

FILED

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COURT
TEXAS

CLERK, U.S. DISTRICT COURT

By _____
Deputy

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

FUNDING RESOURCE GROUP, a/k/a FRG Trust, et al,

and

## Defendants Solely for Purposes of Equitable

TO THE HONORABLE JEFF KAPLAN, UNITED STATES MAGISTRATE JUDGE:

1. On November 13, 1998, the United States Securities and Exchange Commission (“SEC”) initiated these proceedings and, in connection therewith, sought the appointment of a receiver. By Order dated November 13, 1998 the Court appointed Michael J. Quilling as Receiver and he has functioned in that capacity since that time.

2. On March 9, 2001, the Receiver filed his Unopposed Motion to Designate Receivership Estates. By Order entered March 13, 2001, the Court established four different

receivership estates with respect to these proceedings. One of the estates established is the Funding Resource Group Receivership Estate. It is comprised of the assets and claims with respect to Funding Resource Group, FRG Trust, FMCI Trust, Funders Marketing Company, Inc., MVP Network, Inc., MVP Network Trust, Fortune Investments, Ltd., Treds Financial Trust, Steve Roberts, Raymond Parr, Quentin Hix, Gene Coulter, Vearl Smith, Earl McKinney, Don Hicks, Carl Weaver, and Mary Ann Bauce.

3. On January 12, 2001, the Receiver filed his Unopposed Motion to Establish Claim Procedures and to Approve Claim Form. By Order entered January 17, 2001, the Court approved an official Claim Form to be used in these proceedings and established procedures by which claims would be processed by the Receiver. The deadline for submitting the Claim Form to the Receiver was established as March 31, 2001.

4. On December 21, 2001 the Receiver submitted his Statement of Allowed Claims filed against Funding Resource Group Receivership Estate and his Objections to Claims (Funding Resource Group Receivership Estate). After a hearing held on January 25, 2002 to consider the Receiver's Objections to Claims, on January 31, 2002 Judge Kaplan issued Findings of Fact and Recommendations which were adopted by the Court by Order dated February 15, 2002. By virtue of these rulings, all allowed claims against the Funding Resource Group Receivership Estate were established.

5. As part of the claims process, the Receiver mailed a Claim Form to Cindy Meier at her last known address. Ms. Meier did not return the Claim Form to the Receiver by the deadline established. Very recently, Ms. Meier contacted the Receiver's staff regarding her desire to file a Claim Form. Her explanation for not filing the Claim Form by the bar date was that she had moved several times and had never received the Claim Form. She was instructed to complete and return

the Claim Form and has done so, a copy of which is attached hereto as Exhibit "1" and incorporated herein by reference for all purposes.

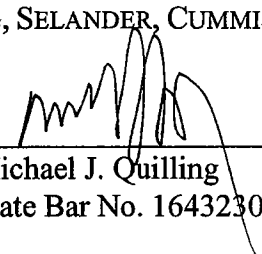
6. The claim submitted by Ms. Meier is consistent with the books and records of the Receiver, and had it been timely submitted, it would have been recommended for approval. In that the claim is for a relatively *di minimus* amount, the Receiver has more than enough funds in the Receivership Estate to pay the claim consistent with the prior interim distribution. In short, it will not prejudice the receivership estate to allow the claim even though late filed and to pay an interim distribution as though it had been timely filed.

WHEREFORE, PREMISES CONSIDERED, the Receiver requests that upon final hearing of this matter that the Court allow the late filed claim and allow the Receiver to immediately pay the amount to which Ms. Meier would have been entitled as an interim distribution, 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.

BY:



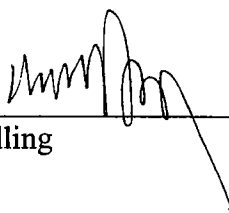
Michael J. Quilling  
State Bar No. 16432300

2001 Bryan Street, Suite 1800  
Dallas, Texas 75201  
(214) 871-2100 (Telephone)  
(214) 871-2111 (Telefax)

ATTORNEYS FOR RECEIVER

**CERTIFICATE OF CONFERENCE**

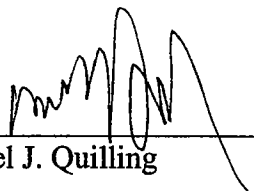
I conferred with Bob Brunig of the SEC prior to filing of this Motion and he does not oppose it. Accordingly, the Motion is submitted as unopposed.

  
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Michael J. Quilling

**CERTIFICATE OF SERVICE**

I hereby certify that on the 15<sup>th</sup> day of October, 2002, a true and correct copy of the foregoing document was served via first class mail, postage pre-paid, on the persons set forth below and upon each of the persons/entities on the service list attached hereto.

Robert B. Brunig  
Securities & Exchange Commission  
801 Cherry Street, 19<sup>th</sup> Floor  
Fort Worth, Texas 76102

  
\_\_\_\_\_  
Michael J. Quilling