

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

VS.

ABC VIATICALS, INC.,
C. KEITH LAMONDA,
and JESSE W. LAMONDA, JR.

Defendants,

and
LAMONDA MANAGEMENT FAMILY
LIMITED PARTNERSHIP,
STRUCTURED LIFE SETTLEMENTS, INC.,
BLUE WATER TRUST,
and DESTINY TRUST,

Relief Defendants

[illegible]

CIVIL ACTION NO.
3-06-CV-2136-P

RECEIVER'S UNOPPOSED MOTION TO RETURN UNMATCHED FUNDS

TO THE HONORABLE JORGE A. SOLIS, UNITED STATES DISTRICT COURT JUDGE:

COMES NOW Michael J. Quilling (“Receiver”) and files this Unopposed Motion to Return Unmatched Funds. In support of this Motion, the Receiver would respectfully show the Court as follows:

1. On November 17, 2006, the Securities and Exchange Commission initiated these proceedings and, in connection therewith, sought the appointment of a receiver. On that same day, the Court entered an Agreed Order Appointing Receiver.

2. Prior to the appointment of the Receiver, ABC Viaticals, Inc. (“ABC”) accepted funds from investors that were to be used to purchase a fractionalized interest in a given

insurance policy on behalf of each investor. However, ABC did not actually ever receive those funds into its own account. Instead, they went directly to a third-party escrow account. In this instance, that account was maintained by Chris Erwin, a lawyer in the law firm of Erwin & Johnson, P.C. with offices in the Los Angeles, California area ("Erwin"). Investor funds were held in the escrow account until such time as they were "matched" - that is, assigned to a specific policy at which time the investor would receive a closing packet relative to the investor's particular policy and the funds would be released from the escrow account.

3. At the time the Receiver was appointed, Erwin was holding \$225,275.25 of unmatched investor funds. It is the position of the Defendants and representatives of the investors involved that the fairest and most expedient thing to do would be to return the unmatched funds to their respective investor. A list of each of those investors and the amount of the unmatched funds attributable to them is set forth below:

<u>Name</u>	<u>Amount</u>
Huang, A-Lang	20,000.00
Huang, A-Lang	20,000.00
Chang, Mu-Ho	10,010.00
Cheng, Chung-Ching	30,007.00
Wang, Hsiang-Ling	10,007.00
Tsai, Chien-Sheng	10,007.00
Sun, Ching-Ying	20,005.00
Sun, Ching-Ying	10,000.00
Chen, Tai-Liang	10,000.00
Li, Yu-Chun	10,000.00
Shia, Chen Hsiu-Ying	30,000.00
Chen, Yu-Ju	30,000.00
Tsai Chen, Yu-Ying	15,239.25

4. The Receiver has discussed this matter with the Examiner and all other parties of interest and everyone agrees that the funds should be returned to the particular investor.

WHEREFORE, PREMISES CONSIDERED, the Receiver respectfully requests that upon final consideration of this motion that the Court authorize the Receiver to return the unmatched funds to the particular investor and for such other and further relief, general or special, at law or in equity, to which the Receiver may show himself justly entitled.

Respectfully submitted,

QUILLING, SELANDER, CUMMISKEY
& LOWNDS, P.C.
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By: /s/ Michael J. Quilling
Michael J. Quilling
State Bar No. 16432300
D. Dee Raibourn, III
State Bar No. 24009495
Brent Rodine
State Bar No. 24048770

ATTORNEYS FOR RECEIVER

CERTIFICATE OF CONFERENCE

I hereby certify that prior to the filing of this motion, I contacted counsel for the SEC, the Examiner, and the Defendants and they agree to the relief requested.

/s/ Michael J. Quilling
Michael J. Quilling

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of April, 2007, a true and correct copy of the foregoing document was served via electronic notice to all parties requesting same.

/s/ Michael J. Quilling
Michael J. Quilling