

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

SECURITIES AND EXCHANGE S.A.,
COMMISSION

Plaintiff,

v.

MILLENNIUM BANK,
UNITED TRUST OF SWITZERLAND S.A.,
UT of S, LLC, MILLENNIUM FINANCIAL GROUP,
WILLIAM J. WISE,

d/b/a STERLING ADMINISTRATION,
d/b/a STERLING INVESTMENT SERVICES
d/b/a MILLENNIUM AVIATION,

KRISTI M. HOEGEL, a/k/a KRISTI M.
CHRISTOPHER

a/k/a BESSY LU,
JACQUELINE S. HOEGEL, a/k/a JACQUELINE S.
HOEGEL, a/k/a JACKIE S. HOEGEL,
PHILIPPE ANGELONI, and BRIJESH CHOPRA,

Defendants,

And

UNITED T OF S, LLC, STERLING I.S., LLC,
MATRIX ADMINISTRATION, LLC,
JASMINE ADMINISTRATION, LLC,
LYNN P. WISE, DARYL C. HOEGEL, RYAN D.
HOEGEL, and LAURIE H. WALTON,

Relief Defendants.

RICHARD ROPER, RECEIVER,

Plaintiff,

vs.

MITCHELL ABBOTT, et al.,

Defendant.

NOTICE OF DISMISSAL

Case 7:09-CV-050-0

Case 7:11-CV-00031-O

Richard Roper, the Receiver, moves the Court to dismiss this case against the below defendants, and in support of this motion shows:

On March 1, 2011, the Receiver filed his Complaint against certain winning investors. [Dkt. No. 1]. In the underlying receivership action, *SEC v. Millennium Bank et al*, No. 7:09-CV-050-O, currently pending in the United States District Court for the Northern District of Texas, Wichita Falls Division, the Receiver requested, and the Court entered, an order establishing procedures governing the recovery of assets in third-party litigation. [Dkt. Nos. 149, 156] Under this Order, the Receiver was permitted to serve the Winning Investors by various methods, including certified mail, return receipt requested. [Dkt. No. 149, ¶ 9]. The Receiver did serve all Winning Investors against whom he seeks dismissal, either by certified mail, return receipt requested, or by personal service, with several exceptions.¹ However, those Winning Investors listed below for whom the Receiver cannot confirm service did receive notice of the lawsuit and contacted the Receiver to resolve the claims against them (which were successfully compromised).

The below defendants have not served an answer² or motion for summary judgment in this case. The disputes between the Receiver and following defendants that are the subject of this action have been compromised and settled.

¹ The Receiver does not have confirmation that Defendants Paul & Edith Alleman, Jaclyn Blecher, Nancy Hernandez, Ronald Myers, Stanley Okupinski, Marie Pranschke, Alan & Tova Redbourne, Susan Renzi, Carlton Smith, or Betty Lou Tighe were served.

² Defendants Jaclyn Blecher and Marie Pranschke filed answers in this case, but resolved their claims with the Receiver after so doing. The Receiver agreed to dismiss the claims against them.

Last Name	First Name
Abbott	Mitchell & Caridad
Alleman	Paul M. & Edith M.
Ball	Julie Hoffman
Beasics	Hildegarde
Blecher	Jaclyn
Bullock	Theresa
Cannistra	Ric & Roxann
Case	Earle R. & Doris
Coffey	Bruce
Croy	Fred
Delta Gamma Nu House	
Eply	Drella and/or Judith Sanderson
Fetter	Keri
Glaspay	Teri & Rick
Grabowsky	Myron
Gragilla	Gloria & Myron
Grant	Gary
Gratchey	Oleg
Hand	Clarence Michael
Hecht	Willard
Henry	John M.
Hernandez	Nancy
Jackson	Timothy
Javorina	Steven & Roberta
Johnson	David E.
Koon	Jan
Kletshcer	Julie A.
Korpi	Ronald
Lacko	Natalia
Lane	Janice or John
Lauscher	Robbe Jean
Leete	Jeff
Lennon	Jonathan A.
Lespi	Vondell H.
Liczwek	Edward and Marsha
Luginbuhl	Paul
Lujan	Ronald J.
Mancewicz	Emily Carriet
McGrew	Olivia I. Ching
McFadden	Tracey E. & Kathleen
Medina	Peter

Middleton	Thomas & Kathleen
Morgan	Lollie
Myers	Ronald
Nettles	Kenneth
Okupinski	Stanley J.
Olszewki	Father Edward T.
Pavic	Dag
Perry	Wendy L.
Pistilli	Martin and Gary Eltagonde
Pranschke	Marie
Rassi	Philip J.
Redbourne	Alan Lawrence or Toya Rachel
Renzi	Susan
Rosa	Jan & Anna
Rosenfeld	Barbara
Shaw	Alan and Betty
Simon	Norma
Smith	Carlton
Stephanos	Dionvsia
Tabas	Jonathan J.
Tangeman	Duane & Diane
Terry	William David
Tighe	Betty Lou
Torres	Avelina
Valentine	Frederick R.
Van Ry	Michelle
Vertein	Donald H. and/or Lyla M.
Wech	Joseph A., IV
Weitzel	William and/or Marcia M.
Whitlow	Brenda
Wickam	Gary
Wong	John & Christina
Woodbury	John
Wynne	Michael & Heather

The Receiver files this notice of dismissal with the intention of dismissing the case with prejudice under Rule 41 of the Federal Rules of Civil Procedure.

WHEREFORE, Richard Roper, the Receiver, requests this Court, pursuant to Rule 41 of the Federal Rules of Civil Procedure, to sign an order dismissing these suits.

Dated: January 24, 2012

Respectfully submitted,

THOMPSON & KNIGHT, LLP

/s/ Jennifer Ecklund

William L. Banowsky
State Bar No. 01697125

Jennifer Ecklund
State Bar No. 24045626

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**COUNSEL TO THE RECEIVER,
RICHARD B. ROPER**

CERTIFICATE OF SERVICE

On January 24, 2012, I electronically submitted the foregoing document to the Clerk of the Court for the United States District Court for the Northern District of Texas using the electronic case filing system of the Court.

/s/ Jennifer Ecklund

Jennifer Ecklund