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Attorneys for Plaintiff D. Ray Strong, Liquidating Trustee

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

D. RAY STRONG, as Liquidating Trustee of
the Consolidated Legacy Debtors Liquidating
Trust, the Castle Arch Opportunity Partners I,
LLC Liquidating Trust and the Castle Arch
Opportunity Partners II, LLC Liquidating Trust,

Plaintiff,

v.

KIRBY D. COCHRAN; JEFF AUSTIN;
AUSTIN CAPITAL SOLUTIONS; WILLIAM
H. DAVIDSON; DOUGLAS W. CHILD;
CHILD, VAN WAGONER & ASSOCIATES,
PLLC, fka CHILD, SULLIVAN &
ASSOCIATES, fka CHILD, VAN WAGONER
& ASSOCIATES, LLC, fka CHILD VAN
WAGONER & BRADSHAW, PLLC;
ROBERT CLAWSON; HYBRID ADVISOR
CROUP; and JOHN DOES 1-50,

Defendants.

***EX PARTE MOTION FOR LEAVE TO
FILE OVERLENGTH RESPONSE TO
MOTION OF DEFENDANTS JEFF
AUSTIN AND AUSTIN CAPITAL
SOLUTIONS TO COMPEL
ARBITRATION AND/OR DISMISS AND
MEMORANDUM IN SUPPORT***

Case No. 2:14-cv-00788-TC

Judge Tena Campbell

Pursuant to DUCivR 7-1(e), Plaintiff D. Ray Strong in his capacity as Liquidating
Trustee (the “Trustee”) moves the Court, on an ex parte basis for leave to file an overlength
Response to the *Motion of Defendants Jeff Austin and Austin Capital Solutions to Compel*

Arbitration and/or Dismiss [Docket No. 12] (the “Motion”). The Trustee requests leave to file a response containing 29 pages of argument.

MEMORANDUM IN SUPPORT

In the Motion, Defendants Jeff Austin and Austin Capital Solutions (collectively, “Austin”), move to compel arbitration and move to dismiss 19 claims brought by the Trustee. In light of the dispositive nature of this motion, the large number of claims, and the complexity of the issues involved, the Trustee believes that he must exceed the 25-page limit set forth in DUCivR 7-1(b)(2)(A) to adequately address the legal issues presented in the Motion. Accordingly, the Trustee seeks leave to file a response with up to 29 pages of argument.

DATED this 20th day of February, 2015.

DORSEY & WHITNEY LLP

/s/ Milo Steven Marsden
Milo Steven Marsden
Peggy Hunt
Sarah Goldberg
Attorneys for D. Ray Strong, Liquidating Trustee

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of February, 2015, I caused a true and correct copy of the foregoing ***EX PARTE MOTION FOR LEAVE TO FILE OVERLENGTH RESPONSE TO MOTION OF DEFENDANTS JEFF AUSTIN AND AUSTIN CAPITAL SOLUTIONS TO COMPEL ARBITRATION AND/OR DISMISS*** to be filed with the United States District Court for the District of Utah by using the CM/ECF system, which will automatically send email notifications of such filing to all counsel who have entered an appearance in this action.

/s/ Sarah Goldberg