

No. 19-60749

In the
**United States Court of Appeals
for the Fifth Circuit**

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

Plaintiff—Appellee,

v.

BUTLER SNOW, L.L.P.; BUTLER SNOW ADVISORY SERVICES, L.L.C.;
MATT THORNTON,

Defendants—Appellants.

On Appeal from the United States District Court
for the Southern District of Mississippi
Case No. 3:18-cv-866

**NOTICE OF SUBSEQUENT FACTS RELATING TO
PRIOR MOTION TO STAY FURTHER PROCEEDINGS**

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ADDITIONAL FACT RELATING TO MOTION TO STAY

On December 21, 2020, the parties jointly informed the Court that they had reached a settlement of their dispute “in principle.”

The parties have now memorialized their settlement in a signed, written agreement, and the Receiver has publicly reported that settlement in her report to the District Court supervising the Receivership Estate. *See* Doc. 219; *SEC v. Arthur Lamar Adams & Madison Timber Properties, LLC*; 3:18-cv-252 (S.D. Miss. Dec. 31, 2020) (the “SEC Action”). However, the settlement is not final, since the Receiver must still seek the District Court’s approval of the parties’ settlement and, following a notice period, allow interested persons an opportunity to object.

Assuming the District Court approves the settlement in the SEC Action and the approval order is not appealed, the parties will return to this Court to voluntarily dismiss this appeal, then voluntarily dismiss the claims asserted against Butler Snow LLP; Butler Snow Advisory Services, LLC; and Matt Thornton in the underlying civil action, *Mills v. Butler Snow LLP, et al.*; 3:18-cv-866 (S.D. Miss.).

This appeal should be stayed pending a determination by the District Court as to whether the settlement should be approved. The case should remain assigned to the same panel of the Court that heard the oral argument for any necessary proceedings in the event that the District Court does not approve the settlement.

Respectfully submitted this the 4th day of January, 2021.

/s/ Alan W. Perry

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CERTIFICATE OF SERVICE

I hereby certify that on January 4, 2021, I filed the foregoing with the Clerk of the Court via CM/ECF, which will deliver electronic copies to all counsel of record, and that I have separately served an electronic copy of the foregoing on all counsel of record by email.

Respectfully submitted,

/s/ Alan W. Perry

Counsel for Appellant Butler Snow LLP

CERTIFICATE OF COMPLIANCE

1. This motion complies with the type-volume limitation of Fed. R. App. P. 27(d)(2) because this motion contains 229 words excluding the parts of the document exempted by Fed. R. App. P. 32(f).
2. This motion complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because this document has been prepared in a proportionally spaced typeface using Microsoft Word in Times New Roman font size 14.

THIS the 4th of January, 2021.

/s/ Alan W. Perry

Counsel for Appellant Butler Snow LLP