



**U.S. District Court  
Western District of North Carolina (Charlotte)  
CIVIL DOCKET FOR CASE #: 3:04-cv-00251**

Quilling v. Grand St Trust, et al  
Assigned to: Graham Mullen  
Demand: \$0  
Cause: 28:1332 Diversity-Contract Dispute

Date Filed: 05/20/2004  
Date Terminated: 03/30/2007  
Jury Demand: Both  
Nature of Suit: 190 Contract: Other  
Jurisdiction: Diversity

**Plaintiff**

**Michael J. Quilling**  
*Receiver for Frederick J. Gilliland*

represented by **Michael J Quilling**  
Quilling Selander Cummiskey &  
Lownds, PC  
2001 Bryan Street, Suite 1800  
Dallas, TX 75201  
214-871-2100  
Fax: 214-871-2111  
Email: mquilling@qsclpc.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Grand Street Trust**

represented by **E. Hardy Lewis**  
1117 Hillsborough Street  
Raleigh, NC 27603  
919.755.3993  
Fax: 919.755.3994  
Email: hlewis@bjmls-law.com  
*TERMINATED: 08/09/2005*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Heartland Control Trust**

represented by **E. Hardy Lewis**  
(See above for address)  
*TERMINATED: 08/09/2005*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Future Control Trust**

represented by **E. Hardy Lewis**  
(See above for address)  
*TERMINATED: 08/09/2005*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Rein, Evans, Sestanovich, LLP f/k/a  
Dressler, Rein, Evans & Sestanovich  
LLP**

represented by **David S. Melin**  
Rayburn, Cooper & Durham, P.A.  
227 West Trade Street  
Suite 1200  
Charlotte, NC 28202  
704/334-0891  
Fax: 704/377-1897  
Email: [dmelin@rcdlaw.net](mailto:dmelin@rcdlaw.net)  
*TERMINATED: 01/20/2006*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**James B. Gatehouse**  
227 W. Trade St.  
Suite 1200  
Charlotte, NC 28202  
704-334-0891  
Fax: 704-377-1897  
Email: [bgatehouse@rcdlaw.net](mailto:bgatehouse@rcdlaw.net)  
*TERMINATED: 01/20/2006*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Susan Taylor Wall**  
Parker Poe Adams & Bernstein LLP  
200 Meeting Street, Ste. 301 P  
Charleston, SC 29401  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**William L. Esser, IV**

Parker Poe Adams & Bernstein, LLP  
401 South Tryon Street, Suite 3000  
Charlotte, NC 28202  
704/372-9000  
Fax: 704/334-4706  
Email: willess@parkerpoe.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Melrose Escrow, Inc.**

represented by **Robert Spencer Adden, Jr.**  
Ruff, Bond, Cobb, Wade & Bethune  
Suite 860  
831 E. Morehead St.  
Charlotte, NC 28202  
704-377-1634  
Fax: 704-342-3308  
Email: Radden@rbcwb.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Paul J. Cohen**

**Defendant**

**Marie Margarite Gueco Mercado  
Paquette**

represented by **Marie Margarite Gueco Mercado  
Paquette**  
2701 Cartier St.  
Calgary, Alberta T2T3J5  
Canada  
PRO SE

**E. Hardy Lewis**  
(See above for address)  
*TERMINATED: 07/14/2005*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Cross Claimant**

**Rein Evans & Sestanovich LLP**

represented by **William L. Esser, IV**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Cross Defendant**

**Marie Margarite Gueco Mercado  
Paquette**

represented by **Marie Margarite Gueco Mercado  
Paquette**  
(See above for address)  
PRO SE

**Cross Defendant**

**Grand Street Trust**

**Cross Defendant**

**Heartland Control Trust**

**Cross Defendant**

**Future Control Trust**

**Cross Defendant**

**Melrose Escrow, Inc.**

represented by **Robert Spencer Adden, Jr.**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Cross Defendant**

**Paul J. Cohen**

**Counter Claimant**

**Rein, Evans, Sestanovich, LLP f/k/a  
Dressler, Rein, Evans & Sestanovich  
LLP**

represented by **William L. Esser, IV**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Counter Defendant**

**Michael J. Quilling**  
*Receiver for Frederick J. Gilliland*

represented by **Michael J Quilling**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
05/20/2004	<a href="#">1</a>	COMPLAINT Filing Fee \$ 150.00 Receipt # 28916 (former emp) (Entered: 05/20/2004)
05/20/2004		SUMMONS(ES) issued for Grand St Trust, Heartland Contril Tr, Future Control Trust, Rein,Evans,Sestanovi, Melrose Escrow Inc, Paul J. Cohen, Marie Margarite Gueco Mercado Paquette (former emp) (Entered: 05/20/2004)
06/17/2004	<a href="#">2</a>	CONSENT/REFUSAL to Magistrate Jurisdiction by Michael J. Quilling - Refusal (clc) (Entered: 06/17/2004)
06/17/2004	<a href="#">3</a>	Disclosure of Corporate Affiliations other entities with a direct financial interest in litigation by Michael J. Quilling (clc) (Entered: 06/17/2004)
06/18/2004	<a href="#">4</a>	CASE reassigned to Judge Graham C. Mullen - notice of reassignment mailed to parties. (former emp) (Entered: 06/18/2004)
06/24/2004	<a href="#">5</a>	MOTION by Michael J. Quilling to Transfer Case to judge McKnight (former emp) (Entered: 06/24/2004)
08/17/2004	<a href="#">6</a>	ORDER granting [5-1] motion to Transfer Case to judge McKnight ( signed by Judge Graham C. Mullen ) [EOD DATE: 8/17/04] (former emp) (Entered: 08/17/2004)
08/17/2004	6	CASE reassigned to Judge H. B. McKnight (former emp) (Entered: 08/17/2004)
08/17/2004	<a href="#">7</a>	MOTION by Rein,Evans,Sestanovi to Dismiss cmp (former emp) (Entered: 08/17/2004)
08/17/2004	<a href="#">8</a>	AFFIDAVIT of Peter Davidson filed by Rein,Evans,Sestanovi re: [7-1] motion to Dismiss cmp (former emp) (Entered: 08/17/2004)
08/17/2004	<a href="#">9</a>	MEMORANDUM by Rein,Evans,Sestanovi in support of [7-1] motion to Dismiss cmp by Rein,Evans,Sestanovi (former emp) (Entered: 08/17/2004)
08/31/2004	<a href="#">10</a>	RESPONSE by Michael J. Quilling to [7-1] motion to Dismiss cmp by Rein,Evans,Sestanovi (sdc) (Entered: 08/31/2004)
09/14/2004	<a href="#">11</a>	MEMORANDUM by Rein,Evans,Sestanovi in support of [7-1] motion to Dismiss cmp by Rein,Evans,Sestanovi (former emp) (Entered: 09/15/2004)

10/04/2004	<a href="#">12</a>	Disclosure of Corporate Affiliations other entities with a direct financial interest in litigation by Marie Margarite Gueco Mercado Paquette (former emp) (Entered: 10/04/2004)
10/04/2004	<a href="#">13</a>	Disclosure of Corporate Affiliations other entities with a direct financial interest in litigation by Future Control Trust (former emp) (Entered: 10/04/2004)
10/04/2004	<a href="#">14</a>	Disclosure of Corporate Affiliations other entities with a direct financial interest in litigation by Heartland Contril Tr (former emp) (Entered: 10/04/2004)
10/04/2004	<a href="#">15</a>	Disclosure of Corporate Affiliations other entities with a direct financial interest in litigation by Grand St Trst (former emp) (Entered: 10/04/2004)
10/04/2004	<a href="#">16</a>	MOTION by Grand St Trst, Heartland Contril Tr, Future Control Trust, Marie Margarite Gueco Mercado Paquette to Extend Time to ans cmp (former emp) (Entered: 10/04/2004)
10/27/2004	<a href="#">17</a>	ORDER granting [16-1] motion to Extend Time to ans cmp, set Answer deadline to 11/4/04 for Marie Margarite Gueco Mercado Paquette, for Future Control Trust, for Heartland Contril Tr, for Grand St Trst ( signed by Judge H. B. McKnight ) [EOD DATE: 10/27/04] (former emp) (Entered: 10/27/2004)
10/28/2004	<a href="#">18</a>	ORDER granting [16-1] motion to Extend Time to ans cmp, set Answer deadline to 11/4/04 ( signed by Judge H. B. McKnight ) [EOD DATE: 10/28/04] (former emp) (Entered: 10/28/2004)
11/02/2004	<a href="#">19</a>	MOTION by Grand St Trst, Heartland Contril Tr, Future Control Trust, Marie Margarite Gueco Mercado Paquette to Extend Time ans cmp (former emp) (Entered: 11/02/2004)
11/12/2004	<a href="#">20</a>	MOTION with Memorandum in Support & Affidavit of Marie Paquette by Marie Margarite Gueco Mercado Paquette, Grand St Trst, Heartland Contril Tr, Future Control Trust to Dismiss (ejb) (Entered: 11/15/2004)
11/15/2004	<a href="#">21</a>	ORDER referring to Magistrate [20-1] motion to Dismiss, [7-1] motion to Dismiss cmp ( signed by Judge H. B. McKnight ) [EOD DATE: 11/16/04] (bsw) (Entered: 11/16/2004)
11/15/2004		Motion(s) referred [20-1] motion to Dismiss referred to Magistrate Judge David C. Keesler, [7-1] motion to Dismiss cmp referred to Magistrate Judge David C. Keesler (bsw) (Entered: 11/16/2004)

11/16/2004		CASE REFERRED to Magistrate Judge David C. Keesler (bsw) (Entered: 11/16/2004)
11/19/2004	<a href="#">22</a>	ORDER granting [19-1] motion to Extend Time ans cmp, set Answer deadline to 11/4/04 ( signed by Judge H. B. McKnight ) [EOD DATE: 11/22/04] (former emp) (Entered: 11/22/2004)
11/29/2004	<a href="#">23</a>	RESPONSE by Michael J. Quilling to [20-1] motion to Dismiss by Future Control Trust, Heartland Contril Tr, Grand St Trst, Marie Margarite Gueco Mercado Paquette (former emp) (Entered: 12/01/2004)
12/10/2004	<a href="#">24</a>	NOTICE of intent to not reply to resp to mot to dism by Grand St Trst, Heartland Contril Tr, Future Control Trust, Marie Margarite Gueco Mercado Paquette (former emp) (Entered: 12/10/2004)
12/17/2004		CASE reassigned to Judge Graham C. Mullen - notice of reassignment mailed to parties. (bsw) (Entered: 12/17/2004)
12/17/2004		CASE NO LONGER REFERRED TO Magistrate Judge David C. Keesler (bsw) (Entered: 12/17/2004)
12/17/2004		Motion(s) no longer referred: [20-1] motion to Dismiss, [7-1] motion to Dismiss cmp (bsw) (Entered: 01/07/2005)
01/10/2005	<a href="#">25</a>	CASE reassigned to Magistrate Judge David C. Keesler per chambers request - consent to be filed - notice of reassignment mailed to parties. (bsw) (Entered: 01/10/2005)
02/22/2005	<a href="#">26</a>	MOTION by Grand St Trst, Heartland Contril Tr, Future Control Trust, Marie Margarite Gueco Mercado Paquette for E Hardy Lewis and Firm of Blanchard, Jenkins, Miller, Lewis and Styers to Withdraw as Attorney (bsw) (Entered: 02/23/2005)
03/18/2005	<a href="#">27</a>	RESPONSE by Michael J. Quilling to [26-1] motion for E Hardy Lewis and Firm of Blanchard, Jenkins, Miller, Lewis and Styers to Withdraw as Attorney by Marie Margarite Gueco Mercado Paquette, Future Control Trust, Heartland Contril Tr, Grand St Trst (clc) (Entered: 03/18/2005)
07/14/2005	<a href="#">28</a>	ORDER granting <a href="#">26</a> Motion to Withdraw as Attorney, new counsel to appear w/in 30 days. . Signed by Judge David Keesler on 7/14/05. (Wallace, Betsy) (Entered: 07/14/2005)
08/10/2005	<a href="#">29</a>	Case reassigned to Judge Graham Mullen. Judge David Keesler no longer assigned to the case. (Wallace, Betsy) (Entered: 08/10/2005)

08/12/2005	<a href="#">31</a>	ORDER denying <a href="#">7</a> Motion to Dismiss, denying <a href="#">20</a> Motion to Dismiss . Signed by Judge Graham Mullen on 8/12/05. (Wallace, Betsy) (Entered: 08/13/2005)
08/29/2005	<a href="#">32</a>	MOTION to Amend/Correct <a href="#">31</a> Order on Motion to Dismiss, <i>Motion to Amend Order to Include Certification for Interlocutory Appeal and to Stay Proceeding Pending Appeal</i> by Rein, Evans, Sestanovich, LLP f/k/a Dressler, Rein, Evans & Sestanovich LLP. Responses due by 9/12/2005 (Melin, David) (Entered: 08/29/2005)
08/29/2005	<a href="#">33</a>	MEMORANDUM in Support re <a href="#">32</a> MOTION to Amend/Correct <a href="#">31</a> Order on Motion to Dismiss, <i>Motion to Amend Order to Include Certification for Interlocutory Appeal and to Stay Proceeding Pending Appeal Memorandum in Support of Motion to Amend Order to Include Certification for Interlocutory Appeal and to Stay Proceeding Pending Appeal</i> filed by Rein, Evans, Sestanovich, LLP f/k/a Dressler, Rein, Evans & Sestanovich LLP. (Melin, David) (Entered: 08/29/2005)
09/09/2005	<a href="#">34</a>	ORDER denying <a href="#">32</a> Motion to Amend/Correct . Signed by Judge Graham Mullen on 9/8/05. (Huntley, Cynthia) (Entered: 09/09/2005)
09/22/2005	<a href="#">35</a>	ANSWER to Complaint with Jury Demand, CROSSCLAIM against Marie Margarite Gueco Mercado Paquette, Grand Street Trust, Heartland Control Trust, Future Control Trust, Melrose Escrow, Inc., Paul J. Cohen, COUNTERCLAIM against Michael J. Quilling by Rein, Evans, Sestanovich, LLP f/k/a Dressler, Rein, Evans & Sestanovich LLP. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B)(Melin, David) (Entered: 09/22/2005)
09/22/2005	<a href="#">36</a>	Summons issued as to Melrose Escrow, Inc., Paul J. Cohen. (MacEwan, Cathy) Modified on 9/22/2005 to change summons issued not reissued. (MacEwan, Cathy). (Entered: 09/22/2005)
10/12/2005	<a href="#">37</a>	ANSWER to Counterclaim by Michael J. Quilling.(Quilling, Michael) (Entered: 10/12/2005)
10/18/2005	<a href="#">38</a>	MOTION for Entry of Default by Rein Evans & Sestanovich LLP. (Attachments: # <a href="#">1</a> Affidavit in Support of Entry of Default)(Melin, David) (Entered: 10/18/2005)
10/19/2005	<a href="#">39</a>	Clerk's ENTRY OF DEFAULT as to cross-dfts Marie Margarite Gueco Mercado Paquette, Grand Street Trust, Heartland Control Trust, Future Control Trust (Wallace, Betsy) (Entered: 10/19/2005)



11/10/2005	<a href="#">40</a>	AFFIDAVIT of Service for Summons and Answer, Counterclaim, and Cross-Claims of Rein Evans & Sestanovich, LLP served on Christine Hayes on behalf of Melrose Escrow, Inc. on September 27, 2005, filed by Rein Evans & Sestanovich LLP. (Melin, David) (Entered: 11/10/2005)
12/15/2005	<a href="#">41</a>	AFFIDAVIT of Service for Summons, Answer, Counterclaim, and Cross-Claim served on Defendant, Paul J. Cohen on November 26, 2005, filed by Rein Evans & Sestanovich LLP. (Melin, David) (Entered: 12/15/2005)
12/28/2005	<a href="#">42</a>	ANSWER to Complaint with Jury Demand by Melrose Escrow, Inc., Melrose Escrow, Inc..(Adden, Robert) (Entered: 12/28/2005)
12/28/2005	<a href="#">43</a>	ANSWER to Crossclaim of <i>Rein Evans</i> by Melrose Escrow, Inc., Melrose Escrow, Inc..(Adden, Robert) (Entered: 12/28/2005)
01/03/2006		NOTICE of Docket Correction re: <a href="#">40</a> Affidavit of Service, <a href="#">41</a> Affidavit of Service ERROR: Affidavits of process server filed CORRECTION: Called attorney and advised that the affidavits of process server should be filed by being attached to Affidavits of Service signed with s/ signature of attorney filing documents (Bouchard, Carolyn) (Entered: 01/03/2006)
01/10/2006	<a href="#">44</a>	MOTION to Withdraw as Attorney by Rein Evans & Sestanovich LLP. Responses due by 1/24/2006 (Attachments: # <a href="#">1</a> Proposed Order Allowing Motion to Withdraw as Counsel for Rein Evans & Sestanovich LLP)(Melin, David) (Entered: 01/10/2006)
01/10/2006		Proposed document submitted to Judge Graham Mullen. (Melin, David) (Entered: 01/10/2006)
01/20/2006	<a href="#">45</a>	ORDER granting <a href="#">44</a> Motion to Withdraw as Attorney. Attorney James B. Gatehouse and David S. Melin terminated . Signed by Judge Graham Mullen on 1/20/06. (Huntley, Cynthia) (Entered: 01/20/2006)
02/01/2006	<a href="#">46</a>	NOTICE of Appearance by William L. Esser, IV on behalf of Rein Evans & Sestanovich LLP (Esser, William) (Entered: 02/01/2006)
02/08/2006	<a href="#">47</a>	MOTION for Leave to Appear Pro Hac Vice by Susan Taylor Wall by Rein, Evans, Sestanovich, LLP f/k/a Dressler, Rein, Evans & Sestanovich LLP. Responses due by 2/27/2006 (Huntley, Cynthia) (Entered: 02/13/2006)
02/08/2006		Filing fee (phv for Susan Wall): \$ 100.00, receipt number 34432 (Huntley, Cynthia) (Entered: 02/13/2006)

02/14/2006	<a href="#">48</a>	ORDER granting <a href="#">47</a> Motion for Leave to Appear Pro Hac Vice added Susan Taylor Wall for Rein, Evans, Sestanovich, LLP f/k/a Dressler, Rein, Evans & Sestanovich LLP . Signed by Judge Graham Mullen on 2/14/06. (Huntley, Cynthia) (Entered: 02/14/2006)
03/17/2006	<a href="#">49</a>	ANSWER to Crossclaim by Paul J. Cohen.(MacEwan, Cathy) (Entered: 03/17/2006)
03/17/2006	<a href="#">50</a>	ANSWER to Complaint with Jury Demand by Paul J. Cohen. (MacEwan, Cathy) (Entered: 03/17/2006)
03/17/2006	<a href="#">52</a>	CORPORATE Disclosure Statement by Paul J. Cohen.(MacEwan, Cathy) (Entered: 03/17/2006)
09/05/2006	<a href="#">53</a>	STATUS REPORT ORDER Status Report due by 9/19/2006.. Signed by Judge Graham Mullen on 9/5/06. (bsw) (Entered: 09/05/2006)
09/14/2006	<a href="#">54</a>	STATUS REPORT by Rein Evans & Sestanovich LLP (Esser, William) (Entered: 09/14/2006)
01/03/2007	<a href="#">55</a>	MOTION for Default Judgment as to <i>Marie Margarite Gueco Mercado Paquette, Grand Street Trust, Heartland Control Trust, and Future Control Trust</i> by Rein Evans & Sestanovich LLP. (Esser, William) (Entered: 01/03/2007)
01/03/2007	<a href="#">56</a>	DECLARATION of Peter Davidson re <a href="#">55</a> MOTION for Default Judgment as to <i>Marie Margarite Gueco Mercado Paquette, Grand Street Trust, Heartland Control Trust, and Future Control Trust</i> filed by Rein Evans & Sestanovich LLP (Esser, William) (Entered: 01/03/2007)
02/21/2007	<a href="#">57</a>	ORDER granting <a href="#">55</a> Motion for Default Judgment. Signed by Judge Graham Mullen on 2/21/07. (chh) (Entered: 02/21/2007)
03/29/2007	<a href="#">58</a>	ORDER on the court's own motion; a Status Report is due within 10 days from the date of this order as to the status of this case. Signed by Judge Graham Mullen on 3/28/2007. (jlk) (Entered: 03/29/2007)
03/30/2007	<a href="#">59</a>	Stipulation of Dismissal <i>with Prejudice</i> by Michael J. Quilling, Rein Evans Sestanovich, L.L.P. f/k/a Dressler Rein Evans & Sestanovich, L. L.P., Melrose Escrow, Inc., Paul J. Cohen (Quilling, Michael) Modified on 4/2/2007 (Bouchard, Carolyn) to change event to Stip/Dism and add filers Rein Evans, Melrose Escrow, Paul J. Cohen. (Entered: 03/30/2007)

04/02/2007		NOTICE of ECF Filing Error re: <a href="#">59</a> Notice of Voluntary Dismissal filed by Michael J. Quilling Filer used the wrong event. Filer should have used <i>Stipulation of Dismissal</i> and all signing parties should be shown as filers. NO ACTION REQUIRED - FOR INFORMATIONAL PURPOSES ONLY. Court has corrected event. (cbb) (Entered: 04/02/2007)
04/09/2007	<a href="#">60</a>	STATUS REPORT by Michael J. Quilling (Quilling, Michael) (Entered: 04/09/2007)
04/09/2007	<a href="#">61</a>	NOTICE of Voluntary Dismissal by Michael J. Quilling (Quilling, Michael) (Entered: 04/09/2007)

## PACER Service Center

### Transaction Receipt

05/08/2007 16:20:19

<b>PACER Login:</b>	qs0002	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	3:04-cv-00251
<b>Billable Pages:</b>	5	<b>Cost:</b>	0.40