

**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. §

**RECEIVER’S MOTION FOR RELIEF
FROM QUARTERLY REPORTING OBLIGATIONS**

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**”), hereby files this *Motion for Relief from Quarterly Reporting Obligations* (the “**Motion**”), and in support thereof, respectfully shows the Court as follows:

1. On January 30, 2020, the Receiver filed her Eleventh Quarterly Report (Dkt. No. 348), in which the Receiver explained that she anticipated recommending administrative closure of the Receivership before the end of the next reporting period. The Receiver herein incorporates by reference the Eleventh Quarterly Report, as if set out fully herein.

2. As of the date of this filing, the Receiver has identified the following three items (the “**Outstanding Items**”) that must be completed prior to administrative closure of the Receivership: (1) make the final distribution to Net Losing Investors pursuant to this Court’s Order (Dkt. No. 367); (2) liquidate the three Rolex Watches in the Receivership Estate pursuant to this Court’s Order (Dkt. No. 365); and (3) finalize the transfer of ownership to Stephen Garrett of the real property located at 8101 South Humble Road, Texas City, Texas 77591.

3. The Receiver intends to administratively close the Receivership as soon as the Outstanding Items have been completed; however, the Receiver’s ability to complete the aforementioned items has been delayed due to the COVID-19 pandemic and the stay-at-home order impacting Dallas County and the State of Texas.

4. The Amended Order Appointing Receiver [Dkt. No. 48] (the “**Receivership Order**”) requires the Receiver “to file and serve a full report and accounting of each Receivership Estate (the ‘Quarterly Status Report’)” “[w]ithin thirty (30) days after the end of each calendar quarter” (the “**Quarterly Report Obligations**”). *Id.* at ¶ 52. The Receiver is further required by the Receivership Order to “apply to the Court for compensation and expense reimbursement from the Receivership Estates (the ‘Quarterly Fee Applications’)” “[w]ithin forty-five (45) days after the end of each calendar quarter” (the “**Quarterly Fee Application Obligations**”) (together Quarterly Report Obligations and Quarterly Fee Application Obligations, the “**Quarterly Reporting Obligations**”). *Id.* at ¶ 58.

5. Upon the formal closure of the Receivership, the Receiver will comply with her final reporting obligations. *Id.* at ¶¶ 59, 62.

6. Because these Outstanding Items are the sole remaining items to be completed before administrative closure of the Receivership and the current global pandemic is delaying the Receiver in timely completing same, the Receiver requests that the Court relieve the Receiver from her ongoing Quarterly Reporting Obligations in the Receivership Order in the interests of being cost-conscious.

Dated: April 6, 2020.

Respectfully submitted,

By: /s/ Timothy E. Hudson

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

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

Mackenzie M. Salenger
State Bar No. 24102451
Mackenzie.Salenger@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

CERTIFICATE OF SERVICE

I hereby certify that on April 6, 2020, 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
reinschj@sec.gov

PRO SE

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

Thurman P. Bryant, III
Treybryant03@gmail.com

1535 Sun Mountain, San Antonio, TX 78258

2054 Hidalgo Lane, Frisco, TX 75034

Via Certified Mail, Return Receipt Requested:

James Ardoin
JIMMY ARDOIN & ASSOCIATES, PLLC
4900 Fournace Place, Suite 550
Houston, Texas 77401
Phone: (713) 574-8900

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

CERTIFICATE OF CONFERENCE

Mackenzie M. Salenger, counsel for the Receiver, and counsel for Plaintiff conferred on April 3, 2020, 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, attempted to confer with counsel for the Wammel Defendants on April 3, 2020, in compliance with the meet and confer requirement in Local Rule CV-7(h). Counsel for the Wammel Defendants did not respond regarding whether he is opposed or unopposed to the relief sought in this Motion.

Mackenzie M. Salenger, counsel for the Receiver, attempted to confer with counsel for Carlos Goodspeed on April 3, 2020, 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

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**ORDER GRANTING RECEIVER’S MOTION FOR RELIEF
FROM QUARTERLY REPORTING OBLIGATIONS**

On this date, the Court considered the *Receiver’s Motion for Relief from Quarterly Reporting Obligations* (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:

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

The relief requested in the Motion is **GRANTED**. The Receiver is hereby relieved from her ongoing Quarterly Report Obligations and Quarterly Fee Application Obligations in the Receivership Order.

IT IS SO ORDERED.