

APPEAL,CASREF,JURY

**U.S. District Court
Northern District of Texas (Dallas)
CIVIL DOCKET FOR CASE #: 3:25-cv-00114-S-BN**

Brand Engagement Network Inc v. Brewer, III et al
Assigned to: Judge Karen Gren Scholer
Referred to: Magistrate Judge David L. Horan
Case in other court: USCA5, 25-10541
Cause: 28:1331 Fed. Question

Date Filed: 01/16/2025
Jury Demand: Plaintiff
Nature of Suit: 190 Contract: Other Contract
Jurisdiction: Federal Question

Plaintiff**Brand Engagement Network Inc**

represented by **Matthew Elliott Yarbrough**
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V.

Defendant**Ralph Wright Brewer, III**

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Defendant

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Christian Martinez
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Michael C Smith
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Defendant

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Defendant

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also known as
Tronix

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Defendant

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ATTORNEY TO BE NOTICED

Defendant

Southwest Colonial Reinsurance Ltd

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Defendant

Delaporte Learning Inc

represented by **Shauna J Wright**

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ATTORNEY TO BE NOTICED

Defendant

Prime Reserve Plus Inc

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ATTORNEY TO BE NOTICED

Defendant

DaidaX Inc

formerly known as

Pathwai Inc

formerly known as

Ben Automotive Inc

represented by **Shauna J Wright**

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ATTORNEY TO BE NOTICED

Defendant**Maurice Fitzpatrick, Jr**represented by **Maurice Fitzpatrick, Jr**

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Date Filed	#	Docket Text
01/16/2025	<u>1</u>	COMPLAINT WITH JURY DEMAND against All Defendants filed by Brand Engagement Network, Inc.. (Filing fee \$405; Receipt number ATXNDC-15192820) Clerk to issue summons(es). In each Notice of Electronic Filing, the judge assignment is indicated, and a link to the Judges Copy Requirements and Judge Specific Requirements is provided. The court reminds the filer that any required copy of this and future documents must be delivered to the judge, in the manner prescribed, within three business days of filing. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov, or by clicking here: Attorney Information - Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Attachments: # <u>1</u> Exhibit(s) A - Recorded Conversation, # <u>2</u> Exhibit(s) B - Exclusive Reseller Agreement, # <u>3</u> Exhibit(s) C - Automotive News Article, # <u>4</u> Exhibit(s) D - March 1, 2022 Agreement, # <u>5</u> Exhibit(s) E - June 1, 2022 Agreement) (Yarbrough, Matthew) (Entered: 01/16/2025)
01/16/2025	<u>2</u>	New Case Notes: A filing fee has been paid. Pursuant to Misc. Order 6, Plaintiff is provided the Notice of Right to Consent to Proceed Before A U.S. Magistrate Judge (Judge Horan). Clerk to provide copy to plaintiff if not received electronically. (knb) (Entered: 01/16/2025)
01/16/2025	<u>3</u>	Summons Issued as to AFG Companies Inc, AFG Technologies LLC, Automotive Financial Group Inc, Ralph Wright Brewer, III, CareGard Warranty Services Inc, DaidaX Inc, Delaporte Learning Inc, Prime Reserve Plus Inc, Southwest Colonial Reinsurance Ltd. (knb) (Entered: 01/16/2025)
01/16/2025	<u>4</u>	ELECTRONIC STANDING ORDER: Counsel are required to review and comply with the Court's Judge Specific Requirements, which can be found here: Judge Requirements . The Court updates its Requirements periodically. Also, counsel are required to review and comply with the Northern District of Texas's Local Civil Rules, which can be found here: Civil Rules . In particular, the Court directs counsel to review Rules 3.1, 7.4, and 81.2, regarding certificates of interested persons, and Rule 83.10, regarding local counsel. Counsel are expected to review the Requirements and Local Rules before contacting the Court with questions. (Ordered by Judge Karen Gren Scholer on 1/16/2025) (knb) (Entered: 01/16/2025)
01/23/2025	<u>5</u>	SUMMONS Returned Executed as to AFG Companies Inc; served on 1/21/2025. (axm) (Entered: 01/24/2025)
01/23/2025	<u>6</u>	SUMMONS Returned Executed as to CareGard Warranty Services Inc; served on 1/21/2025. (axm) (Entered: 01/24/2025)
01/23/2025	<u>7</u>	SUMMONS Returned Executed as to Prime Reserve Plus Inc; served on 1/21/2025. (axm) (Entered: 01/24/2025)
01/23/2025	<u>8</u>	SUMMONS Returned Executed as to Automotive Financial Group Inc; served on 1/21/2025. (axm) (Entered: 01/24/2025)
01/30/2025	<u>9</u>	SUMMONS Returned Executed as to AFG Technologies LLC ; served on 1/24/2025. (ndt) (Entered: 01/30/2025)
01/30/2025	<u>10</u>	SUMMONS Returned Executed as to DaidaX Inc ; served on 1/24/2025. (ndt) (Entered: 01/30/2025)
01/30/2025	<u>11</u>	SUMMONS Returned Executed as to Delaporte Learning Inc ; served on 1/24/2025. (ndt) (Entered: 01/30/2025)
02/06/2025	<u>12</u>	Emergency MOTION for Temporary Restraining Order filed by AFG Companies Inc, AFG Technologies LLC, Automotive Financial Group Inc, Ralph Wright Brewer, III, CareGard Warranty Services Inc, DaidaX Inc, Delaporte Learning Inc, Prime Reserve Plus Inc, Southwest Colonial Reinsurance Ltd with Brief/Memorandum in Support. (Attachments: # <u>1</u> Exhibit(s), # <u>2</u> Exhibit(s), # <u>3</u> Declaration(s), # <u>4</u> Declaration(s), # <u>5</u> Proposed

		Order)Attorney Kelly E Kleist added to party AFG Companies Inc(pty:dft), Attorney Kelly E Kleist added to party AFG Technologies LLC(pty:dft), Attorney Kelly E Kleist added to party Automotive Financial Group Inc(pty:dft), Attorney Kelly E Kleist added to party Ralph Wright Brewer, III(pty:dft), Attorney Kelly E Kleist added to party CareGard Warranty Services Inc(pty:dft), Attorney Kelly E Kleist added to party DaidaX Inc(pty:dft), Attorney Kelly E Kleist added to party Delaporte Learning Inc(pty:dft), Attorney Kelly E Kleist added to party Prime Reserve Plus Inc(pty:dft), Attorney Kelly E Kleist added to party Southwest Colonial Reinsurance Ltd(pty:dft) (Kleist, Kelly) (Entered: 02/06/2025)
02/06/2025	13	Emergency MOTION for Discovery filed by AFG Companies Inc, AFG Technologies LLC, Automotive Financial Group Inc, Ralph Wright Brewer, III, CareGard Warranty Services Inc, DaidaX Inc, Delaporte Learning Inc, Prime Reserve Plus Inc, Southwest Colonial Reinsurance Ltd with Brief/Memorandum in Support. (Attachments: # 1 Exhibit(s), # 2 Proposed Order) (Kleist, Kelly) (Entered: 02/06/2025)
02/06/2025	14	NOTICE of Attorney Appearance by Michael C Smith on behalf of AFG Companies Inc, AFG Technologies LLC, Automotive Financial Group Inc, Ralph Wright Brewer, III, CareGard Warranty Services Inc, DaidaX Inc, Delaporte Learning Inc, Prime Reserve Plus Inc, Southwest Colonial Reinsurance Ltd. (Filer confirms contact info in ECF is current.) (Smith, Michael) (Entered: 02/06/2025)
02/07/2025	15	ORDER re: 12 Emergency MOTION for Temporary Restraining Order , 13 Emergency MOTION for Discovery. Responses due by 2/10/2025. Replies due by 2/11/2025. Motion Hearing set for 2/13/2025 10:00 AM in US Courthouse, Courtroom 1627, 1100 Commerce St., Dallas, TX 75242-1310 before Judge Karen Gren Scholer. (Ordered by Judge Karen Gren Scholer on 2/7/2025) (kcr) (Entered: 02/07/2025)
02/10/2025	16	NOTICE of Attorney Appearance by Stephen E Fox on behalf of Brand Engagement Network Inc. (Filer confirms contact info in ECF is current.) (Fox, Stephen) (Entered: 02/10/2025)
02/10/2025	17	RESPONSE filed by Brand Engagement Network Inc re: 13 Emergency MOTION for Discovery (Fox, Stephen) (Entered: 02/10/2025)
02/10/2025	18	RESPONSE filed by Brand Engagement Network Inc re: 12 Emergency MOTION for Temporary Restraining Order (Attachments: # 1 Exhibit(s) 1 - Henderson Declaration, # 2 Exhibit(s) 2 - Yarborough Declaration, # 3 Exhibit(s) 3 - Petition, # 4 Exhibit(s) 4 - Amended Petition, # 5 Exhibit(s) 5 - Motion to Dismiss) (Clark, Jonathan) (Entered: 02/10/2025)
02/11/2025	19	Motion to Dismiss for Failure to State a Claim filed by AFG Companies Inc, AFG Technologies LLC, Automotive Financial Group Inc, CareGard Warranty Services Inc, DaidaX Inc, Delaporte Learning Inc, Prime Reserve Plus Inc with Brief/Memorandum in Support. (Hill, Mark) (Entered: 02/11/2025)
02/11/2025	20	REPLY filed by AFG Companies Inc, AFG Technologies LLC, Automotive Financial Group Inc, CareGard Warranty Services Inc, DaidaX Inc, Delaporte Learning Inc, Prime Reserve Plus Inc re: 13 Emergency MOTION for Discovery (Hill, Mark) (Entered: 02/11/2025)
02/11/2025	22	*** STRICKEN AND UNFILED PER 62 ORDER. *** MOTION for Leave to Proceed in forma pauperis filed by Maurice Fitzpatrick (ykp) Modified text on 4/17/2025 (agc). (Entered: 02/12/2025)
02/12/2025	21	MOTION to Intervene filed by Maurice Fitzpatrick (Attachments: # 1 Exhibit(s), # 2 Exhibit(s), # 3 Exhibit(s), # 4 Exhibit(s), # 5 Exhibit(s), # 6 Exhibit(s), # 7 Exhibit(s)) (ykp) (Entered: 02/12/2025)
02/12/2025	23	ELECTRONIC ORDER: The Court TERMINATES AS MOOT 12 Defendants' Emergency Application for Temporary Restraining Order and Preliminary Injunction and 13 Defendants' Motion for Expedited Discovery. Additionally, the Court CANCELS the February 13, 2025, Motion Hearing. (Ordered by Judge Karen Gren Scholer on 2/12/2025) (chmb) (Entered: 02/12/2025)
02/19/2025	24	ELECTRONIC ORDER: The Court refers the 21 Motion to Intervene and 22 Application to Proceed in District Court Without Prepaying Fees or Costs to Magistrate Judge David L. Horan. (Ordered by Judge Karen Gren Scholer on 2/19/2025) (chmb) (Entered: 02/19/2025)
03/04/2025		***Clerk's Notice of delivery: (see NEF for details) Docket No.: NEF of document #23, 24 Tue Mar 4 08:19:12 CST 2025 (crt) Modified on 3/4/2025 (axm). (Entered: 03/04/2025)
03/04/2025	25	RESPONSE filed by Brand Engagement Network Inc re: 21 MOTION to Intervene (Fox, Stephen) (Entered: 03/04/2025)
03/04/2025	26	RESPONSE filed by AFG Companies Inc, AFG Technologies LLC, Automotive Financial Group Inc, CareGard Warranty Services Inc, DaidaX Inc, Delaporte Learning Inc, Maurice Fitzpatrick, Jr, Prime Reserve Plus Inc re: 21 MOTION to Intervene (Kleist, Kelly) (Entered: 03/04/2025)
03/04/2025	27	AMENDED COMPLAINT WITH JURY DEMAND <i>PLAINTIFF'S FIRST AMENDED COMPLAINT</i> against All Defendants filed by Brand Engagement Network Inc. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: Attorney Information - Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Clark, Jonathan) (Entered: 03/04/2025)

03/04/2025	28	*** STRICKEN AND UNFILED PER 62 ORDER. *** REPLY filed by Maurice Fitzpatrick, Jr re: 25 Response/Objection, 26 Response/Objection, (Fitzpatrick, Maurice) Modified text on 4/17/2025 (agc). (Entered: 03/04/2025)
03/04/2025	29	RESPONSE filed by Brand Engagement Network Inc re: 19 Motion to Dismiss for Failure to State a Claim (Clark, Jonathan) (Entered: 03/04/2025)
03/05/2025	30	*** STRICKEN AND UNFILED PER 62 ORDER. *** RESPONSE AND OBJECTION filed by Maurice Fitzpatrick, Jr re: 19 Motion to Dismiss for Failure to State a Claim (Fitzpatrick, Maurice) Modified text on 4/17/2025 (agc). (Entered: 03/05/2025)
03/05/2025	31	ELECTRONIC ORDER: As a result of 27 Plaintiff's First Amended Complaint, the Court TERMINATES AS MOOT 19 Defendants' Motion to Dismiss under Federal Rule of Civil Procedure 12(b)(6). (Ordered by Judge Karen Gren Scholer on 3/5/2025) (chmb) (Entered: 03/05/2025)
03/05/2025	32	*** STRICKEN AND UNFILED PER 62 ORDER. *** Brief/Memorandum in Support filed by Maurice Fitzpatrick, Jr re 21 MOTION to Intervene, 28 Reply (Fitzpatrick, Maurice) Modified text on 4/17/2025 (agc). (Entered: 03/05/2025)
03/08/2025	33	*** STRICKEN AND UNFILED PER 62 ORDER. *** CERTIFICATE OF SERVICE by Maurice Fitzpatrick, Jr re 28 Reply (Fitzpatrick, Maurice) Modified text on 4/17/2025 (agc). (Entered: 03/08/2025)
03/08/2025	34	*** STRICKEN AND UNFILED PER 62 ORDER. *** CERTIFICATE OF SERVICE by Maurice Fitzpatrick, Jr re 30 Response/Objection (Fitzpatrick, Maurice) Modified text on 4/17/2025 (agc). (Entered: 03/08/2025)
03/08/2025	35	*** STRICKEN AND UNFILED PER 62 ORDER. *** MOTION for Judicial Notice of SEC Filings filed by Maurice Fitzpatrick, Jr (Attachments: # 1 Exhibit(s) SEC Filings) (Fitzpatrick, Maurice) Modified text on 3/10/2025 (knb). Modified text on 4/17/2025 (agc). (Entered: 03/08/2025)
03/09/2025	36	*** STRICKEN AND UNFILED PER 62 ORDER. *** MOTION for Judicial Notice of Criminal Case filed by Maurice Fitzpatrick, Jr (Attachments: # 1 Court records from USA v. Lucas (3:21-cr-00851-AJB), # 2 Court records from Mark Yousef v. Caregard Warranty Services, Inc. (2:22-cv-03673-KES), # 3 Wyoming Secretary of State filings (C1 through C8)) (Fitzpatrick, Maurice) Modified text on 3/10/2025 (knb). Modified text on 4/17/2025 (agc). (Entered: 03/09/2025)
03/11/2025	37	*** STRICKEN AND UNFILED PER 62 ORDER. *** MOTION For Judicial Notice filed by Maurice Fitzpatrick, Jr (Attachments: # 1 Order dated January 7, 2025 (Dkt. 122), # 2 Amended Complaint, filed January 10, 2025 (Dkt. 126)) (Fitzpatrick, Maurice) Modified text on 4/17/2025 (agc). (Entered: 03/11/2025)
03/11/2025	38	ELECTRONIC ORDER: The Court refers 35 Defendant Fitzpatrick's Motion for Judicial Notice of Securities and Exchange Commission (SEC) Filings, 36 Defendant Fitzpatrick's Motion for Judicial Notice of Criminal Case of Michael Todd Lucas and Government Records, and 37 Defendant Fitzpatrick's Motion for Judicial Notice of Public Court Records Relating to Patrick Nunally's Recent Addition as Defendant in State of Washington v. Landmark Technology A LLC to Magistrate Judge David L. Horan. (Ordered by Judge Karen Gren Scholer on 3/11/2025) (chmb) (Entered: 03/11/2025)
03/11/2025	39	*** STRICKEN AND UNFILED PER 62 ORDER. *** MOTION For Judicial Notice filed by Maurice Fitzpatrick, Jr (Attachments: # 1 USPTO Exhibit Summary, # 2 Exhibit A1 to A10, # 3 Exhibit A11 to A20, # 4 Exhibit A21 to A30, # 5 Exhibit A31 to A34) (Fitzpatrick, Maurice) Modified text on 4/17/2025 (agc). (Entered: 03/11/2025)
03/13/2025	40	MOTION to Remand filed by AFG Companies Inc with Brief/Memorandum in Support. (Attachments: # 1 Exhibit(s), # 2 Exhibit(s)) (Hill, Mark) (Entered: 03/13/2025)
03/13/2025	41	MOTION to Remand filed by AFG Companies Inc with Brief/Memorandum in Support. (Attachments: # 1 Exhibit(s), # 2 Exhibit(s)) (Hill, Mark) (Entered: 03/13/2025)
03/14/2025	42	ELECTRONIC ORDER REFERRING CASE to Magistrate Judge David L. Horan for pretrial management. (Ordered by Judge Karen Gren Scholer on 3/14/2025) (chmb) (Entered: 03/14/2025)
03/14/2025	43	*** STRICKEN AND UNFILED PER 62 ORDER. *** RESPONSE AND OBJECTION filed by Maurice Fitzpatrick, Jr re: 40 MOTION to Remand , 41 MOTION to Remand (Fitzpatrick, Maurice) Modified text on 4/17/2025 (agc). (Entered: 03/14/2025)
03/14/2025	44	MOTION to Strike and Response in Opposition filed by Brand Engagement Network Inc re: 39 MOTION For Judicial Notice, 37 MOTION For Judicial Notice, 36 MOTION for Judicial Notice of Criminal Case (Attachments: # 1 Exhibit(s) 1, # 2 Proposed Order) (Fox, Stephen) Modified event/text on 3/18/2025 (cfk). (Entered: 03/14/2025)
03/14/2025	45	AMENDED DOCUMENT by Brand Engagement Network Inc. Amendment to 44 Response/Objection. <i>Amended Certificate of Conference.</i> (Fox, Stephen) (Entered: 03/14/2025)
03/15/2025	46	*** STRICKEN AND UNFILED PER 62 ORDER. *** Amended MOTION For Judicial Notice re: 37 Motion for Judicial Notice. (Attachments: # 1 Order dated January 7, 2025 (Dkt. 122), # 2 Amended Complaint, filed January 10, 2025 (Dkt. 126)) (Fitzpatrick, Maurice) Modified text on 3/17/2025 (cfk).

		Modified text on 4/17/2025 (agc). (Entered: 03/15/2025)
03/16/2025	47	*** STRICKEN AND UNFILED PER 62 ORDER. *** MOTION To Disqualify Attorneys Matthew Yarbrough, Levi Mccathern, and Mark Hill filed by Maurice Fitzpatrick, Jr (Fitzpatrick, Maurice) Modified text/linkage on 3/17/2025 (cfk). Modified text on 4/17/2025 (agc). (Entered: 03/16/2025)
03/16/2025	48	*** STRICKEN AND UNFILED PER 62 ORDER. *** MOTION for Limited Discovery Regarding Ex Parte Communications, Collusion, and Attorney Conflicts of Interest filed by Maurice Fitzpatrick, Jr (Fitzpatrick, Maurice) Modified text/linkage on 3/17/2025 (cfk). Modified text on 4/17/2025 (agc). (Entered: 03/16/2025)
03/17/2025	49	*** STRICKEN AND UNFILED PER 62 ORDER. *** RESPONSE AND OBJECTION filed by Maurice Fitzpatrick, Jr re: 44 Motion to Strike (Fitzpatrick, Maurice) Modified text on 3/18/2025 (cfk). Modified text on 4/17/2025 (agc). (Entered: 03/17/2025)
03/18/2025	50	*** STRICKEN AND UNFILED PER 62 ORDER. *** MOTION Expedite Motion To Intervene; Notices of Removal; Consolidation of Removals; Grant Leave to File Complaint; Sanctions; and Other Relief filed by Maurice Fitzpatrick, Jr (Attachments: # 1 Exhibit(s) Juducual Notice - State Bar Association) (Fitzpatrick, Maurice) Modified text on 4/17/2025 (agc). (Entered: 03/18/2025)
03/19/2025	51	*** STRICKEN AND UNFILED PER 62 ORDER. *** Supplemental Document by Maurice Fitzpatrick, Jr as to 50 MOTION Expedite Motion To Intervene; Notices of Removal; Consolidation of Removals; Grant Leave to File Complaint; Sanctions; and Other Relief . (Attachments: # 1 Due Figlie, LLC & Shawn Lucas v. Brewer & AFG (Case No. 3:25-CV-00629-N)) (Fitzpatrick, Maurice) Modified text on 4/17/2025 (agc). (Entered: 03/19/2025)
03/20/2025	52	FINDINGS, CONCLUSIONS, AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE: The Court should deny Nonparty Maurice Fitzpatrick's 21 motion to intervene, grant the 40 & 41 motions to remand, and strike and unfile the remaining filings made by Fitzpatrick in this lawsuit. (Ordered by Magistrate Judge David L. Horan on 3/20/2025) (twd) (Entered: 03/20/2025)
03/21/2025	53	MOTION to Dismiss <i>Amended Complaint</i> filed by AFG Companies Inc, AFG Technologies LLC, Automotive Financial Group Inc, Ralph Wright Brewer, III, CareGard Warranty Services Inc, DaidaX Inc, Delaporte Learning Inc, Prime Reserve Plus Inc with Brief/Memorandum in Support. (Kleist, Kelly) (Entered: 03/21/2025)
03/25/2025	54	ORDER SETTING BRIEFING SCHEDULE re: 53 MOTION to Dismiss <i>Amended Complaint</i> . Responses due by 4/23/2025. Replies due by 5/8/2025. (Ordered by Magistrate Judge David L. Horan on 3/25/2025) (kcr) (Entered: 03/25/2025)
03/27/2025	55	Request for Clerk to issue Default filed by Brand Engagement Network Inc. (Attachments: # 1 Declaration(s), # 2 Proposed Order) (Blackstone, Jason) (Entered: 03/27/2025)
03/28/2025	56	RESPONSE AND OBJECTION filed by AFG Companies Inc, AFG Technologies LLC, Automotive Financial Group Inc, CareGard Warranty Services Inc, DaidaX Inc, Delaporte Learning Inc, Prime Reserve Plus Inc re: 55 Request for Clerk to Issue Document (Kleist, Kelly) (Entered: 03/28/2025)
03/28/2025	57	MEMORANDUM OPINION AND ORDER: There is no basis to enter default against Defendants. It is the Court's expectation that this action will be prosecuted and defended in a manner that does not unduly burden the Court, the other parties or participants, or their counsel. (Ordered by Magistrate Judge David L. Horan on 3/28/2025) (kcr) (Entered: 03/28/2025)
04/01/2025	58	RESPONSE AND OBJECTION filed by Maurice Fitzpatrick, Jr re: 52 Findings and Recommendations on Motion (Attachments: # 1 Exhibit A - BNAI Stock Activity Data 03122024-03252024, # 2 Exhibit B - Re-Submission of true, correct, and non-fragmented digital copy of Notice of Removal originally filed on February 11, 2025, with Motion To Intervene, concerning the Tarrant County (Cause No. 017-352358-24) action., # 3 Exhibit C - Re-Submission of true, correct, and non-fragmented digital copy of Notice of Removal originally filed on February 11, 2025, with Motion To Intervene, concerning the Denton County (Cause No. 24-11876-442) action., # 4 Exhibit D - October 29, 2024, receipt for records obtained from Tarrant County District Court (Cause No. 017-352358-24), showing date of discovery and acquisition by Fitzpatrick) (Fitzpatrick, Maurice) Modified event text on 4/2/2025 (kcr). (Entered: 04/01/2025)
04/07/2025	59	OBJECTION filed by AFG Companies Inc, AFG Technologies LLC, Automotive Financial Group Inc, Ralph Wright Brewer, III, CareGard Warranty Services Inc, DaidaX Inc, Delaporte Learning Inc, Prime Reserve Plus Inc re: 47 MOTION Motion To Disqualify Attorneys Matthew Yarbrough, Levi Mccathern, 48 Motion for Limited Discovery. (Kleist, Kelly) Modified text on 4/7/2025 (rekc). (Entered: 04/07/2025)
04/11/2025	60	*** STRICKEN AND UNFILED PER 62 ORDER. *** MOTION for Leave to File CIVIL RICO COMPLAINT AND RICO CASE STATEMENT(<i>UNDER SEAL</i>) filed by Maurice Fitzpatrick, Jr (Fitzpatrick, Maurice) Modified text on 4/17/2025 (agc). (Entered: 04/11/2025)
04/11/2025	61	*** STRICKEN AND UNFILED PER 62 ORDER. *** NOTICE of <i>Supplemental Authority</i> filed by Maurice Fitzpatrick, Jr (Attachments: # 1 Medical Marijuana, Inc. v. Horn, 604 U.S. ____ (2025)) (Fitzpatrick, Maurice) Modified text on 4/17/2025 (agc). (Entered: 04/11/2025)

04/17/2025	62	ORDER ACCEPTING 52 FINDINGS, CONCLUSIONS, AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE. The Court DENIES Nonparty Maurice Fitzpatrick's 21 Motion to Intervene; GRANTS Defendant AFG Companies, Inc.'s 40 , 41 Motions to Remand; ORDERS that the state court actions that Fitzpatrick purportedly removed through his unsuccessful Motion to Intervene are hereby remanded to the state courts from which they were removed; and DIRECTS the Clerk of the Court to STRIKE and UN-FILE all filings that Fitzpatrick has made in this proceeding except for his 21 Motion to Intervene and his Response and 58 Objections to Magistrate Judge's Findings, Conclusions, and Recommendation. (Ordered by Judge Karen Gren Scholer on 4/17/2025) (agc) Modified text on 4/17/2025 (agc). (Additional attachment(s) added on 4/17/2025: # 1 Remand Letter, # 2 Remand) (agc). (Entered: 04/17/2025)
04/17/2025	63	NOTICE OF INTERLOCUTORY APPEAL as to 62 Order Accepting/Adopting Findings and Recommendations to the Fifth Circuit by Maurice Fitzpatrick, Jr. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions here . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (Fitzpatrick, Maurice) (Entered: 04/17/2025)
04/18/2025	64	Emergency MOTION to Stay <i>Effect of DKT. No. 62 Pending Appeal</i> filed by Maurice Fitzpatrick, Jr re 62 Order Accepting/Adopting Findings and Recommendations. (Attachments: # 1 Exhibit(s) Remand Letter, Denton County, # 2 Exhibit(s) Remand Letter, Tarrant County) (Fitzpatrick, Maurice) Modified text and linkage on 4/18/2025 (axm). (Entered: 04/18/2025)
04/23/2025	65	RESPONSE filed by Brand Engagement Network Inc re: 53 MOTION to Dismiss <i>Amended Complaint</i> (Blackstone, Jason) (Entered: 04/23/2025)
04/29/2025	66	MOTION for Leave to Proceed in forma pauperis filed by Maurice Fitzpatrick, Jr (Fitzpatrick, Maurice) (Entered: 04/29/2025)
04/30/2025		USCA Case Number 25-10541 in USCA5 for 63 Notice of Appeal filed by Maurice Fitzpatrick, Jr. (axm) (Entered: 04/30/2025)
05/01/2025	67	ORDER: The motion to stay pending appeal [ECF No. 64] is therefore DENIED.For substantially the same reasons and for the reasons fully explained in the magistrate judge's findings, conclusions, and recommendation [ECF No. 52], the Court DENIES the IFF motion [ECF No. 66] and CERTIFIES under 28 U.S.C. §1915(a)(3) that an appeal of the order denying the motion to intervene as of right is not taken in good faith. (Ordered by Judge Karen Gren Scholer on 5/1/2025) (kcr) (Entered: 05/01/2025)
05/06/2025	68	MOTION for Relief from Judgment Pursuant to Rule 60(b)(3) filed by Maurice Fitzpatrick, Jr. (Attachments: # 1 Exhibit(s) AFG Wyoming Complaint, # 2 Exhibit(s) Conference Email, February 4, 2024, # 3 Exhibit(s) Attachment to Conference Email, February 4, 2024) (Fitzpatrick, Maurice) Modified text and linkage on 5/8/2025 (axm). (Entered: 05/06/2025)
05/07/2025	69	MOTION Under Federal Rule of Civil Procedure 62.1 for Indicative Ruling on Pending Rule 60(b)(3) Motion filed by Maurice Fitzpatrick, Jr (Fitzpatrick, Maurice) Modified text and linkage on 5/8/2025 (axm). (Entered: 05/07/2025)
05/08/2025	70	REPLY filed by AFG Companies Inc, AFG Technologies LLC, Automotive Financial Group Inc, Ralph Wright Brewer, III, CareGard Warranty Services Inc, DaidaX Inc, Delaporte Learning Inc, Prime Reserve Plus Inc re: 53 MOTION to Dismiss <i>Amended Complaint</i> (Kleist, Kelly) (Entered: 05/08/2025)
05/12/2025	71	ORDER: Because Fitzpatrick has not carried his burden, the motion to vacate [ECF No. 68] is DENIED, which the Court retains the power to do to the extent that Fitzpatrick has appealed an aspect of the April 17 order denying Fitzpatrick's request to intervene as of right under Federal Rule of Civil Procedure 24(a). See FED. R. CIV. P. 62.1(a)(2). Accordingly, the motion for indicative ruling on his motion to vacate [ECF No. 69] is TERMINATED AS MOOT. (Ordered by Judge Karen Gren Scholer on 5/12/2025) (ndt) (Entered: 05/13/2025)
05/12/2025	72	Mail returned as undeliverable. 24 Order Referring Motion, 23 Order, received back from Maurice Fitzpatrick, Jr as Unclaimed, Unable to Forward. No address update from last filed document. The current document has not been re-mailed. (knb) (Entered: 05/14/2025)
05/13/2025		Confirmation of receipt of payment from Maurice Fitzpatrick in the amount of \$605.00. Transaction posted on 5/12/2025. Receipt number 300017746 processed by kb. (ali) Lifted restriction on 5/13/2025 (ali). (Entered: 05/13/2025)
05/23/2025	73	ORDER of USCA as to 63 Notice of Appeal filed by Maurice Fitzpatrick, Jr. Appellant's motion for stay pending appeal is DENIED. (axm) (Entered: 05/23/2025)
05/25/2025	74	STANDING ORDER REGARDING USE OF ARTIFICIAL INTELLIGENCE. (Ordered by Magistrate Judge David L. Horan on 5/25/2025) (frw) (Entered: 05/27/2025)

05/30/2025		Record on Appeal for USCA5 25-10541 (related to 63 appeal): Record consisting of: 1 ECF electronic record on appeal (eROA) is certified. PLEASE NOTE THE FOLLOWING: Licensed attorneys must have filed an appearance in the USCA5 case and be registered for electronic filing in the USCA5 to access the paginated eROA in the USCA5 ECF system. (Take these steps immediately if you have not already done so. Once you have filed the notice of appearance and/or USCA5 ECF registration, it may take up to 3 business days for the circuit to notify the district clerk that we may grant you access to the eROA in the USCA5 ECF system.) To access the paginated record, log in to the USCA5 ECF system, and under the Utilities menu, select Electronic Record on Appeal. Pro se litigants may request a copy of the record by contacting the appeals deputy in advance to arrange delivery. (axm) (Entered: 05/30/2025)
06/03/2025		Record on Appeal for USCA5 25-10541 (related to 63 appeal): transmitted to Maurice Fitzpatrick, Jr on disk only by hand delivery. (axm) (Entered: 06/04/2025)
07/11/2025	75	Unopposed MOTION for Withdrawal <i>and Substitution of Counsel</i> filed by Brand Engagement Network Inc (Attachments: # 1 Proposed Order) (Del Rio, Alexis) Modified event on 7/11/2025 (mcrd). Modified text on 7/17/2025 (axm). (Entered: 07/11/2025)
07/11/2025	76	ORDER GRANTING 75 UNOPPOSED MOTION TO WITHDRAW AND SUBSTITUTE COUNSEL. Attorney Alexis Nicole Del Rio terminated (Ordered by Magistrate Judge David L. Horan on 7/11/2025) (mcrd) (Entered: 07/11/2025)
07/29/2025	77	ORDER of USCA as to 63 Notice of Appeal filed by Maurice Fitzpatrick, Jr. The appeal is dismissed for want of prosecution. The appellant failed to timely file the brief. (axm) (Entered: 08/01/2025)
07/29/2025	78	ORDER of USCA as to 63 Notice of Appeal filed by Maurice Fitzpatrick, Jr. Appellant's opposed motion to supplement the record on appeal with documents previously stricken by the District Court is GRANTED. No further supplementation is authorized by this order. (axm) (Entered: 08/01/2025)
08/25/2025		Supplemental Record on Appeal for USCA5 25-10541 (related to 63 appeal): Record consisting of: 1 ECF electronic record on appeal (eROA) is certified. PLEASE NOTE THE FOLLOWING: Licensed attorneys must have filed an appearance in the USCA5 case and be registered for electronic filing in the USCA5 to access the paginated eROA in the USCA5 ECF system. (Take these steps immediately if you have not already done so. Once you have filed the notice of appearance and/or USCA5 ECF registration, it may take up to 3 business days for the circuit to notify the district clerk that we may grant you access to the eROA in the USCA5 ECF system.) To access the paginated record, log in to the USCA5 ECF system, and under the Utilities menu, select Electronic Record on Appeal. Pro se litigants may request a copy of the record by contacting the appeals deputy in advance to arrange delivery. (axm) (Entered: 08/25/2025)
09/10/2025	79	NOTICE of Change of Address for Attorney Kelly E Kleist on behalf of AFG Companies Inc, AFG Technologies LLC, Automotive Financial Group Inc, Ralph Wright Brewer, III, CareGard Warranty Services Inc, DaidaX Inc, Delaporte Learning Inc, Prime Reserve Plus Inc. (Filer confirms contact info in ECF is current.) (Kleist, Kelly) (Entered: 09/10/2025)
09/10/2025	80	NOTICE of Change of Address for Attorney Kelly E Kleist on behalf of AFG Companies Inc, AFG Technologies LLC, Automotive Financial Group Inc, Ralph Wright Brewer, III, CareGard Warranty Services Inc, DaidaX Inc, Delaporte Learning Inc, Prime Reserve Plus Inc. (Filer confirms contact info in ECF is current.) (Kleist, Kelly) (Entered: 09/10/2025)
11/05/2025	81	MOTION to Substitute Attorney, added attorney Meredith Welch Knudsen, Meredith Welch Knudsen, Shauna J Wright for AFG Companies Inc, Shauna J Wright for Automotive Financial Group Inc, Shauna J Wright for Ralph Wright Brewer, III, Shauna J Wright for CareGard Warranty Services Inc, Shauna J Wright for DaidaX Inc, Shauna J Wright for Delaporte Learning Inc, Shauna J Wright for Prime Reserve Plus Inc. Motion filed by AFG Companies Inc (Attachments: # 1 Proposed Order) Attorney Meredith Welch Knudsen added to party AFG Companies Inc(pty:dft) (Knudsen, Meredith) (Entered: 11/05/2025)
11/06/2025	82	ORDER granting 81 Motion to Substitute Attorney. (Ordered by Magistrate Judge David L. Horan on 11/6/2025) (kcr) (Entered: 11/06/2025)
11/20/2025	83	NOTICE of <i>WITHDRAWAL</i> re: 53 MOTION to Dismiss <i>Amended Complaint</i> filed by AFG Companies Inc (Laws, Austin) (Entered: 11/20/2025)
11/21/2025	84	ORDER REQUIRING RESPONSIVE PLEADING: Defendants must file a responsive pleading to the 27 amended complaint by 12/05/2025. (Ordered by Magistrate Judge David L. Horan on 11/21/2025) (twd) (Entered: 11/21/2025)
12/05/2025	85	ANSWER to 27 Amended Complaint,, filed by Automotive Financial Group Inc. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: Attorney Information - Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Wright, Shauna) (Entered: 12/05/2025)

12/05/2025	86	***UNFILED PER 88 ORDER*** NOTICE of <i>Filing of Jurisdictional Challenge, Civil Rights Objections, and Request for Clarification (Filed in Related Case 4:25-Cv-01272-O)</i> re: 21 MOTION to Intervene, 22 MOTION for Leave to Proceed in forma pauperis, 63 Notice of Appeal filed by Maurice Fitzpatrick, Jr (Fitzpatrick, Maurice) Modified on 12/11/2025 (kcr). (Entered: 12/05/2025)
12/11/2025	87	***UNFILED PER 88 ORDER*** Supplemental Notice of Maurice Fitzpatrick <i>Regarding Doc. No. 9 (Joint Status Report), Renewed Jurisdictional Challenge, and Objection to Litigation Proceeding Under Fraudulent and Unexamined Presumptions</i> filed by Maurice Fitzpatrick, Jr (Fitzpatrick, Maurice) Modified text on 12/11/2025 (knb). Modified on 12/11/2025 (kcr). (Entered: 12/11/2025)
12/11/2025	88	DOCKET CONTROL ORDER: The Court ORDERS STRICKEN and UNFILED Dkt. Nos. 86 & 87 and DIRECTS the Clerk of Court to file (so there is a record) and then immediately strike and unfile any further contributions to this case submitted by Fitzpatrick. (Ordered by Magistrate Judge David L. Horan on 12/11/2025) (kcr) (Entered: 12/11/2025)
12/11/2025	89	ORDER REQUIRING CONFERENCE AND JOINT STATUS REPORT: Counsel for Plaintiff and Defendants shall confer in person, by telephone, or over an online platform such as Zoom not later than 12/31/2025. Joint Status Report due by 1/7/2026. (Ordered by Magistrate Judge David L. Horan on 12/11/2025) (kcr) (Entered: 12/11/2025)
12/11/2025	90	STANDING ORDER ON REQUESTS FOR HEARINGS AND ORAL ARGUMENTS. (Ordered by Magistrate Judge David L. Horan on 12/11/2025) (kcr) (Entered: 12/11/2025)
12/11/2025	91	STANDING ORDER ON FILING MATERIALS UNDER SEAL. (Ordered by Magistrate Judge David L. Horan on 12/11/2025) (kcr) (Entered: 12/11/2025)
12/11/2025	92	STANDING ORDER ON DISCOVERY AND NON-DISPOSITIVE MOTIONS. (Ordered by Magistrate Judge David L. Horan on 12/11/2025) (kcr) (Entered: 12/11/2025)
12/11/2025	93	NOTICE OF INTERLOCUTORY APPEAL to the Fifth Circuit by Maurice Fitzpatrick, Jr. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions here . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (Fitzpatrick, Maurice) (Entered: 12/11/2025)

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