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IN THE UNITED STATES DISTRICT COURT US. DISTRICT OF TEXAS DALLAS DIVISION

MAR 2 | 2000 MICHAEL J. QUILLING, Receiver for ROBERT CORD, et. al. § Plaintiff. § § CIVIL ACTION NO. 3-99CV1929-T ٧. 3:98CV2689- M § RICHARD A. PARKER, d/b/a MORGAN, WEINSTEIN & CO., a/k/a MORGAN, **ENTERED ON DOCKET** WEINSTEIN & CO., INC. a Delaware Certified a true copy of an instru Corporation and a/k/a, MORGAN § on file in my office on _3_22. MAR 2 2 2000 WEINSTEIN & CO., LTD. NANCY DOHERTY, Clerk, U.S. Dis Court, Northern District of Texas Defendant. US. DISTRICT CLERK'S OFFICE

AGREED ORDER RESOLVING DEFENDANT'S MOTION TO DISMISS, PERMITTING AMENDMENT OF COMPLAINT AND TRANSFERRING CASE

BE IT REMEMBERED that on this date came on for consideration the Defendant's Motion to Dismiss in the above captioned cause and the Court, having determined that the parties to said action had entered into several agreements regarding this action, including a resolution to said motion as evidenced by their signatures to this Agreed Order, and the court having determined that the agreements between the parties to this order should be accepted by the court in compliance with the provisions of *Dondi Properties v. Commerce Savings & Loan*, 121 F.R.D. 284 (N.D. Tex. 1988), it is, accordingly, ORDERED as follows:

- Plaintiff is hereby granted thirty (30) days from the date of this order to amend its
 Complaint herein; and
- 2. Defendant Richard A. Parker ("Parker") is hereby dismissed from this action, without prejudice to his being re-served and re-added as a party at a future date, if appropriate;

Agreed Order Resolving Defendants Motion to Dismiss:

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- 3. Counsel for Parker, whose signatures appear herein below, have agreed, and shall accept service of summons of Plaintiff's First Amended Complaint on Morgan, Weinstein & Company, Inc., a Delaware corporation; and
- 4. This action is hereby transferred and consolidated with cause no. 3: 98-CV-2689-M, Securities Exchange Commission vs. Funding Resource Group, et. al., as an ancillary case to said receivership action.

SIGNED the 21 day of Marc

JUDGE PRESIDING

Agreed:

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

Clark B. Will, P.C.

State Bar No. 21502500

2001 Bryan Street, Suite 1800

Dallas, Texas 75201-4240

(214) 871-2100 (Telephone)

(214) 871-2111 (Telefax)

ATTORNEY FOR RECEIVER

BAKER LAW GROUP

John H. Baker

State Bar No. 90710 (CA)

23046 Avenue de la Carlota, Suite 600

Laguna Hills, CA 92653-1519 (949) 588-5767 (Telephone) (949) 588-5759 (Telefax)

ATTORNEY FOR DEFENDANT

REAGAN & MCLAIN

Robert J. Reagan

State Bar No. 16630980

6060 North Central Expressway

Suite 790

Dallas, TX 75206

(214) 691-6622 (telephone)

(214) 691-2984 (telefax)

LOCAL ATTORNEY FOR DEFENDANT