

CAUSE NO. D-1-GN-16-000360

THE STATE OF TEXAS,	§	IN THE DISTRICT COURT OF
<i>Plaintiff,</i>	§	
	§	
v.	§	TRAVIS COUNTY, TEXAS
	§	
MILLENNIUM CLOSING SERVICES,	§	
LLC D/B/A MILLENNIUM TITLE,	§	
<i>Defendant.</i>	§	53 rd JUDICIAL DISTRICT

SPECIAL DEPUTY RECEIVER’S APPLICATION FOR APPROVAL OF REPORT OF CLAIMS

TO THE HONORABLE JUDGE OF THIS COURT:

CANTILO & BENNETT, L.L.P., solely in its capacity as the Special Deputy Receiver of Millennium Closing Services, L.L.C. d/b/a Millennium Title (the “SDR” and “Millennium Title,” respectively), files this Application for Approval of Report of Claims (the “Application”).

I. INTRODUCTION

1.1 The SDR files this Application to obtain approval of its Report of Claims settled or determined by the SDR under TEX. INS. CODE § 443.253 or by the Receivership Court. The SDR is required to file this Application pursuant to TEX. INS. CODE § 443.258.

II. AUTHORITY

2.1 Millennium Title was placed in receivership in this proceeding on January 25, 2016, when the Court entered its *Order Appointing Liquidator and Permanent Injunction* (the “Liquidation Order”), appointing the Texas Commissioner of Insurance as Liquidator. The Receiver designated CANTILO & BENNETT, L.L.P. as SDR of Millennium Title on January 26, 2016.

2.2 This Court entered an order granting the SDR and TTIGA’s *Joint Application to Provide Notice of Liquidation, Set Claims Filing Deadline, and Establish a Claims Processing*

Procedure. The deadline to file claims was November 15, 2016.

2.3 This Court has jurisdiction over the subject matter of this Application and the parties pursuant to TEX. INS. CODE § 443.005. This Court has exclusive jurisdiction over the estate pursuant to TEX. INS. CODE § 443.005. This Court has personal jurisdiction because this is a civil proceeding arising under, and related to, a delinquency proceeding under Chapter 443 of the Code. This Court has personal jurisdiction over all parties identified in the Report of Claims because each party filed a claim with the SDR.

2.4 Travis County is the mandatory, sole, and exclusive venue for this proceeding. TEX. INS. CODE § 443.005.

2.5 The subject matter of this Application has been referred to the Special Master appointed in this proceeding in accordance with Paragraph III of the *Order of Reference to Master*.

III. REPORT OF CLAIMS

3.1 TEX. INS. CODE § 443.258 provides that the SDR shall, from time to time, present to the receivership court a report of claims settled or determined by the SDR under TEX. INS. CODE § 443.253. Attached as Exhibit A is a report of all Proofs of Claim (“POCs”) filed against Millennium Title, which have been determined by the SDR pursuant to TEX. INS. CODE § 443.253 or the Receivership Court. Exhibit A identifies the claimant¹ and/or the POC number, the classification of the POC and the amount allowed, or other action taken on the POC. No written objections to the SDR’s determinations of these POCs were submitted under TEX. INS. CODE § 443.253(c) or, if any objection was filed, it has been resolved; therefore, the determinations are now final. The SDR submits Exhibit A as its Report of Claims and requests the Court approve its actions on these claims pursuant to TEX. INS. CODE § 443.258.

¹ Individual claimant names are redacted.

IV. NOTICE

4.1 Pursuant to TEX. INS. CODE § 443.007(d), this Application has been served on the entire service list for this proceeding, including applicable guaranty associations, in the manner shown on the Certificate of Service.

V. OFFER OF PROOF AND VERIFICATION

5.1 This Application is verified by the affidavit and certification pursuant to TEX. INS. CODE § 443.017(b) by Susan E. Salch, Partner in CANTILO & BENNETT, L.L.P., Special Deputy Receiver of Millennium Closing Services, L.L.C. d/b/a Millennium Title.

PRAYER

WHEREFORE PREMISES CONSIDERED, CANTILO & BENNETT, L.L.P., solely in its capacity as the Special Deputy Receiver of Millennium Closing Services, L.L.C. d/b/a Millennium Title, respectfully requests this Court to set a hearing on the Application and upon such hearing:

1. Grant this Application;
2. Approve the SDR's Report of Claims; and
3. Grant the SDR such other and further relief to which it may be justly entitled.

Respectfully submitted,

FULLER LAW GROUP

/s/Christopher Fuller
Christopher Fuller
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Austin, Texas 78731
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Attorney for CANTILO & BENNETT, L.L.P.,
Special Deputy Receiver of Millennium Closing
Services, L.L.C. d/b/a Millennium Title

CERTIFICATE OF SERVICE

I certify that on December 4, 2019, a true and correct copy of this Application was served pursuant to the Order of Reference, the Texas Rules of Civil Procedure, and TEX. INS. CODE ANN.

§ 443.007 (d) on the following:

Via e-Mail: specialmasterclerk@tdi.texas.gov

Special Master's Clerk
TEXAS DEPARTMENT OF INSURANCE
Rehabilitation & Liquidation Oversight
PO Box 149104
Austin, TX 78714-9104

Via e-Service: James.Kennedy@tdi.texas.gov

James Kennedy
TEXAS DEPARTMENT OF INSURANCE
PO Box 149104
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Via e-Service: Kimberly.Hammer@tdi.texas.gov

Kimberly Hammer
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Vicente Aguillon
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Special Procedures Branch
300 East 8th Street, Suite 352
Mail Stop 5026AUS
Austin, TX 78701

Via First Class Mail

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Centralized Insolvency Operation
P.O. Box 7346
Philadelphia, PA 19101-7346

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Company*

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/s/Christopher Fuller
Christopher Fuller

APPLICANT'S NOTICE OF SUBMISSION

Pursuant to the terms of the *Order of Reference to Master* entered by the District Court in this cause, the SDR's *Application for Approval of Report of Claims* is hereby set for written submission before the Special Master, Tom Collins, on **January 6, 2020**.

The Special Master has asked that the following rules be provided you:

1. Any objection must be filed with the Travis County District Clerk at least three (3) calendar days before the submission date.
2. A copy of any objection shall be served by email by such date on:
 - (a) The Special Master's Docket Clerk, at specialmasterclerk@tdi.texas.gov;
 - (b) The undersigned counsel, Christopher Fuller at cfuller@fullerlaw.org; and
 - (c) All interested parties, including those listed on the SDR's Certificate of Service.
3. The objecting party shall coordinate with the SDR's counsel and the Docket Clerk [(512) 676-6915] to obtain an oral hearing setting for argument on the Application and Objection, and complete and attach an "Objecting Party's Notice of Oral Hearing" to the objection.
4. The written objection must specifically list all reasons for objection with supporting references to and discussion of statutory and case authorities. Reasons not stated in writing will not be considered orally.
5. **Please note that if an objection is not filed as described in the Notice of Submission, the Master may consider the Application without a hearing.**
6. **Failure to file timely a written objection before the Special Master constitutes a waiver of the right to object to the Special Master's recommendation to the District Court.**
7. Any Acknowledgment of Notice and Waiver to be filed by the Guaranty Association or other interested party should be filed at least three (3) calendar days before the submission or hearing date.

/s/ Christopher Fuller
Christopher Fuller

**SPECIAL DEPUTY RECEIVER'S VERIFICATION AND CERTIFICATION
PURSUANT TO TEX. INS.CODE ANN. §443.017(b)**

AFFIDAVIT OF SUSAN E. SALCH

State of Texas

County of Travis


BEFORE ME, the undersigned authority appeared Susan E. Salch, who after being by me duly sworn, stated the following under oath:

1. "My name is Susan E. Salch. I am of sound mind, capable of making this affidavit, and am competent to testify to the matters contained in this affidavit.
2. I am a partner in CANTILO & BENNETT, L.L.P., the Special Deputy Receiver of Millennium Closing Services, L.L.C. d/b/a Millennium Title (the "SDR" and "Millennium Title" respectively). I am duly authorized to make this Affidavit on behalf of the SDR.
3. I have reviewed the attached the Special Deputy Receiver's Report of Claims (the "Report") and the facts stated therein are true and correct based on my personal knowledge, my review of estate records and my consultation with the staff and subcontractors.
4. I certify that the exhibits, books, accounts, records, papers, correspondence, and/or other records and documents attached hereto were produced pursuant to TEX. INS. CODE § 443.017, are either true and correct copies of records of Millennium Title and were received from the custody of Millennium Title or found among its effects, or were created by and filed with the Receiver's office in connection with the receivership of this delinquent agency, and are held by the Special Deputy Receiver in its official capacity."
5. Further affiant sayeth not.

By:


Susan E. Salch

SUBSCRIBED AND SWORN TO BEFORE ME on December 2, 2019, by Susan E. Salch, Special Deputy Receiver of Millennium Closing Services, L.L.C. d/b/a Millennium Title.


Notary Public

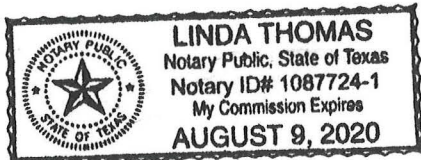


EXHIBIT A

POC Number	Claimant Name	Determination	Determination Letter
1		Denied	08/10/2017
2		Denied	08/10/2017
3		Denied	08/10/2017
4	PLS Check Cashers of Texas	Class 5	10/20/2017
5	OKC Holdings, LLC	Denied	08/10/2017
6	Crane Properties, LLC	Class 5	11/09/2017
7		Denied	08/10/2017
8	Independent Oaks Capital Funding, LLC	Denied	08/10/2017
9	Bank of America, N.A.	Denied	08/10/2017
10	Bank of America, N.A.	Denied	08/10/2017
11	Maverick Title of Texas, LLC d/b/a Texas Title	Denied	08/10/2017
12	Casa Max, LLC	Class 5	10/20/2017
13	PHH Home Loans d/b/a Sunbelt Lending Services	Denied	08/10/2017
14	Stayam Shivani, Ltd.	Denied	08/10/2017
15	First Financial Bank, N.A.	Class 5	10/20/2017
16	Equitable Real Estate Investments, LLC	Denied	08/10/2017
17		Class 5	10/20/2017
18	Keller Williams Realty	Class 5	10/20/2017
19		Class 5	10/20/2017
20	Texas Quest Funding Trust	Denied	08/10/2017
21		Denied	08/10/2017
22		Class 5	10/20/2017
23	BLACKA Enterprises, LLC	Withdrawn	
24	King Property Management	Class 5	10/20/2017
25	Cornerstone Home Lending, Inc.	Class 5	10/20/2017
26	Realm Properties, LLC	Denied	08/10/2017
27	Peniel Holdings, LLC	Class 5	12/08/2017
28	Zennith Realty and Associates	Denied	08/10/2017
29	Black Jack Partners, LLC Attn: John M. Hucklebridge	Denied	08/10/2017
30		Class 5	10/20/2017
31		Denied	08/10/2017
32	Cove Townhomes, LLC	Class 5	10/20/2017
33		Class 5	10/20/2017
34		Denied	08/10/2017
35		Class 5	10/20/2017
36	Edwin Dissosway (Stickwin Estates LLC, Series A)	Denied	08/10/2017

37	Gtax Services, LLC	Denied	10/20/2017
38	Positively Balanced, LLC	Class 5	08/10/2017
39	JQJ Properties	Class 5	11/27/2017
40	Hannover c/o Elite Association Management	Class 5	10/20/2017
41	Lakes of Bellaire c/o Elite Association Management	Class 5	10/20/2017
42	Christopher M. Pham Law Group, PLLC	Denied	08/10/2017
43		Denied	08/10/2017
44		Denied	08/10/2017
45		Denied	08/10/2017
46		Denied	08/10/2017
47		Class 5	10/20/2017
48	Lonergan Law Firm, PLLC	Denied	08/10/2017
49	MetroPlex Capital, LLC	Denied	08/10/2017
50	CPM Construction	Class 5	10/20/2017
51		Denied	08/10/2017
52	Christopher M. Pham Law Group, PLLC	Denied	08/10/2017
53	Khan Property Holdings, LLC	Class 5	12/08/2017
54		Denied	08/10/2017
55		Denied	08/10/2017
56		Denied	08/10/2017
57		Denied	08/10/2017
58	Wally Tingley & Associates, P.C.	Denied	08/10/2017
59	Wally Tingley & Associates, P.C.	Denied	08/10/2017
60	Wally Tingley & Associates, P.C.	Denied	08/10/2017
61		Denied	08/10/2017
62		Denied	08/10/2017
63		Denied	08/10/2017
64		Class 5	10/20/2017
65	Urban Villas II HOA	Denied	08/10/2017
66	Lonestar Properties & Investments	Denied	08/10/2017
67	Prevued Data Services, LTD	Class 5	08/10/2017
68		Class 5	10/20/2017
69	Old Republic Home Protection, Inc.	Denied	08/10/2017
70	CTQN Company LLC	Class 5	10/20/2017
71		Class 5	10/20/2017
72		Denied	08/10/2017
73	Christopher M. Pham Law Group, PLLC	Denied	08/10/2017
74		Class 5	10/20/2017
75		Denied	08/10/2017
76	First Funding Investments Inc.	Class 5	10/20/2017
77		Class 5	10/20/2017
78	Pheiffer Family Living Trust	Class 5	10/20/2017
79	Equitable Real Estate Investments, LLC	Denied	08/10/2017

80	Bridge Well Capital LLC	Denied	08/10/2017
81	EMG Holdings Inc.	Class 5	10/20/2017
82	Williamson County Tax Office	Denied	08/10/2017
83	Christopher M. Pham Law Group	Denied	08/10/2017
84	Christopher M. Pham Law Group	Denied	08/10/2017
85	Christopher M. Pham Law Group	Denied	08/10/2017
86	Christopher M. Pham Law Group	Denied	08/10/2017
87	Smart Advantage Solutions, LLC	Denied	08/10/2017
88		Class 5	10/20/2017
89	Keller Williams Realty	Denied	08/10/2017
90	Kevin W. Vice, PLLC	Class 5	10/20/2017
91		Class 5	10/20/2017
92	Elite Association Management	Denied	08/10/2017
93	Lakes of Bellaire c/o Elite Association Management	Denied	08/10/2017
94		Class 5	04/12/2019
95		Denied	08/10/2017
96		Denied	08/10/2017
97		Denied	08/10/2017
98	CBG Surveying, Inc.	Denied	08/10/2017
99	Pinegates, LLC	Denied	08/10/2017
100		Class 5	10/20/2017
101		Denied	08/10/2017
102	Concierge Notary, Inc.	Class 5	10/20/2017
103		Class 5	10/20/2017
104		Denied	08/10/2017
105	First Funding Investments Inc.	Class 5	10/20/2017
106		Denied	08/10/2017
107		Denied	08/10/2017
108	LegacyTexas Bank	Denied	08/10/2017
109		Denied	08/10/2017
110		Class 5	10/20/2017
111	Decroux Corporation d/b/a My Mobile Closer	Class 5	10/20/2017
112	Black, Mann & Graham, LLP	Denied	08/10/2017
113		Class 5	10/20/2017
114	Omicron Appraisals	Class 5	10/20/2017
115		Denied	08/10/2017
116		Class 5	10/20/2017
117		Denied	08/10/2017
118		Denied	08/10/2017
119		Class 5	10/20/2017
120		Class 5	10/20/2017
121	Dallas Metro Holdings LLC	Class 5	10/20/2017
122	George C. Black d/b/a Dallas Mortgage Co.	Denied	08/10/2017

123		Class 4	04/21/2017
124		Denied	06/30/2017
125		Denied	10/20/2017
126		Denied	06/30/2017
127	Trinity Mills Printing	Class 5	03/31/2017
128	Texas Heritage Surveying, LLC	Class 5	10/20/2017
129		Withdrawn	
130		Class 4	04/21/2017
131		Class 4	04/21/2017
132		Class 4	04/21/2017
133		Class 4	04/21/2017
134		Class 4	06/30/2017
135	WFG National Title Insurance Company c/o Jeffrey Dondanville, National Claims Counsel	Class 5	06/30/2017
136		Class 5	04/21/2017
137		Denied	08/10/2017
138		Class 5	10/20/2017
139		Class 5	10/20/2017
140	Freedom Luxury Properties, LLC	Denied	08/10/2017
141	Texas Workforce Commission	Class 6	06/30/2017
142	Dowdy Land Surveyors, Inc.	Class 5	10/20/2017
143		Denied	06/30/2017
144		Class 5	10/20/2017
145		Denied	08/10/2017
146	Pitney Bowes, Inc.	Class 5	03/31/2017
147		Denied	08/10/2017
148	Keller Williams Realty	Class 5	10/20/2017
149	AL Khair Holdings, Inc.	Denied	08/10/2017
150	Premier Surveying	Denied	08/10/2017
151		Denied	08/10/2017
152	One Clear Key Property Solutions, LLC	Denied	08/10/2017
153	Roadrunner Courier	Class 5	03/31/2017
154	Instant Shredding, Inc.	Class 5	03/31/2017
155		Class 4	06/30/2017
156	FedEx Corporate Services	Class 5	03/31/2017
157	Glendora Properties, LLC	Denied	08/10/2017
158	Oyster Real Estate	Denied	08/10/2017
159	Paychex, Inc.	Class 5	06/30/2017
160	Coldwell Banker Residential Brokerage	Denied	08/10/2017
161	Great American Insurance Company	Class 5	10/02/2018
162		Denied	06/30/2017
163	Allied Title Company	Denied	08/10/2017
164	Dallas Metro Holdings, LLC	Denied	08/10/2017
165	Texas Title Insurance Guaranty Association	Approved	02/11/2019

166	Next One, LLC	Denied	11/27/2017
167	Statement Properties, LLC	Denied	10/20/2017
168	CRRG, Inc.	Class 5	03/31/2017
169		Denied	10/20/2017
170	Prosperity Bank	Denied	06/30/2017
171	Texas Comptroller of Public Accounts	Class 6	06/30/2017
172	Gardere Wynne Sewell LLP	Class 5	03/31/2017
173	Alliant National Title Insurance Co.	Class 5	04/23/2019
174	MCS Fire & Security	Class 5	03/31/2017
175		Denied	06/30/2017
176		Denied	10/20/2017
177	Courthouse Direct.com	Class 5	04/21/2017
178	Courthouse Direct.com	Class 5	03/31/2017
179	Courthouse Direct.com	Class 5	03/31/2017
180	Integrity Title Records, LLP	Class 5	03/31/2017
181	Integrity Title Company, LLC	Class 5	04/21/2017
182	Integrity Title Records, LLP	Class 5	04/21/2017
183	Integrity Title Company, LLC	Class 5	04/21/2017
184	Chicago Title Insurance Company	Class 5	04/23/2019
185	Vortex Texas Partners, LLC	Class 5	01/09/2018
186	WFG National Title Insurance Company	Class 5	06/30/2017
187	WFG National Title Insurance Company	Class 5	06/30/2017
188	Kevin W. Vice, PLLC	Denied	08/10/2017
189		Denied	08/10/2017
190		Denied	10/20/2017
191	N&J Enterprises, Jonathan P. Blount	Denied	10/20/2017
192		Class 5	02/02/2018
193		Denied	08/10/2017
194	Christopher M. Pham Law Group, PLLC	Denied	04/23/2019
195	Everett Financial, Inc. d/b/a Supreme Lending	Denied	08/10/2017
196		Denied	08/10/2017
197		Discharged	
198		Discharged	
199		Denied	08/10/2017
200		Denied	08/10/2017
201	Christopher M. Pham Law Group, PLLC	Class 5	10/20/2017
202	Talia Woods, LLC	Class 5	10/20/2017
203	Cornerstone Home Lendings, Inc.	Denied	10/20/2017
204	Christopher M. Pham Law Group, PLLC	Denied	08/10/2017
205	Christopher M. Pham Law Group, PLLC	Class 5	10/20/2017
206	Leirana Investments, LLC	Withdrawn	
207		Discharged	
208	Dan Investments, LLC	Discharged	
209		Closed	

210		Denied	07/14/2017
211		Discharged	
212		Denied	10/20/2017