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

CECUDITIES AND EXCULANCE

SECURITIES AND EXCHANGE	§	
COMMISSION,	§	
	§	
Plaintiff,	§	
<del></del>	§	Civil Action No.: 3:06-CV-2136-P
VS.	§	CIVIL 110000 1 (000 C V 2120 1
<b>Y5.</b>		
	§	
ABC VIATICALS, INC.,	§	
C. KEITH LAMONDA,	§	
and JESSE W. LAMONDA, JR.,	§	
	§	
<b>Defendants</b>	§	
	§	
and	§	
	§	
LAMONDA MANAGEMENT FAMILY	§	
LIMITED PARTNERSHIP,	§	
STRUCTURED LIFE SETTLEMENTS, INC.,	§	
BLUE WATER TRUST,	§	
and DESTINY TRUST	§	
	§	
Relief Defendants.		

## RESPONSE TO LaMONDA'S MOTION ASKING THE RECEIVER TO PROVIDE AN ACCOUNTING

Michael J. Quilling, the Receiver for ABC Viaticals, Inc. and other related entities, ("Receiver") files this response to C. Keith LaMonda's motion (Doc. 263) asking the receivership estate to prepare various accountings and reports for him. The Receiver would respectfully show the Court as follows:

1. The Court should deny LaMonda's motion for lack of standing. LaMonda admits the Court already terminated his status as a party in this case. (Def.'s Mot. [Doc. 252] at 2.) A terminated party "can no longer participate and loses any opportunity to clarify or to affect in any way the ongoing case." *Citizens Concerned About Our Children v. Sch. Bd. of Broward Cty.*,

193 F.3d 1285, 1296 (11th Cir. 1999) (Barkett, J., concurring in part). LaMonda, therefore, cannot act as if he were still a party by appearing or by sending what amount to discovery requests.

2. The Receiver notes LaMonda did not confer with the other parties before filing his motion. Local Civ. R. 7.1(b). The Receiver has conferred with the SEC and the Examiner and determined they are also opposed.

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 Rodine

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

ATTORNEYS FOR RECEIVER

## **CERTIFICATE OF SERVICE**

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

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

/s/ Brent Rodine		