

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

FILED

MAR 26 2002

CLERK, U.S. DISTRICT COURT

By _____
Deputy

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

VS.

CIVIL ACTION NO.
3:98-CV-2689-M

FUNDING RESOURCE GROUP, a/k/a FRG Trust;
QUENTIN HIX; GENE COULTER; STEVEN C.
ROBERTS; MVP NETWORK, INC., a Texas corporation,
a/k/a MVP Network (Trust); FMCI TRUST; FUNDERS
MARKETING COMPANY, INC., a Texas corporation;
RAYMOND G. PARR; WILLARD VEARL SMITH;
EARL D. McKINNEY; FORTUNE INVESTMENTS,
LTD., a Nevada corporation; ROBERT CORD, a/k/a
Robert F. Schoonover, Jr.; WINTERHAWK WEST
INDIES, INC.; IGW TRUST; CAROLYN
DON HICKS; and CARL LaDANE WEAVER,

Defendants,

and

HOWE FINANCIAL TRUST, an Indiana corporation;
TREDS FINANCIAL TRUST; and
MARY ANN BAUCE,

Defendants Solely for Purposes
of Equitable Relief.

**RECEIVER'S AMENDED UNOPPOSED MOTION TO SELL VEHICLE
FREE AND CLEAR OF ALL LIENS, CLAIMS, AND ENCUMBRANCES**

TO THE HONORABLE JEFF KAPLAN,
UNITED STATES MAGISTRATE JUDGE:

COMES NOW, Michael J. Quilling ("Receiver"), and files this his Amended Unopposed
Motion to Sell Vehicle Free and Clear of All Liens, Claims and Encumbrances, and in support of
such would respectfully show unto the Court as follows:

1. On November 13, 1998, the Securities and Exchange Commission ("SEC") initiated these proceedings and in connection therewith sought the appointment of a receiver as to the defendants and equity relief defendants. By order dated November 13, 1998 in these proceedings, Michael J. Quilling was appointed as the receiver and has continued to serve in that capacity.

2. One of the assets the Receiver has found and taken possession of is a 1994 Chrysler LHS, VIN # 2C3ED56F0RH279630 ("Chrysler"). The Chrysler currently remains in the possession of the Receiver.

3. Title to the Chrysler is currently in the name of Howe Financial Trust.

4. Subsequent to his appointment as Receiver for Howe Financial Trust, the Receiver actively marketed the Chrysler for sale. As a result of those marketing efforts, the Receiver had agreed to sell the Chrysler for \$5,000.00, subject to final approval by this Court. On September 21, 2001, the Court issued an Order approving the sale of the vehicle.

5. Subsequent to this Court's Order, the purchaser inspected the vehicle and learned that it was in need of substantial and expensive repairs. Specifically, the vehicle is in need of a new transmission, extensive brake work, new air conditioner compressor, and various other repairs. Accordingly, the purchaser decided not to consummate the sale.

6. The Receiver resumed his efforts to sell the Chrysler and has received an offer to purchase the Chrysler for \$500.00 from Malcolm Tucker. Based on the extremely poor condition of the vehicle, it is the belief of the Receiver that the purchase price represents fair market value of the Chrysler, and a sale at the offer price is in the best interest of the receivership estate. The only other alternative appears to be to simply abandon the vehicle. Accordingly, the Receiver requests that the Court authorize him to sell the Chrysler, free and clear of all liens, claims and encumbrances, to

Malcolm Tucker. All valid liens, claims and encumbrances will attach to the net proceeds of sale subject to further Order of this Court.

WHEREFORE, PREMISES CONSIDERED, the Receiver requests that the Court enter an order authorizing him to sell the Chrysler to Malcolm Tucker and consummate a contract for sale consistent with the foregoing, and for such other and further relief, general or special, at law or in equity, to which the Receiver may show himself justly entitled.

Respectfully submitted,

QUILLING, SELANDER, CUMMISKEY
& LOWNDS, P.C.

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By: 

Michael J. Quilling

State Bar No. 16432300

D. Dee Raibourn, III

State Bar No. 24009495

ATTORNEYS FOR RECEIVER

CERTIFICATE OF CONFERENCE

I certify that I have spoken with Bob Brunig of the Securities and Exchange Commission regarding the merits of this motion, and he is unopposed.



Michael J. Quilling

CERTIFICATE OF SERVICE

I hereby certify that on the 26th of March, 2002, a true and correct copy of the foregoing document was served via first class mail, postage pre-paid, on Bob Brunig, Securities & Exchange Commission, 801 Cherry Street, 19th Floor, Fort Worth, TX 76102.



Michael J. Quilling