

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

SECURITIES AND EXCHANGE §
COMMISSION, §
§
PLAINTIFF, §
§
vs. §
§
BRIAN A. BJORK, THE ESTATE OF JOEL §
DAVID SALINAS, J. DAVID GROUP OF §
COMPANIES, INC., J. DAVID §
FINANCIAL GROUP LP, SELECT ASSET §
MANAGEMENT LLC, SELECT ASSET §
CAPITAL MANAGEMENT LLC, SELECT §
ASSET FUND I, LLC, AND SELECT §
ASSET PRIME INDEX FUND, LLC, §
DEFENDANTS. §

CIVIL ACTION NO. 4:11 CV - 02830

**NOTICE OF INTENT TO WITHDRAW RECEIVER’S MOTION FOR
JUDGMENT AGAINST MILES PRENTICE**

TO THE HONORABLE KEITH P. ELLISON, UNITED STATES DISTRICT COURT:

Receiver Steven A. Harr (“Receiver”) files his Notice of Intent to Withdraw Receiver’s Motion For Judgment Against Miles Prentice (“Motion”) and for same respectfully states:

I.

BACKGROUND

1. On June 4, 2012, the Receiver filed his Motion for Judgment Against Miles Prentice. (Dk#77).

2. Since that time, the matters in controversy between the Receiver and Miles Prentice have been resolved.

3. On June 26, 2012, the Receiver filed his Unopposed Motion to Approve Compromise and Settlement with Miles E. Prentice. (Dk#86).

4. On June 27th, 2012, the Court entered an order granting the Receiver's Unopposed Motion to Approve Compromise and Settlement with Miles E. Prentice. (Dk#87).

5. Based on the compromise and settlement of matters with Mr. Prentice and the Court's approval of same, the Motion for Judgment Against Miles Prentice (Dk#77) is moot and the Receiver desires to withdraw it from the Court's consideration.

WHEREFORE, Receiver prays that the Court enter an order allowing the Receiver to withdraw his Motion for Judgment Against Miles Prentice and for such other and further relief, at law or in equity, to which he may be justly entitled.

Respectfully submitted,

/s/ Randy A. Canché

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ATTORNEYS FOR THE RECEIVER,
STEVEN A. HARR

CERTIFICATE OF CONFERENCE

On June 28th 2012, I conferred with Tim McCole and he advised that the Securities and Exchange Commission is not opposed to the relief sought in this motion.

/s/ Randy A. Canché

CERTIFICATE OF SERVICE

I certify that on June 28th, 2012, a copy of the foregoing was served on Brandon Bundren, Duane Morris, LLP, 1330 Post Oak Boulevard, Suite 800, Houston, Texas, 77056-3166, attorneys for Respondent Miles Prentice by certified mail return receipt requested with an additional copy to Respondent Miles Prentice by certified mail return receipt requested at his place of business, Eaton & Van Winkle, LLP, 3 Park Avenue, 16th Floor, New York, New York 10016.

/s/ Randy A. Canché
Randy A. Canché