

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

**SECURITIES AND EXCHANGE
COMMISSION,** §

Plaintiff, §

v. §

No. 3:22-cv-2118-X

**TIMOTHY BARTON,
CARNEGIE DEVELOPMENT, LLC,
WALL007, LLC,
WALL009, LLC,
WALL010, LLC,
WALL011, LLC,
WALL012, LLC,
WALL016, LLC,
WALL017, LLC,
WALL018, LLC,
WALL019, LLC,
HAOQIANG FU (A/K/A MICHAEL FU),
STEPHEN T. WALL,** §

Defendants, §

**DJD LAND PARTNERS, LLC, and
LDG001, LLC,** §

Relief Defendants. §

**AGREED MOTION TO EXTEND BRIEFING DEADLINES REGARDING
RECEIVER’S MOTION FOR SUMMARY JUDGMENT REGARDING SOUTHERN
PROPERTIES CAPITAL, LTD.’S CLAIMED OWNERSHIP INTEREST IN
CERTAIN RECEIVERSHIP ENTITIES AND PROPERTIES**

Cort Thomas, as the court appointed Receiver and Southern Properties Capital, Ltd. (“SPC”) request extension of the deadline for SPC to respond to the Receiver’s Motion for Summary Judgment Regarding Southern Properties Capital, Ltd.’s Claimed Ownership Interest In Certain Receivership Entities And Properties (the “Motion”), Dkts. 206 and 207, and an extension

of the deadline for the Receiver's Reply in support of the Motion. In support of this Motion, the Receiver and SPC respectfully show the Court as follows.

1. On March 16, 2023, the Court granted the Receiver's Motion to Continue Hearing Regarding Approval of Sales, et seq., Dkt. 188, and ordered the Receiver to file a motion for summary judgment regarding SPC's competing property interest in certain apartment developments (the "Order"). Dkt. 190.

2. On April 13, 2023, the Receiver filed the Motion.¹ Pursuant to the Order, SPC's Response is due on or before May 4, 2023, and the Receiver's Reply is due on or before May 18, 2023.

3. As a result of pressing and intervening deadlines in this and other cases and personal obligations, the Receiver conferred with SPC regarding an extension of his Reply deadline and agreed to a reciprocal extension for SPC's Response.

4. The requested extensions are not sought for purposes of delay, but rather to accommodate prior obligations, including the Receiver's lead counsel's preparation for oral arguments in the Dallas Court of Appeals, multiple deadlines in other cases, as well as briefing obligations in this case.

5. The parties accordingly request an extension for SPC's response to the Motion to and including May 15, 2023, and request an extension for the Receiver's reply to and including June 5, 2023.

6. No party will be prejudiced by the requested delay.

¹ On April 24, 2023, SPC also filed a Motion to Strike the Motion with respect to two of the properties regarding which the Receiver sought summary judgment. Dkt. 215. The Receiver will respond to that motion to strike within the time required by the local rules.

WHEREFORE PREMISES CONSIDERED, the Receiver and SPC request an extension of SPC's deadline to respond to the Motion through and including May 16, 2023, and an extension for the Receiver's reply through and including June 5, 2023.

Respectfully submitted,

By: /s/ Charlene C. Koonce

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CERTIFICATE OF SERVICE

Pursuant to Fed. R. Civ. P. 5(d)(1)(B), as amended, no certificate of service is necessary, because this document is being filed with the Court's electronic-filing system.

/s/ Charlene C. Koonce

Charlene C. Koonce