

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

SECURITIES AND EXCHANGE COMMISSION,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No.
	:	4:11-cv-00655-MHS
JAMES G. TEMME, and	:	
STEWARDSHIP FUND, LP,	:	
	:	
Defendants,	:	
	:	

**JOINT MOTION FOR CONTINUANCE TO
ALLOW FOR SETTLEMENT CONSIDERATION**

Plaintiff Securities and Exchange Commission (“Commission”) submits this Joint Motion for Continuance and request the Court to extend the trial date and vacate any remaining pretrial deadlines in this case to allow for settlement. Defendant Temme and the undersigned counsel for the Commission have, as a result of negotiations, reached a potential settlement agreement. Because, however, only the Commission itself, and not counsel to the Commission may accept any settlement offer, it is necessary to seek Commission review of the potential settlement. Because of the nature of seeking Commission review, this process may take between 60-90 days. And, if this motion is granted, the parties will promptly notify the Court once the Commission has had an opportunity to consider and accept, reject or otherwise address the potential settlement. In Support of this motion, the Commission would show as follows:

1. The Commission filed its Complaint in this case on October 14, 2011, alleging that the Defendants used fraudulent, or otherwise unlawful, means to raise at least \$35 million from various investor groups through the offering and selling of interests in limited partnerships and mortgage notes. [Dkt 1].

2. On October 14, 2011, the Court appointed a Receiver for the Defendants who has taken exclusive custody and control of all assets and records of, or traceable to, the Defendants.

3. On March 26, 2013, the Court entered a Scheduling Order, which among other things sets this matter for trial on March 31, 2014.

4. Plaintiff and Defendants have been engaged in extensive settlement negotiations. These negotiations have yielded a settlement offer, which Commission's counsel has now agreed to recommend to the Commission. If accepted, the resulting settlement would resolve all of the Commission's claims against Defendants Temme and Stewardship. While the Commission's counsel believes it likely the Commission will accept the proposed settlement, only the Commission may accept or deny a settlement offer, and the process of seeking such review involves multiple steps. To allow adequate time to complete the settlement process, the Commission requests the Court to extend the trial date by 120 days and to extend all unexpired pre-trial deadlines commensurately.

5. Extending time to allow consideration of the proposed settlement will conserve significant expenses for the settling parties. If the settlement is approved, the parties will avoid the costs of the remaining trial preparation and the Court's resources.

For the foregoing reasons, Plaintiff respectfully requests the Court grant the motion.

Dated: February 25, 2014.

Respectfully submitted,

/s/ David B. Reece
DAVID B. REECE
Lead Attorney
Texas Bar No. 24002810
SECURITIES AND EXCHANGE
COMMISSION
Fort Worth Regional Office
801 Cherry Street, 19th Floor
Fort Worth, Texas 76102
(817) 978-6476 / (817) 978-4927 (fax)
reeced@sec.gov

/s/ John Helms, Jr.
John Helms, Jr.
Texas Bar No. 09401001
Helms, Roberts & Diaz LLP
6060 N. Central Expressway, Suite 560
Dallas, Texas 75206
(214) 800-2086
(214) 800-2057 (fax)
Counsel for James Temme

CERTIFICATE OF SERVICE

I certify that on February 25, 2014, I electronically filed the foregoing *Joint Motion for Continuance to Allow for Settlement Consideration* with the Clerk of the Court for the Northern District of Texas, Dallas Division, using the CM/ECF system. The electronic case filing system will send a “Notice of Electronic Filing” to all counsel of record who has consented in writing to accept service of this document by electronic means.

/s/ David B. Reece

David B. Reece