

**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.: 3-06CV2136-P
(ECF)

**UNOPPOSED MOTION TO DISMISS MONETARY CLAIMS
AGAINST DEFENDANTS C. KEITH LAMONDA AND JESSE W. LAMONDA, JR.**

Plaintiff, Securities and Exchange Commission (“Commission”) files this Unopposed Motion to Dismiss Monetary Claims against Defendants C. Keith LaMonda and Jesse W. LaMonda, Jr., and would respectfully show the Court as follows:

1. The Commission filed suit against C. Keith LaMonda and Jesse W. LaMonda (collectively “Defendants”) on November 17, 2006, seeking emergency injunctive relief. Defendants consented to the entry of a preliminary injunction as well as to the appointment of a receiver. On November 17, 2006, the Court entered an Agreed Preliminary Injunction, Order

Freezing Assets, Order Requiring an Accounting and Order Requiring Preservation of Documents. Defendants otherwise appeared herein through counsel.

2. Defendants offered to consent, without admitting or denying the allegations in the Commission's Complaint, to the entry of an order permanently enjoining them from future violations of Sections 5(a), 5(c) or 17(a) of the Securities Act of 1933 or Section 10(b) of the Securities Exchange Act of 1934, and Rule 10b-5 thereunder. The Court entered an Agreed Interlocutory Judgment permanently enjoining the Defendants on July 12, 2007.

3. The Agreed Interlocutory Judgment of Permanent Injunction left unresolved the Commission's claims for disgorgement, prejudgment interest and civil monetary penalties and directed the Commission to present these issues to the Court for adjudication at a future date.

4. In the criminal proceeding styled *United States of America v. C. Keith LaMonda and Jesse W. LaMonda, Jr.*, in the United States District Court for the Middle District of Florida (Orlando Division), the Defendants were convicted of various crimes related to ABC Viaticals' predecessor. In December 2007, Keith LaMonda was sentenced to 240 months in prison and Jesse LaMonda was sentenced to 160 months in prison. Based on their conduct in the underlying criminal case and their conduct in connection with ABC Viaticals, both Defendants were ordered to pay restitution in excess of \$85 million dollars.

5. In light of the Defendants' convictions, sentence, orders of restitution and the Defendants' release of any claims to assets recovered by the Receiver in this case, the Commission desires to dismiss its remaining claims for monetary relief against the Defendants.

6. Upon the dismissal of the Commission's monetary claims, the Court's prior Agreed Interlocutory Judgment will become a Final Judgment against the Defendants.

Accordingly, the Commission respectfully requests that the Court enter a Final Judgment against the Defendants in the form accompanying this motion.

Dated: August 31, 2009

Respectfully submitted,

/s/ Harold R. Loftin, Jr.
HAROLD R. LOFTIN, JR.
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CERTIFICATE OF CONFERENCE

I hereby certify that I have discussed the contents of the foregoing motion with counsel for defendants C. Keith LaMonda and Jesse W. LaMonda, Jr. and represent that neither party opposes the motion.

/s/ Harold R. Loftin, Jr.
Harold R. Loftin, Jr.

CERTIFICATE OF SERVICE

I hereby certify that that on August 31, 2009, I electronically filed the foregoing *Unopposed Motion to Dismiss Monetary Claims Against Defendants C. Keith LaMonda and Jesse W. LaMonda, Jr.* with the Clerk of the Court for the Northern District of Texas, Dallas Division, by using the CM/ECF system which will send a notice of electronic filing to all CM/ECF participants for this matter.

/s/ Harold R. Loftin, Jr.
Harold R. Loftin, Jr.