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

CECUDIFIES AND EXCUANCE

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.	§	

AGREED MOTION FOR ENTRY OF EXPEDITED DISCOVERY SCHEDULE RELATED TO 8101 SOUTH HUMBLE ROAD, TEXAS CITY, TEXAS 77591

In accordance with this Court's Memorandum Opinion and Order [Dkt. No. 335], Jennifer Ecklund, the Court-appointed Receiver (the "Receiver") and Ancillary Defendant Stephen Garrett (the Receiver and Ancillary Defendant Stephen Garrett are collectively referred to as the "Parties") jointly file this *Agreed Motion for Entry of Expedited Discovery Schedule Related to* 8101 South Humble Road, Texas City, Texas 77591 (the "Motion").

The Receiver and Ancillary Defendant Stephen Garrett have agreed on a proposed expedited discovery schedule related to the property located at 8101 South Humble Road, Texas City, Texas 77591 (the "**Property**"). The Parties agree and propose that all discovery shall be

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commenced in time to be completed by December 31, 2019. The Parties reserve their right to seek

an extension to this deadline.

The Receiver expects to depose Stephen Garrett.

Ancillary Defendant Stephen Garrett expects that discovery may be needed as follows:

Deposition of and requests for production to the mortgage company that secured

the loan on the Property.

Depositions of Arthur F. Wammel and Thurman P. Bryant, III.

Additional written discovery to the Receiver and potential deposition of the

Receiver. Ancillary Defendant Stephen Garrett agrees to review the discovery

responses and documents previously tendered by the Receiver prior to issuing any

further written discovery. The Receiver does not concede that Ancillary Defendant

Stephen Garrett is entitled to additional discovery to the Receiver, and to the extent

objectionable, the Receiver will respond upon receipt of any further discovery

requests.

The Parties respectfully request that the Court grant this Motion.

DATED: August 30, 2019.

AGREED and APPROVED:

Respectfully submitted,

By: <u>/s/ Timothy E. Hudson</u>

Timothy E. Hudson State Bar No. 24046120 Tim.Hudson@tklaw.com

William L. Banowsky State Bar No. 01697125 William.Banowsky@tklaw.com

Mackenzie S. Wallace State Bar No. 24079535 Mackenzie.Wallace@tklaw.com

THOMPSON & KNIGHT LLP One Arts Plaza 1722 Routh Street, Suite 1500 Dallas, Texas 75201 Telephone: (214) 969-1700 Facsimile: (214) 969-1751

COUNSEL TO RECEIVER

/s/ Dinesh H. Singhal
Dinesh H. Singhal
The Singhal Law Firm
712 Main Street – Suite 1500
Houston, Texas 77002
(713) 222-8500
(866) 533-6695 – facsimile
dinesh@singhallaw.com

COUNSEL FOR ANCILLARY DEFENDANT STEPHEN GARRETT

CERTIFICATE OF SERVICE

I hereby certify that on August 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 Timothy E. Hudson

Via Electronic Mail:

COUNSEL FOR PLAINTIFF:

Jason P. Reinsch
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 reinschi@sec.gov

PRO SE

By Electronic Mail and by Certified Mail, Return Receipt Requested at both known addresses:

Thurman P. Bryant, III <u>Treybryant03@gmail.com</u>

1535 Sun Mountain, San Antonio, TX 78258

2054 Hidalgo Lane, Frisco, TX 75034

Via Electronic Mail:

James Ardoin JONES WALKER, LLP 811 Main Street, Suite 2900 Houston, Texas 77002 Phone: (713) 437-1811

Fax: (713) 437-1946 jardoin@joneswalker.com

COUNSEL FOR WAMMEL DEFENDANTS

PRO SE

By Electronic Mail and by Certified Mail, Return Receipt Requested:

Thurman P. Bryant, Jr. sonny 103@hotmail.com

2 Dogwood Lane, Hilltop Lakes, TX 77871

Via Electronic Mail:

Mark L. Hill
Anna S. Brooks
SCHEEF & STONE, L.L.P.
2600 Network Blvd., Suite 400
Frisco, Texas 75034

Phone: (214) 472-2100 Fax: (214) 472-2150

Mark.Hill@solidcounsel.com Anna.Brooks@solidcounsel.com

COUNSEL FOR CARLOS GOODSPEED

Via Electronic Mail:

Dinesh H. Singhal The Singhal Law Firm 712 Main Street – Suite 1500 Houston, Texas 77002 (713) 222-8500 (866) 533-6695 – facsimile dinesh@singhallaw.com

COUNSEL FOR ANCILLARY DEFENDANT STEPHEN GARRETT

CERTIFICATE OF CONFERENCE

Timothy E. Hudson, counsel for the Receiver, and counsel for Ancillary Defendant Stephen Garrett conferred on August 29, 2019, in compliance with the meet and confer requirement in Local Rule CV-7(h). Counsel for Ancillary Defendant Stephen Garrett agrees to and jointly requests the relief sought in this Motion.

<u>/s/ Timothy E. Hudson</u> Timothy E. Hudson

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ORDER GRANTING THE AGREED MOTION FOR ENTRY OF EXPEDITED DISCOVERY SCHEDULE RELATED TO 8101 SOUTH HUMBLE ROAD, TEXAS CITY, TEXAS 77591

On this date, the Court considered the *Agreed Motion for Entry of Expedited Discovery Schedule Related to 8101 South Humble Road, Texas City, Texas 77591* (the "Motion").¹ The Court, having considered the Motion, finds that the Motion should be granted. Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

The relief requested in the Motion is **GRANTED**.

IT IS SO ORDERED.

ORDER GRANTING AGREED MOTION FOR ENTRY OF EXPEDITED DISCOVERY SCHEDULE RELATED TO 8101 SOUTH HUMBLE ROAD, TEXAS CITY, TEXAS 77591 – PAGE 1 524662.000002 22677292.1

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