

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION  
Civil Action No: 1:13-cv-1036

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

ROBERT A. HELMS; JANNIECE S.  
KAELIN; DEVEN SELLERS; ROLAND  
BARRERA; VENDETTA ROYALTY  
PARTNERS, LTD.; VENDETTA ROYALTY  
MANAGEMENT, LLC; VESTA ROYALTY  
PARTNERS, LP; VESTA ROYALTY  
MANAGEMENT, LLC; IRON ROCK  
ROYALTY PARTNERS, LP; IRON ROCK  
ROYALTY MANAGEMENT, LLC;  
ARCADY RESOURCES, LLC; BAREFOOT  
MINERALS, GP; G3 MINERALS, LLC;  
HALEY OIL COMPANY, INC.; LAKE  
ROCK, LLC; SEBUD MINERALS, LLC; and  
TECHNICOLOR MINERALS, GP,

Defendants,

and

WILLIAM L. BARLOW, and GLOBAL  
CAPITAL VENTURES, LLC,

Relief Defendants, solely for the  
purposes of equitable relief.

**UNOPPOSED MOTION**  
**TO EXCEED PAGE LIMITATION IN PRE-HEARING BRIEF**

Clovis Capital Ventures, LLC (“Clovis”) files this Unopposed Motion to Exceed the Page Limitation in Clovis’ forthcoming Pre-Hearing Brief filed pursuant to the Court’s Order Amending the Ancillary Scheduling Order (Doc. No. 179), seeking a ten-page extension (up to thirty pages total), and showing the Court the following:

**ARGUMENT**

Upon receipt of the Court’s instruction to “file . . . written briefs in this matter” (Doc. No. 179), Clovis was uncertain whether the filing might qualify as a motion under the Court’s Local Rules (permitting twenty pages), or whether it might qualify as some other type of filing, to which the Court’s Local Rules did not seem to provide clarity. Out of an abundance of caution, Clovis contacted chambers and was instructed to treat the pre-hearing brief as a dispositive motion under the Local Rules. Now, having made substantial progress on its pre-hearing brief, and having made efforts to efficiently incorporate into that brief the most relevant information that Clovis obtained during the discovery period that this Court permitted, Clovis has concluded that thirty pages are necessary to adequately explain the law and facts. To avoid depriving the Court of this new information that Clovis believes to be significant and relevant, Clovis seeks a ten-page extension for its pre-hearing brief, permitting Clovis up to thirty pages.

As the Court is well aware, the dispute between Clovis and the Court-Appointed Receiver (“Receiver”) is complex. Furthermore, during the discovery period permitted by the Court, Clovis not only deposed the Receiver but also obtained from the Receiver almost 40,000 pages of documentation. Clovis has worked diligently to review this voluminous material and conduct related research, and wishes to present to the Court the information that it has learned.

Clovis has undergone several drafts of its pre-hearing brief and has concluded that it is not feasible to present the necessary information to the Court within the now-existing twenty-

page limit. While Clovis is mindful of the benefits of a concise and succinct writing style, it simultaneously does not want to deprive the Court of information that Clovis believes to be important to this litigation. Of course, Clovis does not oppose increasing the Receiver's page limit to thirty pages as well.

As the caption indicates, the Receiver does not oppose this motion.

**CONCLUSION**

For the foregoing reasons, Clovis respectfully requests that the Court grant its Unopposed Motion to Exceed Page Limitation and permit Clovis up to 30 pages in its Pre-Hearing Brief. Pursuant to Local Rule 7(g), a Proposed Order granting Clovis' Unopposed Motion to Exceed Page Limitation is attached hereto as **Exhibit A**.

Respectfully submitted, this 4th day of February, 2015.

/s/ William R. Terpening  
William R. Terpening  
Admitted Pro Hac Vice

Charles G. Miller  
Texas Bar No. 14061810

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*Attorneys for Clovis Capital Ventures, LLC*

**CERTIFICATE OF CONFERENCE**

Pursuant to Local Rule 7(i), Counsel for Clovis has made a good-faith effort to reach an agreement with the Receiver. The Receiver does not oppose this Motion.

/s/ William R. Terpening  
*Attorney for Clovis Capital Ventures, LLC*

**CERTIFICATE OF SERVICE**

I certify that I served the foregoing UNOPPOSED MOTION TO EXCEED PAGE LIMITATION IN PRE-HEARING BRIEF via the Court's CM/ECF System, which will serve all registered counsel and parties of record as follows:

Timothy S. McCole  
Christopher Davis  
801 Cherry Street  
Fort Worth, Texas 76102  
*Counsel for the Securities and Exchange Commission*

Thomas L. Taylor III (Court Appointed Receiver)  
4550 Post Oak Place Drive  
Suite 241  
Houston, Texas 77027-3117  
*Counsel for Defendants Vendetta Royalty Partners, Ltd.; Vendetta Royalty Management, LLC; Vesta Royalty Partners, LP; Vesta Royalty Management, LLC; Iron Rock Royalty Partners, LP; Iron Rock Royalty Management, LLC; Arcady Resources, LLC; Barefoot Minerals, GP; G3 Minerals, LLC; Haley Oil Company, Inc.; Lake Rock, LLC; Sebud Minerals, LLC; and Technicolor Minerals, GP*

Robert A. Helms  
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Houston, TX 77098

I further certify that I served the foregoing UNOPPOSED MOTION TO EXCEED PAGE LIMITATION IN PRE-HEARING BRIEF upon the unrepresented parties via US Mail as follows:

Deven Sellers  
7607 Coors Court  
Arvada, Colorado 80003

Roland Barrera  
1762 Kenwood Place Unit H  
Costa Mesa, California 92627

This the 4th day of February, 2015.

/s/ William R. Terpening