

**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</i>	§	
<i>al.</i> ,	§	
Plaintiff,	§	
	§	Civil Action No. 3:20-cv-393-D
v.	§	
	§	
REYMOND TREVINO, EAGLE RIO	§	
ENERGY COMPANIES, INC., DEREK	§	
TAYLOR, ALDEN ADAMS, LLC,	§	
NATHAN MADU, and OKOTO OKPO,	§	
	§	
Defendants.	§	

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**REPORT ON RULE 26(f) CONFERENCE AND JOINT SCHEDULING PROPOSAL**

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Plaintiff Thomas L. Taylor III (“Receiver”), solely in his capacity as court-appointed temporary receiver, and Defendants Raymond Trevino, Eagle Rio Energy Companies, Inc., Okoto Okpo, Derek Taylor, and Alden Adams, LLC (“Defendants,” and with the Receiver, “Parties”)<sup>1</sup> hereby report that they conferred by telephone pursuant to Rule 26(f) (“Conference”) of the Federal Rules of Civil Procedure on September 1, 2020, and propose/report the following pursuant to this Court’s August 7, 2020 Order:

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<sup>1</sup> The Receiver’s counsel has attempted unsuccessfully to communicate with Defendant Nathan Madu about this case through an email address (lilmadu@hotmail.com) believed to belong to him, including seeking his availability for the Conference. No emails sent to this email address have “bounced back” from the Hotmail server as undeliverable, nor has Receiver’s counsel received any response from the owner of this email account stating, *e.g.*, that counsel has an incorrect address.

## 1. Proposed Deadlines

The Parties propose the following pretrial deadlines:

Join other parties	November 2, 2020
Amend the pleadings	December 1, 2020
File motions, including summary judgment and other dispositive motions	April 30, 2021
Complete discovery	April 2, 2021
Designate expert witnesses and make the expert disclosures required by Rule 26(a)(2)	January 15, 2021
Designate rebuttal expert witnesses and make the expert disclosures required by Rule 26(a)(2)	March 1, 2021

## 2. The parties' views and proposals on the matters listed in Rule 26(f)(3)(A)-(F)

The Parties discussed a proposed discovery plan as follows:

- **what changes should be made in the timing, form, or requirement for disclosures under Rule 26(a), including a statement of when initial disclosures were made or will be made;**

The Parties do not believe any changes are necessary. Disclosures will be served on or before September 15, 2020.

- **(B) the subjects on which discovery may be needed, when discovery should be completed, and whether discovery should be conducted in phases or be limited to or focused on particular issues;**

Discovery will focus on the transfers which the Receiver seeks to avoid, evidence relative to actual intent to hinder delay or defraud, if any, and insolvency, if any, at the time of each alleged transfer. Discovery will also address evidence relevant to the Defendants' statutory affirmative defenses of: (1) repose and or limitations, and (2) good faith and reasonably equivalent value. The Parties propose that the discovery period should close on April 2, 2021. The Parties do not believe discovery should be limited, focused on particular issues, or conducted in phases.

- **(C) any issues about disclosure, discovery, or preservation of electronically stored information, including the form or forms in which it should be produced;**

The Parties agreed to consult with each other regarding the form in which electronically stored information is produced after requests for production have been served.

- **(D) any issues about claims of privilege or of protection as trial-preparation materials, including—if the parties agree on a procedure to assert these claims after production—whether to ask the court to include their agreement in an order under Federal Rule of Evidence 502;**

The Parties do not anticipate any issues.

- **(E) what changes should be made in the limitations on discovery imposed under these rules or by local rule, and what other limitations should be imposed; and**

The Parties do not believe any changes are necessary.

- **(F) any other orders that the court should issue under Rule 26(c) or under Rule 16(b) and (c).**

The Parties do not believe such orders are necessary and agreed to redact bank account numbers, social security numbers, and other personally identifying information from documents they produce and file with the Court.

### **3. Consent to referral of case to magistrate judge for jury or nonjury trial**

The parties do not consent to trial of this matter before the Magistrate Judge.

### **4. Statement regarding alternative dispute resolution**

The parties are amendable to mediation of this case after they have had sufficient time to conduct preliminary discovery. The parties request that any mediation ordered by this Court take place no earlier than February 19, 2021 to allow the parties to fully formulate their settlement positions.

**5. Permitted Contents**

In addition to the foregoing, the Parties respectfully propose the following dates:

Pretrial conferences	June 18, 2021
Final pretrial conference	July 19, 2021
Trial	August 1, 2021

Dated: September 3, 2020

Respectfully submitted,

THE TAYLOR LAW OFFICES, PC

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ADAMS, LLC

**CERTIFICATE OF SERVICE**

I certify that on September 3, 2020 I filed the foregoing document through the Court's CM/ECF filing system, which satisfies service requirements under FED. R. CIV. P. 5(b)(2)(E), and served Nathan Madu by U.S. Mail to 7878 Marvin D. Love Freeway #2301, Dallas, TX 75237 and by email to lilmadu@hotmail.com.

/s/ Andrew M. Goforth  
Andrew M. Goforth