

**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.

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**Civil Action No.:**  
**3-06-CV-2136-P**

**DEFENDANT JESSE W. LaMONDA, JR.'S  
ORIGINAL ANSWER TO PLAINTIFF'S COMPLAINT**

TO THE HONORABLE JUDGE OF SAID COURT:

Defendant Jesse W. LaMonda, Jr. (“LaMonda”) files this his Original Answer to Plaintiff’s Complaint (“Complaint”) in the above-referenced matter, as follows:

1. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 1 of the Complaint.

2. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 2 of the Complaint.

3. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 3 of the Complaint.

4. LaMonda is not required to admit or deny the legal statements concerning jurisdiction and venue in paragraph 4 of the Complaint.

5. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 5 of the Complaint.

6. LaMonda admits the allegations contained in paragraph 6 of the Complaint.

7. LaMonda admits the allegations contained in paragraph 7 of the Complaint.

8. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 8 of the Complaint.

9. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 9 of the Complaint.

10. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 10 of the Complaint.

11. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 11 of the Complaint.

12. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 12 of the Complaint.

13. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 13 of the Complaint.

14. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 14 of the Complaint.

15. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 15 of the Complaint.

16. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 16 of the Complaint.

17. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 17 of the Complaint.

18. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 18 of the Complaint.

19. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 19 of the Complaint.

20. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 20 of the Complaint.

21. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 21 of the Complaint.

22. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 22 of the Complaint.

23. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 23 of the Complaint.

24. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 24 of the Complaint.

25. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 25 of the Complaint.

26. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 26 of the Complaint.

27. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 27 of the Complaint.

28. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 28 of the Complaint.

29. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 29 of the Complaint.

30. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 30 of the Complaint.

31. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 31 of the Complaint.

32. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 32 of the Complaint.

33. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 33 of the Complaint.

34. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 34 of the Complaint.

35. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 35 of the Complaint.

36. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 26 of the Complaint.

37. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 37 of the Complaint.

38. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 38 of the Complaint.

39. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 39 of the Complaint.

40. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 40 of the Complaint.

41. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 41 of the Complaint.

42. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 42 of the Complaint.

43. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 43 of the Complaint.

44. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 44 of the Complaint.

45. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 45 of the Complaint.

46. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 46 of the Complaint.

47. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 47 of the Complaint.

48. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 48 of the Complaint.

49. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 49 of the Complaint.

50. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 50 of the Complaint.

51. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 51 of the Complaint.

52. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 52 of the Complaint.



53. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 53 of the Complaint.

54. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 54 of the Complaint.

55. LaMonda asserts the privilege against self-incrimination under the Fifth Amendment to the United States Constitution in response to the allegations in paragraph 55 of the Complaint.

#### **AFFIRMATIVE DEFENSES**

56. LaMonda is not liable to the SEC because: (a) of estoppel; (b) of duress; (c) of illegality; (d) the SEC has failed to plead with the particularity required under Fed. R. Civ. P. 9(b); and (e) the SEC has failed to state a claim upon which relief may be granted.

#### **PRAYER**

WHEREFORE, PREMISES CONSIDERED, Defendant Jesse W. LaMonda, Jr. requests that Plaintiff take nothing by this suit, and that the Defendant recover his costs together with such other and further relief to which Defendant may be justly entitled.

Respectfully submitted,

/s/ Gene R. Besen

Gene R. Besen

Texas Bar No. 24045491

SCORE & WALLER, L.L.P.

Four Forest

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Dallas, Texas 75251

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ATTORNEYS FOR DEFENDANT

JESSE W. LaMONDA, JR.

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing was served via electronic notice on the 20<sup>th</sup> day of July, 2007, to the following persons:

Harold R. Loftin, Jr.  
U.S. Securities and Exchange Commission  
Burnett Plaza, Suite 1900  
801 Cherry Street, Unit #18  
Fort Worth, Texas 76102-6882

Gary S. Kessler  
2100 Ross Avenue, Suite 750  
Dallas, Texas 75201

/s/ Gene R. Besen

Gene R. Besen