

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

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

JAMES G. TEMME,
STEWARSHIP FUNDS, LP

Defendants.

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Civil Action No. 4:11-CV-00655

**RESPONSE IN OPPOSITION TO THE RECEIVER’S MOTION FOR AUTHORITY TO
SELL PROPERTIES TO LAKESIDE PORTFOLIO MANAGEMENT, LLC (DKT. 103)**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

Nonparties to this action and investors, Bruce Berg, Stuart Cartner, Kevin Doyle, Walter Haydock, Edward Leh, Kevin Murphy, Philip Schantz, DAIS Partners, LP, Singer Bros., LLC, Skeleton Lake, LLC, and Wildcat Lake Partners, hereby oppose the Receiver’s Motion for Authority to Sell Properties to Lakeside Portfolio Management, LLC, as follows:

The Receiver’s Motion should be denied because:

(1) the Receiver is willing to accept payment representing approximately 3.4 cents on the dollar when at least one investor, Kevin Murphy, informed the Receiver on more than one occasion that the Subject Assets could be sold at a higher price to identified bidders;

(2) the Receiver had previously informed investor Kevin Murphy that the lowest price for the sale would be 4 cents on the dollar;

(3) the Receiver has or will pay Barrier Advisors to prepare pools of non-performing loans for sale, when certain investors would perform this service at no charge to the Receivership Estate;

(4) the methods employed by Barrier Advisors have not been disclosed, including for preparing the loans, obtaining appropriate documentation on the notes in order to secure the highest bidders, or to ensure that Barrier will not give preferential treatment to any bidder based upon the fee it will collect;

(5) the Receiver selected Halo Companies, Inc. and its Chief Executive Officer, B. Cade Thompson, to receive a commission from this and other sales, even though the Receiver has actual knowledge that Halo Companies, Inc. and its directors are defending one known lawsuit alleging malfeasance related to their conduct in handling several investments which are the subject of the SEC action against Temme and Stewardship, (and other potential claimants have expressed interest in litigating against Halo and Thompson for similar conduct related to Stewardship investments);

(6) the Receiver will pay the commission to Halo Companies, Inc, when certain investors could perform this service at no charge to the Receivership Estate; and

(7) the Receiver's process used to effect the sale of the Assets has not been fully and adequately disclosed to the investors and potential bidders to ensure the best return to the Receivership Estate.

I. BACKGROUND AND ARGUMENT

By April 1, 2012, and as a result of the Receiver's posting of his status report filed March 30, 2012, it became known to certain defrauded investors that the Receiver was in the process of preparing to market assets of the Receivership Estate. The status report identified Barrier

Advisors as an entity hired by the Receiver to market certain assets of the Receivership Estate. Kevin Murphy, one of the defrauded investors, contacted Barrier Advisors about its role in preparing and marketing the assets. Pools of mortgage notes would be prepared by Barrier, and possibly commingled with assets unrelated to the Temme matter, for a sale to benefit the Receivership Estate. (See email correspondence attached hereto as Exhibit A). Concerns were raised that commingling the pool of assets could result in a risk of potential compromised and diminished returns to the Receivership Estate. (See email correspondence attached hereto as Exhibit B). In addition, while certain upfront paperwork should be done to ensure the highest price is obtained for the pools; the practices of Barrier Advisors remain unknown. (Ex. B). Yet even though Mr. Murphy attempted to discuss the possibility of tapping those resources with the Receiver, there was no movement by the Receiver.

Mr. Murphy has access to resources capable of preparing mortgage notes for this type of sale at no charge to the Receivership Estate. Mr. Murphy made repeated attempts to discuss the availability of these resources to the Receiver. (See email correspondence attached hereto as Exhibit C). After several attempts, the Receiver responded to Mr. Murphy requesting time to talk within two days time. (Exhibit D). Weeks later, the Receiver had yet to discuss these issues with Mr. Murphy. (See email correspondence attached hereto as Exhibit E).

Months later, on or around July 20, 2012, Mr. Murphy again notes that he has not heard back from the Receiver regarding the sale. (See email correspondence attached hereto as Exhibit F). On or around July 24, 2012, the Receiver called Mr. Murphy to discuss the sale. In detail, it was learned that the lowest bid for the mortgages would be 4 cents on the dollar. (See email correspondence attached hereto as Exhibit G).

On the July 24, 2012 call, the Receiver also informed Mr. Murphy that Halo Companies, Inc. would be a bidder at the sale. (Exhibit G). As the Receiver knows, Mr. Murphy and his colleagues are engaged in a lawsuit against Halo Companies, Inc. and its related entities and directors, for conduct related to the investment pools in which the investors made nearly \$5 million in Stewardship and Halo related fraudulent investments.

As to the Receiver's current motion for authority to sell assets to Lakeside Portfolio Management, LLC (Dkt 103), ("Motion for Authority to Sell"), it is clear that not only has the Receiver offered Halo Companies, Inc. the opportunity to bid on the sale of Receivership Assets for Halo's benefit, but the Receiver now will pay Halo 5% for marketing assets (See the motion, Dkt 103 at ¶ 5). In the Motion, the Receiver expressly requests authorization to enter into an asset management agreement with Halo to service property within the Receivership Estate (¶ 8), and to pay Halo a 5% commission on all purchases of Receivership assets in which Halo identifies the purchaser (¶ 5). The Receiver asserts that Halo Companies, Inc., Chief Executive Officer, B. Cade Thompson, has been marketing assets for the Receiver and continues to do so. Again, the use of Halo, and specifically Mr. Thompson, to market the assets for a fee is highly suspect. As stated above, the cost incurred for the marketing is entirely unnecessary as investors have the resources available to perform the same services at no charge to the Receivership Estate. In any event, the fact that Halo's conduct surrounding Stewardship investments is in question should be reason for the Court to deny the Receiver's request to enter into any agreement and/or fee arrangement with Halo Companies, Inc., its related entities and/or directors.

Now, as of the August 6, 2012 filing of the Motion for Authority to Sell, it is also clear that the Receiver has lowered the price of the assets when the floor had been 4 cents only months

ago, now it will be 3.4 cents on the dollar with no explanation or methodology for the reduction provided. The Receiver's obligation to act for the benefit of the Receivership Estate is clearly not fulfilled by an arbitrary reduction in price that diminishes return to the Estate.

As of August 20, 2012, certain investors, including Mr. Murphy, discussed who was privy to information regarding the sales, and specifically how much access to information Halo was given. (See email correspondence attached hereto as Exhibit H). Specifically, according to Barrier Advisors no one had received information, yet Halo had identified at least one purchaser and had been marketing the assets for some time. (Dkt. 103 ¶ 5, Exhibit H). Then, on August 21, 2012, for the first time, the Receiver states that information will be disseminated upon execution of a nondisclosure agreement. (Exhibit H).

II. CONCLUSION

It is unknown at this time what information has been shared with Barrier, with Halo, and/or with Lakeside Portfolio. What is known is that investors with a stake in the outcome of the sales were not given information, and what information they were given has changed at least in terms of sales price and to their detriment.

As such, the sale of the assets to Lakeside Portfolio should not be authorized, and the asset management agreement and commission to Halo should not be authorized. Alternatively, the investors who execute nondisclosure agreements should at least be given a reasonable time to review the documentation and processes to ensure that the Receiver is maximizing the value of Receivership Assets prior to any sale. And the Receiver should make a reasoned decision as to the possible use of industry resources for the sale at no charge to the Receivership Estate.

Respectfully submitted,

/s/Leane C. Medford
Leane Capps Medford
Bar No. 00796301
Polsinelli Shughart PC
2501 N. Harwood
Suite 1900
Dallas, TX 75201
(p) 214-397-0030
(f) 214-853-5248
lmedford@polsinelli.com

Attorney for Bruce Berg, Stuart Cartner, Kevin Doyle, Walter Haydock, Edward Leh, Kevin Murphy, Philip Schantz, DAIS Partners, LP, Singer Bros., LLC, Skeleton Lake, LLC, and Wildcat Lake Partners

CERTIFICATE OF CONFERENCE

I hereby certify pursuant to Local Rule CV-7 (h) and (i) that I conferred with counsel for the Receiver, Jay L. Krystinik, and that we could not reach an agreement on the substance of the Receiver's Motion (Doc. #103) or the opposition contained herein thereby leaving an open issue for the Court to resolve.

/s/Leane C. Medford
Leane Capps Medford

CERTIFICATE OF SERVICE

I certify that on August 23, 2012, a true and correct copy of the foregoing document was served on the following counsel of record via electronic case filing and/or United States mail.

Mr. Jay L. Krystinik
Bryan Cave, LLP
2200 Ross Ave., Suite 3300
Dallas, Texas 75201-7965
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Fx: 214-721-8100
Attorney for Receiver Keith Aurzada

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Helms Roberts & Diaz
6060 N. Central Expressway, Suite 560
Dallas, Texas 75206
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Fx: 214-800-2057
Attorney for Defendant James Temme

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*Attorneys for MDA Realty Holdings, LLC,
MVB Realty Holdings, LLC, LF Realty
Holdings, LLC and F & B Note Holding, LLC*

Mr. David B. Reece
U.S. Securities and Exchange Commission
Fort Worth Regional Office
Burnett Plaza, Suite 1900
801 Cherry Street, Unit #18
Fort Worth, Texas 76102-6882
Ph: 817-978-6476
Fx: 817-978-4927
Attorney for SEC

/s/Leane C. Medford
Leane Capps Medford

Exhibit A

Kathryn Smetana

From: David Lunn
Sent: Wednesday, August 22, 2012 3:30 PM
To: Kathryn Smetana
Subject: FW: this is interesting

From: Kevin Murphy [mailto:kmurphy@tandemglobalpartners.com]
Sent: Sunday, April 01, 2012 5:26 PM
To: Tim Weber-SBC; Karl Kipke
Cc: David Lunn; Kathryn Smetana; Kevin Doyle; Phillip Schantz
Subject: RE: this is interesting

Very interesting and a couple of thoughts:

#9 - They are trying to value the thousands of notes they have. Can Barrier do this or can we provide some help in the process?

#14 - What does P38 represent and what will 45% of that asset mean to the recovery?

#28 - Barrier has been hired to sell the notes. Do they know the end users of the product and can we carve out me and my contacts as none of them know Barrier? Silly to pay Barrier to help me / us help ourselves! I was also concerned when Barrier stated (to me when I called them) they might sell assets unrelated to the Temme case along with ours. Part of the problem originally with this case is that Temme comingled funds and notes. Repeating the same thing sounds wrong.

Thoughts?

Kevin Murphy

From: Tim Weber-SBC [mailto:elwebdog@swbell.net]
Sent: Sunday, April 01, 2012 3:16 PM
To: Kevin Murphy; Karl Kipke
Cc: David Lunn; 'Kathryn Smetana'
Subject: this is interesting

<http://www.stewardshipfundreceivership.com/files/Uploads/Documents/74-Temme%20-%20Filed%203.30%20Status%20Report.pdf>

Tim Weber
elwebdog@swbell.net
214/673-8189

3505 Centenary Ave
Dallas, TX 75225

8/23/2012

Exhibit B

Kathryn Smetana

From: David Lunn
Sent: Wednesday, August 22, 2012 3:31 PM
To: Kathryn Smetana
Subject: FW: this is interesting
Importance: High

From: Kevin Murphy [mailto:kmurphy@tandemglobalpartners.com]
Sent: Tuesday, April 03, 2012 4:32 AM
To: Karl Kipke; Keating, Patrick D.; David Lunn; Tim Weber-SBC
Subject: FW: this is interesting
Importance: High

Important and would love to discuss with you today or tomorrow.

From: Kevin Doyle [mailto:kdoyle8@mac.com]
Sent: Monday, April 02, 2012 10:23 PM
To: Kevin Murphy
Subject: Re: this is interesting

Murph-

I am in the Bahamas this week so i will have to call you next week. However I put down some initial thoughts based on that SEC filing and your comments with respect to your conversation with Barrier. First and foremost they need to know that they own the property and note "free and clear" which it sounds like Temme never bothered to do given the mention of tax liens. After having that Barrier should get updated BPO(Broker Price Opinion) at the very least if not updated appraisals or AVMs (Automated Valuation Model). I know of at least 4-6 investors that would participate in the auction/bid process assuming Barrier or the receiver can provide appropriate documentation. I am not in the business of prepping a pool of non-performing loans for sale, but we should certainly insist on being involved in the disposition of the notes/properties to make sure some of my guys can show bids and keep the process honest. (Not to mention maybe we can co-invest in the pool). To the extent one of our guys is the ultimate buyer we should have some sort of scaled fee schedule for Barrier and we should be included in the awarding of the pool to make sure they don't sell to one of their guys in order to collect the larger fee.

I would like to know much more about P38,LLC. It sounds to me like that could be where many of our funds ended up given the timing.

Finally, it is a TERRIBLE idea to co-mingle the pool, because on pools like this there are multiple rounds and when the winning bid goes in to do their due diligence and submit their final bid you don't want to have any sort of potential "off-setting" bids such that they are under paying for one of our properties and over paying for one of the other properties. The buyer is indifferent but we are getting screwed.

Sent from my iPad

8/23/2012

On Apr 1, 2012, at 8:26 PM, Kevin Murphy <kmurphy@tandemglobalpartners.com> wrote:

Very interesting and a couple of thoughts:

#9 - They are trying to value the thousands of notes they have. Can Barrier do this or can we provide some help in the process?

#14 - What does P38 represent and what will 45% of that asset mean to the recovery?

#28 - Barrier has been hired to sell the notes. Do they know the end users of the product and can we carve out me and my contacts as none of them know Barrier? Silly to pay Barrier to help me / us help ourselves! I was also concerned when Barrier stated (to me when I called them) they might sell assets unrelated to the Temme case along with ours. Part of the problem originally with this case is that Temme comingled funds and notes. Repeating the same thing sounds wrong.

Thoughts?

Kevin Murphy

From: Tim Weber-SBC [mailto:elwebdog@swbell.net]

Sent: Sunday, April 01, 2012 3:16 PM

To: Kevin Murphy; Karl Kipke

Cc: David Lunn; 'Kathryn Smetana'

Subject: this is interesting

<http://www.stewardshipfundreceivership.com/files/Uploads/Documents/74-Temme%20-%20Filed%203.30%20Status%20Report.pdf>

Tim Weber

elwebdog@swbell.net

214/673-8189

3505 Centenary Ave

Dallas, TX 75225

Exhibit C

Kathryn Smetana

From: David Lunn
Sent: Wednesday, August 22, 2012 3:31 PM
To: Kathryn Smetana
Subject: FW: Selling of mortgages

From: Kevin Murphy [mailto:kmurphy@tandemglobalpartners.com]
Sent: Friday, April 13, 2012 3:09 PM
To: Keith Aurzada
Subject: Selling of mortgages

This message has been archived.

Keith,

We spoke briefly regarding the sale of assets in trying to recoup as much value as possible for the victims in the Stewardship case. I then spoke to Howard Kessler and was hoping to give you my take on that conversation and how I might be able to help. I have called you to no avail and now I am attempting to reach you via email. Can you please call me at your earliest opportunity?

Many thanks,

*Kevin Murphy
Tandem Global Partners
767 Fifth Avenue, 8th Fl.
New York, NY 10153
Ph: 646.867.7302 | Fax: 646.867.7399 | Cell: 917.664.2913
kmurphy@tandemglobalpartners.com
www.tandemglobalpartners.com <<http://www.tandemglobalpartners.com/>>*

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Exhibit D

Kathryn Smetana

From: David Lunn
Sent: Wednesday, August 22, 2012 3:31 PM
To: Kathryn Smetana
Subject: FW: Selling of mortgages

From: Kevin Murphy [mailto:kmurphy@tandemglobalpartners.com]
Sent: Sunday, April 15, 2012 12:39 PM
To: kdoyle8@mac.com
Cc: David Lunn
Subject: Fw: Selling of mortgages

This message has been archived.

Kevin,

Would you like to participate on this call?

Murph

----- Original Message -----

From: Aurzada, Keith <Keith.Aurzada@BryanCave.com>
To: Kevin Murphy
Sent: Sun Apr 15 09:16:41 2012
Subject: RE: Selling of mortgages

Kevin,

Thanks for the call. What does your calendar look like on Tuesday?

Keith

From: Kevin Murphy [mailto:kmurphy@tandemglobalpartners.com]
Sent: Friday, April 13, 2012 5:09 PM
To: Aurzada, Keith
Subject: Selling of mortgages

Keith,

We spoke briefly regarding the sale of assets in trying to recoup as much value as possible for the victims in the Stewardship case. I then spoke to Howard Kessler and was hoping to give you my take on that conversation and how I might be able to help. I have called you to no avail and now I am attempting to reach you via email. Can you please call me at your earliest opportunity?

8/23/2012

Many thanks,

*Kevin Murphy
Tandem Global Partners
767 Fifth Avenue, 8th Fl.
New Yo*

8/23/2012

Exhibit E

Kathryn Smetana

From: David Lunn
Sent: Wednesday, August 22, 2012 3:32 PM
To: Kathryn Smetana
Subject: FW: Stewardhip

From: Kevin Murphy [mailto:kmurphy@tandemglobalpartners.com]
Sent: Monday, April 30, 2012 4:29 AM
To: David Lunn
Subject: RE: Stewardhip

This message has been archived.

We have yet to connect

-----Original Message-----

*From: David Lunn [mailto:DLunn@Polsinelli.com]
Sent: Sunday, April 29, 2012 5:02 PM
To: 'Aurzada, Keith'
Cc: Kathryn Smetana
Subject: RE: Stewardhip*

Keith,

I will be in Cleveland Monday and Tuesday but would appreciate the opportunity to speak with you later in the week. Please let me know when you are available on Wednesday, Thursday or Friday so we can speak. We remain ready, willing and able to start bringing funds back to the Receivership Estate. Were you able to talk with Kevin Murphy about selling the mortgages?

*Thanks,
David*

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Exhibit F

Kathryn Smetana

From: David Lunn
Sent: Wednesday, August 22, 2012 3:33 PM
To: Kathryn Smetana
Subject: FW:

From: Kevin Murphy [mailto:kmurphy@tandemglobalpartners.com]
Sent: Friday, July 20, 2012 1:01 PM
To: Keith Aurzada
Subject:

Keith

Have we made any progress on the mortgage auction? I have called you to no avail and I would like to discuss next steps.

Thanks.

Kevin Murphy
Tandem Global Partners
767 Fifth Avenue, 8th Fl.
New York, NY 10153
Ph: 646.867.7302 | Fax: 646.867.7399
kmurphy@tandemglobalpartners.com
www.tandemglobalpartners.com

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8/23/2012

Exhibit G

Kathryn Smetana

From: David Lunn
Sent: Wednesday, August 22, 2012 3:33 PM
To: Kathryn Smetana
Subject: FW: Mortgage sale

From: Kevin Murphy [mailto:kmurphy@tandemglobalpartners.com]
Sent: Wednesday, July 25, 2012 7:37 AM
To: keith.aurzada@bryancave.com
Subject: Mortgage sale

Good Morning Keith -

Thank you for taking the time to speak to me yesterday. As stated, I will be interested in bidding on the 100 mortgages representing a face value of 5.2 million dollars. I was surprised to learn that Halo would be a bidder for the mortgages but pleased to know that a 4 cent bid is the floor. I was a little discouraged to learn that this will be the first of five separate auctions. It's unclear to me how many additional mortgages will be for sale but if they are of similar size to the first lot, it doesn't appear that there will be a lot of money to recover for the victims of Temme's fraud. I would be interested to know the timing on this auction and subsequent auctions. I would also like to know if you have had any further success clawing back monies received by other investors.

It's important for me to reiterate again that I'm trying to help myself and the other parties in this unfortunate situation. I would like to work with you going forward and it's my hope that our communication will improve in the future.

Regards,

Kevin

Kevin Murphy

Tandem Global Partners
767 Fifth Avenue, 8th Fl.
New York, NY 10153
Ph: 646.867.7302 | Fax: 646.867.7399
kmurphy@tandemglobalpartners.com
www.tandemglobalpartners.com

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8/23/2012

Exhibit H

David Lunn

From: Tim Weber [TWeber@RGTnet.com]
Sent: Tuesday, August 21, 2012 1:59 PM
To: Kevin Murphy
Cc: keith.aurzada@bryancave.com; kdoyle8@mac.com; HKessler@BarrierAdvisors.com; David Lunn; patrick.keating@haynesboone.com; pschantz@gmail.com; bradley.purcell@bryancave.com; Jay.Krystinik@BryanCave.com
Subject: Re: Temme / Stewardship

I will sign an NDA as well

Please forward.

Tim Weber | Managing Director
ROBERTSON, GRIEGE & THOELE | Financial Advisors
5950 Sherry Lane, Suite 700 | Dallas, TX 75225
p 214 360 7000 | f 214 360 7010 | c 214-673-8189
tweber@rgtnet.com | www.rgtnet.com

Sent from my iPad

On Aug 21, 2012, at 3:20 PM, "Kevin Murphy" <kmurphy@tandemglobalpartners.com> wrote:

I will sign NDA as well.

----- Original Message -----

From: Aurzada, Keith <Keith.Aurzada@BryanCave.com>
To: Kevin Murphy; kdoyle8@mac.com <kdoyle8@mac.com>
Cc: HKessler@BarrierAdvisors.com <HKessler@BarrierAdvisors.com>; tweber@rgtnet.com <tweber@rgtnet.com>; dlunn@polsinelli.com <dlunn@polsinelli.com>; patrick.keating@haynesboone.com <patrick.keating@haynesboone.com>; pschantz@gmail.com <pschantz@gmail.com>; Purcell, Bradley <bradley.purcell@bryancave.com>; Krystinik, Jay <Jay.Krystinik@BryanCave.com>
Sent: Tue Aug 21 14:09:29 2012
Subject: RE: Temme / Stewardship

All,

I am happy to discuss this matter at any time.

As for access to information, please note that there are two sets of assets. First, is the "Lakeside" pool for lack of a better name, which was received in the Cavco/Harbour settlement. The second are the 500+ notes that are being sold by Barrier.

Anyone willing to sign an NDA will be given complete access to all information that the receivership estate has with respect to these assets. Please let me know immediately if you have not received such information.

Keith

From: Kevin Murphy [<mailto:kmurphy@tandemglobalpartners.com>]
Sent: Tuesday, August 21, 2012 1:19 AM
To: kdoyle8@mac.com
Cc: HKessler@BarrierAdvisors.com; tweber@rgtnet.com; dlunn@polsinelli.com;

8/23/2012

patrick.keating@haynesboone.com; Aurzada, Keith; pschantz@gmail.com
Subject: Re: Temme / Stewardship

I think Harold and / or Keith would be the best persons to explain their methodology in selling these assets.

I can't imagine HALO has bidders for the assets with the same information we have received (none).

Harold and Keith?

I am currently out of the country but available via email.

Thanks,

Murph

----- Original Message -----

From: Kevin Doyle <kdoyle8@mac.com>

To: Kevin Murphy

Cc: Harold Kessler <hkessler@barrieradvisors.com>; tweber@rgtnet.com <tweber@rgtnet.com>;
dlunn@polsinelli.com <dlunn@polsinelli.com>; patrick.keating@haynesboone.com
<patrick.keating@haynesboone.com>; keith.aurzada@bryancave.com <keith.aurzada@bryancave.com>;
pschantz@gmail.com <pschantz@gmail.com>

Sent: Mon Aug 20 11:50:24 2012

Subject: Re: Temme / Stewardship

Murph -

Just as a follow up to this....looking over the motion filed on 8/6/12 entitled, "MOTION FOR AUTHORITY TO SELL PROPERTIES TO LAKESIDE PORTFOLIO MANAGEMENT, LLC", I find it crazy that the the receiver has allowed Halo to market these loans while not making the information available to anyone else, AND that HALO will be paid 5% for their efforts. I have been in the business for a long time and I would love to make 5 points on crossing a loan package. Point number 5, "The Chief Executive Officer of the Halo Companies, Cade Thompson, marketed and continues to market the Subject Assets on behalf of the Receiver" This is in direct contrast to what Harold Kessler told us last week on the phone when he state nobody had received any information on the loans and nothing would be traded without first going through him.

I would be very interested in hearing both Mr Kessler's and Mr Aurzada's response to this.

Thanks

Kevin Doyle

On Aug 14, 2012, at 8:55 AM, Kevin Murphy wrote:

Hi Harold,

Thank you for taking the time to speak with me and Kevin Doyle this morning. I wanted to forward to you (see attached) what appears to be a notice of sale to Lakeside Portfolio Management for mortgages at the price of 3.4 cents. This was the document that prompted us to call as we too would like to participate in these purchases. I am guessing that when the court approves this sale to Lakeside, we will then have 21 days to potentially bid better to win the assets. Can you confirm that this is the case? Thanks again for your time and I look forward to working with you on these and others assets from the Temme estate.

8/23/2012

Kevin Murphy

From: Harold Kessler [<mailto:hkessler@barrieradvisors.com>]
Sent: Monday, August 13, 2012 9:53 PM
To: Kevin Murphy
Cc: tweber@rgtnet.com; kdoyle8@mac.com; dlunn@polsinelli.com; patrick.keating@haynesboone.com;
keith.aurzada@bryancave.com; pschantz@gmail.com
Subject: Re: Temme / Stewardship

All parties will be given the same information.

Harold J. Kessler
Director
972-763-4065 (o)
214-755-6292 (m)

Barrier Advisors
2515 McKinney Avenue
Dallas, TX 75201

On Aug 13, 2012, at 8:52 PM, "Kevin Murphy" <kmurphy@tandemglobalpartners.com> wrote:

So HALO has the same information we do at this point?

----- Original Message -----

From: Harold Kessler <hkessler@barrieradvisors.com>
To: Kevin Murphy
Cc: tweber@rgtnet.com <tweber@rgtnet.com>; Kevin Doyle <kdoyle8@mac.com>; David Lunn <DLunn@Polsinelli.com>; Keating, Patrick D. <Patrick.Keating@haynesboone.com>; Aurzada, Keith <Keith.Aurzada@BryanCave.com>; pschantz@gmail.com <pschantz@gmail.com>
Sent: Mon Aug 13 21:45:21 2012
Subject: Re: Temme / Stewardship

All parties will have access to the same information.

Harold J. Kessler
Director
972-763-4065 (o)
214-755-6292 (m)

Barrier Advisors
2515 McKinney Avenue
Dallas, TX 75201

On Aug 13, 2012, at 8:33 PM, "Kevin Murphy" <kmurphy@tandemglobalpartners.com> wrote:

Harold,

Given that Kevin Doyle, Tim Weber and I are hoping to bid for assets to to receive maximum payback for the Temme victims, will we have the opportunity to see the information that HALO has been given to pay more than 3.5 cents? My guess is that they have the "tapes" to have come up with their opening bid. Thanks in advance for your help and I look forward to working with you.

Regards,

Kevin Murphy

From: Kevin Murphy
Sent: Fri 8/10/2012 3:11 PM
To: 'Harold Kessler'
Cc: 'tweber@rgtnet.com'; 'Kevin Doyle'; 'David Lunn'; 'Keating, Patrick D.'; 'Aurzada, Keith';
'Phillip Schantz (pschantz@gmail.com)'
Subject: Temme / Stewardship

Hello Harold,

Thank you for taking the time to speak with me briefly earlier this week regarding the sale of mortgages for the Temme/Stewardship case. Where I was surprised to learn that I was not on your list to receive info regarding the auction, I'm pleased that I contacted you to assure my inclusion on that list. I would also ask you to include two others, Kevin Doyle and Tim Weber. Below please find my information as well as info. for Tim Weber and Kevin Doyle.

Kevin Murphy
Office: 646.867.7302
Cell: 917.664.2913
kmurphy@tandemglobalpartners.com

Kevin Doyle
Office: (310) 574-4094
Cell: (310) 927-2965
kdoyle8@mac.com

Tim Weber
Office: (214) 360-7048
Cell: (214) 673-8189
tweber@rgtnet.com

Thank you.

Regards,

Kevin Murphy

Kevin Murphy
Tandem Global Partners
767 Fifth Avenue, 8th Fl.
New York, NY 10153
Ph: 646.867.7302 | Fax: 646.867.7399
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<Temme Filed Docket 103.pdf>

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