

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

5 **QUILLING, SELANDER, CUMMISKEY**
& LOWNDS, P.C.
6 Michael J. Quilling (Tex. Bar No. 16432300) – Admitted Pro Hac Vice
D. Dee Raibourn, III (Tex. Bar No. 24009495) – Admitted Pro Hac Vice
7 Brent J. Rodine (Tex. Bar No. 24048770) – Admitted Pro Hac Vice
2001 Bryan Street, Suite 1800
8 Dallas, TX 75201
Telephone: (214) 871-2100
9 Facsimile: (214) 871-2111

10 Attorneys for Michael J. Quilling
Receiver of Defendants Secure Investment Services, Inc.,
11 American Financial Services, Inc., and Lyndon Group, Inc.

12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF CALIFORNIA
14 SACRAMENTO DIVISION

15 SECURITIES AND EXCHANGE COMMISSION,
16 Plaintiff,
17 v.
18 SECURE INVESTMENT SERVICES, INC.,
AMERICAN FINANCIAL SERVICES, INC.,
19 LYNDON GROUP, INC., DONALD F. NEUHAUS,
and KIMBERLY A. SNOWDEN,
20 Defendants.
21

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

**RECEIVER’S FIRST MOTION FOR
ORDER TO ALLOW “A” CLAIMS**

Date: February 15, 2008
Time: 10:00 a.m.
Courtroom: TBD Visiting Judge

22 TO THE HONORABLE RONALD S.W. LEW, UNITED STATES DISTRICT JUDGE:

23 COMES NOW, Michael J. Quilling, in his capacity as Receiver (“Receiver”), and files
24 his First Motion to Allow “A” Claims. In support, the Receiver would respectfully show unto
25 the Court as follows:

26 1. On October 29, 2007, the Court entered an Order [Doc. No. 73] establishing the
27 claim procedures for this case. Among other things, the Court directed the Receiver to send
28 claim forms to all persons or entities believed to be an investor with a potential claim against any

1 of the corporate defendants. It also directed the Receiver to review those claims, verify them,
2 and submit them for approval on a quarterly basis beginning January 1, 2008.

3 2. Since that time, the Receiver has sent 660 claim forms to separate investors and
4 received 450 claims against the receivership estate. Claim analysts have reviewed those claims
5 and continue to contact investors in an effort to verify the allowed claim amounts. To date, the
6 Receiver has verified 41 investor "A" claims totaling \$1,441,155.00 as set out in Exhibit A and
7 now asks the Court to allow those claims against the receivership estate.

8 3. Consistent with the Order of October 29, 2007 [Doc. No. 73], this Court should
9 allow the claims listed on Exhibit A if no objection is lodged within thirty (30) days after the
10 filing of this motion.

11 4. The Receiver is still in the process of verifying other claims that will be addressed
12 in future motions to be filed on a quarterly basis going forward.

13 WHEREFORE, PREMISES CONSIDERED, the Receiver prays that, upon final
14 consideration of this motion, the Court enter an order allowing the 41 investor "A" claims set out
15 in Exhibit A and for such other and further relief, general or special, at law or in equity, to which
16 the Receiver may show himself justly entitled.

17 Respectfully submitted,

18
19 BOUTIN GIBSON DI GIUSTO HODELL INC.

20
21 Dated: January 2, 2008

22 By /s/ Maralee MacDonald
23 Maralee MacDonald
24 Attorneys for Receiver of Defendants
25 Secure Investment Services, Inc.,
26 American Financial Services, Inc., and
27 Lyndon Group, Inc.
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT A

Claim #	Name	Company	NetClaim
SI A-00003	Michael W. Collins		\$90,000.00
SI A-00004	Michael W. Collins		\$190,000.00
SI A-00006	Darryl A. & Joyce C. Lyons	Lyons Family Trust	\$50,000.00
SI A-00018	Eric W. Tucker		\$12,500.00
SI A-00019	Esther Martinez & Ginney Worley		\$25,000.00
SI A-00022	James M Tucker		\$12,500.00
SI A-00036	Merle D Hutcheson		\$33,000.00
SI A-00040	Arja & Laurene Smailes		\$25,000.00
SI A-00041	Arja & Laurene Smailes		\$20,000.00
SI A-00042	John C Shafer		\$30,000.00
SI A-00045	James & Lorraine McCutcheon		\$27,000.00
SI A-00054	George E. & Dora A. Mower		\$60,000.00
SI A-00055	George E. & Dora A. Mower		\$75,000.00
SI A-00068	Jean C. Murdock		\$10,000.00
SI A-00070	Darlene L. Ewell		\$8,000.00
SI A-00075	Augustus J. & Margaret J. Gentry		\$20,000.00
SI A-00076	Lloyd L. Philipson, TTEE	Philipson Living Trust	\$50,000.00
SI A-00096	Eugene & Carolyn Atzger	Atzger Family Living Trust	\$25,000.00
SI A-00109	Vivian & Jerry E Brown		\$75,000.00
SI A-00120	James & Lorraine McCutcheon		\$22,000.00
SI A-00126	James E. Robertson		\$10,000.00
SI A-00128	Kermit R. Baese		\$40,000.00
SI A-00130	Alfred & Mary Ann. Koebig, TTEEs	Koebig Living Trust	\$25,000.00
SI A-00137	Wendy L Rogers		\$25,735.00
SI A-00144	Doris M Gibbs		\$23,000.00
SI A-00156	Jeffrey R Rogers		\$42,710.00
SI A-00159	Marva C McCraw, TTEE	McCraw Living Trust	\$30,000.00
SI A-00160	James H. & Martha George, TTEEs	George Living Trust	\$20,000.00
SI A-00161	Boris & Shelley Komarov		\$50,000.00
SI A-00168	Stacey Robinett		\$25,000.00
SI A-00178	William Mayo Revocable Living Trust	c/o William F. Mayo, Sr. TTEE	\$35,000.00
SI A-00179	William F. Mayo, Sr.		\$50,000.00
SI A-00182	Robert & Colleen Guy, TTEEs	Robert & Colleen Guy Living Trust	\$40,000.00
SI A-00183	Robert & Colleen Guy, TTEEs	Robert & Colleen Guy Living Trust	\$25,000.00
SI A-00187	Tessa J Radziej		\$30,000.00
SI A-00205	James & Patricia Dutton, TTEEs	The Dutton Family Charitable Remainder Trust	\$25,000.00
SI A-00214	Marilyn D Nielson		\$25,000.00
SI A-00234	Mark L & Deborah E Ford		\$25,000.00
SI A-00235	Mark L & Deborah E Ford		\$10,000.00
SI A-00305	Carie N Morales		\$18,325.00
SI A-00306	Carie N Morales		\$6,385.00
41 claims for			<u>\$1,441,155.00</u>