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U.S. DISTRICT COURT

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DISTRICT OF UTAH

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

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

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SECURITIES EXCHANGE COMMISSION,

Plaintiff,

vs.

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

Defendants.

**ORDER GRANTING STIPULATED  
MOTION TO DISMISS**

Case No. 2:11-cv-01165-BSJ

Judge Bruce S. Jenkins

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VILLA CUMORAH, L.P.,

Intervenor Plaintiff,

vs.

GIL A. MILLER, Receiver; and TOWN  
PLAZA APARTMENTS, LLC.

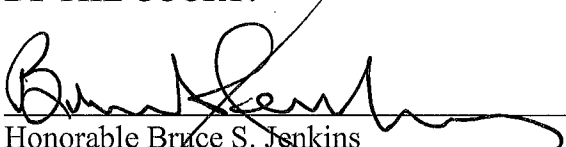
Intervenor Defendants.

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The parties' Stipulated Motion to Dismiss (CM/ECF No. 2035) came before the Court on August 4, 2014, at 1:30 p.m. Cory A. Talbot of Holland & Hart LLP appeared on behalf of Gil A. Miller, the Court-appointed receiver in this matter, who was also present. Stephen Quesenberry of Durham, Jones & Pinegar, PC appeared on behalf of intervenor Villa Cumorah, LP. Having considered the parties' Stipulated Motion to Dismiss, the arguments of counsel, and good cause appearing, the Court hereby dismisses the intervenor action brought by Villa Cumorah, LP, as set forth in the Complaint (CM/ECF No. 1495), with prejudice. Accordingly, Villa Cumorah, LP is barred from asserting an ownership interest in the identifiable real property described herein. Specifically, Villa Cumorah, LP cannot claim a 32.28% tenant-in-common ownership interest in the receivership property commonly known as Town Plaza Apartments. Villa Cumorah, LP may participate in the receivership's claims process with respect to the above-referenced property but only as an unsecured creditor.

DATED this 29<sup>th</sup> day of August, 2014.

**BY THE COURT:**

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

**APPROVED AS TO FORM:**

**DURHAM, JONES & PINEGAR, P.C.**

/s/ Stephen Quesenberry  
(Signed on behalf of Cory Talbot with permission  
from Stephen Quesenberry)  
Stephen Quesenberry  
Attorneys for Villa Cumorah, L.P.