

1 **BOUTIN DENTINO GIBSON**  
2 **DI GIUSTO HODELL INC.**  
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7 (916) 321-4444

8 **QUILLING, SELANDER, CUMMISKEY**  
9 **& LOWNDS, P.C.**

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14 Dallas, TX 75201  
15 Telephone: (214) 871-2100  
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17 Attorneys for Receiver  
18 Michael J. Quilling

19 UNITED STATES DISTRICT COURT  
20 EASTERN DISTRICT OF CALIFORNIA  
21 SACRAMENTO DIVISION

22 SECURITIES AND EXCHANGE COMMISSION,

23 Plaintiff,

24 v.

25 SECURE INVESTMENT SERVICES, INC.,  
26 AMERICAN FINANCIAL SERVICES, INC.,  
27 LYNDON GROUP, INC., DONALD F. NEUHAUS,  
28 and KIMBERLY A. SNOWDEN,

Defendants.

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

**STIPULATED MOTION TO ESTABLISH  
CLAIM PROCEDURE PLAN AND TO  
APPROVE CLAIM FORM**

29 The parties, at the request of Michael J. Quilling, the Receiver appointed in these  
30 proceedings, (“Receiver”), respectfully submit this Stipulated Motion to Establish Claim  
31 Procedure Plan and to Approve Claim Form and respectfully submit as follows.

32 1. On August 23, 2007, the Securities and Exchange Commission (“SEC”) initiated  
33 these proceedings and sought the appointment of a receiver. On August 24, 2007, the Court  
34  
35

1 issued its Order Appointing Temporary Receiver pursuant to which Michael J. Quilling was  
2 appointed as receiver and he has continued to function in that capacity since that time.

3 2. Given the currently known information regarding the operations of the entities  
4 involved in this receivership, the Receiver suggests that the following procedures be  
5 implemented as a claims procedure plan:

- 6 • An Official Claim Form in the format of Exhibit "A" attached hereto will be sent  
7 to any person believed to be an investor of the various corporate defendants;
- 8 • An Official Claim Form in the format of Exhibit "B" attached hereto will be sent  
9 to any potential non-investor claimant (*i.e.* trade vendors) of the various corporate  
10 defendants, at such time as those potential claimants are identified by the  
11 Receiver;
- 12 • A cover letter in the format of Exhibit "C" attached hereto will be sent along with  
13 each claim form;
- 14 • The Claim Form must be returned to the Receiver within 60 days after the Claim  
15 Form is mailed to the potential claimant. Failure to timely return a Claim Form  
16 may be grounds to disallow the claim;<sup>1</sup>
- 17 • As a Claim Form is received, it will be assigned a sequential claim number to be  
18 used to identify the claim during further proceedings before this Court;
- 19 • As a Claim Form is received, a post card in the format of Exhibit "D" attached  
20 hereto will be sent to each claimant.

### 21 STIPULATION

22 The parties stipulate to the claim procedure plan suggested by the Receiver in paragraph  
23 2 above and the use of the claim forms and documentation attached as Exhibits A through D to  
24 this stipulation. The parties further stipulate to the entry of the Order Granting Receiver's  
25

26  
27 <sup>1</sup> The Receiver does not intend to use such a deadline as a hard and fast rule to penalize  
28 claimants but rather only as a means to prompt a timely return of the completed form. The  
Receiver intends to make exceptions to the deadline as circumstances dictate.

1 Stipulated Motion to Establish Claim Procedure Plan and Approving Claim Form attached as  
2 Exhibit E to this Stipulation.

3 Respectfully submitted,

4  
5 BOUTIN DENTINO GIBSON DI GIUSTO  
6 HODELL INC.

7 Dated: October 25, 2007

8 By /s/ Maralee MacDonald  
9 Maralee MacDonald  
10 Attorneys for Receiver of Secure  
11 Investment Services, Inc., American  
12 Financial Services, Inc., and Lyndon  
13 Group, Inc.

14 SECURITIES AND EXCHANGE  
15 COMMISSION

16 Dated: October 25, 2007

17 By /s/ Thomas J. Eme (authorized 10/25/2007)  
18 Thomas J. Eme  
19 John S. Yun  
20 Attorneys for Plaintiff Securities  
21 Exchange and Commission

22 MOSS & LOCKE

23 Dated: October 23, 2007

24 By /s/ Bruce Locke (authorized 10/23/2007)  
25 Bruce Locke  
26 Attorneys for Defendant  
27 Donald Neuhaus

28 KENNY, SNOWDEN & NORINE

Dated: October 25, 2007

By /s/ Mark Norcross (authorized 10/25/2007)  
Mark Norcross  
Attorneys for Defendant  
Kimberly Snowden

# Exhibit “A”

<b>OFFICIAL COURT-APPROVED CLAIM FORM</b>		<b>SUBMIT FORM TO:</b>		<b>Internal Use Only:</b>	
SEC v Secure Investment Services, Inc., American Financial Services, Inc., Lyndon Group, Inc., Donald F. Neuhaus, and Kimberly A. Snowden. Civil Action No. 2:07-CV-01724 LEW CMK (E.D. CA.)		Michael J. Quilling, Receiver c/o Stephen M. Tomasky Quilling, Selander, et al. 2001 Bryan Street, Ste 1800 Dallas, TX 75201		Claim No: SIA- _____ Date Received: _____	
NAME: (First) _____ (M.I.) _____ (Last) _____					
JOINT INVESTOR: (First) (If applicable) _____ (M.I.) _____ (Last) _____					
COMPANY OR ENTITY NAME: (If applicable) _____		SSN# - PRIMARY (If applicable) _____		SSN# - JOINT or TAX ID# _____	
MAILING ADDRESS: _____					
CITY: _____		STATE/COUNTRY: _____		ZIP/COUNTRY CODE: _____	
HOME PHONE: _____		WORK PHONE: _____		CELL PHONE: _____	
E-MAIL ADDRESS: _____				FAX NUMBER: _____	
<b>DETAIL OF INVESTMENT AND RETURNS (Please complete a separate claim form for EACH investment you made):</b>					
Amount of Investment:	Date:	Money Received Back:	Date(s):	NET CLAIM:	
\$ _____	_____	\$ _____	_____	\$ _____	
What trust or policy did you invest in?: _____					
Who solicited you to invest? _____					
Method of investment: Wire <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Rollover <input type="checkbox"/> Cash <input type="checkbox"/> Cashier Check <input type="checkbox"/> Other <input type="checkbox"/> (explain): _____					
Is this investment part of an IRA? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide your last IRA account statement.					
Were any funds paid back to you? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, How?: Wire <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> IRA Distribution <input type="checkbox"/> Rollover <input type="checkbox"/> Cash <input type="checkbox"/> Cashier Check <input type="checkbox"/> Other <input type="checkbox"/> (explain): _____					
Were you paid commissions? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, How much?: \$ _____					
Does your claim include any money provided to you by other investors? Funds are all mine <input type="checkbox"/> Others provided funds <input type="checkbox"/>					
If others provided funds, list their name, address and amount invested (use additional sheets if necessary): _____					
<b>Supporting Documents:</b> Attach copies of supporting documents, such as canceled checks (front and back), carbon checks, wire instructions, money orders, bank statements, etc. These documents must be sufficient to show the source of the deposited funds, the amounts and dates funds were deposited, and the amounts and dates of all returns sent to you. <b>DO NOT SEND ORIGINAL DOCUMENTS.</b> If documents are not available, explain on separate sheet of paper. <b>SEE REVERSE</b> for further instructions.					
<b>Verification of Claims:</b> All claims submitted are subject to verification by the Receiver and approval by the Court. It is important to provide complete and accurate information to facilitate this effort. Claimants may be asked to supply additional information to complete this process. Claims will not be submitted to the Court for approval until they have been verified.					
Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Sign and print the name and title, if any, of the person authorized to file this claim (attach copy of power of attorney, if any):					
(Sign name) _____				Executed on (date) _____	
(Print or type name) _____					
<b>PENALTY FOR PRESENTING FRAUDULENT CLAIM:</b> <b>FINE OF UP TO \$500,000 OR IMPRISONMENT FOR UP TO 5 YEARS OR BOTH. 18 U.S.C. §§ 152 AND 3571</b>					

## INSTRUCTIONS FOR CLAIM FORM

**IMPORTANT:**

Please provide copies of these documents along with this claim form:  
(Failure to supply any of these documents may result in a delay in processing your claim and/or in the disallowance of your claim.)

- Copy of your investment contract or other documents you signed when you invested.
- Proof of your investment amount. (Copy of your checks, cashier checks, money orders, wire transfers, bank statements and/or receipts.)
- Proof of any return of monies you received. (Copy of checks, cashier checks, money orders, wire transfers, bank statements and/or receipts.)
- If you invested more than once, you need to make a copy of this Claim Form and submit a separate completed claim form for each investment.
- If you and your spouse made a joint investment, only one of you need to complete and sign this Claim Form.

**ALSO:**

- **DO NOT SEND** your completed claim form to the Court, this will only delay the claim process.
  - We strongly recommend that you return your completed claim form via certified mail.
  - Once your claim form is received, a postcard will be sent to you confirming receipt of your claim. If you **DO NOT** receive a postcard within 30 days of submitting your claim, it is **YOUR RESPONSIBILITY** to contact us immediately to correct the problem. It is strongly recommended that you keep a copy of the completed claim form for your records.
  - **IT IS YOUR RESPONSIBILITY** to advise us of any address or phone changes.
  - For more information or to monitor the status of this receivership case, please refer to the Receiver's website at [www.secreceiver.com](http://www.secreceiver.com).
  - If you are aware of any other investors please tell them to contact us so that we can send them a claim form if we have not done so already.
-

# Exhibit "B"

<b>OFFICIAL COURT-APPROVED CLAIM FORM</b>		<b>SUBMIT FORM TO:</b>	<b>Internal Use Only:</b>
SEC v Secure Investment Services, Inc., American Financial Services, Inc., Lyndon Group, Inc., Donald F. Neuhaus, and Kimberly A. Snowden. Civil Action No. 2:07-CV-01724 LEW CMK (E.D. CA.)		Michael J. Quilling, Receiver c/o Stephen M. Tomasky Quilling, Selander, et al. 2001 Bryan Street, Ste 1800 Dallas, TX 75201	Claim No: <b>SIB-</b> _____ Date Received: _____
NAME OF CREDITOR/COMPANY _____			
NAME OF REPRESENTATIVE/CONTACT PERSON (if different) _____			
MAILING ADDRESS: _____			
CITY: _____		STATE/COUNTRY: _____	ZIP/COUNTRY CODE: _____
TAX ID OR SSN: _____	BUSINESS PHONE: _____	FAX NUMBER: _____	
E-MAIL ADDRESS: _____		OTHER NUMBER: _____	
<b>DETAIL OF DEBT (If you claim more than one debt you need to submit this form for each debt):</b>			
BASIS OF CLAIM: Goods sold <input type="checkbox"/> Equipment sold/leased <input type="checkbox"/> Taxes <input type="checkbox"/> Services performed <input type="checkbox"/> Wages, salary or other compensation <input type="checkbox"/> Other <input type="checkbox"/> Specify: _____			
What is the name of the entity which owes the claim: _____			
Date debt was incurred/period of time for which you are owed: _____			
Amount you claim is owed: \$ _____			
<small>(Attach supporting documents and provide a detailed explanation of how you calculate your claim. Be sure to state all credits.)</small>			
Was anything assigned or pledged to you as collateral for the debt you claim? Yes <input type="checkbox"/> No <input type="checkbox"/>			
If YES, what was it: _____			
Did you file a lawsuit to collect the debt claimed? Yes <input type="checkbox"/> No <input type="checkbox"/>			
If YES, where and which court: _____			
Attorney's name, address and phone number: _____			
Did you obtain a court judgment? Yes <input type="checkbox"/> No <input type="checkbox"/> . If YES, what date: _____			
Supporting Documents: Attach copies of supporting documents, invoices, contracts, leases or other agreements which support your claim. DO NOT SEND ORIGINAL DOCUMENTS. If documents are not available, explain on separate sheet of paper. <b>SEE REVERSE</b> for further instructions.			
Verification of Claims: All claims submitted are subject to verification by the Receiver and approval by the Court. It is important to provide complete and accurate information to facilitate this effort. Claimants may be asked to supply additional information to complete this process. Claims will not be submitted to the Court for approval until they have been verified.			
Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Sign and print the name and title, if any, of the person authorized to file this claim (attach copy of power of attorney, if any):			
_____ (Sign name)		Executed on (date) _____	
_____ (Print or type name)			
<b>PENALTY FOR PRESENTING FRAUDULENT CLAIM:</b>			
<b>FINE OF UP TO \$500,000 OR IMPRISONMENT FOR UP TO 5 YEARS OR BOTH. 18 U.S.C. §§ 152 AND 3571</b>			

## INSTRUCTIONS FOR CLAIM FORM

**IMPORTANT:** Please provide copies of these documents along with this claim form:  
(Failure to supply any of these documents may result in a delay in processing your claim and/or in the disallowance of your claim.)

- Copy of all contracts, invoices, leases or other agreements which support your claim.
- Be sure to provide a detailed explanation as to how you calculate the amount of your claim.

**ALSO:**

- **DO NOT SEND** your completed claim form to the Court, this will only delay the claim process.
  - We strongly recommend that you return your completed claim form via certified mail.
  - Once your claim form is received, a postcard will be sent to you confirming receipt of your claim. If you **DO NOT** receive a postcard within 30 days of submitting your claim, it is **YOUR RESPONSIBILITY** to contact us immediately to correct the problem. It is strongly recommended that you keep a copy of the completed claim form for your records.
  - **IT IS YOUR RESPONSIBILITY** to advise us of any address or phone changes.
  - For more information or to monitor the status of this receivership case, please refer to the Receiver's website at [www.secreceiver.com](http://www.secreceiver.com).
-

# Exhibit "C"

**MICHAEL J. QUILLING, RECEIVER**  
Quilling Selander Cummiskey & Lownds, P.C.  
2001 Bryan Street, Suite 1800  
Dallas, Texas 75201

Re: *Securities and Exchange Commission v. Secure Investment Services, Inc., American Financial Services, Inc., Lyndon Group, Inc., Donald F. Neuhaus, and Kimberly A. Snowden*; Civil Action No. 2:07-CV-01724 (E.D. California.)

Dear Potential Claimant:

As you may be aware, I am the Receiver appointed by the United States District Court for the Eastern District of California, Sacramento Division, as to the entities listed above. Records which I have reviewed indicate that you may have a claim against one of more of the entities for whom I act as Receiver. If you believe you have a claim of any nature whatsoever against any of them, you need to carefully read this letter and the enclosure.

Enclosed with this letter is an Official Court-Approved Claim Form which you need to complete and return. As indicated in the Claim Form, when you complete and return the form it is important that you provide copies of any documents which you have relating to your claim. It is strongly recommended that you send the completed Claim Form via certified mail or delivery service. Be sure to keep a copy of the completed form for your records. The enclosed Claim Form was approved by the Court on \_\_\_\_\_, 2007. It is the **ONLY** Claim Form which will be considered in determining the amount of your claim. Accordingly, if you want your claim considered and verified, you **MUST** complete the enclosed form even if you have previously sent your information to me. **DO NOT SEND THE COMPLETED FORM TO THE COURT! SEND IT ONLY TO ME AT THE ADDRESS SET FORTH ABOVE.**

At the time the Court approved the enclosed Claim Form, the Court also ordered that you must complete and return the Claim Form within 60 days after it was mailed to you. Failure to return the Claim Form by the deadline may result in consideration of your claim being delayed and/or your claim being disallowed. **BE SURE TO COMPLY WITH THE DEADLINE.**

I believe the Claim Form is self-explanatory, but if you have questions, you may call the Claims Administrator assigned to this case, Steve Tomasky at (214) 880-1812. Because of the number of people involved, it may take several days for him to return your call. For those of you who have access to the internet you can also contact Steve Tomasky at [stomasky@qsclpc.com](mailto:stomasky@qsclpc.com). When your completed Claim Form is received, you will be sent a postcard acknowledging receipt of your Claim Form. If you do not receive a post card within thirty (30) days after you send your completed Claim Form please contact Steve Tomasky. After your completed Claim Form has been reviewed, you will be contacted if there is a problem with your claim. There is no need for you to contact us, we will contact you. Repeated phone inquiries or internet inquiries by you will only delay and add to the cost of the process. If you do need to contact us, make sure your contact relates to the completion of the Claim Form and **ONLY** completion of the Claim Form. If you are contacting us about the status of the case or anything which does not relate to the completion of the Claim Form, those calls will not be immediately returned.

For those of you who do not already know, you can monitor the progress of the receivership at my website: [www.secreceiver.com](http://www.secreceiver.com).

Very truly yours,

/s/ Michael J. Quilling

MJQ:ja  
Enc.

# Exhibit "D"

10/25/07

10/25/07

10/25/07

**SEC v. Secure Investments Services, Inc., American Financial Services,  
Inc., Lyndon Group, Inc., Donald F. Neuhaus, and Kimberly A. Snowden.  
Civil Action No. 2:07-CV-01724 LEW CMK (E. D. of California)  
Claim Form Confirmation**

**\*\*PLEASE READ\*\***

Your claim has been received by the Receiver, Michael J. Quilling:

Your **CLAIM NUMBER** is: SIA-

Please refer to this claim number in all future correspondence.

You may monitor the progress of this case at:

[www.secreceiver.com](http://www.secreceiver.com)

Link to: "Secure Investment Services"

Please Note: It is your responsibility to notify us of any change in address or telephone number!

Michael J. Quilling, Receiver  
2001 Bryan St, Suite 1800  
Dallas, Texas 75201

PLACE  
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# Exhibit “E”

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

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

Defendants.

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

**ORDER GRANTING STIPULATED  
MOTION TO ESTABLISH CLAIM  
PROCEDURE AND TO APPROVE  
CLAIM FORM**

This matter is before the Court on the Stipulated Motion of the Receiver to Establish Claims Procedure Plan and To Approve Claim Form. Having considered the Motion, the Court finds that it should be granted. Accordingly,

**IT IS ORDERED** that the claims procedure plan proposed by the Receiver is approved. Specifically:

1. An Official Claim Form in the format of Exhibit "A" attached to the Receiver's motion will be sent to any and all persons or entities believed to be an investor with any of the corporate defendants at such time as those persons or entities are identified by the Receiver;

2. An Official Claim Form in the format of Exhibit "B" attached to the Receiver's motion will be sent to any and all potential claimants who are not believed to be an investor (i.e., trade vendors) at such time as those potential claimants are identified by the Receiver;

