

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

**UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,**

Plaintiff,

v.

**THE HEARTLAND GROUP
VENTURES, LLC, *et al.*,**

Defendants.

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Civil Action No. 4:21-cv-01310-O-BP

ORDER

Before the Court are Receiver’s Motion for Approval of Real Property Sale Procedures and Request for Leave to Shorten Time and Expedite Consideration (“Motion”) (ECF No. 226) and *pro se* Defendant Manjit Sahota’s Response and Opposition (“Response”) (ECF No. 237). *See also* ECF No. 238 (apparent duplicate of ECF No. 237). Yesterday, the Court considered the Motion and Response during a telephonic hearing. ECF No. 239. After considering the Motion, Response, arguments at the hearing, and applicable legal authorities, the Court **GRANTS** the Motion (ECF No. 226).

During the hearing, Sahota proffered evidence and argued in support of his Response, insisting the real property assets at issue should not be sold because they are not the product of fraud. But as counsel for the Receiver explained, the Court has already ruled on these arguments, which are unavailing. *See* ECF Nos. 162, 195. The Receiver also has authority to sell real property located in the Receivership Estates. *See* ECF No. 226 at 3 (citing ECF No. 17). Accordingly, the Court overrules the Response.

IT IS THEREFORE ORDERED that the Receiver may use a notice of appraised tax value for a property as one of the three statutorily-required independent appraisals under 28 U.S.C. § 2001(b) with respect to each of the following properties:

- a) 972.976-acre ranch located outside Gordon, Palo Pinto County, Texas;
- b) 1.0-acre office and yard located in Graham, Young County, Texas;
- c) 4.12-acre office and yard located in Electra, Wichita County, Texas;
- d) 614.313-acre ranch located in Eldorado, Schleicher County, Texas; and
- e) residence located at 12642 Rasberry Lane, San Angelo, TX 76904.

See ECF No. 236 (Receiver's Witness and Exhibit List for Hearing, Exs. 5-10, which were admitted in evidence). The Receiver is authorized to pay for any appraisals upon completion.

IT IS FURTHER ORDERED that the Receiver may retain Western Appraisal, LLC and Bierschwale Land Company, LLC ("BLC") as non-residential appraisal firms pursuant to the terms outlined in the proposed engagement letters attached to the Motion as Exhibits C-1 and C-2.

IT IS FURTHER ORDERED that the Receiver may retain one or more brokers, in the Receiver's sole discretion, for the sale of any non-residential properties. The Receiver is authorized to pay such brokers from the net proceeds of any sale of non-residential properties at the time of closing.

IT IS FURTHER ORDERED that the Receiver may engage one residential appraiser for the property located at 12642 Rasberry Lane, San Angelo, TX 76904. The Receiver may use one opinion issued by a broker familiar with substantially similar real property in the relevant locality to determine the average appraised value as a basis for the sale of such residential property. The Receiver may then select the broker, in the Receiver's sole discretion, that appears to provide the Receivership Estates with the highest and best opportunity for realization of the highest price. The

Receiver is authorized to pay any such appraiser and broker from the net proceeds of any sale of residential Properties at the time of closing.

IT IS FURTHER ORDERED that the Receiver and/or her Retained Personnel shall file a notice of proposed sale of real property on the docket in this Case. The notice will further provide that any third party may make a subsequent bid of at least 10% higher over the proposed sale price under similar terms and conditions of sale (including the ability to close), which must be submitted in writing to counsel for the Receiver at drushing@dykema.com by no later than ten (10) business days of filing such notice.

IT IS FURTHER ORDERED that the Receiver may execute any document necessary to consummate the sale of any Property and effectuate the transfer of title to any Property sold pursuant to the procedures outlined in this Order.

It is so **ORDERED** on July 15, 2022.



Hal R. Ray, Jr.
UNITED STATES MAGISTRATE JUDGE