

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

SECURITIES AND EXCHANGE	§	
COMMISSION,	§	
	§	
Plaintiff,	§	
	§	Civil Action No. 3:16-CV-1735-D
VS.	§	
	§	
CHRISTOPHER A. FAULKNER, et al.,	§	
	§	
Defendants.	§	

ORDER

The relief requested in PDM Holdings, LLC’s (“PDM’s”) August 14, 2019 filing—entitled “Opposer PDM Holdings, LLC requests permission to file this motion and supplemental declaration and requests an order directing the receiver to treat opposer PDM Holdings, LLC as a secured creditor of defendant”—is denied.¹

PDM will have the opportunity to present its arguments under the “Conveyance Procedures”²

¹The Civil Justice Expense and Delay Reduction Plan adopted by this court provides that “[e]ach judge will continue to give priority to the monitoring and resolution of pending motions.” Plan at § XI(2), *reprinted in* Texas Rules of Court: Federal at 262 (West Pamp. Supp. 2019). To eliminate undue delay and unnecessary expense to the parties to this and other civil actions pending on the court’s docket, and because the court has determined that the motion is suitable for resolution in this manner, the court is deciding this motion by order rather than by a more detailed memorandum opinion.


²The temporary receiver’s (“Receiver’s”) February 25, 2019 motion describes the procedures for seeking reconveyance of assets conveyed to investors:

As detailed above, the Receiver intends to move the Court to invalidate specific conveyances of Receivership Assets from Offering Entities to Conveyance Investors through summary proceedings. . . . Accordingly, when the Receiver moves this Court with respect to the conveyances at issue, he will give notice to all Conveyance Investors implicated thereby. Such notice shall be by U.S. First Class Mail, postage prepaid, to such person’s last know[n] postage address,

described in the temporary receiver's February 25, 2019 motion to approve proposed plan of distribution and to establish procedures to determine and disallow final claims. *See* Feb. 25, 2019 Mot. at 24-25.³ The relief PDM seeks is therefore at least premature if not unnecessary.

SO ORDERED.

November 18, 2019.



SIDNEY A. FITZWATER
SENIOR JUDGE

consistent with Fed. R. Civ. P. 5(b)(2)(C). *These Conveyance Investors will then have the opportunity to appear and oppose the Receiver's requested relief within the time limits set forth in the Local Rules.*

Feb. 25, 2019 Mot. at 24-25 (emphasis added).

³On March 26, 2019 the court granted the Receiver's motion to approve proposed plan of distribution and establish procedures to determine and disallow final claims. *See* Mar. 26, 2019 Order.