

FILED

MAR 20 2000

NANCY DOHERTY, CLERK

By _____
Deputy

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

MICHAEL J. QUILLING, Receiver for
Robert Cord, Winterhawk West Indies,
Inc., and Steven C. Roberts d/b/a
Funding Resources Group and FRG Trust,

Plaintiff,

v.

TEXAS COASTAL BANK and
BILLY HOLCOMB,

Defendants.

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CIVIL ACTION NO: 3-98-CV-2689-X

Consolidated with 3:99-CV-1504-X

3:99-CV-1097-X

3:99-CV-1295-X

3:99-CV-2699-X

(Jury Trial Requested)

MICHAEL J. QUILLING (RECEIVER)'S
ORIGINAL ANSWER TO
TEXAS COASTAL BANK'S COUNTERCLAIM

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Michael J. Quilling, the Receiver in the above-entitled cause and files this, his Original Answer in response to Texas Coastal Bank's ("TCB") Counterclaim and would show the Court as follows:

First Defense

For answer to the specific numbered paragraphs of the Counterclaim, the Receiver would show as follows:

1. Receiver admits to the allegations contained in paragraph 115 of TCB's Original Answer which contains its Counterclaim, hereinafter referred to as ("TCB's pleading").

2. Receiver admits to the allegations contained in paragraph 116 of TCB's pleading.
3. Receiver admits to the jurisdictional and venue allegations contained in paragraph 117 of TCB's pleading.
4. Receiver is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 118 of TCB's pleading.
5. Receiver is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 119 of TCB's pleading.
6. Receiver is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 120 of TCB's pleading.
7. Receiver is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 121 of TCB's pleading.
8. Receiver is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 122 of TCB's pleading.
9. Receiver is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 123 of TCB's pleading.
10. Receiver admits to the allegations contained in paragraph 124 of TCB's pleading.
11. Receiver can neither admit or deny paragraph 125 of TCB's pleading because TCB is simply incorporating previous paragraphs into its cause of action.
12. Receiver admits in part, paragraph 126 of TCB's pleadings, in that TCB and Receiver has claimed an interest in the specified certificate of deposits, however, Receiver denies that TCB is entitled to any funds.

13. Receiver denies the allegations contained in paragraph 127 of TCB's pleadings.
14. Receiver denies the allegations contained in paragraph 128 of TCB's pleadings.
15. Receiver denies the allegations contained in paragraph 129 of TCB's pleadings and denies that TCB is entitled to any relief which it has requested in its counterclaim.
16. Receiver denies the allegations contained in paragraph 130 of TCB's pleadings and denies that TCB is entitled to any relief which it has requested in its counterclaim.
17. Receiver is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 131 of TCB's pleading.

WHEREFORE PREMISES CONSIDERED, Receiver respectfully requests that Receiver be awarded all the relief which was requested against the "Defendants" in the above-entitled cause and that TCB be denied all relief which has been requested in its Counterclaim; and for any such other relief, either in law or in equity which Receiver may show himself justly entitled.

Respectfully submitted,

By: 

Andrew M. Trusevich S.B. #00785119

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ATTORNEY FOR RECEIVER


CERTIFICATE OF SERVICE

I certify that a true and correct copy of this document was mailed, via the U.S. Postal Service, certified mail, R.R.R., to the following in this 20th day of March, 2000:

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