

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SECURITIES AND EXCHANGE)	
COMMISSION,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:12-cv-00080-CEJ
)	
BURTON DOUGLAS MORRISS, <i>et al.</i> ,)	
)	
Defendants, and)	
)	
MORRISS HOLDINGS, LLC,)	
)	
Relief Defendant.)	

ORDER

IT IS HEREBY ORDERED THAT the Receiver’s *Motion to Amend Claims Bar Date Order to Extend Certain Claims Procedures Deadlines and Otherwise Establish Specific Dates for the Remaining Claims Procedures Deadlines* [Doc. #276] is **granted**.

IT IS FURTHER ORDERED THAT the following provisions of **Paragraph 6** of the Order Establishing Claims Bar Date [Doc.# 234] are amended as follows:

(l) Notice of Determination. The Receiver shall provide a written Notice of Determination to each Claimant that submits a Proof of Claim. For Proof of Claims Forms for which the Receiver does not issue a Notice of Deficiency as described above, the Receiver shall provide a Notice of Determination to such Claimants on or before the date that is sixty (60) days after the Bar Date. For Proof of Claim Forms for which the Receiver issues a Notice of Deficiency, the Receiver shall provide a Notice of Determination to such Claimants on or before January 13, 2014. Such Notice of Determination shall be substantially in the form attached to the Supplemental Memorandum as **Exhibit F** (the “Notice of Determination”). If the Receiver has disallowed the Claim in whole or in part, the Notice of Determination shall so state and include a statement setting forth the reasons for disallowing the Claim and the date of the Receiver’s determination.

(m) Claimant Objections to Determinations. In order to object to the Receiver’s determination of a Claim, the Claimant shall first serve, but not file with the

Court, a written objection to the Receiver's determination in accordance with the instructions included with the Receiver's Notice of Determination. The objection shall be served on the Receiver (a) in person, by courier, or by mail addressed to Acartha Group Receivership, 505 North 7th Street, Saint Louis, Missouri 63101, or (b) by electronic mail, as an attachment in portable document format (.pdf) to acartha.receivership@thompsoncoburn.com within thirty (30) days of the date of the Receiver's Notice of Determination. For all claims for which the Receiver issues a Notice of Determination between September 3, 2013 and January 13, 2014, the objection shall be filed with the Receiver no later than February 12, 2014. The objection shall include: (i) the claim number; (ii) a detailed statement of the reasons for the Claimant's objection to the Receiver's determination; (iii) copies of any document or other writing upon which the Claimant relies; and (iv) mailing, phone, and email contact information for the Claimant. Objections not timely served shall be deemed waived and overruled without the need for further order of this Court or action by the Receiver.

* * *

(o) Filing of Objection with Court. If the Receiver and Claimant are unable to resolve an objection served upon the Receiver by May 13, 2014, the Claimant shall file the written objection to the Receiver's Notice of Determination with the Court in accordance with the instructions included with the Receiver's Notice of Determination. The objection shall be filed with the Court no earlier than May 13, 2014 and no later than June 12, 2014. The objection shall include: (i) the claim number; (ii) a detailed statement of the reasons for the Claimant's objection to the Receiver's Notice of Determination; (iii) copies of any document or other writing upon which the Claimant relies; (iv) mailing, phone, and email contact information for the Claimant; and (v) a certification that the Claimant has conferred in good faith with the Receiver in an effort to resolve the objection without the need for a ruling from the Court. Objections not timely filed with the Court shall be deemed waived and overruled without the need for further order of this Court or action by the Receiver.


(p) Court Ruling on Determinations and Objections. The Receiver may file a response to the Claimant's objection no later than July 14, 2014, and shall serve a copy of the response on the Claimant or Claimant's counsel. Following the filing of the Receiver's response to the Claimant's objection or, if the Receiver fails to file a response, the expiration of the response period provided herein, the Court shall consider and rule on the Claimant's objection to the Notice of Determination. Notwithstanding the procedures outlined herein, the Claimant and the Receiver may stipulate to informally resolve their dispute and may extend by agreement without leave of Court the deadline for either party to file a motion to have the Court rule on the objection and determination.

IT IS FURTHER ORDERD THAT all other term and provisions of the Order Establishing Claims Bar Date remain in full force and effect.

IT IS FURTHER ORDERED THAT the Receiver shall provide a copy of this Order to all Claimants by electronic mail, or by regular mail if no electronic mail address is available, within 14 calendar days of the entry of this order.

IT IS FURTHER ORDERED THAT the Receiver shall post this Order on the Receivership website.

SO ORDERED this the 22nd day of August, 2013.



THE HONORABLE CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE