

Plaintiff Richard Roper, in his capacity as the Court-appointed Receiver for Millennium Bank, United Trust of Switzerland S.A., UT of S, LLC, Millennium Financial Group, William J. Wise d/b/a Sterling Administration, William J. Wise d/b/a/ Sterling Investment Services, and William J. Wise d/b/a Millennium Aviation (the “Receiver”) and plaintiff in the above-captioned ancillary litigation, requests limited relief from the deadline for filing dispositive motions, respectfully showing the following:

1. Under the current scheduling order in this case, all dispositive motions are to be filed by January 24, 2012.
2. The Receiver has filed, contemporaneously with this motion, a motion for default judgment against non-answering defendants with whom the Receiver has not settled, and a motion for summary judgment against the non-settling defendants who have answered. The Receiver has also filed a notice of dismissal as to claims against defendants who have settled their claims with the Receiver.
3. The Receiver has made every effort to include each and every defendant who was served in one of the dispositive motions described above, but a limited number of defendants could not be included in those motions at this time.
4. The defendants for whom default judgment and/or summary judgment are inappropriate at this time are comprised primarily of individuals who have agreed to settlements in principle, but for whom payment has not yet been made in full or written agreements have not yet been fully executed.
5. The Receiver hopes that each of the defendants currently agreeing to settlement will complete the terms of their agreements, but in the event they do not, the Receiver asks that

this Court permit him to file an appropriate dispositive motion related to a defendant who fails to complete the settlement process.

6. At this time, the Receiver asks that the Court enter an order permitting him to file a dispositive motion related to the following investors if and when it becomes apparent that settlement will not be completed:

<u>Last Name</u>	<u>First Name</u>
Abitabilo	Louis J. & Jane
Bernal	Elmer and Jasmin
Carroll	Jeffrey S.
Clay	F. Edward
DeVitis	Perry V.
Ganim	Douglas, J.
Gatens	John T.
Gill	Michael
Gold	Bruce & Susan
Clifford & Zella Hammond Revocable Trust	
Hawkins	Catherine
Jakubowitz	Pinches
Johnson	Joseph T.
Koshman	Kenneth
Robles	Ignacio & Evlia
Rosenfield	Mildred & Rubin (Lara Ameen Trust)
Toth	Sarah
Ward	Robert E. & Kelley J.
Ware	Brandon R.
Wilkes	John & Gazelle

7. This motion is not made for purposes of delay, but rather so that justice may be done. The Receiver respectfully requests an order permitting him relief from the dispositive motions deadline as described herein, and for such other relief to which he may be justly entitled.

Dated: January 24, 2012

Respectfully submitted,

THOMPSON & KNIGHT, LLP

/s/ Jennifer Ecklund

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COUNSEL TO THE RECEIVER, RICHARD B. ROPER

CERTIFICATE OF SERVICE

On January 24, 2012, I electronically submitted the foregoing document to the Clerk of the Court for the United States District Court for the Northern District of Texas using the electronic case filing system of the Court.

/s/ Jennifer Ecklund

Jennifer Ecklund