

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

IN RE: ALL FUNDS ON DEPOSIT)
 IN ACCOUNT NUMBER 000669829075)
 IN THE BANK OF COMMERCE, INC.,)
 AT NATIONS BANK, N.A.,)
 CONSISTING OF \$18,756,420.97,)
MORE OR LESS.)

C.A. NO. 3:98mc96-McK

GEORGE AND DOLORES ROLLAR,)

Plaintiffs,)

C.A. NO. 3:01CV205-McK

v.)

(CASES CONSOLIDATED)

UNITED STATES OF AMERICA, et al.,)

Defendants,)

RICHARD VASQUEZ,)

Intervener.)

FILED
CHARLOTTE, N. C.

FEB 12 2007

U. S. DISTRICT COURT
W. DIST. OF N. C.

**REQUEST FOR DELAY OF DISTRIBUTION BY RECEIVER AND
 EXTENSION OF TIME WITHIN WHICH TO POST BOND BY
CLAIMANT OBASI JOHN VALENTINE**

COMES NOW Claimant OBASI JOHN VALENTINE, on behalf of himself and his wholly-owned entity claimants in Response to the various filings specified above.

The Court's Order Approving Final Report and Proposed Distribution was filed on February 2, 2007. [see, Notice of Electronic Filing attached to Order]. The service of the Order upon counsel for Valentine was made by regular mail only. [Id.]. Counsel for Valentine received the Order in the mail at counsel's San Diego, California address on February 6, 2007.

Valentine has indicated that he plans to appeal the Order insofar as it denies his claims to Receivership funds in their entirety. The Receiver corresponded with counsel for Valentine on February 6, 2007 requesting notification as to whether Valentine intended to appeal the Order since the Receiver intends to distribute funds "soon" and wanted to be able to alert the Court of any appeal and request additional allowance of fees to cover any appeal. The receiver also indicated in his correspondence that Valentine must file a supersedeas bond pending appeal.

Counsel respectfully requests that the distribution of funds by the Receiver be delayed by Court Order for a period of fourteen (14) days from the date hereof and that the requirement, if any, of bond positing by Valentine be extended for a period of thirty (30) days.

This request is based upon the receipt of notice of the Order on February 6, 2007 and due to the fact that counsel for Valentine believes that the requirement and/or amount of any supersedeas bond necessitates further consideration by and between counsel and the receiver and presentation of any dispute regarding bond requirements to this Court.

Respectfully submitted this 8th Day of February, 2007

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By, _____



Christopher W. Steward
California State Bar No. 171188
ATTORNEYS FOR VALENTINE CLAIMANTS

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of February, 2007 a true and correct copy of the foregoing document was served via first class mail, postage prepaid, on:

Michael J. Quilling, Receiver
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