

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

MICHAEL J. QUILLING, RECEIVER	§	
FOR JAMES A. RUMPF,	§	
	§	
	§	
Plaintiff,	§	CIVIL ACTION NO. 3:06-CV-0474-L (BD)
	§	
v.	§	<b>ECF</b>
	§	
BONANZA GOLD, INC.,	§	<b>Referred to the U.S. Magistrate Judge</b>
	§	
Defendant.	§	

**NOTICE OF DISMISSAL**

TO THE HONORABLE SAM A. LINDSAY, UNITED STATES DISTRICT JUDGE:

COMES NOW, Michael J. Quilling, in his capacity as Receiver for James A. Rumpf, (“Receiver”) and, pursuant to Fed. R. Civ. P. 41(a)(1)(i) and Local Civil Rule 41.1, files this Notice of Dismissal and, in support of such, would respectfully show unto the Court as follows:

1. Michael J. Quilling is the Receiver appointed for James A. Rumpf and other associated individuals and entities in *Securities and Exchange Commission v. Megafund Corporation, et al.*, Civil Action No. 3:05-1328-L, pending before the United States District Court for the Northern District of Texas, Dallas Division, the Honorable Sam A. Lindsay presiding.

2. The Receiver filed this lawsuit on March 16, 2006, against Defendant Bonanza Gold, Inc. (“Defendant”) as the parent company of Left Behind Games, Inc. In his Complaint, the Receiver alleged that Defendant improperly received a \$30,000.00 overpayment for shares of stock purchased by James A. Rumpf. The Receiver alleged that this overpayment breached the parties’ Stock Purchase Agreement and amounted to conversion and unjust enrichment with respect to those funds. The Receiver also alleged that the \$30,000.00 constituted a fraudulent transfer of funds now

held in constructive trust for the benefit of the Receivership Estate. Accordingly, the Receiver sought an order disgorging that amount from Defendant and awarding the Receiver his attorney's fees, expenses, costs, and interest in pursuing this lawsuit.

3. The Defendant was properly served with a copy of the Summons and Complaint on June 26, 2006. *Affidavit of Service of Process on Defendant* [Dkt. No. 15]. Defendant did not file an answer or otherwise appear in this case.

4. Having received the full \$30,000.00 from the Defendant as a final settlement of claims, the Receiver now wishes to voluntarily dismiss this lawsuit, with prejudice, and all claims therein against the Defendant.

WHEREFORE, PREMISES CONSIDERED, the Receiver hereby notifies this Court of his desire to dismiss, with prejudice, this lawsuit and all claims against Bonanza Gold, Inc. The Receiver requests that this Court sign an appropriate order of dismissal and leave both parties to bear their own costs and fees.

Respectfully submitted,

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By:           /s/ Brent J. Rodine          

Michael J. Quilling  
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Brent J. Rodine  
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ATTORNEYS FOR PLAINTIFF