

**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.)	

**JOINT MOTION TO RESOLVE THE COURT’S ORDER TO SHOW CAUSE
WITH RESPECT TO RESPONDENT SOBLINSKAS**

W. Craig Stokley, as Receiver for Howard Capital Holdings, LLC and Optimal Economics Capital Partners, LLC (“Receiver”), and Respondent Dovile Soblinskas file this Joint Motion to Resolve the Court’s Order to Show Cause (“**Joint Motion**”) with respect to Respondent Soblinskas and, in support, would respectfully show the Court as follows:

As set forth in the *Receiver’s Omnibus Response to Patrick Howard’s, Christine Horne’s, and Ron Scherer’s Responses to this Court’s Order to Show Cause* (Dkt. 81), the Receiver and Soblinskas have reached an agreement, and submit this their Joint Motion to resolve the Court’s Order to Show Cause with respect to Soblinskas. The Receiver and Soblinskas have discussed Soblinskas cooperation and commitment to continued cooperation with the Receiver consistent with the obligations set forth in the Court’s Order Appointing Receiver, and jointly request entry of an order resolving the Order to Show Cause consistent with the terms set forth herein.

To demonstrate her willingness to cooperate, and to establish cause for why she should not be held in contempt, Soblinskas, after discussions with Receiver, agreed to the following, and asks the Court to enter an order requiring her to:

- (a) Provide any and all requested documents in her possession that have been, or may be in the future, requested by the Receiver;
- (b) Provide to the Receiver access and ownership of the oecapitalpartnersinvestors@gmail.com email account referenced in the Receiver's Motion to Show Cause;
- (c) Pay a civil penalty to the Receivership (payable to "W. Craig Stokley, Receiver to Optimal Economics Capital Partners LLC") in the total amount of \$5,000, paid as follows: \$2,000 paid on or before June 12, 2017; \$500 paid on or before July 12, 2017; \$500 paid on or before August 12, 2017; \$500 paid on or before September 12, 2017; \$500 paid on or before October 12, 2017; \$500 paid on or before November 12, 2017; and \$500 paid on or before December 12, 2017; and
- (d) enjoining Soblinskas from communicating directly, indirectly, oral, in writing or otherwise in any manner with any investor of the Receivership Entities, or third party, about the Receivership Entities, and when asked will state the following or something substantially similar to: "I have been ordered not to speak about OE Capital Partners or the other entities in receivership."

WHEREFORE, PREMISES CONSIDERED, the Receiver and Respondent Dovile Soblinskas request that upon final consideration of this Joint Motion that the Court enter the proposed *Order Resolving the Court's Order to Show Cause as to Dovile Soblinskas* and for such other and further relief, general or special, at law or in equity, to which the parties may show themselves justly entitled.

Dated: June 8, 2017

Respectfully submitted,



KIMBERLY M. J. SIMS

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AND

/s/Ramon de Jesus Rodriguez

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ATTORNEY FOR DOVILE SOBLINSKAS

CERTIFICATE OF SERVICE

On June 8, 2017, I electronically filed the Receiver's Unopposed Motion to Modify and Clarify Order Appointing Receiver 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.

A handwritten signature in black ink that reads "Kimberly Sims". The signature is written in a cursive style with a large, looped "S" at the end.

KIMBERLY M.J. SIMS