

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

ALYSSON MILLS, IN HER CAPACITY
AS RECEIVER FOR ARTHUR LAMAR
ADAMS AND MADISON TIMBER
PROPERTIES, LLC,

Plaintiff,

v.

MICHAEL D. BILLINGS and
MDB GROUP, LLC;
TERRY WAYNE KELLY, JR. and
KELLY MANAGEMENT, LLC;
and WILLIAM B. MCHENRY, JR. and
FIRST SOUTH INVESTMENTS, LLC,

Defendants.

Case No. 3:18-cv-679

Arising out of Case No. 3:18-cv-252,
Securities and Exchange Commission v.
Arthur Lamar Adams and Madison
Timber Properties, LLC

Hon. Carlton W. Reeves, District Judge
Hon. F. Keith Ball, Magistrate Judge

ORDER SETTING HEARING

Before the Court is the Motion for Entry of Consent Judgment and Approval of Proposed Settlement filed by Plaintiff Alysson Mills, in her capacity as the court-appointed receiver (the “Receiver”) for Arthur Lamar Adams (“Adams”) and Madison Timber Properties, LLC (“Madison Timber”). The motion was filed in the case styled *Alysson Mills vs. Michael D. Billings, et al.*, No. 3:18-cv-679 (S.D. Miss) (“Recruiter lawsuit”), itself arising out of *Securities and Exchange Commission v. Arthur Lamar Adams and Madison Timber Properties, LLC*, No. 3:18-cv-252 (S.D. Miss) (“S.E.C. lawsuit”).

The motion asks the Court to approve the Receiver’s proposed settlement with Terry Wayne Kelly, Jr. and Kelly Management, LLC (“Kelly”), a defendant in the Recruiter lawsuit.

The Court, mindful that victims of the Madison Timber Ponzi scheme have a substantial interest in the Receiver's claim against Kelly and the proposed resolution of it, agrees with the Receiver that interested parties should have an opportunity to be heard before the proposed settlement is approved. The Court therefore **ORDERS** as follows:

1. The Court shall hold a hearing on the Motion for Entry of Consent Judgment and Approval of Proposed Settlement on **December 19, 2018** at **9:00 A.M.** in Courtroom 5B.

2. Victims or other interested parties who wish to submit comments or objections shall do so at least five days prior to the Court's hearing, either by submitting the comments or objections to the Court or to the Receiver, who shall submit them to the Court.

3. Victims or other interested parties who wish to address the proposed settlement at the hearing shall be given an opportunity to be speak.

4. The Receiver shall provide victims a copy of the Order Setting Hearing; the proposed Consent Judgment, Settlement Agreement, and Order Approving Settlement; and instructions for submitting comments or objections via her website and, separately, correspondence sent via U.S. Mail.

5. The Receiver shall certify that she has provided the notice described within three business days following the entry of this order.

6. This order shall be filed in the Court's public record for both the S.E.C. lawsuit and the Recruiter lawsuit.

The notice and hearing contemplated by this order shall give victims and interested parties a full and fair opportunity to be heard and shall give the Court the benefit of their opinions as the Court assesses the proposed settlement's merits. The notice and hearing

contemplated by this order is efficient and desirable under the circumstances, given the particular interests at stake.¹

DATED: 11/15/2018

s/ Carlton W. Reeves
UNITED STATES DISTRICT JUDGE

¹ The Court takes no position at this time on whether notice or hearing is appropriate prior to the Court's approval of possible future settlement with other parties.