

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

SECURITIES AND EXCHANGE COMMISSION
Plaintiff,

v.

JAMES G. TEMME, and
STEWARDSHIP FUND, LP,
Defendants.

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Civil Action No. 4:11-cv-655

**UNOPPOSED MOTION FOR CONTINUANCE OF
HEARING AND BRIEFING SCHEDULE**

[Regarding Docket Nos. 170-171]

COMES NOW, Keith M. Aurzada, as receiver in the above-captioned matter (the “Receiver”) for James G. Temme (“Temme”), Stewardship Fund, LP, and all other entities directly or indirectly controlled by Temme or Stewardship Fund, LP, including, but not limited to Stewardship Advisors, LLC, d/b/a Stewardship Advisors, LP, Stewardship Asset Management Genpar I, LLC, Stewardship Group, LLC, Destiny Fund, LP, and Stewardship Management, LP (collectively, the “Receivership Entities”), and submits this Unopposed Motion for Continuance of Hearing and Briefing Schedule regarding his Motion for Show Cause Hearing Regarding John Graves’ Interest in Receivership Assets and Net Payments from Receivership Entities, Along with Request for Expedited Consideration, and Brief in Support (the “Show Cause Motion”) [Dkt. No 170] and Order granting the Show Cause Motion [Dkt. No 171]. In support of this Motion, the Receiver would respectfully show the Court as follows:

I.
INTRODUCTION

7. On January 28, 2013, the Receiver filed the Show Cause Motion, through which he requested an order from the Court directing the Respondents (as defined in the Motion) to

appear and show cause as to why certain payments made to the Respondents should not be disgorged to the Receivership Estate and determine that certain assets may not be sold free and clear of Respondents' purported interests.

8. On February 1, 2013, the Court entered its Order Setting Show Cause Hearing (the "**Show Cause Order**"), which set an initial show cause hearing for Friday, February 22, 2013, at 10:00 a.m. and required Respondents to submit a written response to the Show Cause Motion by Friday, February 15, 2013 [Dkt. No 171].

9. Based on the Show Cause Motion and Show Cause Order, the Respondents have been in contact with the Receiver in an attempt to settle the issues giving rise to the Show Cause Motion. If such a resolution is reached, a Show Cause Hearing will not be necessary.

10. Accordingly, the Receiver respectfully requests that the Court continue the Show Cause Hearing until Friday, March 8, 2013, and the Respondents' deadline to respond to the Show Cause Motion until Friday, March 1, 2013. Respondents agree to such continuance and are available on March 1, 2013.

WHEREFORE, PREMISES CONSIDERED, the Receiver respectfully requests that this Court enter an order continuing the Show Cause Hearing until Friday, March 8, 2013, and the Respondents' deadline to respond to the Show Cause Motion until Friday, March 1, 2013, and grant the Receiver such other and further relief, general or special, at law or in equity, to which he might show himself otherwise entitled.

Dated: February 15, 2013

BRYAN CAVE LLP

By: //s// Bradley Purcell

Keith Miles Aurzada

State Bar No. 24009880

Jay L. Krystinik

State Bar No. 24041279

Bradley J. Purcell

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Counsel for Keith Miles Aurzada, Receiver

CERTIFICATE OF SERVICE

I certify that on February 15, 2013, I served a true and correct copy of the foregoing pleading by electronic mail through the Court's CM/ECF system to all parties consenting to service through same, including to counsel for the SEC, the Defendants, and the Objectors.

Additionally, a true and correct copy of the foregoing pleading was served on Respondents via first class mail at the following address:

John Graves
1540 Keller Parkway, STE 108, #323
Keller, Texas 76248

Moreover, the foregoing will be uploaded to www.stewardshipfundreceivership.com

//s// Bradley Purcell
Bradley Purcell

CERTIFICATE OF CONFERENCE

I certify that on February 15, 2013, I conferred with the Respondents and the SEC regarding the foregoing pleading and they are not opposed to the relief requested herein.

//s// Bradley Purcell
Bradley Purcell

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ORDER RESETTING SHOW CAUSE HEARING AND RESPONSE DEADLINE

On January 25, 2013, the Receiver filed his Motion for Show Cause Hearing Regarding John Graves' Interest in Receivership Assets and Net Payments from Receivership Entities, Along with Request for Expedited Consideration, and Brief in Support (the "*Motion to Show Cause*"), through which the Receiver requested an order from the Court directing the Respondents (as defined in the Motion) to appear and show cause as to why certain payments made to the Respondents should not be disgorged to the Receivership Estate and why assets subject to the Sales Motions (as defined in the Motion) should not be sold free and clear of any purported interest of Respondents.

On February 1, 2013, the Court entered its Order Setting Show Cause Hearing (the "*Show Cause Order*"), which set an initial show cause hearing for Friday, February 22, 2013, at 10:00 a.m. and required Respondents to submit a written response to the Show Cause Motion by Friday, February 15, 2013 [Dkt. No 171].

On February 15, 2013, the Receiver filed his Unopposed Motion for Continuance of Hearing and Briefing Schedule regarding the Motion to Show Cause (the "*Motion to Continue*"). In the Motion to Continue, the Receiver requests that the Court continue the Show Cause Hearing until **Friday, March 8, 2013**, and the Respondents' deadline to respond to the

Show Cause Motion until **Friday, March 1, 2013**. Respondents agree to such continuance and are available on March 1, 2013.

Based upon a review of the Motion to Continue, and the pleadings on file, the Court finds and concludes that: (a) the relief requested in the Motion to Continue is in the best interests of the Receiver and his receivership estates; (b) proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and (c) good and sufficient cause exists for the granting of the relief requested in the Motion. Therefore, it is hereby:

ORDERED that John Graves, JEG Property Investments, L.P. *f/k/a Beracah Valley Enterprises, LP*, NG Roth Investments, LLC, JG Roth Investments, LLC, JG Roth, LLC, and JEG Property Investments 401k Trust (collectively "***Respondents***") are ORDERED to appear on **Friday, March 8, 2013** and show cause as to why net proceeds received from Receivership Entities should not be disgorged to the Receivership Estate and why assets subject to the Sales Motions (should not be sold free and clear of any purported interest of Respondents. Respondents may respond to the Receiver's Motion by **Friday, March 1, 2013**. It is further,

ORDERED, that the Court's Show Cause Order remains in effect, except as otherwise amended herein. It is further,

ORDERED that the Clerk of the Court shall provide Notice of this Order to all of the Respondents, who can be reached at the following address:

1540 Keller Parkway
STE 108, #323
Keller, Texas 76248

IT IS SO ORDERED this ____ day of _____, 2013.

UNITED STATES DISTRICT JUDGE