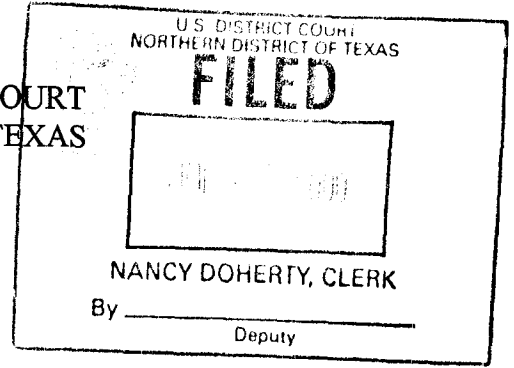


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



JOHN PAPAGANI, PAMELA L. ALBION, §
BYRON W. BACCHI IRREVOCABLE §
TRUST, by Eddie M. Bacchi, Trustee, §
EDDIE M. BACCHI & VIRGINIA M. §
BACCHI 1991 LIVING TRUST, by Eddie §
Bacchi, Trustee, and WILLIAM L. BACCHI §
& TERRI L. BACCHI REVOCABLE §
TRUST, by William L. Bacchi, Trustee. §

Plaintiffs. §

V. §

HAMMERSMITH TRUST, L.L.C., §
DAVID GILLILAND, [JANE DOE] §
GILLILAND, [JOHN DOE] TSANG, §
[JOHN DOE] HOURAN, and [JOHN DOE] §
VAN AGGOL, §

Defendants. §

CIVIL ACTION NO:
3:00-CV-1065-M

(Related case 3:98-CV-2689-M)

RECEIVER'S ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Michael J. Quilling, the Receiver appointed in the above-entitled cause and files this, his Original Answer to the Complaint filed by the Plaintiffs and in support would respectfully show the Court as follows:


1. Receiver admits to paragraph number 1.
2. Receiver admits to the names of the individuals listed in paragraph number 2, but is without sufficient information to admit to the factual information alleged in paragraph number 2 and on that basis denies that portion of paragraph number 2.

3. Receiver admits to the names of the individuals listed in paragraph number 3, but is without sufficient information to admit to the factual information alleged in paragraph number 3 and on that basis denies that portion of paragraph number 3.
4. Receiver admits to the names of the individuals listed in paragraph number 4, but is without sufficient information to admit to the factual information alleged in paragraph number 4 and on that basis denies that portion of paragraph number 4.
5. Receiver admits to the names of the individuals listed in paragraph number 5, but is without sufficient information to admit to the factual information alleged in paragraph number 5 and on that basis denies that portion of paragraph number 5.
6. Receiver admits to the names of the individuals listed in paragraph number 6, but is without sufficient information to admit to the factual information alleged in paragraph number 6 and on that basis denies that portion of paragraph number 6.
7. Receiver admits to the names of the individuals listed in paragraph number 7, but is without sufficient information to admit to the factual information alleged in paragraph number 7 and on that basis denies that portion of paragraph number 7.
- 8(a-d). Receiver admits to the names of the individuals listed in paragraph number 8, but is without sufficient information to admit to the factual information alleged in paragraph number 8 and on that basis denies that portion of paragraph number 8.
9. Receiver admits that if the facts, as alleged by the Plaintiffs are proven, then the Plaintiffs would be entitled to punitive damages under a clear and convincing standard as required by the laws of the State of Texas.

10. Receiver admits that if the facts, as alleged by the Plaintiffs are proven, then the Plaintiffs would be entitled to punitive damages under a clear and convincing standard as required by the laws of the State of Texas.
11. Receiver is without sufficient information to admit to the facts in paragraph number 11 and therefore, on that basis, denies paragraph 11.
12. Receiver admits that this Court has jurisdiction over this cause. Receiver also admits that venue properly lies in the Northern District of Texas, Dallas Division, the Honorable Barbara M.G. Lynn's Court, pursuant to the Original Order Appointing Michael J. Quilling Receiver in the above-entitled cause.
13. Receiver is without sufficient information to either admit or deny the remaining paragraphs of the Complaint, therefore, Receiver denies paragraphs 13 through 92.

WHEREFORE, Receiver respectfully requests that this Court deny Plaintiffs' claims and damages and relief which has been requested, dismiss Plaintiffs' lawsuit and enter an order awarding Receiver his reasonable and necessary attorneys' fees and all costs of court along with any such other relief, either in law or in equity which he may show himself justly entitled.

Respectfully submitted,

By: 
Andrew M. Trusevich S.B. #00785119

QUILLING, SELANDER, CUMMISKEY & LOWNDS, P.C.
2001 Bryan St., Suite 1800
Dallas, Texas 75201
(214) 871-2100
(214) 871-2111 (fax)

ATTORNEY FOR RECEIVER

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this document, with attachments, has been sent to the following on this 6th Day of July, 2000, via the U.S. Postal Service, certified mail, R.R.R.:

Mr. Michael G. Schwartz
Gray Cary Ware & Freidenrich, L.L.P.
3340 Hillview Avenue
Palo Alto, CA 94304

Mr. Donald Beckner
5800 One Perkins Place
Building 7, Suite A
Baton Rouge, Louisiana 70808

A handwritten signature in black ink, appearing to read "Andrew Trusevich", written over a horizontal line.

Andrew Trusevich