UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

U.S. COMMODITY FUTURES TRADING COMMISSION, et al.,	§	
Plaintiffs,	§	
v.	§	
TMTE, INC., et al.,	§	Civil Action No. 3:20-CV-2910-X
Defendants,	§	
TOWER EQUITY, LLC,	§	
Relief Defendant.	§	

ORDER APPOINTING APPRAISERS, APPROVAL OF APPRAISALS, AND SETTING HEARING REGARDING APPROVAL OF SALE OF THE 443 W ROOSEVELT PROPERTY

Before the Court is the Receiver's Unopposed Motion For Appointment of Appraisers, Approval of Appraisals of the 443 W Roosevelt Real Property, and Setting Hearing Regarding Approval of Sale. (Doc. 1079). Having carefully considered the motion and its unopposed nature, the Court **GRANTS** it for the reasons below.

In accordance with the Court's order appointing the Receiver,[1] order governing the administration of the receivership,[2] and 28 U.S.C. section 2001, the Receiver submitted three independent appraisals of the real property located at 443 W Roosevelt Boulevard, Philadelphia, PA 19120 (the "Property").[3] Having reviewed the

[1] Doc. 16 (extended per Doc. No. 148 and consented to by Defendants per Doc. 164, 165).

[2] Doc. 213.

[3] Doc. 1079.

Receiver's submission, the Court finds that the appraisers are qualified, disinterested persons and **APPOINTS** the appraisers for the purpose of providing their appraisals of the Property and **ACCEPTS** the appraisals they provided in satisfaction of 28 U.S.C. section 2001(b).

The Receiver notes that the three appraisals value the Property "at $65,000, $76,000, and $77,000, with an average appraised value of $72,666."[4] The Receiver asks the Court to approve his contract to sell the Property for $55,000.[5] The Court agrees with the Receiver that this proposed sales price exceeds two-thirds of the Property's average appraised value, as the statute requires.[6]

The Court **FURTHER ORDERS** that on December 1, 2026, at 10:00 am, the Court will hear arguments and objections regarding the confirmation of the sale of the 443 W Roosevelt Property, as is required by statute.[7] The Court's consideration of the sale of the 443 W Roosevelt Property will be contingent on publication of the terms of the proposed sales prior to the hearing and a ten-day window following publication in which anyone objecting to the proposed sale of the 443 W Roosevelt Property may submit a bona fide offer exceeding the proposed sale price for the 443 W Roosevelt Property by at least ten percent (10%). The Receiver shall provide in

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[4] Doc. 1079 at 4.

[5] *Id.*

[6] 28 U.S.C. § 2001(b).

[7] *Id.* ("After a hearing, of which notice to all interested parties shall be given by publication or otherwise as the court directs, the court may order the sale of such realty or interest or any part thereof at private sale for cash or other consideration and upon such terms and conditions as the court approves, if it finds that the best interests of the estate will be conserved thereby.").

such publication notice of the time and date of the hearing. The hearing will further confirm whether the sale is in the best interests of the estate.[8]

BRANTLEY STARR
UNITED STATES DISTRICT JUDGE

[8] *Id.* ("The private sale shall not be confirmed if a bona fide offer is made, under conditions prescribed by the court, which guarantees at least a 10 per centum increase over the price offered in the private sale.").