

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

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

V.

**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

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

**RECEIVER'S UNOPPOSED MOTION FOR ORDER
APPROVING SETTLEMENT WITH ERWIN & JOHNSON, et al.**

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

Michael J. Quilling, the Receiver appointed in these proceedings, (“Receiver”) files this unopposed motion for to approve his settlement of the lawsuit styled *Quilling v. Erwin & Johnson, LLP, et al.*, No. 3:07-CV-1153-P (N.D. Tex.). In support, he would respectfully show as follows:

1. This Court appointed the Receiver for ABC Viaticals, Inc. along with other related entities (collectively, “ABC”) and authorized him to pursue claims on behalf of the ABC receivership estate.

2. Following his appointment, the Receiver filed a lawsuit against Erwin & Johnson, LLP and Christopher R. Erwin (collectively, “E&J”) for actions taken as ABC’s trustee and escrow agent. That lawsuit is styled *Quilling v. Erwin & Johnson, LLP, et al.*, No. 3:07-CV-1153-P (N.D. Tex.) (the “Erwin Lawsuit”).

3. After nearly four years of litigation and two full days of mediation, the parties agreed to the Compromise and Settlement Agreement (the “Agreement”) attached as Exhibit A. Subject to this Court’s approval, the Agreement would recover \$2,250,000 for the receivership estate and dispose of the claims, counter-claims, and third-party claims among all parties in the Erwin Lawsuit. Settling that lawsuit would also avoid the tremendous expenses of exchanging thousands of additional documents, deposing numerous witnesses, and conducting a multiple-day trial to decide dozens of claims among the parties. For these reasons, the Receiver believes that the Agreement is in the receivership estate’s best interest.

4. If the Court grants this motion, the Receiver will be filing a Second Amended Complaint in the Erwin Lawsuit and the parties will thereafter submit an Agreed Order dismissing all of their claims in that case.

WHEREFORE, the Receiver asks for an order approving the Compromise & Settlement Agreement and authorizing him to settle the Erwin Lawsuit according to its terms. He also asks for such other and further relief, general or special, at law or in equity, to which the Receiver may show himself entitled.

Respectfully submitted,

QUILLING, SELANDER, LOWNDS,
WINSLETT & MOSER, 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 SERVICE

The undersigned has personally conferred with counsel for the SEC and with the Examiner and it was determined that they agree to the relief requested.

/s/ Brent J. Rodine

CERTIFICATE OF SERVICE

A true and correct copy of this motion will be served upon all interested parties through the Court's electronic filing system.

/s/ Brent J. Rodine