

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

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

TIMOTHY BARTON, et al.

Defendants.

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C.A. No. 3:22-cv-2118-X

**APPENDIX IN SUPPORT OF RECEIVER’S MOTION TO
SUPPLEMENT ORDER APPOINTING RECEIVER**

Respectfully submitted,

By: /s/ Charlene C. Koonce

Charlene C. Koonce
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Attorneys for Receiver Cort Thomas

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EXHIBIT A

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

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

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TIMOTHY BARTON, et al.

Defendants.

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C.A. No. 3:22-cv-2118-X

**DECLARATION OF CORTNEY C. THOMAS IN SUPPORT OF
MOTION TO SUPPLEMENT RECEIVERSHIP ORDER**

1. My name is Cortney C. Thomas. I have personal knowledge of the matters set forth in this Declaration, I am of sound mind, and I am otherwise competent to testify to these matters.

2. I am an attorney licensed to practice law in the State of Texas. On October 18, 2022, I was appointed Receiver in the case styled above, and ordered to take exclusive possession and control over all assets belonging to, under the control of the Receivership Entities. *See* Order Appointing Receiver (the “Receivership Order”) ¶ 1.

3. To perform my mandate, on October 18 and again on October 19, 2022, together with two attorneys who were assisting me, I travelled to 2999 Turtle Creek Blvd. (the “Turtle Creek Property”). Initially, on the 18th, Mr. Barton’s daughter met me in the entry and insisted that I speak with Mr. Barton’s counsel before entering any offices, speaking with employees, or taking possession of the premises. Numerous photos and signs reflecting JMJ Development, LLC’s occupancy were prominently displayed and thus also demonstrated that the Turtle Creek Property fell within the scope of the Receivership Order. After discussions with Mr. Barton’s counsel, Ms. Barton agreed to leave the premises. My attorneys interviewed, briefly, two attorneys

who worked at the property for the Receivership Entities, supervised the departure of Ms. Barton and another employee, and made a photographic inventory.

4. On October 19th, together with my team, I returned to the Turtle Creek Property to review non-privileged documents and materials in an effort to obtain information about the location and status of assets, including apartment complexes, bank accounts, development projects, on-going litigation involving the Receivership Entities, and the existence and operation of the many Receivership Entities.

5. In one office, my team located a wall of file drawers which housed documents and binders for more than 100 entities created and controlled by Barton directly or through other entities he owns and controls. A list of all such entities referenced in these binders and in additional documents located at the Turtle Creek Property is attached as **Exhibit A-1**. Based on the information in these binders, for instance tax ID records from the IRS that disclosed Barton as a control person, the location of the records in JMJ's offices, the address used by each entity, information gleaned about these specific entities' operations from additional documents found in the Turtle Creek Property, the names of some of the entities, or inclusion of some of these entities in the list of litigation provided by the Receivership Entities' on-site counsel, among other things, I concluded that each entity listed on Exhibit A-1 is an entity that "Defendant Timothy Barton directly or indirectly controls" as provided in paragraph 1 of the Receivership Order.

6. As one example, the binder related to SF Rock Creek, LLC contained the entity's notice from the IRS for its tax ID number, which also disclosed Barton as the sole member. A listing agreement with a real estate attorney also located in the offices disclosed Rock Creek's ownership of a property at 4107 Rock Creek Drive in Highland Park (the "Rock Creed Property"). I also discovered a letter from a lender stating that the mortgage on 4107 Rock Creek Drive was

paid off shortly before September 15, 2022. And, I discovered an Agreed Recission Special Warranty Deed reflecting a transfer of the Rock Creek Property from Barton to SF Rock Creek. True and correct copies of these documents are attached as **Exhibit A-2**.

7. On the morning of October 20, I was informed that Barton had been moving art and furnishings out of the Rock Creek Property. Based on my discovery the preceding day regarding Mr. Barton's control over SF Rock Creek, I concluded the Receivership Order required that I take possession and control of the Rock Creek Property and its contents. I thus travelled to the Rock Creek Property and requested that a locksmith change the locks. Mr. Barton left the premises immediately, and other visitors and/or inhabitants of the premises remained, while counsel threatened cooperation would be withheld if I proceeded to execute the Receivership Order mandate with respect to the Rock Creek Property.

8. While I was at the Rock Creek Property, as required by paragraphs 34-36 of the Receivership Order my counsel and team were preparing and filing Notices of Stay in litigation in which a Receivership Entity was a party. Although multiple sources have provided information about some of the pending cases, one of the attorneys who worked at the Turtle Creek Property also provided a list of on-going litigation matters to assist with the same task. Although the list is not exhaustive, several of the matters identified by counsel for the Receivership Entities involve Barton-controlled entities that are not expressly identified in the Receivership Order. A true and correct copy of the list is attached as **Exhibit A-3**.

9. For instance, 2999TC Acquisitions, LLC is the owner of the Turtle Creek Property, and that ownership is the subject of *In re 2999TC Acquisitions, LLC*, Cause No. 21-31954-hdh11 in the United States Bankruptcy Court for the Northern District of Texas, a bankruptcy case now

on appeal. 2999TC Acquisitions, LLC is unquestionably controlled by Barton but is not expressly specified as such in the Receivership Order.¹

10. Similarly, I discovered information for numerous trusts in the entity binders, or in other materials located in the Turtle Creek office, in mail, contracts, or other information I have reviewed regarding the Receivership Entities' operations. Based on my review of this information, interviews with former employees or persons involved in operating or who transacted business with the Entities, I have concluded that the trusts listed on Exhibit 1 are or were owned, controlled and utilized by Barton to operate, fund, and control various Receivership Entities. For example, Barton is the Trustee of Broadview Holdings Trust, which holds a lien on real property owned by Gillespie Villas, LLC an entity in which sole control is vested in One SF Residential, LLC. The only member of One SF Residential, in turn, is One Pass Investments, LLC, which additional evidence disclosed as controlled by Defendant Barton. Identifying these Trusts as within the scope of the Receivership Order is thus essential to securing all Receivership Assets and Properties.

11. When filing the Notices of Stay, we discovered an affidavit of inability to pay, signed by Mr. Barton on or about July 25, 2022, in which he identified no assets and a mere \$500.00 in monthly expenses. A true and correct copy of the affidavit is attached as **Exhibit A-4**.

12. A list of entities the SEC included in its Motion to Appoint Receiver as having been provided by Defendants' counsel is attached for the Court's convenience as **Exhibit A-5**. Each entity on that list is also incorporated into Exhibit A-1.

13. My team has also been sending copies of the Receivership Order to asset holders, for instance banks and escrow companies, vendors and service providers, like insurers, contractors, and developers, to provide notice of the Receiver's control over all assets and operations of each

¹ My team filed a Notice of Stay in the case.

Receivership Entity. Some of these persons and entities are hesitant to confirm or turnover assets held in the name of entities that are not expressly identified in the Receivership Order, or additional time (and thus expense) is required to confirm the specific entities whose assets are involved are Receivership Entities. For instance, a title company confirmed possession of escrowed funds on a deal that did not close between Wall011, LLC and DJD Land Partners, LLC. Documents in the binders at the Turtle Creek Property appear to demonstrate that DJD Land Partners, LLC is controlled by Barton, although another individual signed the purchase agreement as a representative of DJD Land Partners.

14. Moreover, based on my team's review of documents at the Turtle Creek Property, to the extent the entities listed in Exhibit 1 are continuing to operate and require operating funds, for instance the entities that own and control occupied apartment complexes, they can only do so using the same accounts and assets into which investor funds were co-mingled. To date, however, I have not received information about signatories, statements, and balances from banks for the named Receivership Entities, although that information was requested on October 18, 2022 from every bank we have been able to identify. We have also requested this information from Defendants.

15. Based on the provisions of the Receivership Order, I am the only person or entity authorized to conduct any business of behalf of any of the Receivership Entities, including paying ordinary expenses such as utility bills for apartment complexes and surety bond premiums for real estate projects under development. At the Turtle Creek Property, I discovered documents suggesting utility bills for at least one apartment complex were past due, as were premium payments on surety bonds for on-going development projects. Given Defendants' posture regarding SF Rock Creek entity, just as an example, the absence of specifically named entities in

the Receivership Order will create an opportunity for Defendants to contest the scope of my duties and therefore increase the expense involved in performing those duties. Additionally, explaining why and how certain entities are included in the Receivership Order to potentially dozens of vendors, assets holders, and others with whom I must request information and cooperation will require additional time, expense, and uncertainty.

16. I declare under penalty of perjury that the foregoing is true and correct.

November 1, 2022

/s/ Cortney C. Thomas
CORTNEY C. THOMAS

EXHIBIT A-1

BARTON ENTITIES LIST

1. AVEG WW, LLC (Delaware)
2. AVG West, LLC fka JMJ Acquisitions, LLC (Texas)
3. Barton Texas Water District, LLC
4. Barton Water District, LLC (Delaware)
5. BC Acquisitions, LLC (Delaware)
6. BEE2019, LLC
7. Broadview Holdings, LLC (Texas)
8. Broadview Holdings Trust
9. BSJ Trading, LLC
10. BUILD VIOLET, LLC
11. Carnegie Development, Inc.
12. D4AT, LLC
13. D4AVEG, LLC
14. D4BM, LLC
15. D4BR, LLC (Texas)
16. D4IN, LLC (Texas)
17. D4MC, LLC (Texas)
18. D4OP, LLC
19. D4OPM, LLC (Texas)
20. D4SMC, LLC
21. D4WP, LLC
22. Dallas Real Estate Investors, LLC
23. Dallas Real Estate Lenders, LLC (Delaware)
24. Dallas Real Estate Management, LLC
25. Five Star GM, LLC (Delaware)
26. Five Star MM, LLC (Delaware)
27. FIVE STAR MM, LLC (Texas)
28. Five Star TC, LLC (Delaware)
29. Gillespie Villas, LLC
30. Glenwood (18340) Property, LLC (Delaware)
31. HR Sterling, LLC
32. Illuminate Dallas, LLC (Texas)
33. JB Special Asset, LLC
34. JMJ Acquisitions Mgmt, LLC
35. JMJ Aviation, LLC (Texas)
36. JMJ BLUES TX, LLC
37. JMJ Centre, LLC
38. JMJ Development Brasil, LTDA
39. JMJ Development, Inc.
40. JMJ Development Fund
41. JMJ Development Fund, Inc.

42. JMJ EB5 Fund, LP (Delaware)
43. JMJ EB5 Fund GP, LLC (Delaware)
44. JMJ Holdings, LLC
45. JMJ Holdings US LLC
46. JMJ Holdings USA, Inc.
47. JMJ Home Building Inc (Nevada)
48. JMJ Hospitality, LLC
49. JMJ Hospitality General Trading FZE
50. JMJ Hospitality UAE
51. JMJ Investments Limited
52. JMJ Land Acquisition, Inc (Nevada)
53. JMJ Land Development, Inc (Nevada)
54. JMJ Land Venture, LLC
55. JMJ MF Development, LLC
56. JMJ Mezzanine, Inc (Nevada)
57. JMJ Multifamily, Inc (Nevada)
58. JMJ Offshore, LTD
59. JMJ Regional Center, LLC (Delaware)
60. JMJ Residential, LLC
61. JMJ Valley Center, LLC
62. JMJ VC Management, LLC
63. JM148, LLC (Texas)
64. JM1AV, LLC
65. JM1D4, LLC (Delaware)
66. JM1D4Allensville LLC
67. JM1DWG, LLC (Texas)
68. JM1KH, LLC
69. LC Aledo TX, LLC
70. Lynco Ventures, LLC
71. Lynn Investments, LLC
72. Lynco Ventures, LLC
73. Mansion Apartment Homes at Marine Creek, LLC
74. MCFW, LLC
75. MCRS2019, LLC (Texas)
76. Middlebury Trust (Texas)
77. MMCYN, LLC
78. MXBA, LLC
79. MXBA Managed, LLC
80. MXBA Services, LLC
81. Myra Park 635, LLC
82. Northstar 114, LLC (Delaware)
83. Northstar PM, LLC (Delaware)
84. One Agent, LLC (Delaware)
85. One Agent Texas, LLC (Texas)

86. ONE FHC, LLC (Texas)
87. One MFD4, LLC
88. One Pass Investments, LLC (Delaware)
89. One RL Trust
90. ONE SF Residential, LLC
91. Residential MF Assets, LLC (Delaware)
92. Ridgeview Addition, LLC (Texas)
93. Riverwalk Invesco, LLC (Delaware)
94. Riverwalk Opportunity Management, LLC (Delaware)
95. Riverwalk OZFM, LLC (Delaware)
96. Riverwalk OZFV, LLV (Delaware)
97. Riverwalk QOZBJ, LLC (Delaware)
98. Riverwalk QOZBM, LLC (Delaware)
99. Riverwalk QOZBV, LLC (Delaware)
100. Seagoville Farms, LLC
101. SF Rock Creek, LLC
102. SK Carnegie, LLC
103. STL Park, LLC (Delaware)
104. The MXBA Trust
105. The Timothy L. Barton Irrevocable Life Insurance Trust
106. Titan Investments, LLC
107. TLB 2018 Trust
108. TLB 2019 Trust
109. TLB 2020 Trust
110. TRTX Properties, LLC
111. TRWF, LLC
112. TRWF LODGE, LLC
113. Venus59, LLC (Texas)
114. VenusBK195, LLC (Texas)
115. VenusPark201, LLC (Delaware)
116. WRL2019, LLC (Texas)
117. 126 Villita Towers, LLC (Delaware)
118. 2999 Acquisitions, LLC (Delaware)
119. 2999 Middlebury, LLC (Delaware)
120. 2999 Roxbury, LLC (Delaware)
121. 2999TC Acquisitions, LLC fka 2999TC, LLC
122. 2999TC Acquisitions MZ, LLC fka MO 2999TC MZ, LLC
123. 2999TC Founders, LLC (Delaware)
124. 2999TC JMJ, LLC (Delaware)
125. 2999TC JMJ, LLC (Texas)
126. 2999TC JMJ CMGR, LLC (Delaware)
127. 2999TC JMJ Equity, LLC
128. 2999TC LP, LLC (Delaware)
129. 2999TC JMJ MGR, LLC (Delaware)

- 130. 2999TC MM, LLC
- 131. 2999TC MZ, LLC (Delaware)

EXHIBIT A-2

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE OUT ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE NUMBER

AGREED RESCISSION OF SPECIAL WARRANTY DEED

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF DALLAS

WHEREAS SF Rock Creek LLC, a Texas limited liability company, (the "Grantor") agreed to sell and convey to Timothy Barton (the "Grantee") the Property (as described herein) to Grantee in accordance with certain agreed terms;

WHEREAS the executed Special Warranty Deed ("Deed") conveying the Property to Grantee was executed by Grantor to be held in escrow but then erroneously recorded prior to any actual conveyance or closing of the sale of the Property;

WHEREAS the closing of the sale of the Property to Grantee did not actually occur and neither the agreed sales price nor any consideration was paid to the Grantor for the Property;

WHEREAS the filing of the Deed was in error;

WHEREAS Grantee never took possession of the Property; and

WHEREAS the Parties have agreed to rescind the Deed as stated herein.

NOW THEREFORE Grantor and Grantee hereby rescind in full the execution, granting, and recording of the Special Warranty Deed ("Deed") as recorded in the real property records of Dallas County, Texas as document number 202100223187 (attached hereto as Exhibit "B") recorded on July 27, 2021, which purported to grant, bargain, sell, and convey the property and improvements located at 4107 Rock Creek Drive, Dallas, Texas 75204 situated in Dallas County, Texas, as described on Exhibit "A" which is attached hereto and incorporated herein by reference for all purposes, together with any and all buildings and other improvements, plants, trees and shrubbery now or hereafter located on said property and together with all and singular all rights and appurtenances pertaining to such property, including any right, title and interest of Grantor in and to adjacent roads, streets, alleys, easements or rights-of-way (with the property, together with all such improvements, rights and appurtenances being collectively referred to herein as the "Property").

Grantee represents, warrants, and affirms that it never took possession of the Property; that it has not altered nor encumbered the Property in any way; that it has no claims related to the Property; and that it has acquired no rights, title, or interests of any kind in the Property.

Except as stated herein, Grantee and Grantor fully release one another including their successors and assigns and related parties from any and all obligations, claims, rights, and covenants related to the purported conveyance of the Property as described herein.

The effect of this rescission shall be as if the conveyance never happened and Grantor and Grantee are each restored to their respective positions as existed prior to the purported conveyance of the Property and as such, the Deed is void and of no force and effect.

[Signature Pages to Follow]

EXECUTED this 30 day of August 2021.

GRANTOR:

SF ROCK CREEK LLC
a Texas limited liability company


By: 
Name: Timothy Barton
Its: President

STATE OF TEXAS
COUNTY OF DALLAS

On this 30 day of August, 2021, before me, a notary public in and for the jurisdiction aforesaid, personally appeared Timothy Barton who acknowledged that he/she executed the foregoing instrument in such person's capacity as the President of Grantor, being authorized to do as his/her free act and deed.

Witness my hand and official seal.

[Notary Seal]

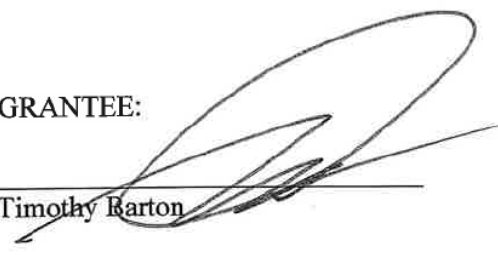

Notary Public
Print Name: Bella D Khusal



EXECUTED this 30 day of August 2021.

GRANTEE:

Timothy Barton



STATE OF TEXAS
COUNTY OF DALLAS

On this 30 day of August 2021, before me, a notary public in and for the jurisdiction aforesaid, personally appeared Timothy Barton who acknowledged that he executed the foregoing instrument in his individual capacity as Grantee.

Witness my hand and official seal.

[Notary Seal]



Notary Public
Print Name: Bella D. Khusal



EXHIBIT "A"

Lot 32, Block 2, TURTLE CREEK PARK, an Addition to the City of Dallas, Dallas County, Texas, according to the Map or Plat thereof, recorded in Volume 4, Page 83, Map Records, Dallas County, Texas

Address: 4107 Rock Creek Drive, Dallas, Texas 75204
Parcel ID: 00000195718000000

EXHIBIT "B"

(See attached)

2021 - 202100223187 07/27/2021 12:42PM Page 1 of 3

Capital Title

GF# 21-603645 - WOB

Special Warranty Deed

Notice of confidentiality rights: If you are a natural person, you may remove or strike out or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: July 27, 2021

Grantor: SF Rock Creek, LLC, a Texas limited liability company

Grantor's Mailing Address: 13901 Midway Rd Suite 102 Dallas TX 75244

Grantee: Timothy L. Barton

Grantee's Mailing Address: 13901 Midway Rd Suite 102 Dallas TX 75244

Consideration: the sum of TEN DOLLARS (\$10.00) cash, and other good and valuable consideration

Property (including any improvements):

Lot 32, Block 2, TURTLE CREEK PARK, an Addition to the City of Dallas, Dallas County, Texas, according to the Map or Plat recorded in Volume 4, Page 83, Map Records of Dallas County, Texas.

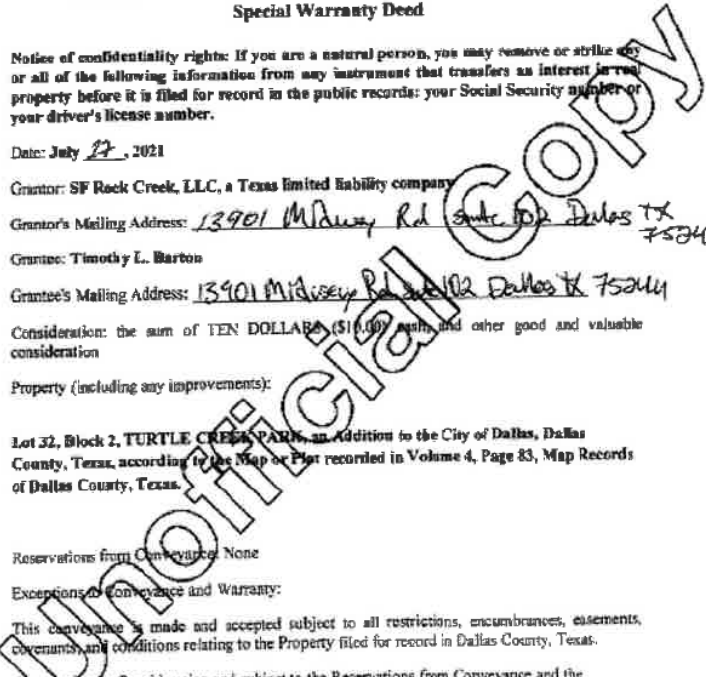
Reservations from Conveyance: None

Exceptions to Conveyance and Warranty:

This conveyance is made and accepted subject to all restrictions, encumbrances, easements, covenants, and conditions relating to the Property filed for record in Dallas County, Texas.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, when the claim is by, through or under Grantor but not otherwise except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.



2021 - 202100223187 07/27/2021 12:42PM Page 2 of 3

EXECUTED this 27 day of July, 2021

SF Rock Creek, LLC, a Texas limited liability company

By: TLB 2018 Trust, dated November 21, 2018
and any amendments thereto
Its: Manager

By: [Signature]
Timothy L. Barton, Trustee

THE STATE OF TEXAS
COUNTY OF DALLAS

Before me, a Notary Public, the foregoing instrument was acknowledged on 27 day of July, 2021 by Timothy L. Barton, Trustee for TLB 2018 Trust, dated November 21, 2018 and any amendments thereto as Manager for SF Rock Creek, LLC, a Texas limited liability company who personally appeared before me and who is known to me through personal knowledge to be the person(s) who executed it for the purposes and consideration expressed therein, and in the capacity stated.



[Signature]
NOTARY PUBLIC, STATE OF
TEXAS

AFTER RECORDING, RETURN TO:
TIM BARTON
2400 N. DALLAS PARKWAY, STE. 560
DALLAS, TX 75093

PREPARED IN THE LAW OFFICE OF
Shaddock & Associates, P. C.
2400 N. Dallas Parkway, Ste. 560
Plano, Texas 75093

Official Copy

2021-202100223187 03/27/2021 12:45 PM Page 3 of 3

Dallas County
John F. Warren
Dallas County Clerk

Instrument Number: 202100223187

eRecording - Real Property

Recorded On: July 27, 2021 12:42 PM

Number of Pages: 4

* Examined and Charged as Follows: *

Total Recording: \$30.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of public records is invalid and unenforceable under federal law.

File Information:

Document Number: 202100223187
Receipt Number: 20210727000813
Recorded Date/Time: July 27, 2021 12:42 PM
User: Lynn G
Station: CC18

Record and Return To:


Simplifile



STATE OF TEXAS
COUNTY OF DALLAS

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time
printed hereon, and was duly RECORDED in the Official Records of Dallas County, Texas.

John F. Warren
Dallas County Clerk
Dallas County, TX

 **IRS** DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023

Date of this notice: 08-05-2020

Employer Identification Number:
[REDACTED]

Form: SS-4

Number of this notice: CP 575 G

For assistance you may call us at:
1-800-829-4933

SF ROCK CREEK LLC
TIM BARTON SOLE MBR
13901 MIDWAY RD STE 102
DALLAS, TX 75244

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN [REDACTED]. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

IMPORTANT REMINDERS:

- * Keep a copy of this notice in your permanent records. **This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you.** You may give a copy of this document to anyone asking for proof of your EIN.
- * Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- * Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is SFRO. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.

8/5/2020

EIN Individual Request - Online Application



EIN Assistant

Your Progress: 1. Identity 2. Authenticate 3. Addresses 4. Details **5. EIN Confirmation**

Additional Information about your EIN

We suggest you print this page for your records.

When Can You Use Your EIN?

This EIN is your permanent number and can be used immediately for most of your business needs, including:

- Opening a bank account
- Applying for business licenses
- Filing a tax return by mail.

However, it will take up to two weeks before your EIN becomes part of the IRS's permanent records. You must wait until this occurs before you can:

- File an electronic return
- Make an electronic payment
- Pass an IRS Taxpayer Identification Number (TIN) matching program.

Next Steps (for LLC)?

If you do not wish to accept the default status of either partnership or disregarded entity, you can file:

- [Form 8832](#) (Entity Classification Election). This form must be completed in a timely manner to receive corporation status. See the instructions for complete information.
- [Form 2553](#) (Election by a Small Business Corporation). This form must be completed in a timely manner to receive S corporation status. See the instructions for complete information.

Acceptance or Non-Acceptance of Election

- The service center will notify the LLC as to the acceptance or non-acceptance of its election. The LLC should generally receive a determination on its election within 60 days after it has filed Form 8832 or Form 2553.
- Do not file Form 1120 (U.S. Corporation Income Tax Return) or Form 1120S (U.S. Income Tax Return for an S Corporation) until you receive notification of your acceptance.

You can download IRS forms, publications, and tax returns at <http://www.irs.gov/formspubs>

Corrections?

If you need to make changes to your organization's information, you must do so in writing and mail the information to the address provided at <https://www.irs.gov/businesses/business-name-change>.

<< Back

Continue >>

Help Topics

- [What is Form 8832?](#)
- [What is Form 2553?](#)

8/5/2020

EIN Individual Request - Online Application

**EIN Assistant**

Your Progress: 1. Identity 2. Authenticate 3. Addresses 4. Details **5. EIN Confirmation**

Summary of your information

Please review the information you are about to submit. If any of the information below is incorrect, you will need to [start a new application](#).

Click the "Submit" button at the bottom of the page to receive your EIN.

Organization Type: LLC**LLC Information**

Legal name:	SF ROCK CREEK LLC
County:	DALLAS
State/Territory:	TX
Start date:	AUGUST 2020
State/Territory where articles of organization are (or will be) filed:	TX

Addresses

Physical Location:	13901 MIDWAY RD STE 102 DALLAS TX 75244
Phone Number:	972-385-9934

Responsible Party

Name:	TIM BARTON SOLE MBR
SSN/TIN:	XXX-XX-1728

Principal Business Activity

What your business/organization does:	REAL ESTATE
Principal products/services:	REAL ESTATE PROPERTY MANAGEMENT

Additional LLC Information

Owns a 55,000 pounds or greater highway motor vehicle:	NO
Involves gambling/wagering:	NO
Involves alcohol, tobacco or firearms:	NO
Files Form 720 (Quarterly Federal Excise Tax Return):	NO
Has employees who receive Forms W-2:	NO
Reason for Applying:	STARTED A NEW BUSINESS

We strongly recommend you print this summary page for your records as this will be your only copy of the application. You will not be able to return to this page after you click the "Submit" button.

Click "Submit" to send your request and receive your EIN.

Once you submit, please wait while your application is being processed. It can take up to two minutes for your application to be processed.

EXHIBIT A-3

All Counsel	Case Name / Transaction	Case Number
Steve Metzger; Stuart Starry; Vance McMurry (C)	Hodges III, L. Allen , as Independent Executor of the Estate of Leland A. Hodges Jr., Tejas Group, Ltd., LAH III Family Specific Interests, Ltd., and Blackfoot Interest, Ltd. v. 2999TC LP, LLC, JMJ Development, LLC, and Tim Barton	141-316567-20
Steve Metzger; Stuart Starry; Vance McMurry (C)	Hodges III, L. Allen , as Independent Executor of the Estate of Leland A. Hodges Jr., Tejas Group, Ltd., LAH III Family Specific Interests, Ltd., and Blackfoot Interest, Ltd. v. 2999TC LP, LLC, JMJ Development, LLC, and Tim Barton	141-316567-20
Steve Metzger; Vance McMurry (C)	Garnishment - Hodges v Texas Brand Bank	141-223036-22
Steve Metzger; Vance McMurry (C)	Garnishment - Hodges v Capital One Bank	141-332025-22
Joyce Lindauer; Steve Metzger	2999TC LP, LLC Chap. 11 BK (Hodges)	4:20-BK-43204
Byron Henry; Steve Metzger; Vance McMurry (C)	Hodges III, L. Allen , as Independent Executor of the Estate of Leland A. Hodges Jr., Tejas Group, Ltd., LAH III Family Specific Interests, Ltd., and Blackfoot Interest, Ltd. v. 2999TC LP, LLC, JMJ Development, LLC, and Tim Barton	141-328490-21
Steve Metzger; Stuart Starry; Vance McMurry	Ramolia, "David" Dhirah v. Tim Barton and JMJ Development	DC-19-11030
Steve Metzger; Stuart Starry; Vance McMurry; Vance McMurry (C)	Tim Barton and JMJ Development, LLC v. A.J. Babaria, Bilal Khaleeq and Dan Morenof (Related to Ramolia)	DC-20-17086 (Related Case DC-19-11030)
Byron Henry; Stuart Starry ; Steve Metzger; Vance McMurry (C)	Ramolia, "David" Dhirah v. Tim Barton and JMJ Development	Appellate Case (to Sup. Ct)
Steve Metzger; Vance McMurry	Ramolia - New lawsuit: TRTX Propeties, LLC and JMJ Development, LLC v. David Ramolia	471-00033-2022
Steve Metzger; Vance McMurry	David Shaw (related to Ramolia) : TRTX Properties, LLC and JMJ Development, LLC v. Richard Shaw, Roger Sefzik; et al	471-00252-22
Steve Metzger; Vance McMurry; Amanda Paige; Eric Liepens	Sun Yun, Qu Yi, Ma Jinghui, Gao Huaizen v. Wall012, LLC, Wall016, LLC, Wall017, LLC, WALL018, LLC, Platinum Investment Corporation (PIC), JMJ Holdings, LLC State	DC-20-04575
Steve Metzger; Vance McMurry; Amanda Paige; Eric Liepens	Sun Yun, Qu Yi, Ma Jinghui, Gao Huaizen v. Wall012, LLC, Wall016, LLC, Wall017, LLC, WALL018, LLC, Platinum Investment Corporation (PIC), JMJ Holdings, LLC State	DC-20-04575
Chidi Anunobi ; Vance McMurry (C)	JMJAV, LLC v. Michael Fu, Jin Wang, Lynn Zhou, Tidy Fan, Summer Tian, Shirley Qing and Michele Guo (Camillo Lakes)	2020-00720
Robert Kemp; Stuart Starry; Vance McMurry; Eric Liepens	Seagoville Farms, LLC v. Westra Consultants, LLC and Michael Wellbaum v. JMJ Development, LLC and Platte River Insurance Company, LGI Homes-Texas, LLC dba Terrata Homes, American Title Company and Title Resource Company	CC-18-03440-E
Vance McMurry	Rone Engineering Services, Ltd. v. JMJ Development, LLC, WALL007. LLC, WALL009, LLC, and Seagoville Farms, LLC	DC-19-20384
Marshal Dooley; Randy Marx; Vance McMurry (C)	The Somerset-Lost Creek Golf Ltd v. Tim Barton, LC Aledo TX LLC, WALL010, LLC The JMJ Acquisitions	096-319595-20
Marshal Dooley; Randy Marx; Vance McMurry (C)	The Somerset-Lost Creek Golf Ltd v. Tim Barton, LC Aledo TX LLC, WALL010, LLC The JMJ Acquisitions	096-319595-20
Joyce Lindauer; Vance McMurry	BM318, LLC v. Dixon Water Foundation	4:20-BK-42789

Joyce Lindauer; Vance McMurry; Larry Martin (C)	BM318, LLC v. Dixon Water Foundation	4:20-BK-42789
Joyce Lindauer; Larry Martin (C)	BM318, LLC v. Dixon Water Foundation	Original BK: 4:20-BK-42789, AP: 4:21:ap-4051
Joyce Lindauer; Larry Martin (C)	BM318, LLC v. Lumar Land and Cattle, et al	Intervenor on Dixon WF AP: 4:21:ap-4051
Joyce Lindauer; Larry Martin (C)	BM318, LLC v. Jim Martin, Gary Hazelwood, GH Lumar JV; GH Lumar, LLC; Railhead Realty; Ron Hughes; et al	4:22-cv-740
Stuart Starry; Vance McMurry (C)	JMJAV v. Elite Jet	TBD (Tarrant County)
Steve Metzger; Vance McMurry (C)	Palisades TC, LLC, individually and on behalf of Five Star GM, LLC v. Five Star MM, LLC and Timothy Barton	DC-20-05960
Steve Metzger; Vance McMurry (C)	Palisades TC LLC v. Dallas Real Estate Investors (DREI), LLC and Tim Barton	DC-20-06005
Steve Metzger; Chidi Anunobi ; Vance McMurry (C)	JMJ Development, LLC v. Tamamoi, LLC and 3820 Illinois, LLC	DC-22-02622
Joyce Lindauer; Vance McMurry (C)	2999TC Acquisitions, LLC Chap. 11 BK (Main)	3:21-bk-31954, Texas Northern Bankruptcy Court
Joyce Lindauer; K. Walji; Vance McMurry (C)	2999TC Acquisitions, LLC v. HNGH (First Adversary)	
Joyce Lindauer; K. Walji; Vance McMurry (C)	2999TC Acquisitions, LLC v. HNGH (Second Adversary)	
Joyce Lindauer; K. Walji; Vance McMurry (C)	2999TC Acquisitions, LLC v. Hodges (BK Adv)	
Vance McMurry; K. Walji; Vance McMurry (C)	2999 Turtle Creek, LLC v. Timothy Lynch Barton	DC-20-12133
Vance McMurry; Insurance Co.	Serena Badgley, As Next Friend of Bryson Badgley, Minor v. Goldmark Hospitality, LLC	CC-21-02991-B
Vance McMurry; Insurance Co.	Tina Douglas v. Goldmark Hospitality, LLC (SETTLED)	DC-20-18921
Vance McMurry	Halff Associates, Inc. v. JMJ Development, LLC	380-04163-2020
Vance McMurry	BGE, Inc. v. JMJ Development, LLC	471-03497-2020
Vance McMurry	Deshazo Group v Tim Barton; JMJ Development	cc-22-04381-8
K. Walji	ACI Capital Partners (Taylor)	No Case Filed
K. Walji	JMR100, LLC and BM318, LLC v. Southern Star Capital, LLC d/b/a Reliance Mortgage Company, Mark Adams, Mike Anderson, Robert W. Buchholz (only Mark Adams remains- rest dismissed and settled)	CV-20-0923
K. Walji	LDG001 and DJD Land Partners, LLC v. Southern Star Capital, LLC d/b/a Reliance Mortgage Company, Mike Anderson, Mark Adams, Robert W. Buchholz, and Citizens Bank (only Mark Adams remains- rest dismissed and settled)	DC-C202000421
K. Walji; Chidi Anunobi	Nitya Capital, LLC vs. 2999TC Acquisitions MZ, LLC	DC-22-09841
Robet Kemp; Insurance Co.	Roberts, Mark Shane v. Goldmark Hospitality, LLC d/b/a Amerigold Suites	DC-20-11861
Randy Marx ; Joyce Lindauer; Larry Martin	Arbor Agency Lending, LLC v. JMJD4, LLC, D4MC, LLC and JMJ Development, LLC (Mansions at Marine Creek)	612542/2020
Randy Marx	FHC Acquisition, LLC - HOA Default	
Vance McMurry; Robert Kemp	JMJKH v. Wan Bridge Land LLC, Bin Wan, Michael Fu	2020-38451
Vance McMurry	Quail Energy Services, LP v. JMJ Development, Inc.	DC-21-04777

Chidi Anunobi ; Vance McMurry (C)	Stream v. Goldmark (Harris County)	202181644
	Pamela Kirby v. Timothy L, Barton, John McElwee, JMJ Development, LLC, 2999TC Acquisitions, LLC, 2999TC Founders, LLC, 2999TC JMJ, LLC, 2999TC JMJ GM, LLC, 2999 Five Star GM, LLC, Five Star Gm, LLC, Five Star MM, LLC, Five Star TC, LLC	No. 3:22-cv-01447-M
	8/18 Valcon Consulting- filed lien affidavit on Marine Creek for consulting fees but wouldn't provide work product to get paid. Per TB's reequest - Have reached out ot his counsel but have not received response.	
	8/18 Cardno - threatned lawsuit related to Villita. Per Tb's request sent reponse via Emailed to them explaining they were supposed to get paid out of sale of Villita. Need to check on this (Randy Marx probably knows)	

EXHIBIT A-4

CC-22-04381-B

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA



Cause Number: JS-21202930
(The Clerk's office will fill in the Cause Number when you file this form)

Plaintiff: DESHAZO GROUP INC
(Print first and last name of the person filing the lawsuit)

In the (check one):
5-1 District Court
County Court / County Court at Law
Justice Court

And
Defendant: JMJ DEVELOPMENT, LLC, and
TIM BARTON
(Print first and last name of the person being sued)

Dallas Texas
County

FILED
JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY, TEXAS
2022 AUG 10 PM 5:25

Statement of Inability to Afford Payment of Court Costs or an Appeal Bond

1. Your Information

My full legal name is: Timothy Barton My date of birth is: 8 / 17 / 63
(individually and as president of JMJ Development) Month/Day/Year

My address is: (Home) 13901 Midway Rd, Ste 102, Dallas Texas 75244
(Mailing)

My phone number: 214-673-8714 My email: tbarton@jmjdevelopment.com

About my dependents: "The people who depend on me financially are listed below.

Table with 3 columns: Name, Age, Relationship to Me. Row 1: 1 None

2. Are you represented by Legal Aid?

I am being represented in this case for free by an attorney who works for a legal aid provider or who received my case through a legal aid provider. I have attached the certificate the legal aid provider gave me as Exhibit: Legal Aid Certificate.

-or-

I asked a legal-aid provider to represent me, and the provider determined that I am financially eligible for representation, but the provider could not take my case. I have attached documentation from legal aid stating this.

or-

I am not represented by legal aid. I did not apply for representation by legal aid.

3. Do you receive public benefits?

I do not receive needs-based public benefits. - or -

I receive these public benefits/government entitlements that are based on indigency:

(Check ALL boxes that apply and attach proof to this form such as a copy of an eligibility form or check)

- Food stamps/SNAP TANF Medicaid CHIP SSI WIC AABD
Public Housing or Section 8 Housing Low-Income Energy Assistance Emergency Assistance
Telephone Lifeline Community Care via DADS LIS in Medicare ("Extra Help")
Needs-based VA Pension Child Care Assistance under Child Care and Development Block Grant
County Assistance, County Health Care, or General Assistance (GA)
Other:

8/5/22
Emtd Affidavit of Inability to Pay

RECEIVED
JUSTICE OF THE PEACE 5-1
2022 JUL 26 PM 1:45

4. What is your monthly income and income sources?

"I get this monthly income:

\$ _____ in monthly wages. I work as a _____ for _____
Your job title Your employer

\$ _____ in monthly unemployment. I have been unemployed since (date) _____

\$ _____ in public benefits per month.

\$ _____ from other people in my household each month: (List only if other members contribute to your household income)

- \$ _____ from Retirement/Pension Tips, bonuses Disability Worker's Comp
 Social Security Military Housing Dividends, interest, royalties
 Child/spousal support
 My spouse's income or income from another member of my household (if available)

\$ _____ from other jobs/sources of income. (Describe) _____

\$ Varies is my total monthly income.

5. What is the value of your property?

"My property includes:	Value*
Cash	\$ _____
Bank accounts, other financial assets	\$ _____
_____	\$ _____
_____	\$ _____
Vehicles (cars, boats) <small>(make and year)</small>	\$ _____
_____	\$ _____
_____	\$ _____
Other property (like jewelry, stocks, land, another house, etc.)	\$ _____
_____	\$ _____
_____	\$ _____
Total value of property	→ \$ _____

6. What are your monthly expenses?

"My monthly expenses are:	Amount
Rent/house payments/maintenance	\$ <u>2000.00</u>
Food and household supplies	\$ <u>500.00</u>
Utilities and telephone	\$ _____
Clothing and laundry	\$ _____
Medical and dental expenses	\$ _____
Insurance (life, health, auto, etc.)	\$ _____
School and child care	\$ _____
Transportation, auto repair, gas	\$ _____
Child / spousal support	\$ _____
Wages withheld by court order	\$ _____
Debt payments paid to: <small>(list)</small>	\$ _____
_____	\$ _____
_____	\$ _____
Total Monthly Expenses	→ \$ _____

*The value is the amount the item would sell for less the amount you still owe on it. If anything

7. Are there debts or other facts explaining your financial situation?

"My debts include: (List debt and amount owed) Recently a judgment was rendered against both myself and JMJ Development for \$4 million which far exceeds JMJ's and my assets. (Cause No. 141-316567020, 141-328490-21 - Tarrant County)

(If you want the court to consider other facts such as unusual medical expenses, family emergencies, etc., attach another page to this form labeled "Exhibit: Additional Supporting Facts.") Check here if you attach another page.

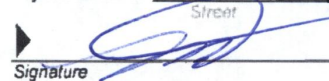
8. Declaration

I declare under penalty of perjury that the foregoing is true and correct. I further swear:

- I cannot afford to pay court costs.
 I cannot furnish an appeal bond or pay a cash deposit to appeal a justice court decision.

My name is Timothy Barton My date of birth is : 8 / 17 / 63

My address is 13901 Midway Rd Ste 102, Dallas, Texas 75244

 signed on 7 / 25 / 2022 in Dallas County, Texas
Street City State Zip Code Country Month/Day/Year county name State

RECEIVED
 JUDGE OF THE PEACE 5-1
 JUL 26 PM 1:45

EXHIBIT A-5

#	Corporate Entity Name
1	126 VILLITA, LLC
2	2999TC ACQUISITIONS MZ, LLC
3	2999TC ACQUISITIONS, LLC
4	2999TC FOUNDERS, LLC
5	2999TC JMJ CMGR, LLC
6	2999TC JMJ EQUITY, LLC
7	2999TC JMJ MGR, LLC
8	2999TC JMJ, LLC
9	2999TC LP, LLC
10	2999TC MM, LLC
11	2999TC MZ, LLC
12	AVEG WW, LLC
13	BARTON TEXAS WATER DISTRICT, LLC
14	BARTON WATER DISTRICT LLC
15	BC ACQUISITIONS, LLC
16	BEE2019, LLC
17	BM318 LLC
18	BROADVIEW HOLDINGS, LLC
19	CARNEGIE DEVELOPMENT LLC
20	CARNEGIE FINANCE, LLC
21	CYNKFP, LLC
22	D4AT LLC
23	D4AVEG LLC
24	D4BM LLC
25	D4BR, LLC
26	D4DS LLC
27	D4FR LLC
28	D4IN, LLC
29	D4KL LLC
30	D4MC LLC
31	D4OP LLC
32	D4OPM, LLC
33	D4SMC, LLC
34	D4WP LLC
35	DALLAS REAL ESTATE INVESTORS LLC
36	DALLAS REAL ESTATE LENDERS, LLC
37	DALLAS REAL ESTATE MANAGEMENT, LLC
38	DJD LAND PARTNERS, LLC
39	ENOCH INVESTMENTS, LLC
40	FHC ACQUISITION, LLC
41	FIVE STAR GM, LLC
42	FIVE STAR MM, LLC
43	FIVE STAR MM, LLC
44	FIVE STAR TC, LLC
45	GOLDMARK HOSPITALITY LLC
46	ILLUMINATE DALLAS, LLC
47	JMJ ACQUISITIONS MANAGEMENT LLC
48	JMJ ACQUISITIONS, LLC
49	JMJ CENTRE LLC
50	JMJ DEVELOPMENT FUND INC
51	JMJ DEVELOPMENT INC. (LLC)
52	JMJ HOLDING US LLC
53	JMJ HOLDINGS LLC
54	JMJ HOLDINGS USA, INC.
55	JMJ HOME BUILDING, INC.
56	JMJ HOSPITALITY, LLC
57	JMJ LAND ACQUISITIONS, INC.
58	JMJ LAND DEVELOPMENT, INC.
59	JMJ MEZZANINE, INC.
60	JMJ MF DEVELOPMENT, LLC
61	JMJ MULTIFAMILY, INC.
62	JMJ RESIDENTIAL, LLC
63	JMJ VALLEY CENTER LLC
64	JMJ VC MANAGEMENT LLC
65	JMJAV LLC
66	JMJD4 LLC
67	JMJD4ALLENSVILLE, LLC
68	JMJKH, LLC
69	JMR100, LLC
70	LAJOLLA CONSTRUCTION MANAGEMENT, LLC
71	LC ALEDO TX, LLC



APP023



#	Corporate Entity Name
72	LDG001, LLC
73	LYNN INVESTMENTS, LLC
74	MANSIONS APARTMENT HOMES AT MARINE CREEK LLC
75	MCFW, LLC
76	MCRS2019, LLC
77	MYRA PARK 635, LLC
78	NORTHSTAR PM, LLC
79	NORTHSTAR114, LLC
80	ONE AGENT TEXAS, LLC
81	ONE AGENT, LLC
82	ONE FHC, LLC
83	ONE MFD4, LLC
84	ONE PASS INVESTMENTS, LLC
85	ONE SF RESIDENTIAL, LLC
86	ORCHARD FARMS VILLAGE, LLC
87	RIDGEVIEW ADDITION, LLC
88	SEAGOVILLE FARMS, LLC
89	SF ROCK CREEK, LLC
90	SK CARNEGIE LLC
91	STL PARK, LLC
92	TRWF LLC
93	TRWF LODGE LLC
94	VENUS59, LLC
95	VENUSBK195, LLC
96	VENUSPARK201, LLC
97	VILLITA TOWERS LLC
98	WALL007 LLC
99	WALL009 LLC
100	WALL010 LLC
101	WALL011 LLC
102	WALL012 LLC
103	WALL016 LLC
104	WALL017 LLC
105	WALL018 LLC
106	WALL019, LLC
107	WRL2019, LLC

APP024

APP037