

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

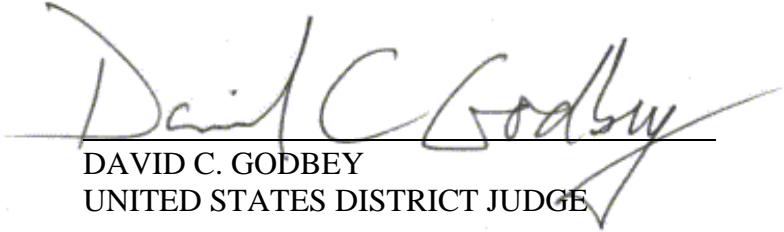
ART MIDWEST, INC., and AMERICAN	§	
REALTY TRUST, INC.,	§	
Plaintiffs/Counter-Defendants,	§	
	§	
v.	§	No. 3:99-CV-02355-N (BF)
	§	
DAVID M. CLAPPER, ATLANTIC	§	
MIDWEST, LLC, and ATLANTIC XIII,	§	
LLC,	§	
Defendants/Counter-Plaintiffs.	§	

**ORDER ACCEPTING FINDINGS, CONCLUSIONS AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions and Recommendation of the United States Magistrate Judge Paul D. Stickney. The District Court reviewed the proposed Findings, Conclusions, and Recommendation for plain error. Finding none, the Court accepts the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

IT IS THEREFORE ORDERED that Atlantic XIII, LLC, David M. Clapper and Atlantic Midwest, LLC’s (the “Atlantic Parties”) Motion for Turnover Order and for Temporary and Permanent Injunction as to American Realty Trust, Inc.’s Lawsuit and Judgment Against Dynex Corporation [D.E. 804] (“Motion for Turnover”) is **GRANTED in part**. Specifically, the Atlantic Parties’ request for a permanent injunction as set forth in paragraphs 17 and 20 of their Motion for Turnover [D.E. 804] is **GRANTED**. Further, the ART Parties are **ORDERED** to inform the Atlantic Parties of notable events in the Dynex lawsuit, including but not limited to settlements and resolution of dispositive motions. All other requests in the Motion for Turnover [D.E. 804] are deferred to the United State Magistrate Judge for disposition after the entry of the amended final judgment.

SO ORDERED July 31, 2014.


A handwritten signature in cursive script, reading "David C. Godbey", is written over a horizontal line. The signature is fluid and extends slightly above and below the line.

DAVID C. GODBEY
UNITED STATES DISTRICT JUDGE