

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.

**NOTICE WITHDRAWING RECEIVER'S MOTION FOR SHOW CAUSE
HEARING REGARDING COMMISSIONS PAID TO DONALD S. KAPLAN**

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

COMES NOW, Michael J. Quilling, as the Receiver for ABC Viaticals, Inc. and other related entities, (“Receiver”) and withdraws his Motion for Show Cause Hearing Regarding Commissions Paid to Donald S. Kaplan [Dkt. No. 44]. In support, the Receiver would respectfully show the Court as follows:

1. On February 2, 2009, this Court entered its Agreed Order Approving Settlement Agreement with Donald S. Kaplan [Dkt. No. 221].

2. According to the terms of that settlement agreement, the Receiver hereby notifies the Court that he withdraws his Motion for Show Cause Hearing Regarding Commissions Paid to Donald S. Kaplan [Dkt. No. 44]. This withdrawal is without prejudice and the Receiver expressly reserves the right to pursue claims against Donald S. Kaplan should he fail to fulfill his obligations under the settlement agreement.

Respectfully submitted,

QUILLING, SELANDER, CUMMISKEY
& LOWNDS, P.C.
2001 Bryan Street, Suite 1800
Dallas, Texas 75201
(214) 871-2100 (Telephone)
(214) 871-2111 (Facsimile)

By: /s/ Brent J. Rodine

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

ATTORNEYS FOR RECEIVER

CERTIFICATE OF CONFERENCE

This notice of withdrawal is filed pursuant to the Agreed Order Approving Settlement Agreement [Dkt. No. 221].

/s/ Brent J. Rodine

Brent J. Rodine

CERTIFICATE OF SERVICE

A true and correct copy of this pleading was served on all interested parties through the Court's electronic filing system and by first-class U.S. Mail to:

C. Keith LaMonda
Reg. No. 26060-018, Butner LSCI
P.O. Box 999
Butner, NC 27509

/s/ Brent J. Rodine

Brent J. Rodine

This motion will also be posted on the Receiver's website, www.secreceiver.com, after filing.