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

MICHAEL J. QUILLING, Receiver for	§	
ABC VIATICALS, INC. and Related Entities,	§	
	§	
Plaintiff,	§	
, , , , , , , , , , , , , , , , , , ,	§	
v.	§	
	§	Civil Action No. 3:07-CV-0421-P
INTERNATIONAL FIDELITY &	§	
SURETY LIMITED, INTERNATIONAL	§	ECF
CONSULTANTS & MANAGEMENT LTD.,	§	
SURETY MARKETING SOURCE, LLC,	§	
KPMG VANUATU, HAWKES LAW,	§	
KPMG INTERNATIONAL, BOSWELL,	§	
DERMOTT & PAWLETT, LLP, MOHAN &	§	
ASSOCIATES, DAVID A. GOLDENBERG,	§	
DAG INVESTMENTS, LLC, LPG	§	
INVESTMENTS, LLC, WED MARKETING,	§	
LLC, GALAX HOLDINGS, LTD.,	§	
MARK WOLOK, LINDA WOLOK and	§	
ARIE KOTLER.	§	
	§	
Defendants	ş	
	§	

## **NOTICE OF DISMISSAL** (KPMG Vanuatu, Hawkes Law, and Mohan & Associates)

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

COMES NOW, Michael J. Quilling as the Receiver for ABC Viaticals, Inc. and related entities, ("Plaintiff" or "Receiver") and files this notice dismissing his claims against KPMG Vanuatu, Hawkes Law, and Mohan & Associates. Dismissal by notice to the court is appropriate under Federal Rule of Civil Procedure 41(a)(1)(A)(i) because none of those defendants have filed an answer or motion for summary judgment.

The Receiver believes that, given the recovery already achieved in this case, the great difficulty in serving and pursuing these defendants (if they exist at all), and the slim hopes for

recovering any damages from them, it is in the receivership estate's best interest to dismiss all remaining causes of action against these defendants and bring this matter to a conclusion.

WHEREFORE, PREMISES CONSIDERED, the Receiver respectfully asks the Court to note the dismissal of his causes of action against KPMG Vanuatu, Hawkes Law, and Mohan & Associates without further order of the Court under Rule 41(a)(1)(A)(i).

Respectfully submitted,

QUILLING SELANDER CUMMISKEY & LOWNDS, P.C. 2001 Bryan Street, Suite 1800 Dallas, Texas 75201-4240 (214) 871-2100 (Telephone) (214) 871-2111 (Facsimile)

By: <u>/s/ Brent J. Rodine</u> Michael J. Quilling State Bar No. 16432300 Email: <u>mquilling@qsclpc.com</u> Brent J. Rodine State Bar No. 24048770 Email: <u>brodine@qsclpc.com</u>

ATTORNEYS FOR PLAINTIFF

## **CERTIFICATE OF SERVICE**

A true and correct copy of this notice was served on all interested parties through the

Court's electronic pleading system and by U.S. Mail, first class postage prepaid, to:

Estate of David Goldenberg 3036 West Ridge Court Bloomfield Hills, Michigan 48302

DAG Investments LLC c/o Estate of David Goldenberg 3036 West Ridge Court Bloomfield Hills, Michigan 48302 LPG Investments LLC c/o Estate of David Goldenberg 3036 West Ridge Court Bloomfield Hills, Michigan 48302

WED Marketing LLC Attn: Paula Cetean 1550 Drexal, #5 Miami Beach, Florida 33139

/s/ Brent J. Rodine