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*Attorneys for Gil A. Miller as Court-Appointed Receiver*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

<p>SECURITIES AND EXCHANGE COMMISSION,</p> <p>Plaintiff,</p> <p>vs.</p> <p>MANAGEMENT SOLUTIONS, INC., a Texas Corporation; WENDELL A. JACOBSON; ALLEN R. JACOBSON,</p> <p>Defendants.</p>	<p><b>NOTICE OF STIPULATION REGARDING M&amp;C THURGOOD FAMILY TRUST’S NON-OPPOSITION TO RECEIVER’S MOTION TO CONFIRM A PRIVATE SALE OF MULTIFAMILY PROPERTIES and REQUEST TO INCLUDE PROPERTY IN MAY 19, 2014 HEARING ON RECEIVER’S MOTION TO CONFIRM A PRIVATE SALE OF MULTIFAMILY PROPERTIES</b></p> <p>Civil Action No. 2:11-cv-01165</p> <p>Judge Bruce S. Jenkins</p>
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Carol Thurgood is the Trustee of the M&C Thurgood Family Trust dated November 20, 2001 (the “Trust”). The Trust is the owner of a 30.04% interest in Lot 1 of the receivership property commonly known as Smokey Trail of Limon (the “Smokey Trail of Limon Property”) and more particularly described as follows: ALL OF LOT 1; SMOKEY TRAIL VILLAGE; EAST ADDITION TO THE TOWN OF LIMON, COLORADO.

Gil A. Miller, the Court-appointed receiver in this matter (the “Receiver”), has sought Court approval to sell the Smokey Trail of Limon Property as part of the Motion to Confirm a Private Sale of Multifamily Properties and to Approve Sale Free and Clear of Liens With Valid Liens to Attach to Proceeds (CM/ECF No. 1645) (the “Motion”). In that regard, the Receiver and Thurgood, as the Trustee of the Trust, have stipulated as follows:

1. The Trust consents to the Court’s approving the sale of the Smokey Trail of Limon Property as proposed in the Receiver’s Motion.
2. The Trust will cooperate with the Receiver in the sale of the Smokey Trail of Limon Property, including, if required by the Buyer (as defined in the Motion) or the title company providing title insurance in connection with the sale, by providing a quit claim deed to the Smokey Trail of Limon Property to the Buyer.
3. The Receiver will pay to Thurgood, as Trustee of the Trust, the Trust’s proportionate share of the net sales proceeds from the sale of the Smokey Trail of Limon Property. Said proceeds will be paid from and at the closing of the sale of the Smokey Trail of Limon Property.

The Stipulation between the Receiver and the Trust is attached as Exhibit 1 hereto.

In light of his Stipulation with the Trust, the Receiver requests that the sale of the Smokey Trail of Limon Property be considered as part of the May 19, 2014 hearing on the Receiver’s Motion “as amended and modified or bifurcated.” (Hrg. on Mot. to Confirm Private Sale of Multifamily Properties & to Approve Sale Free & Clear of Liens with Valid Liens to Attach to Proceeds (CM/ECF No. 1848) at 2.) A proposed Order granting this request is submitted herewith.

RESPECTFULLY SUBMITTED this 13th day of May, 2014.

HOLLAND & HART LLP

/s/ Cory A. Talbot  
David K. Broadbent  
Doyle S. Byers  
Cory A. Talbot  
*Attorneys for Gil A. Miller as Receiver*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 13th day of May, 2014, I caused a true and correct copy of the foregoing to be served by CM/ECF upon all counsel listed as e-filers and I also certify that I caused to be served via first-class mail, postage prepaid on the following:

Greg B. Bailey  
P. O. Box 298  
Fountain Green, UT 84632  
Telephone: (435) 262-7683  
Pro Se

/s/ Cory A. Talbot \_\_\_\_\_

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# **EXHIBIT 1**

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SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

MANAGEMENT SOLUTIONS, INC., a  
Texas Corporation; WENDELL A.  
JACOBSON; ALLEN R. JACOBSON,

Defendants.

**STIPULATION BETWEEN THE  
RECEIVER AND CAROL THURGOOD,  
TRUSTEE OF THE M&C THURGOOD  
FAMILY TRUST DATED NOVEMBER 20,  
2001, REGARDING SALE OF SMOKEY  
TRAIL OF LIMON**

Civil Action No. 2:11-cv-01165

Judge Bruce S. Jenkins

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Carol Thurgood is the Trustee of the M&C Thurgood Family Trust dated November 20, 2001 (the "Trust"). The Trust is the owner of a 30.04% interest in Lot 1 of the receivership property commonly known as Smokey Trail of Limon (the "Smokey Trail of Limon Property") and more particularly described as follows: ALL OF LOT 1; SMOKEY TRAIL VILLAGE; EAST ADDITION TO THE TOWN OF LIMON, COLORADO.

Gil A. Miller, the Court-appointed receiver in this matter (the "Receiver"), has sought Court approval to sell the Smokey Trail of Limon Property as part of the Motion to Confirm a

Private Sale of Multifamily Properties and to Approve Sale Free and Clear of Liens With Valid Liens to Attach to Proceeds (CM/ECF No. 1645) (the "Motion"). In that regard, the Receiver and Thurgood, as the Trustee of the Trust, have stipulated as follows:

1. The Trust consents to the Court's approving the sale of the Smokey Trail of Limon Property as proposed in the Receiver's Motion.

2. The Trust will cooperate with the Receiver in the sale of the Smokey Trail of Limon Property, including, if required by the Buyer (as defined in the Motion) or the title company providing title insurance in connection with the sale, by providing a quit claim deed to the Smokey Trail of Limon Property to the Buyer.

3. The Receiver will pay to Thurgood, as Trustee of the Trust, the Trust's proportionate share of the net sales proceeds from the sale of the Smokey Trail of Limon Property. Said proceeds will be paid from and at the closing of the sale of the Smokey Trail of Limon Property.

SO STIPULATED.

Dated: May 13, 2014

HOLLAND & HART LLP



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Cory A. Talbot  
*Attorney for Gil A. Miller as Receiver*

Dated: May 13, 2014



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Carol Thurgood, Trustee of the M&C Thurgood  
Family Trust dated November 20, 2001

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

MANAGEMENT SOLUTIONS, INC., a  
Texas Corporation; WENDELL A.  
JACOBSON; ALLEN R. JACOBSON,

Defendants.

**ORDER GRANTING REQUEST TO  
INCLUDE PROPERTY IN MAY 19, 2014  
HEARING ON RECEIVER'S MOTION  
TO CONFIRM A PRIVATE SALE OF  
MULTIFAMILY PROPERTIES**

Civil Action No. 2:11-cv-01165

Judge Bruce S. Jenkins

The Court, having reviewed the Receiver's Notice of Stipulation Regarding M&C Thurgood Family Trust's Non-Opposition to Receiver's Motion to Confirm a Private Sale of Multifamily Properties and Request to Include Property in May 19, 2014 Hearing on Receiver's Motion to Confirm a Private Sale of Multifamily Properties, and good cause appearing therefore, hereby ORDERS and DECREES as follows:



The sale of the Smokey Trail of Limon Property will be considered as part of the May 19, 2014 hearing on the Receiver's Motion "as amended and modified or bifurcated." (Hrg. on Mot. to Confirm Private Sale of Multifamily Properties & to Approve Sale Free & Clear of Liens with Valid Liens to Attach to Proceeds (CM/ECF No. 1848) at 2.)

DATED this \_\_\_\_ day of May, 2014.

BY THE COURT:

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Honorable Bruce S. Jenkins  
U. S. District Court Judge

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