

1 **BOUTIN DENTINO GIBSON**
2 **DI GIUSTO HODELL INC.**
3 Chris Gibson, SBN 073353
4 Maralee MacDonald, SBN 208699
5 555 Capitol Mall, Suite 1500
6 Sacramento, CA 95814-4603
7 (916) 321-4444

8 Attorneys for Receiver
9 Michael J. Quilling

10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA
12 SACRAMENTO DIVISION

13 SECURITIES AND EXCHANGE COMMISSION,

14 Plaintiff,

15 v.

16 SECURE INVESTMENT SERVICES, INC.,
17 AMERICAN FINANCIAL SERVICES, INC.,
18 LYNDON GROUP, INC., DONALD F. NEUHAUS,
19 and KIMBERLY A. SNOWDEN,

20 Defendants.

Case No. 2:07-cv-01724 LEW CMK

STIPULATED MOTION FOR ORDER
AUTHORIZING RECEIVER TO
EMPLOY BOUTIN DENTINO
GIBSON DI GIUSTO HODELL INC.;
ORDER

21 The parties, at the request of Michael J. Quilling, the Receiver appointed in these
22 proceedings, ("Receiver"), respectfully submit this Stipulated Motion for Order Authorizing
23 Receiver to Employ Boutin Dentino Gibson Di Giusto Hodell Inc. and Order under L.R. 66-232.

24 **BACKGROUND**

25 1. By Order of August 24, 2007, the Court appointed Michael J. Quilling as
26 Receiver for Secure Investment Services, Inc. ("SIS"), American Financial Services, Inc.
27 ("AFS") and Lyndon Group, Inc. ("LGI") and other related individuals and entities. In that
28 capacity, the Court has authorized and charged the Receiver to take complete and exclusive
control, possession, and custody of all receivership assets.

2. The Order Appointing Temporary Receiver authorizes the Receiver to employ
attorneys as needed to preserve and maintain the Receivership Assets in this case:

1 Given the emergency nature of these proceedings, the Receiver is
2 hereby authorized to employ such employees, accountants, and
3 attorneys as is necessary and proper for the collection,
4 preservation, maintenance and operation of the Receivership
5 Assets and Receivership Records and to open bank accounts or
6 other depository accounts in the name of the Receiver on behalf of
7 the receivership estate. As soon as possible after retaining such
8 professionals, the Receiver shall file written applications to
9 retroactively approve the employment pursuant to Local Rule 66-
10 232(g).

11 *Order Appointing Temporary Receiver* [Dkt. No. 27] at ¶ 11.

12 3. Accordingly, the Receiver requests authority under L.R. 66-232(g) to employ
13 Boutin Dentino Gibson Di Giusto Hodell Inc. of Sacramento, California (“the Firm”) to act as
14 his legal counsel. The Firm has extensive experience in federal court practice in the Eastern
15 District of California. Profiles of principals Chris Gibson and Maralee MacDonald and their
16 practice experience are attached as Exhibit A.

17 4. The Receiver believes that employing the Firm is in the best interest of the
18 receivership estate because it has the experience and resources to efficiently and effectively
19 represent the Receiver in this case.

20 5. The Firm will provide legal representation in this case at the hourly rates set forth
21 in Exhibit B. The Receiver seeks Court approval to pay those amounts on a tentative basis
22 pending a hearing for final approval under L.R. 66-232.

23 6. The Receiver requests that this Court enter an order authorizing him to employ
24 Boutin Dentino Gibson Di Giusto Hodell Inc. and to compensate it consistent with the terms
25 described in Exhibit B.

26 [NEXT PAGE]

1 **STIPULATION**

2 WHEREFORE, THE PARTIES STIPULATE to the entry of an order of this Court
3 authorizing the Receiver to employ Boutin Dentino Gibson Di Giusto Hodell Inc. and to
4 compensate it consistent with the terms described in Exhibit B.

5 BOUTIN DENTINO GIBSON DI GIUSTO
6 HODELL INC.

7 Dated: August 29, 2007

8 By /s/ Maralee MacDonald
9 Maralee MacDonald
10 Attorneys for Receiver

11 SECURITIES EXCHANGE
12 COMMISSION

13 Dated: August 29, 2007

14 By /s/ John S. Yun (as authorized on August 29, 2007)
15 Thomas J. Eme
16 John S. Yun
17 Attorneys for Plaintiff Securities
18 Exchange Commission

19 KENNY, SNOWDEN & NORINE

20 Dated: August 29, 2007

21 By /s/ Mark Norcross (as authorized on August 29, 2007)
22 Mark Norcross
23 Attorneys for Defendants
24 Donald Neuhaus and
25 Kimberly Snowden

26 **ORDER**

27 IT IS SO ORDERED.

28 Dated:

Honorable Ronald S. W. Lew
UNITED STATES DISTRICT COURT JUDGE

EXHIBIT B

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<u>NAME</u>	<u>HOURLY RATE</u>
Chris Gibson, Principal	\$350
Maralee MacDonald, Principal	\$275
Sheryl Stuckey, Paralegal	\$165