

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

SECURITIES AND EXCHANGE COMMISSION,)	
)	
)	
PLAINTIFF,)	
)	
v.)	Civil Action No. 3:17CV-420- L
)	
)	
PATRICK O. HOWARD; HOWARD CAPITAL HOLDINGS, LLC; AND OPTIMAL ECONOMICS CAPITAL PARTNERS, LLC,)	
)	
DEFENDANTS.)	

RECEIVER’S UNOPPOSED MOTION TO RETAIN MARIO DOLAN

Receiver W. Craig Stokley (“Receiver”) files this Unopposed Motion to Retain Mario Dolan and, in support, would respectfully show the Court as follows:

1. On February 14, 2017, the Securities and Exchange commission (“SEC”) initiated these proceedings and sought the appointment of a receiver. On that same day, the Court issued its Order Appointing Receiver [Dkt. 10], by which W. Craig Stokley was appointed Receiver.

2. The Order Appointing Receiver provides in Paragraph 58 that the “Receiver is authorized to solicit persons and entities (‘Retained Personnel’) to assist him in carrying out the duties and responsibilities described in this Order.”

3. As detailed in the Receiver’s Quarterly Status Report filed on May 1, 2017 [Dkt. 60], the Receiver has been in communications with WHRZT, Inc. related to restructuring of debt to Optimal Economics Capital Partners, LLC and related matters. The Receiver seeks authority from the Court to engage transactional counsel to assist him in any transaction with WHRZT, Inc.

or any other transactional matters related to the Receivership. Mario Dolan is an attorney at Jackson Walker, and his biography is attached as Exhibit A. Mr. Dolan has agreed to a reduced hourly rate of \$425.00 for any work for the Receiver. As a result, the Receiver requests that the Court approve this Unopposed Motion to Retain Mario Dolan.

WHEREFORE, PREMISES CONSIDERED, the Receiver requests that the Court enter the Unopposed Order Granting Receiver's Unopposed Motion to Retain Mario Dolan and for such other and further relief to which the Receiver may show himself justly entitled.

Dated: May 12, 2017.

Respectfully submitted,



KIMBERLY M. J. SIMS

State Bar No. 24046167

ksims@palterlaw.com

PALTER STOKLEY SIMS PLLC

8115 Preston Rd., Suite 600

Dallas, Texas 75225

Telephone: (214) 888-3106

Facsimile: (214) 888-3109

ATTORNEY FOR RECEIVER

W. CRAIG STOKLEY

CERTIFICATE OF CONFERENCE

On May 9, 2017, the Receiver conferred with Timothy S. McCole, counsel for the United States Securities and Exchange Commission, and Phil Bezanson of Bracewell LLP, counsel for Defendant Patrick O. Howard, about the content of this Motion. Counsel advised that they are unopposed to the relief requested by this Motion.



KIMBERLY M.J. SIMS

CERTIFICATE OF SERVICE

On May 12, 2017, I electronically filed the Receiver's Unopposed Motion to Retain Mario Dolan via the Court's CM/ECF filing system, which will send a notice of electronic filing to all CM/ECF participants. I further certify that I served a true and correct copy of the foregoing document and the notice of electronic filing via UPS and electronic mail on all non-CM/ECF parties and/or their counsel.



KIMBERLY M.J. SIMS

Exhibit A

Mario Perez Dolan - Jackson Walker

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Biography

Mario Perez Dolan is a partner in the corporate and securities section of Jackson Walker. Mario has represented both public and private companies in a broad array of corporate matters, including mergers and acquisitions, joint ventures, corporate governance, securities matters, financing transactions, and general corporate matters.

Practice Experience

In the mergers and acquisitions portion of his practice, Mario has represented both purchasers and sellers in negotiated transactions in a variety of industries. His experience includes representations of strategic purchasers and private equity clients in the acquisition or disposition of operating businesses, as well as controlling or minority ownership positions.

Mario also has extensive experience in counseling clients with respect to joint ventures and other formation and corporate governance matters. As part of his joint venture and corporate governance experience, he has represented both sponsors and investors in the negotiation of the underlying governance documents in connection with real estate development transactions.

He also advises clients on securities matters including fund formation, private offerings, and venture capital financings.

In each representation, Mario takes pride in understanding his client's strategic goals and working towards achieving those outcomes in an efficient manner that focuses on client priorities. This approach has provided Mario the opportunity to develop long-term relationships with his clients and become a trusted member of the team.

Career Highlights

Mergers and Acquisitions

- Public pipeline equipment company purchase of valve equipment repair company
- Chalak Mitra Group purchase of Elephant Bar Restaurant franchise in 363 asset transaction
- Private equity firm purchase of industrial equipment manufacturer
- Media distribution software company merger with newspaper and direct mail distributor
- UK-based shipping agency purchase of Houston-based shipping brokerage
- Merger between Texas based staffing firm and private equity funded California software company
- Divestiture of pest control division of NYSE listed home builder
- Divestiture of building supply division of NYSE listed home builder
- Acquisition and merger of international technology company by NASDAQ listed silicon chip manufacturer

Joint Ventures and Corporate Governance

- Family office investment in industrial manufacturing company
- Multiple mezzanine and traditional preferred equity investments by Dallas-based hedge fund in multi-family housing assets
- Multiple venture capital and venture debt financings for Dallas-based multi-level marketing company

Commercial Transactions

- Negotiation of long term services agreements on behalf of packaging and logistics company
- Negotiation of ticketing and e-commerce services agreement on behalf of Fort Worth concert venue
- NASDAQ listed media company \$56 million publishing business process outsourcing transaction
- Multimillion-dollar long term revenue cycle management outsourcing transaction for India based business process service provider
- Representation of privately held energy company in development of framework regarding termination of \$3.5 billion outsourcing relationship with international technology and outsourcing company and replacement of outsourced services with third-party vendors

Pro Bono

- Drafted governance documents and advised 501(c)(3) providing services to returning war veterans

Community

- Princeton Prize in Race Relations Dallas/Ft. Worth Region, Co-Chair
- Dallas Association of Young Lawyers, Member
- Dallas Hispanic Bar Association, Member
- Texas C-Bar, Volunteer