

Michael D. Napoli
Texas Bar No. 14803400
James H. Billingsley
Texas State Bar No. 00787084
Daniel I. Morenoff
Texas State Bar No. 24032760
Artoush Varshosaz
Texas Bar No. 24066234
K&L GATES LLP
1717 Main Street, Suite 2800
Dallas, Texas 75201
(214) 939-5500
Telecopy: (214) 939-5849

COUNSEL FOR THE RECEIVER

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

IN RE:	§	Case No. 11-35165-7
	§	
RETIREMENT VALUE, LLC,	§	Involuntary Chapter 7
	§	
DEBTOR.	§	

MOTION FOR EXPEDITED HEARING

Eduardo S. Espinosa, in his capacity as the State Court Receiver (the “Receiver”) for Retirement Value, LLC (the “Alleged Debtor”) appointed by the District Court of Travis County, Texas for the 126th Judicial District files this Motion for Expedited Hearing (the “Expedited Motion”) on the Receiver’s (i) Motion to Abstain or Dismiss; (ii) Motion to Require Posting of Bond; and (iii) Motion, in the Alternative, to Transfer Venue (collectively, the “Underlying Motions”). In support of the Expedited Motion, the Receiver states the following:

1. At hearing on August 22, 2011, and in the briefing leading up to that hearing, the Receiver outlined several preliminary issues regarding the propriety of this involuntary bankruptcy case. Also at that hearing, the Court expressed concerns regarding the authority of the State Court to enter the necessary relief, and, in so doing, continued the hearing to September

27, 2011 and invited additional briefing on the outstanding issues. The Underlying Motions address those issues.

2. The Court has already set a hearing on September 27, 2011 at 3:00 p.m. on the continuation of the hearing the (i) Petitioners' motion to appoint an interim trustee (the "Trustee Motion") and (ii) the Receiver's motion to excuse the trustee from its Section 543 obligations ("Motion to Excuse"). The relief requested in the Underlying Motions is related to and, in many respects, intertwined with the relief sought in the Trustee Motion and Motion to Excuse.

3. The Receiver hereby requests an expedited hearing on **Tuesday, September 27, 2011 at 3:00 p.m.** so that both the Underlying Motions and the Trustee Motion can be heard together. The Petitioners, the U.S. Trustee, representatives of the Texas Attorney General's office, the Receiver, and other parties-in-interest will already be present at the courthouse on this date, thus adding very little additional burden on the parties.

4. Notice of the Underlying Motions has or will be given to the Office of the United States Trustee, the Petitioners, and all parties that have requested notice in this case.

WHEREFORE, the Receiver respectfully requests this Court: (i) grant this Expedited Motion; (ii) set a response and objection deadline by September 27, 2011 at 3:00 p.m.; (iii) set an expedited hearing on September 27, 2011 at 3:00 p.m. to consider the Underlying Motions; and (iv) grant the Receiver any such other and further relief to which it may be justly entitled.

[Intentionally left blank]

DATE: September 6, 2011

Respectfully submitted,

By: /s/ Artoush Varshosaz

Michael D. Napoli
Texas Bar No. 14803400
James H. Billingsley
Texas Bar No. 00787084
Daniel I. Morenoff
Texas Bar No. 24032760
Artoush Varshosaz
Texas Bar No. 24066234

K&L GATES LLP
1717 Main Street, Suite 2800
Dallas, Texas 75201
(214) 939-5500
(214) 939-5849 (Telecopier)
Michael.Napoli@klgates.com
James.Billingsley@klgates.com
Dan.Morenoff@klgates.com
Artoush.Varshosaz@klgates.com

COUNSEL FOR THE RECEIVER

CERTIFICATE OF SERVICE

I certify that on September 6, 2011, a true and correct copy of the attached Expedited Motion was served via email through the Bankruptcy Court's Electronic Case Filing System on those parties that have consented to such service and via first class U.S. Mail upon the parties listed below.

U.S. Trustee
1100 Commerce Street, Room 976
Dallas, TX 75242-1496

Gerrit M. Pronske
Melanie Pearce Goolsby
Pronske & Patel, P.C.
2200 Ross Avenue, Suite 5350
Dallas, TX 75201

Donald R. Taylor
Miguel S. Rodriguez
Isabelle M. Antongiorgi
TAYLOR DUNHAM, L.L.P.
301 Congress Avenue, Suite 1050
Austin, Texas 78701

E. Stuart Phillips
Assistant Attorney General
Bankruptcy & Collections Division
P. O. Box 12548 MC 008
Austin, Texas 78711-2548

John Y. Bonds, III
H. Brandon Jones
SHANNON, GRACEY, RATLIFF & MILLER, L.L.P.
777 Main Street, Suite 3800
Fort Worth, Texas 76102

By: /s/ Artoush Varshosaz
Artoush Varshosaz