



3. Defendant is not an infant, nor incompetent. *Id.* at ¶5. Defendant is not eligible for relief under the Servicemembers Civil Relief Act of 2003 [50 U.S.C. Appendix, § 501 *et seq.*].  
*Id.*

WHEREFORE, premises considered, the Receiver requests that the Clerk of this Court enter default against Defendant Applied Quantitative Solutions, LLC.

Dated: September 22, 2015

Respectfully submitted,

THE TAYLOR LAW OFFICES, P.C.

By: /s/ Andrew M. Goforth

Andrew M. Goforth  
Texas State Bar: 24076405  
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Houston, Texas 77027  
Tel: (713) 626-5300  
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COUNSEL FOR RECEIVER

**CERTIFICATE OF SERVICE**

On September 22, 2015, I served the foregoing document on all parties as listed below by U.S. Mail, Return Receipt Requested, pursuant to Federal Rule of Civil Procedure 5(b)(2)(C).

***Via U.S. Mail, Return Receipt Requested:***

Michael Samouce  
Mark Kyle  
Applied Quantitative Solutions, LLC  
2102 Alta Vista Avenue  
Austin, TX 78704

/s/ Andrew M. Goforth  
Andrew M. Goforth

# **Exhibit A**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

THOMAS L. TAYLOR III, solely in his §  
capacity as Court-appointed Receiver for §  
Robert A. Helms, *et al.*, §  
Plaintiff, §

v. §

Civil Action No. 15-cv-627-LY

MICHAEL SAMOUCÉ, MARK KYLE and §  
APPLIED QUANTITATIVE SOLUTIONS, §  
LLC, §  
Defendants. §

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**DECLARATION OF ANDREW M. GOFORTH IN SUPPORT OF RECEIVER'S  
REQUEST FOR ENTRY OF DEFAULT AS TO  
DEFENDANT APPLIED QUANTITATIVE SOLUTIONS, LLC**

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I, Andrew M. Goforth, do hereby declare under penalty of perjury, in accordance with 28 U.S.C. §1746, that the following is true and correct, that this declaration is made on my personal knowledge, and that I am competent to testify as to the matters stated herein:

1. I am the attorney of record for Thomas L. Taylor III ("Receiver"), Plaintiff in the above-captioned civil action, and I submit this declaration in support of the Receiver's Request for Clerk's Entry of Default as to Defendant Applied Quantitative Solutions, LLC ("Defendant").

2. The Receiver filed a Complaint against Defendant on July 27, 2015. Clerk's Docket No. 1. The Receiver seeks a judgment against Defendant for damages caused by Defendant's receipt of fraudulent transfers from a Ponzi scheme previously adjudicated by this Court in the civil action styled *SEC v. Helms, et al.*, Civil Action No. 1:13-cv-1036-ML (W.D. Tex. 2013). *See SEC v. Helms*, 2015 U.S. Dist. LEXIS 29149, at \*19 – 22 (W.D. Tex. Mar. 10, 2015); *SEC v. Helms*, 2015 U.S. Dist. LEXIS 110758, at \*39 – 42 (W.D. Tex. Aug. 21, 2015).

The Receiver further seeks a judgment against Defendant for damages resulting from the conduct of Defendant's control persons who, through Defendant, aided, abetted and participated in, and conspired in furtherance of, that Ponzi scheme. Clerk's Docket No. 1.

3. Defendant was served with the Summons and Complaint, by and through its registered agent Michael Samouce, on August 5, 2015. Clerk's Docket No. 7. Attached to the Receiver's Request for Clerk's Entry of Default as **Exhibit B** is a true and correct copy of the Texas Secretary of State webpage for Defendant, establishing that Michael Samouce is defendant's registered agent. The executed service of Summons and Complaint was filed with this Court on August 14, 2015. Clerk's Docket No. 7.

4. Defendant has not filed an answer to the Complaint or otherwise defended in this civil action.

5. Defendant is not an infant, nor incompetent. Defendant is not eligible for relief under the Servicemembers Civil Relief Act of 2003 [50 U.S.C. Appendix, §501 *et seq.*].

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 22, 2015.

/s/ Andrew M. Goforth  
Andrew M. Goforth

Counsel for Plaintiff  
Receiver Thomas L. Taylor III

# **Exhibit B**

**TEXAS SECRETARY of STATE**  
**CARLOS H. CASCOS**

[UCC](#) | [Business Organizations](#) | [Trademarks](#) | [Notary](#) | [Account](#) | [Help/Fees](#) | [Briefcase](#) | [Logout](#)

**BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY**

**Filing Number:** 701515022      **Entity Type:** Domestic Limited Liability Company (LLC)  
**Original Date of Filing:** December 4, 1995      **Entity Status:** In existence  
**Formation Date:** N/A  
**Tax ID:** 17604862635      **FEIN:**  
**Duration:** Non-Perpetual      **Expiration Period:**

**Name:** Applied Quantitative Solutions LLC  
**Address:** 401 CONGRESS AVE STE 1650  
 AUSTIN, TX 78701-3703 USA

<a href="#">REGISTERED AGENT</a>	<a href="#">FILING HISTORY</a>	<a href="#">NAMES</a>	<a href="#">MANAGEMENT</a>	<a href="#">ASSUMED NAMES</a>	<a href="#">ASSOCIATED ENTITIES</a>
<b>Name</b>	<b>Address</b>		<b>Inactive Date</b>		
Michael Samouce	98 SAN JACINTO, STE. 250 Austin, TX 78701 USA				

  

Instructions:

- To place an order for additional information about a filing press the 'Order' button.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

THOMAS L. TAYLOR III, solely in his §  
capacity as Court-appointed Receiver for §  
Robert A. Helms, *et al.*, §  
Plaintiff, §

v. §

Civil Action No. 15-cv-627-LY

MICHAEL SAMOUCÉ, MARK KYLE and §  
APPLIED QUANTITATIVE SOLUTIONS, §  
LLC, §  
Defendants. §

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**CLERK’S ENTRY OF DEFAULT AS TO  
DEFENDANT APPLIED QUANTITATIVE SOLUTIONS, LLC**

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According to the official Court file in the above-captioned action, the Complaint of the Plaintiff Receiver Thomas L. Taylor III (“Receiver”) was filed on July 27, 2015, in the office of the United States District Clerk for the Western District of Texas, Austin Division (“Clerk”), against Defendant Applied Quantitative Solutions, LLC (“AQS”) and others, Civil Action 1:15-cv-00627-LY.

Service of the Complaint was made upon Defendant AQS on August 5, 2015, by and through its registered agent Michael Samouce. Clerk’s Docket No. 7. The executed service of the Summons and Complaint upon Defendant was filed with the Court on August 14, 2015. *Id.*

As of the date of this entry, no answer has been filed with the Clerk on behalf of Defendant nor has Defendant otherwise defended herein.



WHEREFORE the default of Defendant Applied Quantitative Solutions, LLC is hereby entered on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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Clerk, United States District Court  
Western District of Texas