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Attorney for JMJ Development LLC, TRTX Properties LLC,

And Timothy Barton

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

IN RE:	§	
	§	
FM 544 PARK VISTA, LTD.; and	§	CASE NO. 17-34255-SGJ-11
PAVIST, LLC; and	§	CASE NO. 17-34274-SGJ-11
	§	
Debtors.	§	
	§	

NOTICE OF APPEAL

TO THE UNITED STATES BANKRUPTCY COURT:

NOTICE IS GIVEN that JMJ Development, Inc. ("JMJ") and TRTX Properties, LLC ("TRTX") including their principals, Timothy Barton, and counsel, Vance McMurry (collectively, "Appellants"), herein, appeal to the United States District Court for the Northern District of Texas, the Order Granting Motion for Contempt in Part [Dkt. 390] filed on September 20, 2022 resulting from the hearing held on September 18, 2022 on the Motion for Order to Show Cause for Violation of the Discharge Injunction, For Contempt, For Permanent Injunction, and for Sanctions [Dkt. 356] ("Motion for Contempt") filed by FM 544 Park Vista, Ltd., Pavist, LLC (collectively, "Debtors"), Richard Shaw, Park Vista Seniors, LLC, North/South Building, LLC, GW Equity Capital, LLC, RP Shaw Investments, LLC, and The Trustees of the BOS Trust (collectively,



"Movants"), as joined by Roger Sefzik, Hoss Holdings LLC, Tower 98 LLC and BSPV-Plano, LLC (collectively, "Appellees").

The Order being appealed is a final order, in order for the United States District Court for the Northern District of Texas to have jurisdiction to hear the appeal pursuant to 28 U.S.C. § 158(a)(1).

- 1. <u>Name of Appellants</u>: JMJ Development, Inc. and TRTX Properties, LLC, including their principals, Timothy Barton, and counsel, Vance McMurry.
- 2. <u>Position of Appellants</u>: The Appellants, JMJ Development, Inc. and TRTX Properties, LLC were the respondents to the Motion for Contempt.
- 3. <u>Subject of this Appeal</u>: The Order being appealed is the *Order Granting Motion for Contempt in Part* resulting from the hearing held on September 18, 2022, on the *Motion for Order to Show Cause for Violation of the Discharge Injunction, For Contempt, For Permanent Injunction, and for Sanctions*.
- 4. <u>Name of Appellees</u>: FM 544 Park Vista, Ltd., Pavist, LLC, Richard Shaw, Park Vista Seniors, LLC, North/South Building, LLC, GW Equity Capital, LLC, RP Shaw Investments, LLC, The Trustees of the BOS Trust, Roger Sefzik, Hoss Holdings LLC, Tower 98 LLC, and BSPV-Plano, LLC
 - 5. Counsel for Appellees:

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Attorneys for FM 544 Park Vista, Ltd.; Pavist, LLC; Richard Shaw; Park Vista Seniors, LLC; North/South Building, LLC; GW Equity Capital, LLC; RP Shaw Investments, LLC; and the Trustees of the BOS Trust

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Attorney for BSVP-Plano, LLC

Dated: October 4, 2022.

Respectfully Submitted,

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Pro Se

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 4, 2022, a true and correct copy of the foregoing document was served via the Court's ECF system upon the parties receiving electronic notice in this case.

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/s/ Steven C. Metzger Steven C. Metzger

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UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS

APPEAL SERVICE LIST

Transmission of the Record

BK Case No.: <u>17–34255–sgj11</u>
Received in District Court by:
Date:
Volume Number(s):
cc: Stacey G Jernigan Courtney Lauer Caroline Nowlin, Attorney(s) for Appellant US Trustee Kevin D. McCullough

Appellant JMJ Development LLC, TRTX Properties LLC, and Timothy Barton

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Appellee Roger Sefzik, Hoss Holdings and Tower 98, LLC

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Appellee FM 544 Park Vista, Ltd.; Pavist, LLC; Richard Shaw; Park Vista Seniors, LLC; North/South Building, LLC; GW Equity Capital, LLC; RP Shaw Investments, LLC; and the Trustees of the BOS Trust

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BTXN 010 (rev. 03/04)

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS

In Re:

Highland Capital Management, L.P.

Debtor(s)

Case No.: 19-34054-sgj11

The Charitable DAF Fund, L.P

Appellant(s)

Appellee(s)

VS.

Highland Capital Management, L.P.

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Adversary No.: 22–03052–sgj

CERTIFICATE OF MAILING

Notice of Appeal Filed By: The Charitable DAF Fund, L.P

Re: Order Granting Defendants Amended Motion to Dismiss Adversary Proceeding

The Notice of Appeal was noticed to the parties, indicated by attachment, by either electronic transmission or U.S. mail on October 12, 2022.

DATED: 10/12/22 FOR THE COURT:

Robert P. Colwell, Clerk of Court

by: /s/Sheniqua Whitaker, Deputy Clerk