

**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**  
§ **(Judge Clark/Judge Mazzant)**  
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**ORDER GRANTING RECEIVER’S MOTION FOR AUTHORITY TO: (i) SELL OIL  
AND GAS INTERESTS; (ii) APPROVE SALES PROCEDURES; AND (iii) RETAIN  
SALES AND MARKETING FIRM**

Before the court is the Receiver’s Motion for Authority to: (i) Sell Oil and Gas Interests; (ii) Approve Sales Procedures; and (iii) Retain Sales and Marketing Firm (the “Motion”) [Doc. #174] filed by Keith M. Aurzada as receiver (the “Receiver”) for James G. Temme, Stewardship Fund, LP, and all other entities directly or indirectly controlled by James G. 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 “Defendants”).

Based upon a review of the Motion and the pleadings on file, the court finds and concludes that (a) the relief requested in the Motion 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 after having given due deliberation upon the Motion and all of

the proceedings had before the court in connection with the Motion. Therefore, it is hereby **ORDERED** that:

1. The Motion is **GRANTED**;
2. The Receiver may enter into the Marketing Services Agreement with Simplex Energy Solutions, LLC (“Simplex”) attached to the Motion as Exhibit A;
3. Simplex may market and sell the Oil and Gas Interests on behalf of the Receivership Estate;
4. Assuming Simplex is able to obtain a price for the Oil and Gas Interests that is above the expected value (or a sufficient price in the Receiver’s business judgment), the Simplex and/or the Receiver may sell all of the Oil and Gas Interests to the highest bidder without further order from this court;
5. Receiver will not place any restrictions on who may bid on assets, except having sufficient financing to close the transaction within a reasonable time (any investors must bid in cash and will not be allowed to credit bid);
6. All sales of Receivership Estate assets will be conducted “AS IS – WHERE IS”, and no warranties of any kind will be provided, except that whatever interest is owned by the receivership estate shall be transferred to the purchaser;
7. The court waives the provisions of 28 U.S.C. §§ 2001(a) and 2002 and 28 U.S.C. § 2001(b);
8. The Receiver may sell the assets to a buyer without further approval of this court so long as the Receiver files a notice of sale that identifies at minimum: (i) terms of sale; (ii) price to be paid; and (iii) the name of the buyer. If no objection is filed to the notice of sale

within five (5) business days, the sale will be deemed approved, and the Receiver shall be entitled to close the transaction without further order of this court; and

9. Within a reasonable time after this Order is entered, the Receiver shall post this Order on [www.stewardshipfundreceivership.com](http://www.stewardshipfundreceivership.com).

So **ORDERED** and **SIGNED** on March 12, 2013.



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Ron Clark, United States District Judge