

**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.	§	

**FIRST AND FINAL INTERIM FEE APPLICATION FOR ALLOWANCE OF FEES
AND REIMBURSEMENT OF EXPENSES BY LIMITED COUNSEL TO RECEIVER**

Hedrick Kring, PLLC (“HK”), Limited Counsel to the Court-appointed Receiver Jennifer Ecklund (“Receiver”) in the above-captioned case (the “Case”), files this First and Final Interim Fee Application for Allowance of Fees and Reimbursement of Expenses by Limited Counsel to Receiver (the “Fee Application”), and in support thereof, respectfully states as follows:

I.
FEE REQUEST SUMMARY

1. This Fee Application covers the period commencing on August 10, 2019 through March 31, 2020 (the “Application Period”) and is submitted in accordance with the Order Approving Employment of Hedrick Kring, PLLC as Limited Counsel to Receiver in the Special Receivership Action Effective as of August 10, 2019 [Dkt. No. 366] (the “Order Appointing HK”), the Amended Order Appointing Receiver [Dkt. No. 48] (the “Receivership Order”), the Local Rules of this Court, the Billing Instructions for Receivers in Civil Actions Commenced by the United States Securities and Exchange Commission (the “SEC Billing Instructions”), and other applicable orders of the Court.

2. The Application Period encompasses the period of time over which HK rendered services in support of Receiver in objecting and responding to wide-ranging discovery requests, preparation of Receiver for deposition testimony, and defending Receiver’s deposition.

3. On June 22, 2018, Receiver filed her Request for Order Approving Receiver’s Employment of Potts Law Firm as Limited Counsel to Receiver Effective June 22, 2018 [Dkt. No. 258], which the Court approved on July 12, 2018 [Dkt. No. 269]. On June 26, 2018, Potts Law Firm filed suit in the Eastern District of Texas on Receiver’s behalf against Wells Fargo Bank, N.A. (“Wells Fargo”), Cause No. 4:18-cv-00452 (the “Special Receiver Action”). Although Receiver was represented by Thompson and Knight LLP (“T&K”), T&K’s prior and then-concurrent representation of Wells Fargo in matters unrelated to the Special Receiver Action was identified as a potential business conflict. *See* Dkt. No. 356 ¶ 12. Wells Fargo pursued discovery from Receiver in the course of the Special Receiver Action, which necessitated Receiver’s engagement of HK as Limited Counsel to Receiver in the Special Receiver Action. *Id.* ¶ 13. HK

represented Receiver in the Special Receiver Action in objecting and responding to written discovery, reviewing and producing documents, preparing Receiver for deposition testimony, and defending Receiver's deposition. On February 26, 2020, Receiver filed her Request for Order Appointing Receiver's Employment of Hedrick Kring, PLLC as Limited Counsel to Receiver in the Special Receivership Action Effective August 10, 2019 [Dkt. No. 356] (the "Request for HK Appointment"). The Court approved the Request for HK Appointment on March 27, 2020. *See* Dkt. No. 366. The engagement letter between HK and the Receiver limited HK's services to responding to discovery requests, defending deposition testimony, and defending potential future testimony. *See* Dkt. No. 356-1. On April 29, 2020, the parties to the Special Receiver Action announced to the Court that the case settled. On May 19, 2020, Special Receiver filed its Motion for Dismissal with Prejudice, Approval of Settlement, and Entering a Final Bar Order and Injunction (the "Motion to Dismiss Special Receiver Action"). The Court dismissed the Special Receiver Action with prejudice on May 21, 2020. Accordingly, HK files this Fee Application for the services it provided in connection with the Special Receiver Action. HK files this as its final Fee Application, subject to the Hold Back, because the Special Receiver Action has been dismissed with prejudice, rendering HK's services to Receiver complete.

4. The following table summarizes the fees and expenses of HK incurred during the Application Period:

HEDRICK KRING, PLLC

TOTAL HOURS WORKED	HOURLY RATE	TOTAL FEES AT HOURLY RATE	VOLUNTARY REDUCTION ¹	TOTAL FEES AFTER VOLUNTARY REDUCTION	TOTAL EXPENSE REIMBURSEMENTS INCURRED BY HK	TOTAL FEES AND EXPENSES
25.1	\$350.00 ²	\$8,785.00	\$770.00	\$8,015.00		
20.3	\$275.00 ³	\$5,582.50	\$0.00	\$5,582.50		
12.9	\$100.00 ⁴	\$1,290.00	\$910.00	\$380.00		
					\$106.00	
58.3		\$15,657.50	\$1,680.00	\$13,977.50	\$106.00	\$14,083.50 ⁵

5. As further described herein, HK seeks the Court's approval, authorization, and payment of invoices for interim fees and expenses, incurred between August 10, 2019 through March 31, 2020, in the amount of \$14,083.50, which reflects the voluntary reduction outlined above. HK has not previously filed a fee application in this matter, and the amounts requested in this Fee Application are in connection with the work HK performed in the Special Receiver Action.

6. For the reasons set forth below, the HK would respectfully show the following in support of the Fee Application:

II.
RELEVANT PROCEDURAL BACKGROUND

A. Events Prior to the Application Period.

7. On May 15, 2017, Plaintiff, the Securities and Exchange Commission ("SEC"), filed its Complaint [Dkt. No. 1] (the "Complaint") against Thurman P. Bryant, III ("Bryant") and

¹ The voluntary reductions reflect time spent preparing this Fee Application and fees HK is waiving at its own election for certain billable time based on a consideration of the limited resources available in this matter.

² The hourly rate of \$350.00 corresponds to the hourly rate of former HK Partner, Katharine Battaia Clark.

³ The hourly rate of \$275.00 corresponds to the hourly rate of HK counsel, Mark A. Fritsche.

⁴ The hourly rate of \$100.00 corresponds to the hourly rate of HK paralegals, Robbyn M. Smith and Sandra L. Meiners.

⁵ This amount is subject to the Hold Back, as defined below.

Defendant Bryant United Capital Funding, Inc. (“BUCF”) (collectively, Bryant and BUCF are the “Bryant Defendants”). Arthur F. Wammel (“Wammel”), Wammel Group, Inc. (“Wammel Group”), Carlos Goodspeed a/k/a Sean Phillips d/b/a Top Agent Entertainment d/b/a Mr. Top Agent Entertainment (“Goodspeed”), and Thurman P. Bryant, Jr. (“Bryant Jr.”) (collectively, Wammel, Wammel Group, Goodspeed, and Bryant Jr. are the “Relief Defendants”) were named as relief defendants. The Complaint alleges the Bryant Defendants violated federal securities laws, by, among other things, engaging in fraudulent activities and misrepresentations to investors regarding guaranteed returns on “risk-free investments.” On January 26, 2018, the SEC filed its First Amended Complaint, naming Wammel, Wammel Group, and Goodspeed as Relief Defendants.

8. On May 15, 2017, the SEC filed its application for the appointment of a receiver for the Bryant Defendants [Dkt. No. 4] (the “SEC Application”).

9. On May 15, 2017, after the Court’s review of the SEC Application and upon the Court’s conclusion that the Court has subject matter jurisdiction over the Bryant Defendants, the Court determined that entry of an order appointing a receiver over the Bryant Defendants was both necessary and appropriate to marshal, conserve, hold and operate all of the Bryant Defendants’ assets, pending further order of the Court. Accordingly, the Court entered its Order Appointing Receiver [Dkt. No. 17] on May 15, 2017, naming Jennifer R. Ecklund as the Receiver for the assets of the Bryant Defendants. The Court entered its the Receivership Order [Dkt. No. 48] on July 19, 2017, which also named Jennifer R. Ecklund as Receiver over the assets of Wammel, Wammel Group, and Wammel Group Holdings Partnership (“WGHP”) (collectively, the “Wammel Defendants”) (collectively, the assets of the Bryant Defendants and the Wammel Defendants are the “Receivership Estate” or the “Receivership Assets”).

10. That same day, on May 15, 2017, the Court entered the *Ex Parte* Order Granting Motion for Temporary Restraining Order [Dkt. No. 16].

11. Pursuant to the Receivership Order, the Receiver is charged with marshaling and preserving all the of the Receivership Assets.

12. Since the Receiver's appointment by the Court on May 15, 2017, the Receiver and her team have seized certain Receivership Assets. As of the date of this Fee Application, the Receiver's investigation, location, seizure, and analysis of the Receivership Assets is active and on-going.

13. Pursuant to Paragraph 7.F of the Receivership Order, the Receiver has the express discretion to engage and employ attorneys to assist the Receiver in carrying out her duties and responsibilities set forth in the Receivership Order. Further, pursuant to Paragraph 56, the Receiver is authorized to solicit persons and entities ("Retained Personnel") to assist her in carrying out the Receiver's duties and responsibilities described in the Order. However, the Receiver is required to obtain an order from the Court authorizing such engagement. *See* Receivership Order ¶ 56.

14. On June 2, 2017, the Court entered its Agreed Order Granting Preliminary Injunction and Other Relief [Dkt. No. 27], granting an injunction in this case that enjoins Mr. Bryant and Bryant United Capital Funding, Inc. from violating Section 17(a) of the Securities Act or Section 10(b) of the Exchange Act and Rule 10b-5.

15. On June 30, 2017, the Court granted the Receiver's Request for Order Approving Receiver's Employment of Thompson & Knight LLP as Counsel to Receiver Effective May 15, 2017 [Dkt. No. 38] authorizing the Receiver's engagement of Tim Hudson and his law firm, T&K as the Receiver's counsel.

16. On June 22, 2018, the Receiver filed her Request for Order Approving Receiver's Employment of Potts Law Firm as Limited Counsel to Receiver Effective as of June 22, 2018 [Dkt. No. 258], seeking authorization for the Receiver to retain Potts Law Firm on a contingency fee to pursue certain claims on behalf of the Receivership Estate.

17. On June 26, 2018, Potts Law Firm filed the Special Receiver Action. On August 6, 2018, this Court entered its Order Appointing Special Receiver [Dkt. No. 274], in which Timothy Micah Dortch (the "Special Receiver") of Potts Law Firm was appointed as Special Receiver for the limited purpose of overseeing the Receivership Estate's pursuit of claims and defenses against Wells Fargo in the Special Receivership Action.

18. T&K did not represent the Receiver in the litigation against Wells Fargo. Rather, the Potts Law Firm has pursued the litigation at the direction of the Special Receiver. T&K represented Wells Fargo in certain unrelated matters unrelated to the Special Receiver Action, and T&K had not represented Wells Fargo in this matter. Nor did it represent the Receiver in the Special Receivership Action. As a result, the Receiver did not have a legal or ethical conflict discharging her duties to this Court or pursuing the case against Wells Fargo. However, T&K's representation of Wells Fargo in unrelated matters was identified as a potential business conflict that necessitated the appointment of the Special Receiver. *See* Dkt. No. 263 ¶¶ 6-8.

19. In 2019, Wells Fargo began pursuing discovery from the Receiver in connection with the Special Receivership Action, including by way of written discovery and a subpoena for the Receiver's oral deposition, which pursuit required the Receiver to engage counsel other than T&K for the limited purpose of representing the Receiver in connection with the Special Receiver Action. Specifically, Wells Fargo issued a Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (the "Document Subpoena") and a

Subpoena to Testify at a Deposition in a Civil Action (the “Deposition Subpoena”) on July 31, 2019.

B. Events During the Application Period.

20. Due to T&K’s potential business conflict in the Special Receiver Action, Receiver engaged HK to assist her in responding to Wells Fargo’s discovery requests, preparation for deposition testimony, and defending her deposition. HK and Receiver entered into an engagement agreement on August 10, 2019, which covered “responding to discovery requests, defending deposition testimony, and defending potential future testimony.” *See* Dkt. No. 356-1.

21. On September 6, 2019, HK submitted Receiver’s Objections and Responses to Defendant Wells Fargo Bank, N.A.’s First Request for Production (the “Document Subpoena Responses”) to Wells Fargo on behalf of Receiver. HK subsequently reviewed and produced documents on behalf of Receiver to Wells Fargo on or about September 10, 2019, and October 11, 2019. Wells Fargo requested and received a telephonic conference with the Court covering matters related to the Document Subpoena Responses, which HK prepared for, attended, and argued on behalf of Receiver.

22. The Deposition Subpoena originally directed Receiver to appear and testify on September 18, 2019. Subsequently, the parties agreed to continue Receiver’s deposition, which ultimately took place on February 3, 2020. HK prepared Receiver for her deposition and defended Receiver’s deposition.

23. Wells Fargo’s Document Subpoena and topics included with the Deposition Subpoena required research covering matters such as whether documents provided to a receiver by a government agency were protected from production, whether privileges attached to communications between a receiver and investors, whether privileges attached to documents and

communications between a receiver and her experts, and whether privileges covered settlement communications between a receiver and investors.

24. On February 26, 2020, and in accordance with the Receivership Order, the Receiver filed the Request for HK Appointment [Dkt. No. 356]. The Request for HK Appointment requested authorization for the appointment of HK for representation in the Special Receiver Action and approval of HK's proposed compensation terms pursuant to the engagement agreement between HK and the Receiver, which was attached as an exhibit to the Request for HK Appointment. The Court approved the Request for HK Appointment, including HK's proposed compensation terms, on March 27, 2020. *See* Dkt. No. 366.

C. Events After the Application Period.

25. On April 29, 2020, the parties to the Special Receiver Action announced to the Court that the case settled. On May 19, 2020, Special Receiver filed the Motion to Dismiss Special Receiver Action. The Court dismissed the Special Receiver Action with prejudice on May 21, 2020. Accordingly, HK files this Fee Application for the services it provided in connection with the Special Receiver Action. HK files this as its final Fee Application, because the Special Receiver Action has been dismissed with prejudice, rendering HK's services to Receiver complete.

**III.
CASE STATUS**

A. Fees and Expenses.

26. During the Application Period, HK incurred a total of approximately \$13,977.50 in fees and \$106.00 in expenses for a total of \$14,083.50 (the "Application Period Professional Fees").

27. The Application Period Professional Fees include a reduction to the total fees incurred by HK in the amount of \$1,680.00 which is a reduction of more than 10%.

B. Work Performed for the Benefit of the Receivership Estate.

28. HK submitted the Document Subpoena Responses to Wells Fargo on behalf of Receiver on September 6, 2019. The Document Subpoena Responses included objections and responses to 42 requests for production issued by Wells Fargo to Receiver. HK subsequently reviewed and produced documents on behalf of Receiver to Wells Fargo on or about September 10, 2019, and October 11, 2019. Wells Fargo requested and received a telephonic conference with the Court covering matters related to the Document Subpoena Responses, which HK prepared for, attended, and argued on behalf of Receiver.

29. The Deposition Subpoena originally directed Receiver to appear and testify on September 18, 2019. Subsequently, the parties agreed to continue Receiver's deposition, which ultimately took place on February 3, 2020. HK prepared Receiver for her deposition and defended Receiver's deposition.

30. Wells Fargo's Document Subpoena and topics included with the Deposition Subpoena required research covering matters such as whether documents provided to a receiver by a government agency were protected from production, whether privileges attached to communications between a receiver and investors, whether privileges attached to documents and communications between a receiver and her experts, and whether privileges covered settlement communications between a receiver and investors.

C. Status of the Special Receiver Action.

31. On April 29, 2020, the parties to the Special Receiver Action announced to the Court that the case settled. On May 19, 2020, Special Receiver filed its Motion to Dismiss Special Receiver Action. The Court dismissed the Special Receiver Action with prejudice on May 21, 2020. Accordingly, HK files this Fee Application for the services it provided in connection with

the Special Receiver Action. HK files this as its final Fee Application, subject to the Hold Back, because the Special Receiver Action has been dismissed with prejudice, rendering HK's services to Receiver complete.

IV.
REQUEST FOR APPROVAL

32. Through this Fee Application, HK seeks approval of the fees and expenses, subject to the Hold Back, defined below. HK's services pursuant to its engagement agreement with Receiver are complete, and HK intends for this to be its final fee application, subject to any amounts held back pursuant to the Hold Back.

33. Hold Back. Pursuant to the Receivership Order, interim fee applications also "may be subject to a holdback in the amount of 20% of the amount of fees and expenses for each application filed with the Court" (the "Hold Back"). Dkt. No. 48 ¶ 60. The Receivership Order further provides that "[t]he total amounts held back during the course of the receivership will be paid out at the discretion of the Court as part of the final fee application submitted at the close of the receivership." Dkt. No. 48 ¶ 60. Thus, the amount requested in this Fee Application may be subject to the Hold Back.

34. In accordance with the SEC Billing Instructions, HK submitted its fee statements to the SEC for review prior to submission to the Court. The SEC has reviewed HK's fee statements and advised HK concerning any issues, and HK has made such changes.

35. Fee Breakdown by Task. HK categorized its services by task. The following tables summarize the respective number of hours incurred relative to each task category by HK professionals and paraprofessionals who performed services on behalf of the Receiver during the Application Period. All of HK's services fall within the category of "Case Administration," as

defined by the SEC Billing Instructions. However, HK's role in representing the Receiver in the Special Receiver Action is more akin to a traditional litigation role, so HK is also providing the Court with a breakdown of its tasks using litigation task codes outside the SEC Billing Instructions to provide more clarity on the services performed by the professionals and paraprofessionals of HK.

Breakdown by SEC Billing Instructions Task Codes		
TASK DESCRIPTION	HOURS WORKED	TOTAL FEES, SUBJECT TO THE HOLD BACK⁶
B110: Case Administration	58.3	\$13,977.50
<u>TOTAL</u>	58.3	\$13,977.50

⁶ This amount reflects the total fees of HK, with HK's voluntary reduction included and exclusive of costs incurred by HK.

Breakdown by Litigation Task Codes		
TASK DESCRIPTION	HOURS WORKED	TOTAL FEES, SUBJECT TO THE HOLD BACK
L250: Other Written Motions and Submissions	10.1	\$1,285.00
L300: Discovery	7.5	\$2,595.00
L310: Written Discovery	17.6	\$5,132.50
L320: Document Production	9.4	\$2,325.00
L330: Depositions	12	\$3,747.50
L350: Discovery Motions	1.7	\$572.50
<u>TOTAL</u>	58.3	\$15,657.50
<u>VOLUNTARY REDUCTION</u>	11.1	\$1,680.00
<u>TOTAL WITH VOLUNTARY REDUCTION, EXCLUSIVE OF COSTS</u>	47.2	\$13,977.50

36. HK's Invoices. Attached hereto as **Exhibit 1** are the invoices of HK for the Application Period including a breakdown of actual and necessary expenses incurred during the Application Period. The HK invoices are redacted to protect information covered attorney-client privilege and the attorney work product doctrine. The Receiver has reviewed and approved HK's time records and invoices. Based on the complexity of the Case and the Special Receiver Action, the Receiver and HK respectfully submit that the requested compensation is reasonable.

37. HK's Costs. In accordance with the SEC Billing Instructions, HK seeks to recover \$106.00 in costs advanced by HK on behalf of the Receiver. Those costs primarily relate to computerized research, which HK may recover pursuant to the SEC Billing Instructions.

38. All legal services performed by HK were performed for and on behalf of the Receiver and not on behalf of any other individual or entity. No agreement or understanding exists between HK and any other entity for the sharing of compensation to be received for services rendered in connection with this Case. HK's services have been necessary, and beneficial to the Receivership Estate.

V.

MEMORANDUM OF LAW IN SUPPORT OF REQUEST

39. Under governing law, following a determination that services were rendered and costs expended in furtherance of the Receivership, the Court may award compensation for the presented fees and costs. When determining an award of attorneys' fees, the Court should use the lodestar method of multiplying the number of hours reasonably expended by the reasonable hourly rate. *See, e.g., Louisiana Power & Light Co. v. Kellstrom*, 50 F.3d 319, 323-24 (5th Cir. 1995) (citing *Blum v. Stenson*, 465 U.S. 886, 888 (1984)). A reasonable hourly rate is the ordinary fee for similar work in the community. *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714, 718 (5th Cir. 1974).

40. As set out in more detail above, HK expended time efficiently responding to more than forty wide-ranging requests for production seeking confidential and privileged documents exchanged between the Receiver and investors, which presented nuanced issues relating to privileges between a receiver and investors, between a receiver and government agencies, and settlement communications. Wells Fargo sought the intervention of the Court in response, and HK successfully defended the position of the Receiver. In addition, HK reviewed a relatively significant number of documents in order to prepare them for production to Wells Fargo. HK also prepared Receiver for her deposition and defended Receiver's deposition. A total fee of

\$13,977.50 is reasonable in light of the work performed by HK.

41. For the reasons set forth above, HK has incurred reasonable fees and costs consistent with the Receivership Order, and approval of these fees, subject to the Hold Back, is appropriate and warranted in consideration of the above-described services in this Case and the Special Receiver Action during the Application Period.

VI.
REQUEST FOR RELIEF

Based on the foregoing, HK respectfully requests that this Court enter an order (i) approving and authorizing the Application Period Professional Fees, totaling \$14,083.50; (ii) authorizing payment of professional fees and expenses, totaling \$14,083.50; and (iii) awarding such other and further relief that this Court deems just and proper.

Dated: December 31, 2020

Respectfully submitted,

/s/ Mark A. Fritsche

Mark A. Fritsche

Texas State Bar No. 24100095

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**LIMITED COUNSEL FOR
JENNIFER ECKLUND, RECEIVER**

CERTIFICATION

Pursuant to the SEC Billing Instructions, HK (the “Applicant”) hereby certifies as follows:

1. The Applicant has read the First and Final Interim Fee Application for Allowance of Fees and Reimbursement of Expenses by Limited Counsel to Receiver (the “Fee Application”);

2. To the best of the Applicant’s knowledge, information, and belief formed after reasonable inquiry, the Fee Application and all fees and expenses described therein are true and accurate and comply with the Billing Instructions for Receivers in Civil Actions Commenced by the United States Securities and Exchange Commission;

3. All fees contained in the Fee Application are based on the rates listed in the Applicant’s fee schedules attached hereto and such fees are reasonable, necessary, and commensurate with the skill and experience required for the activity performed;

4. The Applicant has not included in the amount for which reimbursement is sought the amortization of the cost of any investment, equipment, or capital outlay (except to the extent that any such amortization is included within the permitted allowable amounts set forth herein for photocopies and facsimile transmission);

5. The fees and expenses included in this Fee Application were incurred in the best interests of the Receivership Estate; and

6. In seeking reimbursement for a service which the Applicant justifiably purchased or contracted for from a third-party (such as copying, imaging, bulk mail, messenger service, overnight courier, computerized research, or title and lien searches), the Applicant requests reimbursement only for the amount billed to the Applicant by the third-party vendor and paid by the Applicant to such vendor. The Applicant certifies that neither the Applicant nor the Receiver

is not making a profit on such expenses.

/s/ Mark A. Fritsche

Mark A. Fritsche

CERTIFICATE OF SERVICE

I hereby certify that on December 31, 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/ Mark A. Fritsche

Mark A. Fritsche

Via Electronic Mail:

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CERTIFICATE OF CONFERENCE

Mark A. Fritsche, on behalf of Hedrick Kring, PLLC, conferred with counsel for the Securities and Exchange Commission regarding the relief requested in the foregoing Fee Application. Counsel for the Securities and Exchange Commission is unopposed to the relief requested in the foregoing Fee Application.

Mark A. Fritsche, on behalf of Hedrick Kring, PLLC, conferred with the Court-appointed Receiver Jennifer Ecklund regarding the relief requested in the foregoing Fee Application. Jennifer Ecklund is unopposed to the relief requested in the foregoing Fee Application.

/s/ Mark A. Fritsche

Mark A. Fritsche

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Hedrick Kring, PLLC

Jennifer Ecklund, Receiver
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Balance \$11,245.00
Invoice # 00989
Invoice Date November 19, 2019
Payment Terms Due on Receipt
Due Date November 19, 2019

Ecklund/Wells Fargo

Time Entries

DATE	EE	DESCRIPTION	RATE	HOURS	LINE TOTAL
08/19/2019	KBC	(L300) Conference with counsel to defendant in Special Receiver action, B. Harrell, regarding [REDACTED] [REDACTED] (.4); follow up with J. Ecklund regarding the same (.2).	\$350.00	0.6	\$210.00
08/21/2019	KBC	(L320) Conference with J. Ecklund regarding [REDACTED] [REDACTED] (.9).	\$350.00	0.9	\$315.00
08/23/2019	KBC	(L320) Conference with counsel to defendant (B. Harrell) in litigation brought by Special Receiver in follow up to [REDACTED] (.4) and begin preparation of written responses following the same (.4).	\$350.00	0.8	\$280.00
08/27/2019	KBC	(L300) Conference with counsel to Special Receiver regarding [REDACTED] (.3); conference with MAF regarding [REDACTED] (.4); finalize initial draft written responses by J. Ecklund to document production requests served by defendant in litigation brought by Special Receiver (1.9)	\$350.00	2.6	\$910.00
08/27/2019	MAF	(L310) Meet with KBC regarding [REDACTED] (.4); begin research on protection against disclosure of communications between receiver and government agency; and on potential privileges applicable to communications and documents between receiver and investors (.9).	\$275.00	1.3	\$357.50

EXHIBIT 1

08/28/2019	KBC	(L320) Conference with T. Hudson as to [REDACTED] [REDACTED] (.3).	\$350.00	0.3	\$105.00
08/28/2019	MAF	(L310) Continue research on potential privileges applicable to communications and documents exchanged between receiver and governmental entity (3.1); and on potential privileges applicable to communications and documents exchanged between receiver and investors, including settlement; pull trial court record in analogous case and review briefs and exhibits on similar issues (.7).	\$275.00	3.8	\$1,045.00
08/29/2019	MAF	(L310) Begin reviewing, revising, and supplementing Receiver Jennifer Ecklund's Objections and Responses to Defendant Wells Fargo Bank, N.A.'s First Request for Production of Documents.	\$275.00	2.3	\$632.50
08/30/2019	MAF	(L310) Complete reviewing, revising, and supplementing objections in Receiver Jennifer Ecklund's Objections and Responses to Defendant Wells Fargo Bank, N.A.'s First Request for Production of Documents.	\$275.00	4.4	\$1,210.00
09/04/2019	KBC	(L310) Review receivership status reports and various motions filed by Receiver in connection with the main receivership action in furtherance of finalizing written responses to discovery propounded by defendant in suit by Special Receiver (2.8); revise written responses to reflect analysis of the same (.8); conference with T. Hudson in furtherance of [REDACTED] (.3)	\$350.00	3.9	\$1,365.00
09/05/2019	MAF	(L310) Review relevant pleadings, motions, and papers from underlying receivership action (.7); continue drafting and revising Receiver Jennifer Ecklund's Objections and Responses to Defendant Wells Fargo Bank, N.A.'s First Request for Production of Documents (.9); conference with KBC regarding [REDACTED] (.3).	\$275.00	1.9	\$522.50
09/06/2019	RMS	(L320) Pull documents to be produced; finalize and serve Response to the Request for Production.	\$100.00	0.9	\$90.00
09/06/2019	KBC	(L300) Review and finalize draft written responses to requests for production propounded in connection with litigation brought by special receiver (.4); review documents for responsiveness to requests for production propounded in connection with litigation brought by special receiver(1.4); communicate with J. Ecklund regarding [REDACTED] (.2); communicate with counsel to Special Receiver regarding [REDACTED] (.1)	\$350.00	2.1	\$735.00
09/06/2019	MAF	(L320) Review documents pulled for production (.4); complete review of relevant pleadings, motions, and papers from underlying receivership action (.3); conference with RMS regarding [REDACTED] (.3).	\$275.00	0.8	\$220.00
09/09/2019	KBC	(L320) Communicate with J. Ecklund to [REDACTED] [REDACTED] (.1); communicate with counsel to Special Receiver regarding [REDACTED] (.1).	\$350.00	0.2	\$70.00
09/10/2019	RMS	(L320) Prepare documents for production; finalize correspondence from KBC and produce same.	\$100.00	0.7	\$70.00

09/10/2019	KBC	(L320) Finalize document production and related cover letter in response to discovery requests from defendant in litigation brought by Special Receiver (.2)	\$350.00	0.2	\$70.00
09/19/2019	KBC	(L330) Follow up with counsel to defendant in Special Receiver litigation as to [REDACTED] and communicate with J. Ecklund regarding [REDACTED] (.2).	\$350.00	0.2	\$70.00
09/24/2019	KBC	(L300) Review email conference letter from counsel to defendant in Special Receiver litigation regarding discovery (.2) and communicate with J. Ecklund regarding [REDACTED] (.1).	\$350.00	0.3	\$105.00
09/26/2019	KBC	(L300) Communicate with counsel to defendant in Special Receiver litigation in follow up to attempt to further narrow disputed discovery matters (.6); communicate with J. Ecklund regarding [REDACTED] (.2).	\$350.00	0.8	\$280.00
09/30/2019	MAF	(L350) Review email from KBC regarding [REDACTED] (.1); review court docket for any motion relating to discovery hearing (.2).	\$275.00	0.3	\$82.50
10/01/2019	KBC	(L350) Prepare for and attend discovery dispute resolution telephonic conference held before Judge Mazzant as to discovery matters involving Receiver raised by defendant to Special Receiver litigation (1.2); communicate with J. Ecklund regarding [REDACTED] (.2).	\$350.00	1.4	\$490.00
10/02/2019	KBC	(L320) Communicate with counsel to defendant in follow up to voluntary supplemental production following discovery conference call (.1 - no charge); attention to supplementing production in follow up to discovery conference call (.2).	\$350.00	0.2	\$70.00
10/04/2019	KBC	(L330) Communicate with J. Ecklund regarding [REDACTED] [REDACTED] (.1); communicate with opposing counsel in order to conference regarding the same and to determine whether motion for protective order can be avoided (.2).	\$350.00	0.3	\$105.00
10/04/2019	MAF	(L300) Consider best next steps for responding to deposition topics (.2); conference with KBC regarding [REDACTED] (.2).	\$275.00	0.4	\$110.00
10/09/2019	MAF	(L320) Review Bryant Financial documents received from J. Ecklund for privilege and responsiveness (1.5); compare the same against summary prepared by Veritas (.5); exchange emails with KBC regarding [REDACTED] (.2).	\$275.00	2.2	\$605.00
10/10/2019	RMS	(L320) PDF, organize, bates label, and produce documents.	\$100.00	1.0	\$100.00
10/10/2019	KBC	(L300) Communicate with counsel to defendant in action by special receiver regarding status of production and regarding potential rescheduled deposition dates for Receiver, J. Ecklund (.3).	\$350.00	0.3	\$105.00
10/10/2019	MAF	(L320) Review Wammell Defendant documents received from J. Ecklund for privilege and responsiveness (.8); compare to document summary prepared by Veritas (.3); discuss [REDACTED] with RMS (.1).	\$275.00	1.2	\$330.00
10/11/2019	KBC	(L330) Communicate with J. Ecklund to [REDACTED] [REDACTED] (.1); communicate with opposing counsel, R. Harrell, regarding the same (.1).	\$350.00	0.2	\$70.00

10/30/2019	KBC	(L330) Attention to upcoming deposition scheduled of Receiver J. Ecklund in connection with litigation brought by Special Receiver, including review of deposition topics presented.	\$350.00	0.4	\$140.00
11/01/2019	KBC	(L330) Communicate with counsel to special receiver in preparation for deposition of J. Ecklund (.2); further consider deposition topics in view of deposition noticed pursuant to Rule 45 versus 30b6 (.4)	\$350.00	0.6	\$210.00
11/06/2019	KBC	(L330) Confirm cancellation of J. Ecklund deposition by defendant in litigation brought by Special Receiver and communicate with J. Ecklund regarding the same (.2)	\$350.00	0.2	\$70.00
<i>Non-billable Time Entries:</i>					
09/11/2019	KBC	(L300) Follow up with counsel to Special Receiver regarding [REDACTED] (No Charge).	\$350.00	0.2	\$70.00
09/17/2019	KBC	(L330) Communicate with J. Ecklund regarding [REDACTED] (No Charge).	\$350.00	0.1	\$35.00
			Totals:	38.0	\$11,150.00

Expenses

DATE	EE	ACTIVITY	DESCRIPTION	COST	QUANTITY	LINE TOTAL
09/04/2019	KBC	Research	TXEDC PACER Research.	\$94.50	1.0	\$94.50
10/31/2019	KBC	Research	October PACER research.	\$0.50	1.0	\$0.50
Expense Total:						\$95.00

Time Entry Sub-Total: \$11,150.00

Expense Sub-Total: \$95.00

Sub-Total: \$11,245.00**Total:** \$11,245.00**Amount Paid:** \$0.00**BALANCE DUE:** \$11,245.00

Payment History

Activity	Date	Payment Method	Amount	Responsible User	Deposited Into
Invoice Reopened	Feb 26 2020, 11:19 am	--	--	Gracie Webb (Staff)	--
Balance Forwarded	Jan 14 2020, 4:15 pm	--	\$11,245.00	Gracie Webb (Staff)	--
Invoice Reopened	Dec 30 2019, 12:51 pm	--	--	Gracie Webb (Staff)	--
Balance Forwarded	Dec 11 2019, 6:21 am	--	\$11,245.00	Gracie Webb (Staff)	--

Hedrick Kring, PLLC
 1700 Pacific Avenue
 Suite 4650
 Dallas, Texas 75201
 United States
 214-880-9600

Hedrick Kring, PLLC

Jennifer Ecklund, Receiver
 Thompson & Knight LLP
 1722 Routh Street, Suite 1500
 Dallas, TX 75201

Balance \$323.00
Invoice # 01132
Invoice Date December 18, 2019
Payment Terms Due on Receipt
Due Date December 18, 2019

Ecklund/Wells Fargo

For services rendered between
 November 01, 2019 and November 30, 2019

Time Entries

DATE	EE	DESCRIPTION	RATE	HOURS	LINE TOTAL
11/04/2019	KBC	(L330) Conference with J. Ecklund regarding [REDACTED] (.2); prepare statements for record to preserve objection to deposition notice's purported inclusion of corporate rep topics (.3).	\$350.00	0.5	\$175.00
11/05/2019	KBC	(L330) Conference with counsel to special receiver in follow up to deposition of special receiver (.2); communicate with J. Ecklund regarding [REDACTED] and follow-up with opposing counsel regarding the same (.2).	\$350.00	0.4	\$140.00
<i>Non-billable Time Entries:</i>					
11/25/2019	KBC	(L330) Coordinate rescheduled deposition (.2 – no charge).	\$350.00	0.2	\$70.00
			Totals:	1.1	\$315.00

Expenses

DATE	EE	ACTIVITY	DESCRIPTION	COST	QUANTITY	LINE TOTAL
11/30/2019	KBC	Research	November PACER charges.	\$8.00	1.0	\$8.00
					Expense Total:	\$8.00

Time Entry Sub-Total: \$315.00

Expense Sub-Total: \$8.00

Sub-Total: \$323.00

Total: \$323.00

Amount Paid: \$0.00

BALANCE DUE: \$323.00

Payment History

Activity	Date	Payment Method	Amount	Responsible User	Deposited Into
Invoice Reopened	Feb 26 2020, 11:19 am	--	--	Gracie Webb (Staff)	--
Balance Forwarded	Jan 14 2020, 4:15 pm	--	\$323.00	Gracie Webb (Staff)	--

Hedrick Kring, PLLC
 1700 Pacific Avenue
 Suite 4650
 Dallas, Texas 75201
 United States
 214-880-9600

Hedrick Kring, PLLC

Jennifer Ecklund, Receiver
 Thompson & Knight LLP
 1722 Routh Street, Suite 1500
 Dallas, TX 75201

Balance \$547.50
Invoice # 01468
Invoice Date February 17, 2020
Payment Terms Due on Receipt
Due Date February 17, 2020

Ecklund/Wells Fargo

For services rendered between
 January 01, 2020 and January 31, 2020

Time Entries

DATE	EE	DESCRIPTION	RATE	HOURS	LINE TOTAL
01/06/2020	KBC	(L330) Confirm J. Ecklund availability for proposed rescheduled deposition date and communicate with opposing counsel regarding the same (.2).	\$350.00	0.2	\$70.00
01/21/2020	MAF	(L330) In preparation for upcoming rescheduled deposition, review prior deposition notice; review J. Ecklund's Responses and Objections to Request for Production, privilege and settlement issues; deposition notes and Federal Rules of Civil Procedure relating to depositions.	\$275.00	1.3	\$357.50
01/22/2020	SLM	(L330) Review Notice of Deposition and update calendar entry of deposition of J. Ecklund.	\$100.00	0.1	\$10.00
01/23/2020	MAF	(L330) Conference with J. Ecklund regarding [REDACTED] [REDACTED] consider next steps following the same.	\$275.00	0.4	\$110.00
<i>Non-billable Time Entries:</i>					
01/22/2020	KBC	(L330) Confirm January 24 deposition date and communicate with MAF in consideration of [REDACTED] [REDACTED] (.3 - no charge)	\$350.00	0.3	\$105.00
01/23/2020	KBC	(L330) Conference with J. Ecklund and MAF [REDACTED] [REDACTED] (no charge)	\$350.00	0.2	\$70.00
01/24/2020	KBC	(L330) Confirm cancellation of deposition due to illness of J. Ecklund and communicate with MAF regarding [REDACTED] [REDACTED] (.1 - no charge)	\$350.00	0.1	\$35.00

01/29/2020	SLM	(L330) Review Notice of Subpoena to Testify at a Deposition Directed to J. Ecklund and calendar same.	\$100.00	0.1	\$10.00
			Totals:	2.7	\$547.50

Time Entry Sub-Total:	\$547.50
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Sub-Total:	\$547.50
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Total:	\$547.50
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Amount Paid:	\$0.00
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BALANCE DUE:	\$547.50
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Hedrick Kring, PLLC
 1700 Pacific Avenue
 Suite 4650
 Dallas, Texas 75201
 United States
 214-880-9600

Hedrick Kring, PLLC

Jennifer Ecklund, Receiver
 Thompson & Knight LLP
 1722 Routh Street, Suite 1500
 Dallas, TX 75201

Balance \$3,253.00
Invoice # 01615
Invoice Date March 17, 2020
Payment Terms Due on Receipt
Due Date March 17, 2020

Ecklund/Wells Fargo

For services rendered between
 February 01, 2020 and February 28, 2020

Time Entries

DATE	EE	UTBMS ACTIVITY CODE	UTBMS TASK CODE	DESCRIPTION	RATE	HOURS	LINE TOTAL
02/03/2020	KBC	A103	L330	Finalize preparation of statements to be made on the record at and attend deposition in defense of J. Ecklund, receiver, in suit brought by special receiver; consider follow up points as to the case record and otherwise.	\$350.00	5.3	\$1,855.00
02/10/2020	KBC	A101	L300	Confirm next steps as to revised case caption with counsel to special receiver	\$350.00	0.2	\$70.00
02/12/2020	KBC	A104	L250	Review and revise draft declaration in support of employment application for Hedrick Kring and related employment application (.9)	\$350.00	0.9	\$315.00

02/18/2020	SLM	A105	L330	Conference with court reporter regarding status of original transcript of deposition of J. Ecklund.	\$100.00	0.2	\$20.00
02/19/2020	SLM	A104	L330	Review letter and condensed transcript received from Esquire Deposition and draft letter to J. Ecklund forwarding [REDACTED] draft First Interim Application of Hedrick Kring.	\$100.00	0.8	\$80.00
02/20/2020	SLM	A103	L250	Draft Hedrick Kring's First and Final Application for Compensation and Expenses as limited counsel for J. Ecklund.	\$100.00	0.5	\$50.00
02/24/2020	SLM	A103	L330	Review and revise Fee Application of Hedrick Kring.	\$100.00	3.8	\$380.00
02/25/2020	SLM	A103	L250	Further supplement First Interim Fee Application of Hedrick Kring.	\$100.00	0.5	\$50.00
02/26/2020	SLM	A101	L250	Conference with Esquire Solutions requesting condensed copy of transcript of J. Ecklund.	\$100.00	0.1	\$10.00
02/27/2020	SLM	A101	L250	Begin preparation of exhibits in support of First Interim Fee Application of Hedrick Kring; further review and revise First Interim Fee Application of Hedrick Kring, proposed Order and Summary of Invoices.	\$100.00	4.2	\$420.00

Non-billable Time Entries:

02/21/2020	KBC	A104	L250	Finalize declaration in support of application to employ Hedrick Kring and consider next steps in support of the same (.2 - no charge).	\$350.00	0.2	\$70.00
Totals:						16.7	\$3,250.00

Expenses

DATE	EE	ACTIVITY	UTBMS EXPENSE CODE	DESCRIPTION	COST	QUANTITY	LINE TOTAL
02/28/2020	MCF	Research	E106	PACER research costs for February.	\$3.00	1.0	\$3.00
Expense Total:							\$3.00

Invoice Description/Notes:

Please direct any questions regarding this invoice to Gracie Webb at 214-880-7458 or gracie@hedrickkring.com.

Time Entry Sub-Total:	\$3,250.00
Expense Sub-Total:	\$3.00
Sub-Total:	\$3,253.00
Total:	\$3,253.00
Amount Paid:	\$0.00
BALANCE DUE:	\$3,253.00

**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 APPROVING FIRST AND FINAL INTERIM FEE APPLICATION FOR
ALLOWANCE OF FEES AND REIMBURSEMENT OF EXPENSES BY LIMITED
COUNSEL TO RECEIVER**

On this date, the Court considered Hedrick Kring, PLLC's ("HK") First and Final Interim Fee Application for Allowance of Fees and Reimbursement of Expenses by Limited Counsel to Receiver (the "Fee Application"). The Court, having considered the relief requested in the Fee Application, the invoices submitted in support, and the Certification included therein, finds that proper and adequate notice of the Fee Application has been given and that no other or further notice is necessary and that the Professional Fees during the Application Period defined in the Fee Application totaling \$14,083.50 (the "Fees and Expenses"), are reasonable and appropriate for the work performed and the expenses incurred.

ORDER APPROVING FIRST AND FINAL INTERIM FEE APPLICATION FOR ALLOWANCE OF FEES AND REIMBURSEMENT OF EXPENSES BY LIMITED COUNSEL TO RECEIVER

The Court further finds that during the time period covered by the Fee Application, the time spent, services performed, hourly rates charged, and expenses incurred by HK as Receiver Jennifer Ecklund's retained professionals, were reasonable and necessary for the Receiver to perform her Court-ordered duties.

Therefore, the Court is of the opinion that the relief requested in the Fee Application should be and is **GRANTED**.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

- The Fees and Expenses, totaling \$14,083.50, are approved, on an interim basis (the "Approved Fees and Expenses").
- The Court authorizes immediate payment of the Approved Fees and Expenses to HK.

IT IS SO ORDERED.