

Respectfully submitted,

s/ Bradley W. Foster

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CERTIFICATE OF CONFERENCE

I hereby certify that I conferred with counsel for the Receiver on January 14, 2010 concerning the foregoing motion to compel arbitration. The Receiver is considering the relief requested and will advise as to his position on the issue when a decision has been made.

s/Bradley W. Foster _____

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of January 2009, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the Court. The electronic case files system sent a "Notice of Electronic Filing" to all counsel of records, each of whom have consented in writing to accept this Notice as service of this document by Electronic means.

s/Matthew G. Nielsen _____