ACCEPTED
01-23-00618-CV
FIRST COURT OF APPEALS
HOUSTON, TEXAS
9/12/2024 6:42 AM
DEBORAH M. YOUNG
CLERK OF THE COURT

No. 01-23-618-CV

In the

Texas First Court of Appeals

Great Value Storage, LLC and World Class Capital Group, LLC,
v.
Princeton Capital Corporation

RECEIVER'S NOTICE OF NEW JURISDICTIONAL FACTS

I. NEW JURISDICTIONAL FACTS

Receiver submits as very new evidence Princeton Capital Corp.'s 10-Q filed with the Securities and Exchange Commission on August 14, 2024.[1] "Legal Proceedings" [addressed on page 30] is stark:

> The Company is not currently subject to any material legal proceedings, nor, to our knowledge, is any material legal proceeding threatened against us.

"Each court of appeals may, on affidavit or otherwise, as the court may determine, ascertain the matters of fact that are necessary to the proper exercise of its jurisdiction."[2]

Princeton's newest 10-Q is jurisdictionally significant because "[i]n a typical civil action, where a solo plaintiff brings a claim on his own behalf,

---

[1] Available at: https://ir.princetoncapitalcorp.com/all-sec-filings/content/0001213900-24-069133/0001213900-24-069133.pdf (last visited September 12, 2024).
[2] TEX. GOV'T CODE ANN. § 22.220(c).

the mootness analysis is usually straightforward: If the plaintiff's individual interest becomes moot, the ***entire suit*** ordinarily becomes moot."[3] By contrast, "as long as the parties have a concrete interest, however small, in the outcome of the litigation, the case is not moot."[4]

Princeton's new sworn filing with the S.E.C. that it is unaware of the appeal pending in this Court- despite being the named appellee in a case it brought as plaintiff- can be attested to only because the issues are so definitely moot. If Princeton had any stake in this regard- "however small"- this company would have had to disclose the matter in its federal public securities filings. This conclusion is reinforced by the fact that Princeton's new 10-Q refers to the 2019-18855 matter- and the subsequent appeal- when it discloses $47,465 remains in its law firm's trust account:

> As of June 30, 2024 and December 31, 2023, restricted cash consisted of cash held for deposit with law firms that represented the Company in its litigation with Great Value Storage, LLC.

[10-Q, page 15].

II. 'SATISFACTION OF JUDGMENT' NECESSARILY MOOTS CHALLENGES TO TURNOVER UNDER TEXAS CASELAW

Footnote 2 of the sur-response filed September 11, 2024 makes a bold contention without citation to any authority:

---

[3] *Heckman v. Williamson Cty.,* 369 S.W.3d 137, 162 (Tex. 2012) (emphasis added).
[4] *Chafin v. Chafin*, 568 U.S. 165, 172 (2013).

> [N]either the unilateral acts of a party, nor satisfaction of the judgment, would divest a court of its separate jurisdiction over ongoing turnover proceedings or its appointed receiver.

Paul's problem is that Texas caselaw is decidedly opposite:

> [O]nce the judgment was paid, the turnover order lost its teeth and was of no further force and effect. Issues concerning the validity of the dead and then-unenforceable order ***became immediately moot when the judgment which it was issued to enforce was satisfied.***[5]

Citing *Pandozy,* this Court reached the same conclusion: "When the judgment underlying the turnover order is paid, the turnover order is of no further force and effect."[6] Expounding somewhat on *Benett/Nguyen*, the Fourth Court of Appeals went further:

> [A]ny issues relating to the ***validity or*** **enforceability** of the turnover order are also moot as the judgment underlying the turnover order has been paid, and therefore, the turnover order is of no further force and effect.[7]

III. CONCLUSION

There cannot exist appellate jurisdiction when the "solo plaintiff's" final judgment has been so exhaustively satisfied that it made last month a

[5] *Pandozy v. Beaty*, 254 S.W.3d 613, 617 (Tex. App.—Texarkana 2008, no pet.); s*ee also Anoco Marine Indus. v. Patton Prod. Corp.*, No. 2-09-210-CV, 2010 Tex. App. LEXIS 2541 (Tex. App.—Fort Worth Apr. 8, 2010, no pet.) (quoting same language from *Pandozy*); *Scheel v. Alfaro*, 406 S.W.3d 216, 224 (Tex. App.—San Antonio 2013, pet. denied) (same).

[6] *Bennett/Nguyen Joint Venture v. Coghlan*, No. 01-10-00575-CV, 2011 Tex. App. LEXIS 5359, *3 (Tex. App.—Houston [1st Dist.] July 14, 2011, no pet.).

[7] *Nwabuisi v. Mohammadi*, No. 04-14-00363-CV, 2015 Tex. App. LEXIS 7815, *7 (Tex. App.—San Antonio July 29, 2015, pet. denied) (emphasis added).

sworn securities regulatory disclosure that it is unaware of any existing or potential litigation about it.

Intervenors' Footnote 2 cites zero authority in support of its urged legal conclusion because every Texas court considering the issue has held that 'satisfaction of a judgment' categorically moots all issues concerning an appurtenant turnover order.

Intervenors display enduring emotions about the 'validity' of a turnover order affirmed over and over again. But the "solo" judgment creditor is long gone according to the S.E.C.: all caselaw says the death of a judgment and its creditor in a lawsuit kills off continued litigation about said order.

Respectfully submitted,

/s/ Seth Kretzer

Seth Kretzer, Receiver
SBN: 24043764
917 Franklin; Floor 6
Houston, Texas 77002
[Tel.] (713) 775-3050
seth@kretzerfirm.com

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Notice of New Jurisdictional Facts was served on all parties by electronic filing on the 12th day of September 2024.

/s/ Seth Kretzer

_____

Seth Kretzer

CERTIFICATE OF COMPLIANCE

I certify that this Notice of New Jurisdictional Facts contains 594 words.

/s/ Seth Kretzer

_____

Seth Kretzer

Automated Certificate of eService

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Seth Kretzer
Bar No. 24043764
seth@kretzerfirm.com
Envelope ID: 91930280
Filing Code Description: Other Document
Filing Description: Other Document
Status as of 9/12/2024 8:12 AM CST

Associated Case Party: World Class Capital Group, LLC

Name	BarNumber	Email	TimestampSubmitted	Status
Greg R.Wehrer		greg.wehrer@squirepb.com	9/12/2024 6:42:25 AM	SENT
Amanda DoddsPrice		amanda.price@squirepb.com	9/12/2024 6:42:25 AM	SENT
Trevor Kehrer		trevor.kehrer@squirepb.com	9/12/2024 6:42:25 AM	SENT

Associated Case Party: Seth Kretzer, Receiver

Name	BarNumber	Email	TimestampSubmitted	Status
Dana Lipp	24050935	dlipp@lipplegal.com	9/12/2024 6:42:25 AM	SENT
Seth Kretzer		seth@kretzerfirm.com	9/12/2024 6:42:25 AM	SENT
James Volberding		jamesvolberding@gmail.com	9/12/2024 6:42:25 AM	SENT
Ann Kennon		akennonassistant@gmail.com	9/12/2024 6:42:25 AM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Abigail Noebels	24083578	anoebels@susmangodfrey.com	9/12/2024 6:42:25 AM	SENT
Greg Wehrer		greg.wehrer@squirepb.com	9/12/2024 6:42:25 AM	SENT
Manfred Sternberg		Manfred@msternberg.com	9/12/2024 6:42:25 AM	SENT
Brian Elliott		brian@scalefirm.com	9/12/2024 6:42:25 AM	SENT
Amanda Prince		amanda.price@squirepb.com	9/12/2024 6:42:25 AM	SENT
Jeremy Gaston		jgaston@hcgllp.com	9/12/2024 6:42:25 AM	SENT