

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

SECURITIES AND EXCHANGE COMMISSION, §

Plaintiff, §

vs. §

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

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. §

**MOTION FOR AGREED ORDER EXTENDING DISCOVERY  
DEADLINES TO ALLOW FOR SETTLEMENT NEGOTIATIONS**

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

COMES NOW Michael J. Quilling as the Receiver for ABC Viaticals, Inc. ("Receiver") and requests that this Court enter the parties' Agreed Order extending discovery deadlines to allow for further settlement negotiations with Donald S. Kaplan ("Respondent"). In support of this Motion, the Receiver would respectfully show the Court as follows:

1. On October 22, 2007, the Court entered a Scheduling Order [Dkt. No. 101] that set February 11, 2008, as the date by which the Receiver and Respondent must complete discovery. That Order also set February 25, 2008, as the date by which both parties must file motions for summary judgment.

2. Until recently, both parties had anticipated taking depositions and producing additional documents before the deadline of February 11, 2008. However, on February 5, 2008, counsel for the Receiver and Respondent participated in a good faith effort to resolve this matter without further court intervention. Through this motion, they now seek an additional 30 days to work towards settlement without enduring the expense of discovery and further litigation.

3. By extending the discovery deadline 30 days, the parties anticipate filing a motion to approve settlement by March 12, 2008, or else have all discovery completed by that date.

4. Accordingly, the parties have prepared the Agreed Amended Scheduling Order attached as Exhibit A. That Order would set March 12, 2008, as the date to complete discovery and March 26, 2008, as the date to file motions for summary judgment. All remaining deadlines and hearing would be extended accordingly except for the Show Cause Hearing. Should that hearing be necessary, the Receiver anticipates that it could be set by separate order following the Summary Judgment Hearing.

WHEREFORE, premises considered, the Receiver respectfully requests that this Court approve and enter the Agreed Amended Scheduling Order attached as Exhibit A and grant such other and further relief, general or special, at law or in equity, to which he may otherwise show himself entitled.

Respectfully submitted,

**QUILLING, SELANDER, CUMMISKEY  
& LOWNDS, P.C.**

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By: /s/ Brent Rodine

Michael J. Quilling  
State Bar No. 16432300  
Brent Rodine  
State Bar No. 24048770

**ATTORNEYS FOR RECEIVER**

**CERTIFICATE OF CONFERENCE**

According to Local Rule 7.1, I participated in a telephone conference with Richard Baum, on February 5, 2008. Both parties agree to the relief requested in this motion.

/s/ Brent Rodine

**CERTIFICATE OF SERVICE**

A copy of this pleading was served on all interested parties through the Court's electronic filing system and by first class mail, postage prepaid, to the following:

Richard Baum  
2215 Colby Avenue  
Los Angeles, CA 90064-1504

/s/ Brent Rodine