

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

THOMAS L. TAYLOR, III, solely in his	§	
capacity as Court-appointed temporary	§	
Receiver for Breitling Energy	§	
Corporation, <i>et al.</i>	§	
	§	
Plaintiff,	§	CIVIL ACTION NO. 3:19-cv-02602-D
	§	
SCHEEF & STONE, LLP, ROGER	§	
CRABB, and MITCH LITTLE,	§	
	§	
Defendants.	§	

DEFENDANTS' MOTION TO DISMISS RECEIVER'S FIRST AMENDED COMPLAINT

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

Defendants Scheef & Stone, LLP, Roger Crabb, and Mitch Little (together, "Scheef & Stone" or "Defendants") file this Motion to Dismiss Receiver's First Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(6) and 9(b) and move the Court for an order dismissing the complaint filed by Plaintiff Thomas L. Taylor, III (the "Receiver" or "Mr. Taylor") against Defendants.

Pursuant to Local Rule 7.1(d), Defendants' arguments and authorities will be set forth in their Brief in Support of Defendants' Motion to Dismiss Receiver's First Amended Complaint, which is being filed contemporaneously with this Motion and is incorporated herein by this reference.

WHEREFORE, for the foregoing reasons, Defendants respectfully request that the Court grant their Motion to Dismiss Receiver's First Amended Complaint, dismissing Plaintiff's claims asserted against them, and grant such further relief, at law or in equity, to which they may be entitled.

Dated: February 28, 2020.

Respectfully submitted,

COBB MARTINEZ WOODWARD PLLC

By /s/ Daniel D. Tostrud

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COUNSEL FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on February 28, 2020, the above and foregoing document was forwarded to all counsel of record in accordance with the Federal Rules of Civil Procedure.

By /s/ Daniel D. Tostrud

DANIEL D. TOSTRUD

