

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

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

CHRISTOPHER A. FAULKNER, et al.,

Defendants.

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Civil Action No. 3:16-CV-1735-D

**RECEIVER’S RESPONSE TO NON-PARTY STATE COURT PLAINTIFFS’ THIRD
MOTION TO LIFT STAY**

THE TAYLOR LAW OFFICES, PC

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COUNSEL FOR RECEIVER

COMES NOW Thomas L. Taylor III (“Receiver”), solely in his capacity as temporary receiver for the Breitling group of companies,¹ and files this Response to Non-Party State Court Plaintiffs’ Third Motion to Lift Stay [ECF No. 587] (the “Motion”), and respectfully shows the following:

RESPONSE

For the reasons stated and described in the Receiver’s Unopposed Motion to Approve Proposed Settlement with Rothstein Kass² [ECF No. 591] and the Receiver’s Motion to Enter Proposed Final Bar Order [ECF. No. 594]³, the Receiver opposes the relief requested in the Motion and asks the Court to deny the Motion so that the Receiver may effectuate the \$7.0 million settlement (the “Settlement”) he has reached with the Rothstein Kass defendants in the lawsuit styled *Taylor v. Rothstein Kass & Company PLLC, et al.*, Civil Action No. 3:19-cv-1594-D, in the Northern District of Texas, Dallas Division. The Receiver also adopts and incorporates arguments made by Rothstein Kass in their Response to the Motion filed on this date.

CONCLUSION AND PRAYER

The Settlement represents a substantial and important recovery for the Receivership Estate and its claimants. The Settlement will be extinguished, resulting in the loss of Receivership assets, if the Court allows the Non-Party State Court Plaintiffs to continue to prosecute their lawsuit

¹ Including, without limitation, Breitling Oil & Gas Corporation (“BOG”), Breitling Royalties Corporation (“BRC”), Breitling Energy Corporation (“BECC”) f/k/a Bering Exploration, Inc. (“Bering”), Crude Energy, LLC (“Crude Energy”), Crude Royalties, LLC (“Crude Royalties”), and Patriot Energy, Inc. (“Patriot”).

² Defined as Rothstein Kass P.A. d/b/a/ Rothstein Kass & Co. P.C and Rothstein Kass & Company, PLLC, collectively.

³ The Receiver incorporates these two motions by reference herein.

against the Rothstein Kass defendants in state court. The Receiver asks that the Court deny the Motion and grant the Receiver all other relief to which he is entitled.

Dated: April 28, 2021

Respectfully submitted,

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COURT-APPOINTED RECEIVER

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CERTIFICATE OF SERVICE

I certify that on April 28, 2021 I served the foregoing document pursuant to FED. R. CIV. P. 5(b)(2)(E) by filing it through the Court's CM/ECF filing system.

 /s/ Andrew M. Goforth
Andrew M. Goforth