

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
Charlottesville Division

SECURITIES AND EXCHANGE COMMISSION,)
)
Plaintiff,)
)
v.)
)
TERRY L. DOWDELL, et al.,)
)
Defendants.)
_____)

CASE NO. 3:01CV00116

Judge Norman K. Moon
U.S. District Judge

NOTICE OF MOTION AND HEARING

PLEASE TAKE NOTICE that Roy M. Terry, Jr. and the law firm of DuretteBradshaw PLC (“Receiver”) has filed a second motion with the Court for final claim determination (the “Motion”). A copy of the Motion is attached and is also posted on the Receiver’s web-site at www.dowdell-receivership.com. Pursuant to the Plan of Distribution, §§ 3.08 and 3.11, Notice is hereby given of the hearing date on the Motion. A copy of this Notice of Motion and Hearing is also posted on the Receiver’s website. In accordance with the Plan of Distribution, § 3.09, Claimants filing objections to the Receiver’s Claims Determination are hereby noticed with respect to the adjudication of the particular Objections and the Claim to which the Objection is directed. A copy of the relevant portion of the exhibit binder supplementing the Motion, which was submitted to the Court, is enclosed for each Objector.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the Motion, or if you want the Court to consider your views on the Motion, then you or your attorney must:

Attend the hearing on the Motion scheduled to be held on **June 30, 2008, at 10:00 a.m.**, or as soon thereafter as counsel may be heard, by the Honorable Norman K. Moon, United States District Court Judge, United States Courthouse, 255 West Main Street, Room 300, Charlottesville, Virginia 22902.

If you plan to attend this hearing, then on or before June 25, 2008, you must advise the Receiver in writing or by email to sryan@durettebradshaw.com of the estimated time to present your argument to the Court. The Receiver will then notify the Court of your requested time for scheduling purposes.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the Motion and may enter an order granting the relief.

Respectfully submitted, this 2nd day of June, 2008.

Roy M. Terry, Jr. and DuretteBradshaw PLC
Receiver

/s/ John C. Smith

Roy M. Terry, Jr., VSB No. 17764

John C. Smith, VSB No. 44556

Elizabeth L. Gunn, VSB No. 71044

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Counsel for Receiver

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