investors (the “**Net Losing Investors**”). The Receiver’s agents, representatives, forensic accountant, and counsel reviewed seized records and databases from the Bryant Defendants and the Wammel Defendants,

¹ The Receiver believes the following investors believe their investment is larger than the principal they originally invested based on fictitious interest or profits they may have rolled over into a “new” investment: Norrie Foundation; Mike and Janice Kocian; Jein Gadson; Brian and Laurie Swift; and Warren Trahan. Any fictitious interest or profits that investors may have rolled over into a “new” investment are not considered when calculating the principal investment. For these investors, the Receiver relies on her forensic accountant’s review of the financial documentation for the Bryant Defendants and the Wammel Defendants to determine their principal investment and net loss.

² The Receiver believes that investor Brooke Green Holdings, LLC believes its investment is larger than the principal it originally invested based on fictitious accounting statements generated by the Wammel Defendants. Any investments generated as part of the fictitious accounting statements are not considered for purposes of the principal investment. For this investor, the Receiver relies on her forensic accountant’s review of the financial documentation to determine its principal investment and net loss.

³ The Receiver notes for the Court that investors Mike and Janice Kocian submitted a claim form to the Receiver and claimed that their principal investment with the Bryant Defendants was \$100,000.00. Of this claimed \$100,000.00, there is documentation supporting \$35,000.00; however, the Kocians did not provide the Receiver with documentation evidencing a cash investment that they claim to have provided to the Bryant Defendants. Moreover, as discussed in footnote 1, the Receiver believes the Kocians believe their investment is larger than the principal they originally invested based on fictitious interest or profits they may have rolled over into a “new” investment. Because the Kocians have not provided documentation evidencing any cash investment, the Receiver relies on her forensic accountant’s review of the financial documentation evidencing the \$35,000.00 for purposes of calculating the Kocians principal investment with the Bryant Defendants. Similarly, investor Swift Tree Holdings LLC did not provide the Receiver with documentation evidencing the amounts it claims that it invested with the Wammel Defendants and thus the Receiver relies on her forensic accountant’s review of the financial documentation to determine its principal investment and net loss.

subpoenaed financial documentation, and submitted investor documentation in order to determine which investors with the Bryant Defendants and the Wammel Defendants were net losers. Based upon the review of the aforementioned information, the Receiver has identified 99 Net Losing Investors (the “**Net Losing Investors Claims**”). See Net Losing Investor Distribution Schedule, attached hereto as **Exhibit A**⁴⁵.

Further, according to the above-described evidence, the Net Losing Investors have a collective principal loss balance of \$21,450,123.11. Although the collection and liquidation process is still underway, the Receiver proposes an interim distribution of available funds to the Net Losing Investors.

III. PROPOSED DISTRIBUTION

Although the Receiver is continuing her efforts to recover additional assets for the Receivership Estate through litigation, the Receiver believes she has enough money at this time to make a meaningful interim distribution to the Net Losing Investors. The Receiver therefore proposes and seeks permission from the Court to make an initial interim distribution of \$450,000.00 on the Net Losing Investor Claims, on a pro rata basis. A \$450,000.00 distribution would pay 2.10% of the total Net Losing Investors Claims, meaning each investor would receive

⁴ The Receiver notes for the Court that investors Roland and Isabel (de Pedro) Solis had multiple investments with the Bryant Defendants. In prior discussions with Mr. and Mrs. Solis, the Receiver indicated that she would determine the overall net loss for these investors by considering all of their investments. Accordingly, Mr. and Mrs. Solis’ principal loss in the attached **Exhibit A** is the overall net loss for the following investments: Roland and Isabel Solis; Grandchildren Fund (Solis); Grandchildren Fund (de Pedro); Aragonesa LLC; and Chico’s Venture, LLC.

⁵ The Receiver further notes for the Court that her team spent a significant amount of time to determine the proposed distribution to investor Trina Reyes. This included, but is not limited to, multiple discussions with Ms. Reyes regarding her investments. Multiple discussions with Ms. Reyes were necessary in order to decipher the multiple investments that she made in her personal capacity, on behalf of her children, and on behalf of her prior corporate entity. Based on these discussions, the Receiver and Ms. Reyes agreed to calculate Ms. Reyes’ overall net loss by considering Ms. Reyes’ personal investments and corporate investments. Accordingly, Ms. Reyes’ principal loss in the attached **Exhibit A** is the overall net loss for the investments that she made in her personal capacity and on behalf of her prior corporate entity.

2.10% of his or her allowed claim at this time and perhaps more in the future after the pending ancillary litigation is concluded. The distribution amount is calculated as follows:

$$\frac{\text{Amount to be Distributed}}{\text{Total Net Losing Investor Claims}} = \frac{\$450,000.00}{\$21,450,123.11} = \text{Distribution Percentage } 2.10\%$$

The Net Losing Investor Distribution Schedule, attached hereto as **Exhibit A**, shows the exact amount each approved claim would receive through this interim distribution.

All Net Losing Investors who either submitted a claim or were identified by the Receiver's forensic accountant have been included in the proposed distribution plan. The Receiver has been able to verify the balances due to each Net Losing Investor through the review of seized bank records and electronic databases from the Bryant Defendants and the Wammel Defendants, subpoenaed financial documentation, and submitted investor documentation. The Receiver proposes to provide each Net Losing Investor with a copy of this filing, which shows each approved claim amount and the method for calculating each claim. The Receiver further proposes that any Net Losing Investor who wishes to contest the principal loss listed in **Exhibit A** do so by contacting the Receivership Estate in writing at bucfreceivership@tklaw.com no later than February 19, 2019. The Receiver will review and analyze the submitted documentation, if any, and submit an Amended Request for Interim Distribution, if needed, no later than March 15, 2019. To the extent the Receiver and any Net Losing Investor cannot reach an agreement with respect to the principal loss to be included in **Exhibit A**, the Receiver will seek guidance from the Court in moving forward.

IV. AUTHORITIES

In the July 2017 Amended Order Appointing Receiver [Dkt. No. 48], the Court found that “the appointment of a receiver in this action is necessary and appropriate for the purposes of marshaling and preserving all assets” of the Bryant Defendants and the Wammel Defendants. In

overseeing and administering an equitable receivership such as the instant case, this Court's discretion in approving the proposed distribution plan is given great deference and may be disturbed on appeal only upon the showing of an abuse of discretion. *See SEC v. Great White Marina & Rec., Inc.*, 428 F.3d 553, 556-57 (5th Cir. 2005); *SEC v. Sharp Capital, Inc.*, 315 F.3d 541, 545 (5th Cir. 2003); *SEC v. Forex Asset Mgmt. LLC*, 242 F.3d 325, 331-32 (5th Cir. 2001). The plan of distribution proposed by the Receiver is consistent with plans approved by the SEC in other cases. *See Great White*, 428 F.3d at 556-57; *Forex Asset*, 242 F.3d at 331-32.

1. *It is appropriate to determine the amount of the Net Losing Investors' losses on a cash basis, without regard to the unpaid illusory, fictitious returns.*

The Net Losing Investors' losses were calculated on a "cash-in—cash-out" basis—the amount of principal invested less any returns, fees, or other funds received by the investor. The Net Losing Investors' claims will not be increased by any "earned" but unpaid returns. Not only is this the most efficient method of calculating loss, it is the most fair. When confronted with similar situations and challenges to this method of establishing the loss amount, courts have upheld this method of determining a loss as fair and reasonable. *See Forex Asset*, 242 F.3d at 331-32 (affirming trial court's approval of plan that calculated each investor's allowed claim as a percentage of their loss as measured against the losses of all of the unpaid claimants as "fair and equitable").

2. *It is appropriate to treat all the monies recovered as a "common fund" from which payment to all Net Losing Investors will be made.*

The Receiver's proposed plan of distribution aggregates all available money into a single fund. No effort has been made to trace any specific investor's funds. From the earliest Ponzi scheme cases, courts have made clear that this is almost always the most equitable way to treat investors. *See id.* at 331 (district court did not abuse its discretion when it determined that, despite

the fact that some of the funds available for distribution were segregated and traceable to one investor, allowing one investor to trace its funds and avoid a pro rata distribution among all of the investors would be an inequitable remedy).

The Receiver believes a common fund is especially important in this Case because the Bryant Defendants and the Wammel Defendants created a web of interlocking entities that they utilized in connection with the Ponzi scheme out of which this case arises. *See* August 15, 2017 Memorandum Opinion and Order [Dkt. No. 89] (the “**Memorandum Opinion and Order**”) at 8 (“The Court finds that this is sufficient evidence to establish a Ponzi scheme.”). As part of the Bryant Defendants’ Ponzi scheme and directly violative of promises to BUCF investors, BUCF transferred its investors’ funds to the Wammel Group, which in turn invested BUCF investor funds in high-risk options trading. *See generally* Memorandum Opinion and Order. The Wammel Defendants, by and through Wammel, also raised funds independent of BUCF funds, which Wammel used in the same way. *See id.* As this Court explained in its Memorandum Opinion and Order, the “[Bryant] Defendants transferred funds to the Wammel [Defendants], who then commingled [the Bryant] Defendants’ funds with Wammel Group investors’ funds and invested in high-risk options trading.” *See id.* at 8. In addition to commingling the Bryant Defendants’ and the Wammel Defendants’ funds, this Court acknowledged that the Wammel Defendants “failed to maintain proper accounting” and even “obscured accounting records” and “falsified documents to conceal [the Bryant] Defendants’ shortcomings.” *See id.* at 8-9. Ultimately, this Court noted that “the Receiver has produced sufficient evidence to prove commingling of assets such that segregation between assets used in the [Bryant] Defendants’ scheme and those of Wammel Parties’ investors cannot be done.” *See id.* at 11. Because the segregation of the Bryant Defendants’ funds and the Wammel Defendants’ funds simply cannot be done, the Receiver strongly believes it is

appropriate to treat all the monies recovered as a common fund from which payment to all Net Losing Investors will be made.

The proposed distribution is consistent with the prevailing principles of equity and comports with plans approved in other SEC receiverships. Because the proposed distribution provides a fair process for distributing money to the Net Losing Investors, the Receiver respectfully requests that this Court approve the interim distribution.

V.
ADMINISTRATION OF NON-INVESTOR CREDITORS CLAIMS

Since the inception of the Receivership, the Receiver has endeavored to list and identify all non-investor creditors who have been identified through the course of the Receiver's investigation. *See* Non-Investor Creditors List, attached hereto as **Exhibit B**. In March 2018, the Receiver established a claims process for non-investor creditors and tendered claims forms to all non-investor creditors known to her. In response, the Receiver received a total of six completed claims forms from non-investor creditors. The Receiver has a long list of non-investor creditors who did not submit claims forms. Further, the Receiver has received inquiries and correspondence from multiple creditors of the Bryant Defendants and the Wammel Defendants who claimed to be owed money from prior obligations.

The Receiver recommends that the corpus of the distribution be allocated to the Net Losing Investors. As discussed more fully in Sections II and III, the Net Losing Investors collective principal loss balance is more than \$21 million. Moreover, the Net Losing Investors only stand to receive a percentage of their lost investments. Accordingly, the Receiver's proposed distribution plan focuses solely on an interim distribution to the Net Losing Investors and does not allocate any funds for purposes of satisfying any claimed amounts from non-investor creditors.

**VI.
CONCLUSION**

The Receiver respectfully requests that this Court approve this interim distribution and, if necessary, set a hearing and then enter an order authorizing the Receiver to make the distribution to the approved Net Losing Investors consistent with **Exhibit A**. The Receiver asks for such other and further relief, general or special, at law or in equity, to which she may otherwise be entitled.

DATED: January 30, 2019.

Respectfully submitted,

THOMPSON & KNIGHT LLP

By: /s/ Timothy E. Hudson

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COUNSEL TO RECEIVER

CERTIFICATE OF SERVICE

I hereby certify that on January 30, 2019, 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.

/s/ Timothy E. Hudson
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Via Electronic Mail (where possible) or U.S. Mail (if no e-mail was available):

All Net Losing Investors identified in **Exhibit A** attached hereto.

CERTIFICATE OF CONFERENCE

Mackenzie M. Salenger, counsel for the Receiver, and counsel for Plaintiff, conferred on January 29, 2019, in compliance with the meet and confer requirement in Local Rule CV-7(h). Counsel for Plaintiff is unopposed to the relief sought in this Motion.

Mackenzie M. Salenger, counsel for the Receiver, and counsel for Certain Relief Defendants conferred on January 29, 2019 and January 30, 2019, in compliance with the meet and confer requirement in Local Rule CV-7(h). Counsel for the Wammel Defendants is unopposed to the relief sought in this Motion.

Mackenzie M. Salenger, counsel for the Receiver, and counsel for Carlos Goodspeed conferred on January 29, 2019 and January 30, 2019, in compliance with the meet and confer requirement in Local Rule CV-7(h). Counsel for Carlos Goodspeed did not respond regarding whether he is opposed or unopposed to the relief sought in this Motion.

/s/ Timothy E. Hudson
Timothy E. Hudson

Last Name	First Name	Entity	Principal Loss	Pro Rata of Principal Loss	Pro Rata of Total Distribution	Distribution
Bauer	Joseph and Kristina	Wammel	\$ 74,458.00	2.10%	0.35%	\$ 1,562.05
Black	Cody	Wammel	\$ 14,230.00	2.10%	0.07%	\$ 298.53
Brooke Green Holdings, LLC		Wammel	\$ 38,180.00	2.10%	0.18%	\$ 800.97
Bryan	David and Sherry	Wammel	\$ 36,814.00	2.10%	0.17%	\$ 772.32
Cantalope	Brent	Wammel	\$ 26,602.00	2.10%	0.12%	\$ 558.08
Ducharme	Blake	Wammel	\$ 10,176,723.11	2.10%	47.44%	\$ 213,496.46
Engel	Richard	Wammel	\$ 146,500.00	2.10%	0.68%	\$ 3,073.41
Gadson	Jein	Wammel	\$ 22,460.00	2.10%	0.10%	\$ 471.19
Hardy	Danny	Wammel	\$ 40,977.00	2.10%	0.19%	\$ 859.65
Johnson	Tim	Wammel	\$ 90,285.00	2.10%	0.42%	\$ 1,894.08
Madison	Dorothy	Wammel	\$ 23,980.00	2.10%	0.11%	\$ 503.07
Ross	Kirby	Wammel	\$ 36,765.00	2.10%	0.17%	\$ 771.29
Smith	Paul and Karen	Wammel	\$ 50,000.00	2.10%	0.23%	\$ 1,048.95
Swift Tree Holdings LLC		Wammel	\$ 882,893.00	2.10%	4.12%	\$ 18,522.12
Swift	Brian and Laurie	Wammel	\$ 337,225.00	2.10%	1.57%	\$ 7,074.61
Trahan	Warren	Wammel	\$ 100,000.00	2.10%	0.47%	\$ 2,097.89
Wade	Cynthia	Wammel	\$ 158,169.00	2.10%	0.74%	\$ 3,318.21
Acton	Howard and Karen	BUCF	\$ 102,500.00	2.10%	0.48%	\$ 2,150.34
Always Stay Balanced LLC		BUCF	\$ 27,750.00	2.10%	0.13%	\$ 582.16
Barnes	Neal	BUCF	\$ 117,750.00	2.10%	0.55%	\$ 2,470.27
Bowling	Brett	BUCF	\$ 50,000.00	2.10%	0.23%	\$ 1,048.95
Broadway	Eugene	BUCF	\$ 90,000.00	2.10%	0.42%	\$ 1,888.10
Bryant	Mary and Bruce	BUCF	\$ 1,250.00	2.10%	0.01%	\$ 26.22
Calehr	Samira	BUCF	\$ 43,250.00	2.10%	0.20%	\$ 907.34
Canatore	Mark	BUCF	\$ 53,325.00	2.10%	0.25%	\$ 1,118.70
Carter	Ronald	BUCF	\$ 38,750.00	2.10%	0.18%	\$ 812.93
Chetty	Mark	BUCF	\$ 109,825.00	2.10%	0.51%	\$ 2,304.01
Childers	Danny and Glenda	BUCF	\$ 22,000.00	2.10%	0.10%	\$ 461.54
Cook	Laura	BUCF	\$ 21,250.00	2.10%	0.10%	\$ 445.80
Craft	Brian	BUCF	\$ 160,000.00	2.10%	0.75%	\$ 3,356.62
Cunningham-Small	Erin	BUCF	\$ 123,190.00	2.10%	0.57%	\$ 2,584.39
de la Garza	Javier	BUCF	\$ 68,250.00	2.10%	0.32%	\$ 1,431.81
de la Garza	Maria	BUCF	\$ 15,000.00	2.10%	0.07%	\$ 314.68
Delapaz	Michael and Lorena	BUCF	\$ 30,300.00	2.10%	0.14%	\$ 635.66
DesBiens	Frances	BUCF	\$ 20,000.00	2.10%	0.09%	\$ 419.58
Dwyer	Kenneth and Kerrie	BUCF	\$ 300,000.00	2.10%	1.40%	\$ 6,293.67
Emmons	Stanley and Brenda	BUCF	\$ 18,000.00	2.10%	0.08%	\$ 377.62
Evans	Chuck	BUCF	\$ 52,500.00	2.10%	0.24%	\$ 1,101.39
Ezell	John	BUCF	\$ 43,750.00	2.10%	0.20%	\$ 917.83
Foley	Steven	BUCF	\$ 93,750.00	2.10%	0.44%	\$ 1,966.77
Fossler	Andrew	BUCF	\$ 245,000.00	2.10%	1.14%	\$ 5,139.83
Fredriksz	Silene and Robbert	BUCF	\$ 47,500.00	2.10%	0.22%	\$ 996.50
Gallagher	Kevin and Kimberly	BUCF	\$ 55,000.00	2.10%	0.26%	\$ 1,153.84
Gilliam	Jeffrey	BUCF	\$ 46,500.00	2.10%	0.22%	\$ 975.52
Grandchildren Trust (Lehmann)		BUCF	\$ 27,375.00	2.10%	0.13%	\$ 574.30
Gula	Heather	BUCF	\$ 34,500.00	2.10%	0.16%	\$ 723.77
Hadaway	Rosalean and Richard	BUCF	\$ 43,750.00	2.10%	0.20%	\$ 917.83
Harco Development LLC		BUCF	\$ 32,500.00	2.10%	0.15%	\$ 681.81
Hendricks	Scott and Cheryl	BUCF	\$ 28,000.00	2.10%	0.13%	\$ 587.41
Highway 6 Interest LLC		BUCF	\$ 7,500.00	2.10%	0.03%	\$ 157.34
Hinze	Randy and Georgia	BUCF	\$ 82,500.00	2.10%	0.38%	\$ 1,730.76
Hoselton	Stephen and Shirley	BUCF	\$ 157,500.00	2.10%	0.73%	\$ 3,304.18
Hradil	Rodney and Lisa	BUCF	\$ 105,000.00	2.10%	0.49%	\$ 2,202.78
Joines	David and Dawnette	BUCF	\$ 40,000.00	2.10%	0.19%	\$ 839.16
King	Jack	BUCF	\$ 183,750.00	2.10%	0.86%	\$ 3,854.87
Ko	David	BUCF	\$ 6,250.00	2.10%	0.03%	\$ 131.12
Kocian	Mike and Janice	BUCF	\$ 35,000.00	2.10%	0.16%	\$ 734.26
Kocian	Kassh	BUCF	\$ 7,917.00	2.10%	0.04%	\$ 166.09
LaBauve	Chris and Karin	BUCF	\$ 7,213.00	2.10%	0.03%	\$ 151.32
Lehmann	Quentin and Marilyn	BUCF	\$ 66,375.00	2.10%	0.31%	\$ 1,392.47
Lehmann	Peter and Michelle	BUCF	\$ 59,750.00	2.10%	0.28%	\$ 1,253.49
Luyt	Petrus	BUCF	\$ 166,000.00	2.10%	0.77%	\$ 3,482.50

Malik	Akber and Shirin	BUCF	\$ 36,250.00	2.10%	0.17%	\$ 760.49
Mascheri	Angelo and Gay	BUCF	\$ 160,000.00	2.10%	0.75%	\$ 3,356.62
Meintjes	Theo and Engela	BUCF	\$ 292,000.00	2.10%	1.36%	\$ 6,125.84
Norrie Foundation		BUCF	\$ 1,355,875.00	2.10%	6.32%	\$ 28,444.77
Ockenfels	Michael and Carmen	BUCF	\$ 14,375.00	2.10%	0.07%	\$ 301.57
O'laughlin	Franics	BUCF	\$ 225,800.00	2.10%	1.05%	\$ 4,737.04
Perry	Patrick and Cheryl	BUCF	\$ 15,000.00	2.10%	0.07%	\$ 314.68
Peters	Holly	BUCF	\$ 69,250.00	2.10%	0.32%	\$ 1,452.79
Rahardjo	Hari	BUCF	\$ 32,500.00	2.10%	0.15%	\$ 681.81
Reyes	Anthony	BUCF	\$ 27,475.00	2.10%	0.13%	\$ 576.40
Reyes	Trina	BUCF	\$ 81,366.00	2.10%	0.38%	\$ 1,706.97
Reyes	Michael	BUCF	\$ 50,000.00	2.10%	0.23%	\$ 1,048.95
Reyes	Raymond Anthony	BUCF	\$ 50,000.00	2.10%	0.23%	\$ 1,048.95
Ross	Walker and Amber	BUCF	\$ 23,500.00	2.10%	0.11%	\$ 493.00
Russell	Jeffrey	BUCF	\$ 137,500.00	2.10%	0.64%	\$ 2,884.60
Sargent	Wayne	BUCF	\$ 187,500.00	2.10%	0.87%	\$ 3,933.54
Schnabel	Thomas	BUCF	\$ 85,000.00	2.10%	0.40%	\$ 1,783.21
Seeber	Rebecca	BUCF	\$ 97,500.00	2.10%	0.45%	\$ 2,045.44
Senft	Thomas	BUCF	\$ 230,000.00	2.10%	1.07%	\$ 4,825.15
Senft	Mark	BUCF	\$ 103,750.00	2.10%	0.48%	\$ 2,176.56
Shafer	Alice and Kenneth	BUCF	\$ 435,000.00	2.10%	2.03%	\$ 9,125.82
Shafer	Kenneth	BUCF	\$ 155,000.00	2.10%	0.72%	\$ 3,251.73
Shearer	Thomas	BUCF	\$ 50,000.00	2.10%	0.23%	\$ 1,048.95
Silvey	Connie	BUCF	\$ 70,000.00	2.10%	0.33%	\$ 1,468.52
Smith	Bettye	BUCF	\$ 87,500.00	2.10%	0.41%	\$ 1,835.65
Soekahi	Sardah	BUCF	\$ 20,692.00	2.10%	0.10%	\$ 434.10
Solis	Roland and Isabel	BUCF	\$ 46,607.00	2.10%	0.22%	\$ 977.76
Solis	Peter	BUCF	\$ 12,500.00	2.10%	0.06%	\$ 262.24
Suhani	Idn	BUCF	\$ 52,000.00	2.10%	0.24%	\$ 1,090.90
Tibbals	Gary and Tammy	BUCF	\$ 420,000.00	2.10%	1.96%	\$ 8,811.14
Toczek	Barbara	BUCF	\$ 150,000.00	2.10%	0.70%	\$ 3,146.84
Veldsman	Juan	BUCF	\$ 187,250.00	2.10%	0.87%	\$ 3,928.30
Williams	Chet and Cynthia	BUCF	\$ 43,750.00	2.10%	0.20%	\$ 917.83
Williams	Roberta	BUCF	\$ 50,652.00	2.10%	0.24%	\$ 1,062.62
Wren	Susan and Ray	BUCF	\$ 652,500.00	2.10%	3.04%	\$ 13,688.73
Wren	Greg and Alix	BUCF	\$ 101,000.00	2.10%	0.47%	\$ 2,118.87
Zschappel	Kenneth and Kerri	BUCF	\$ 297,500.00	2.10%	1.39%	\$ 6,241.22
			\$ 21,450,123.11		100.00%	\$ 450,000.00

Exhibit B
 BUCF Receivership
 Bryant/Wammel - Non-Investor Creditors

<u>Creditor Name</u>	<u>Last 4 Digits of Account No.</u>	<u>Creditor's Address</u>	<u>Estimated Amount of Claim</u>	<u>Defendant</u>
Credit Cards				
AllianceOne Receivables Management [PayPal Credit Account]	8405	AllianceOne Receivables Management, Inc. PO Box 3110 Southeastern, PA 19398-3110	\$1,711.74	Bryant
American Express	1004	American Express P.O. Box 297879 Ft. Lauderdale, FL 33329	\$63,672.00	Wammel
American Express	1002	American Express P.O. Box 297879 Ft. Lauderdale, FL 33329	\$70,609.71	Wammel
American Express	1009	American Express P.O. Box 981535 El Paso, TX 79998	Unknown	Bryant
Barclaycard Luxury Card	6051	Barclaycard P.O. Box 8801 Wilmington, DE 19899	\$377.61	Wammel
Allied Interstate LLC [Synchrony Bank] [PayPal]	7954	Synchrony Bank PayPal Extras MasterCard P.O. Box 960080 Orlando, FL 32896	\$3,870.45	Wammel
Citi Bank	7290	Citi Bank P.O. Box 790131 St. Louis, MO 63179	\$6,862.00	Wammel
Chase [Slate]	6227	Chase: Card Services P.O. Box 15548 Wilmington, DE 19886	\$26,941.17	Wammel
Chase [Marriott]	1981	Chase: Card Services P.O. Box 15548 Wilmington, DE 19886	\$11,013.83	Wammel
Wells Fargo	9924	Wells Fargo: Payment Remittance Center P.O. Box 6426 Carol Stream, IL 60197	\$0.00	Wammel

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Nationwide Credit, Inc. [American Express]	1009	Nationwide Credit, Inc. PO Box 14581 Des Moines, IA 50306	\$74,674.47	Wammel
BarclayCard	2395	BarclayCard Services P.O. Box 13337 Philadelphia, PA 19101-3337	Unknown	Bryant
Chase Bank Credit Card	1805	Chase Card Services P.O. Box 15298 Wilmington, DE 19850	\$12,300.00	Bryant
Citibank Card	2469	Citibank P.O. Box 6500 Souix Falls, SD 57117-6500	\$38,032.43	Bryant
Citibank Card	5899	Citibank P.O. Box 6500 Souix Falls, SD 57117-6500	Unknown	Bryant
Comenity Capital Bank [Blue Nile]	2623	Comenity Capital Bank PO Box 183003 Columbus, OH 43218-3003	\$13,955.00	Bryant
RGS Financial [PayPal Credit]	8405	RGS Financial, Inc. PO Box 852039 Richardson, TX 75085	\$2,852.90	Bryant
MCM (Midland Credit Management) [Synchrony Bank]	7954	Midland Credit Management, Inc. P.O. Box 2000 Warren, MI 48090-2000	\$3,870.45	Wammel
Synchrony Bank [Discount Tire]	5705	Synchrony Bank P.O. Box 965048 Orlando, FL 32896	Unknown	Bryant
The Leader's Choice Financial	BU00	The Leader's Choice Financial 8711 Fallbrook Drive Houston, TX 77064	\$1,483.13	Bryant

Exhibit B
 BUCF Receivership
 Bryant/Wammel - Non-Investor Creditors

<u>Creditor Name</u>	<u>Last 4 Digits of Account No.</u>	<u>Creditor's Address</u>	<u>Estimated Amount of Claim</u>	<u>Defendant</u>
USAA	8361	USAA 10750 McDermott Freeway San Antonio, TX 78288	Unknown	Bryant
USAA	9735	USAA 10750 McDermott Freeway San Antonio, TX 78288	Unknown	Bryant
GC Services [USAA] (Consumer Loan)	0966	GC Services Limited Partnership P.O. Box 3346 Houston, TX 77253	\$4,244.52	Bryant
ACI (American Coradius International LLC) [USAA]	2531	AmericanCoradius International LLC 2420 Sweet Home Rd. Ste. 150 Amherst, NY 14228-2244	\$6,211.82	Bryant
USAA [Credit Card]	4591	USAA 10750 McDermott Freeway San Antonio, TX 78288	Unknown	Bryant
USAA [Credit Card]	5809	USAA 10750 McDermott Freeway San Antonio, TX 78288	\$763.00	Bryant
USAA [Credit Card]	3497	USAA 10750 McDermott Freeway San Antonio, TX 78288	Unknown	Bryant
USAA [Credit Card]	94	USAA 10750 McDermott Freeway San Antonio, TX 78288	Unknown	Bryant
USAA [Credit Card]	351	USAA 10750 McDermott Freeway San Antonio, TX 78288	\$11,800.00	Bryant
USAA [Loan]	5011	USAA 10750 McDermott Freeway San Antonio, TX 78288	Unknown	Bryant

Exhibit B
BUCF Receivership
Bryant/Wammel - Non-Investor Creditors

<u>Creditor Name</u>	<u>Last 4 Digits of Account No.</u>	<u>Creditor's Address</u>	<u>Estimated Amount of Claim</u>	<u>Defendant</u>
Wells Fargo	2572	Wells Fargo P.O. Box 29482 Phoenix, AZ 85038	Unknown	Bryant
Wells Fargo	4113	Wells Fargo P.O. Box 29482 Phoenix, AZ 85038	\$2,342.71	Bryant
Wells Fargo [Bryant Financial Credit Card]	7206	Wells Fargo P.O. Box 29482 Phoenix, AZ 85038	Unknown	Bryant
Wells Fargo [Business Line Mastercard]	9851	Wells Fargo P.O. Box 29482 Phoenix, AZ 85038	\$19,709.44	Bryant
Wells Fargo [Business Line Mastercard]	4390	Wells Fargo P.O. Box 29482 Phoenix, AZ 85038	\$36,788.72	Wammel
Vehicle Liens				
Rauch Sturm (Attorney) for TD Auto Finance, LLC (Chrysler)	4194	250 North Sunnyslope Road, Suite 300 Brookfield, WI 53005	\$42,555.05	Wammel
TD Auto Finance [Rolls Royce]	8035	TD Auto Finance P.O. Box 16035 Lewiston, ME 04243	\$179,430.19	Wammel
SunTrust Bank	8374	SunTrust Bank P.O. Box 305053 Nashville, TN 37230	Unknown	Wammel
SunTrust Bank [Range Rover]	6964	SunTrust Bank P.O. Box 305053 Nashville, TN 37230	\$18,569.22	Wammel
TD Ameritrade	8908	TD Ameritrade P.O. Box 2209 Omaha, NE 68102	Unknown	Bryant
BB Consumer Finance [1936 Roadster]	Unknown	BB Consumer Finance 8000 Maryland Ave, Ste 100 Clayton, MD 63105	\$99,446.16	Bryant

Exhibit B
BUCF Receivership
Bryant/Wammel - Non-Investor Creditors

<u>Creditor Name</u>	<u>Last 4 Digits of Account No.</u>	<u>Creditor's Address</u>	<u>Estimated Amount of Claim</u>	<u>Defendant</u>
GM Financial Leasing (Cadillac) [2015 Escalade]	3212	GM Corp. Office 801 Cherry Street, Suite 3600 Fort Worth, TX 76102	\$2,892.38	Bryant
GM Financial Leasing (Cadillac) [2015 Escalade]	3214	GM Corp. Office 801 Cherry Street, Suite 3600 Fort Worth, TX 76102	Unknown	Bryant
GM Financial Leasing (Cadillac) [2015 SRX]	8035	GM Corp. Office 801 Cherry Street, Suite 3600 Fort Worth, TX 76102	Unknown	Bryant
Utilities				
GC Services [TXU Energy]	8279	GC Services Limited Partnership P.O. Box 3346 Houston, TX 77253	\$1,958.64	Wammel
Coserv Electric (re: home account)	255	Coserv Electric P.O. Box 650785 Dallas, TX 75265-0785	\$1,318.42	Bryant
Frisco Utility District (re: home)	Unknown	Frisco Utility District P.O. Box 2730 Frisco, TX 75034	\$1,133.64	Bryant
Southwest Credit Systems, LP [Time Warner Cable] (5775 Parkwood property)	4644	Southwest Credit Systems, LP PO Box 650543 Dallas, TX 75265	\$1,884.18	Bryant
Time Warner Cable (re: home)	7085	Time Warner Cable 3301 W. Royal Lane Irving, TX 75063	Unknown	Bryant
Time Warner Cable c/o Eastern Account System of Connecticut, Inc.	EAS Acct No. 9311	Time Warner Cable PO Box 837 Newtown, CT 06470	1884.18 (Spectrum)	Bryant
Insurance				
Primerica Life Insurance Company	5522	Primerica Life Insurance Company 1 Primerica Parkway Duluth, Georgia 30099	\$138.25	Wammel

Exhibit B
 BUCF Receivership
 Bryant/Wammel - Non-Investor Creditors

<u>Creditor Name</u>	<u>Last 4 Digits of Account No.</u>	<u>Creditor's Address</u>	<u>Estimated Amount of Claim</u>	<u>Defendant</u>
Farmers Insurance	1925	Farmers Insurance Exchange c/o Matthew W. Hill P.O. Box 58725 Houston, TX 77258	\$503.50	Wammel
Hagerty Insurance Agency	5907	Hagerty Insurance Agency, LLC P.O. Box 1302 Traverse City, MI 49685	\$1,489.00	Wammel
Geico	7254	Geico One Geico Boulevard Fredericksburg, VA 22412	\$428.97	Wammel
Texas Farm Bureau Insurance Companies	4694	Farm Bureau Insurance Brazoria-Galveston County Farm Bureau 401 FM 517 Rd. W., Suite C Dickinson, TX 77539	\$3,876.00	Wammel
Progressive Insurance	25522764-3	Progressive Insurance P.O. Box 31260 Tampa, FL 33631	\$81.43	Bryant
USAA [Car Insurance]	1063	USAA 10750 McDermott Freeway San Antonio, TX 78288	Unknown	Bryant
USAA [Life Insurance Policy, Level Term Series V]	5409	USAA 9800 Fredericksburg Road San Antonio, TX 78288	\$302.10	Bryant
Humana	3366	Humana Insurance Company P.O. Box 3024 Milwaukee, WI 53201	\$3,731.89	Wammel
Other				
Galveston County Tax Office	8535	Perdue Brandon Fielder Collins & Mott, LLP 1235 North Loop West, Suite 600 Houston, TX 77008	\$96.84	Wammel
Fidelity Investments	5941	Fidelity Investments P.O. Box 673001 Dallas, TX 75267	\$0.01	Wammel

Exhibit B
 BUCF Receivership
 Bryant/Wammel - Non-Investor Creditors

<u>Creditor Name</u>	<u>Last 4 Digits of Account No.</u>	<u>Creditor's Address</u>	<u>Estimated Amount of Claim</u>	<u>Defendant</u>
City of Frisco	Unknown	City of Frisco P.O. Box 2730 Frisco, TX 75034	\$1,133.64	Bryant
Culligan of DFW	7775	Culligan of DFW 3201 Premier Drive, Suite 300 Irving, TX 75063	\$698.64	Bryant
Customer Care Center [Discount Tire / Synchrony Car Care]	5705	Customer Care Center P.O. Box 740237 Atlanta, GA 30374	Unknown	Bryant
Dell Financial Services	3523	Dell Financial Services P.O. Box 80409 Austin, TX 78708-0409	\$120.00 (min. due)	Bryant
Diversified Consultants, Inc.	4600	Diversified Consultants, Inc. P.O. Box 1391 Southgate, MI 48195	\$1,884.18	Bryant
Extreme Pest Management	531	Extreme Pest Management P.O. Box 1722 Midlothian, TX 76065	\$178.61	Bryant
Factual Data	718A	Factual Data 5100 Hahns Peak Drive Loveland, CO 80538	\$16.19	Bryant
Marlin Landscape	Unknown	Marlin Landscape 411 W. Commerce Street Dallas, TX 75208	Unknown	Bryant
NCS - National Credit Services, INC. [US Dept of Education]	9483	National Payment Center P.O. Box 105028 Atlanta, GA 30348-5028	\$24,378.87	Bryant
Nebraska Furniture Mart	8171	Nebraska Furniture Mart P.O. Box 3456 Omaha, NE 68103-0456	\$355.00	Bryant

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 BUCF Receivership
 Bryant/Wammel - Non-Investor Creditors

<u>Creditor Name</u>	<u>Last 4 Digits of Account No.</u>	<u>Creditor's Address</u>	<u>Estimated Amount of Claim</u>	<u>Defendant</u>
North TX Tollway Authority (TollTag)	4035	NTTA Customer Service Center P.O. Box 260928 Plano, TX 75026-0928	\$41.45	Bryant
North TX Tollway Authority	9603	NTTA Texas Tollway Authority P.O. Box 660244 Dallas, TX 75266-0244	\$39.85	Bryant
Professional Account Management, LLC	8279	Professional Account Mangement, LLC- NTTA PO Box 866608 Plano, TX 75086-6608	\$42.62	Wammel
One North Interactive	Unknown	One North Interactive 222 N Lasalle, Suite 1500 Chicago, IL 60601	Unknown	Bryant
OnStar	4764	OnStar PO Box 77000, DEPT # 77246 Detroit, MI 48277-0246	Unknown	Bryant
Pitney Bowes	1825	Pitney Bowes Corporate HQ 3001 Summer St. Stanford, CT 06905	\$127.51	Bryant
Poop Troop	Unknown	Poop Troop 3245 Main Street, # 235-208 Frisco, TX 75034	Unknown	Bryant
Ready Refresh (by Nestle)	Unknown	Ready Refresh 6661 Dixie Hwy. Suite 4, Louisville, KY 40258	Unknown	Bryant
Student Loan	6421	US Department of Education National Payment Center P.O. Box 105028 Atlanta, GA 30348-5028	\$20,669.16	Bryant
TX Department of Motor Vehicles	N	TXDMV P.O. Box 149251 Austin, TX 78714	\$75.50	Bryant
Weems & Stephens Equine Hospital	1359	Weems & Stephens Equine Hospital 5960 Hospital Road Aubrey, TX 76227	\$159.94	Bryant

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 BUCF Receivership
 Bryant/Wammel - Non-Investor Creditors

<u>Creditor Name</u>	<u>Last 4 Digits of Account No.</u>	<u>Creditor's Address</u>	<u>Estimated Amount of Claim</u>	<u>Defendant</u>
Whispering Farms Equestrian Center, LLC	Unknown	Whispering Farms 5933 Pebblestone Lane Plano, TX 75093	Unknown	Bryant
American Medical Collection Agency [Quest Diagnostics]	Unknown	American Medical Collection Agency P.O. Box 1235 Elmsford, NY 10523	\$158.79	Bryant
Financial Corporation of America	6448	Financial Corporation of America P.O. Box 203500 Austin, TX 78720	4.13 (offering 20% discount = \$235.5	Bryant
Pure Water Pool Services	Unknown	Pure Water Pool Services 2718 Pirates Gold Circle Friendswood, TX 77546	\$600.78	Wammel
TLC Office Systems	0357	Reagin Law Firm, PLLC 1415 South Voss, Suite #110-145 Houston, TX 77057	\$2,086.26	Bryant
United Revenue Corp.	5669	United Revenue Corp. 204 Billings, Ste. 120 Arlington, TX 76010	\$174.93	Bryant
Million Air Houston	Unknown	Million Air Houston 7555 Ipswich Road Houston, TX 77061	\$1,850.00	Wammel
North TX Tollway Authority (TollTag)	7134	NTTA P.O. Box 660244 Plano, TX 75266-0244	\$17.62	Wammel
Verliance/Gary Hill	9226	Verliance 43406 Business Park Dr, Temecula, CA 92590	\$7,900.00	Wammel
Hunter Warfield [Villas Chapel Creek]	2090	Hunter Warfield 4620 Woodland Corporate Blvd Tampa, FL 33614	\$355.62	Bryant
Cessna Aircraft Company	6565	The Stevens-Lloyd Group, Inc. c/o Raymond Lloyd 9420 East Golf Links Road, #122 Tucson, Arizona 85730	\$92,225.23	Wammel

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 BUCF Receivership
 Bryant/Wammel - Non-Investor Creditors

<u>Creditor Name</u>	<u>Last 4 Digits of Account No.</u>	<u>Creditor's Address</u>	<u>Estimated Amount of Claim</u>	<u>Defendant</u>
AllianceOne Receivables Management [North TX Tollway Authority]	3723	AllianceOne Receivables Management, Inc. PO Box 1007 Arlington, TX 76004	\$42.62	Wammel
Ayala's Mobile Detail	Unknown	Ayala's Mobile Detail c/o Fredy Rodriguez 15215 Empanada Drive Houston, TX 77083	\$1,276.00	Wammel
Properties				
646 Development LLC	Unknown	646 Development LLC 2302 Post Office Street, Suite 601 Galveston, TX 77539	\$5,280.00	Wammel
Fort Bend County Tax Assessor/Collector	8914	Fort Bend County Tax Assessor/Collector c/o Patsy Schultz, PCC PO BOX 1028 - Payment Processing Dept Sugar Land, TX 77487	\$311.95	Bryant
JLE Investors, Inc. d/b/a Associated Mortgage Investors	2238	JLE Investors, Inc. d/b/a Associated Mortgage Investors 710 North Post Oak Road, Suite 208 Houston, TX 77024	\$631,400.00	Wammel

**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., ARTHUR F. WAMMEL,
WAMMEL GROUP, LLC, CARLOS
GOODSPEED a/k/a SEAN PHILLIPS
a/k/a GC d/b/a TOP AGENT
ENTERTAINMENT d/b/a/ MR. TOP
AGENT ENTERTAINMENT,

Defendants,

and

THURMAN P. BRYANT, JR.,

Relief Defendant.

ORDER GRANTING REQUEST FOR INTERIM DISTRIBUTION

On this date, the Court considered the *Request for Interim Distribution* (the “Request”).
The Court, having considered the Request, finds that the Request should be granted. Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

The relief requested in the Request is **GRANTED**. The Receiver’s proposed pro rata interim distribution to Net Losing Investors is **APPROVED**. The Receiver is authorized to make a first interim distribution to the Net Losing Investors in the amounts set forth in the Receiver’s Net Losing Investor Distribution Schedule, attached as Exhibit A to the Receiver’s Request for Interim Distribution.

IT IS SO ORDERED.