

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

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

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

10 UNITED STATES DISTRICT COURT

11 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

12 SECURITIES AND EXCHANGE
13 COMMISSION,

14 Plaintiff,

15 v.

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

18 Defendants.
19

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

NOTICE OF RECEIVER'S FIFTH
MOTION FOR ORDER TO ALLOW
"A" CLAIMS

Date: May 17, 2010
Time: 9:00 a.m.
Department: 10

20 TO: THE PARTIES AND ALL COUNSEL OF RECORD:

21 On May 17, 2010 at 9:00 a.m., or as soon thereafter as the matter may be heard before the
22 Honorable Garland E. Burrell, Jr., at the U.S. District Court for the Eastern District of California,
23 501 I Street, Sacramento, California, Michael J. Quilling, the Receiver appointed in these
24 proceedings ("Receiver"), will move this the Court to issue an order allowing 79 investor "A"
25 Claims totaling \$3,485,577.72, pursuant to this Court's October 29, 2007 Order Granting
26 Stipulated Motion to Establish Claim Procedure and to Approve Claim Form [Doc. No. 73].

27 The motion will be based upon Receiver's Motion and points and authorities submitted
28 contemporaneously, the papers on file in this matter, and any testimony or argument received by

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the Court during the hearing on the motion. A proposed order is also submitted contemporaneously with this motion.

Respectfully submitted,
BOUTIN GIBSON DI GIUSTO HODELL INC.

Dated: April 5, 2010.

By /s/ Maralee MacDonald
Maralee MacDonald
Attorneys for Receiver of Defendants
Secure Investment Services, Inc.,
American Financial Services, Inc., and
Lyndon Group, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of April, 2010, a copy of this Notice was served on all interested parties through the Court's electronic filing system. In addition, a copy of this Notice was served on the following other persons by First Class U.S. Mail:

Bazzle John Wilson
1291 Nunneley Road
Paradise, CA 95969

Ernest Jeremias
5022 17th Avenue, Apt. 1
Brooklyn, NY 11204

 /s/ Maralee MacDonald
Maralee MacDonald

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Brent J. Rodine (Tex. Bar No. 24048770) – Admitted Pro Hac Vice
6 2001 Bryan Street, Suite 1800
Dallas, Texas 75201
7 Telephone: (214) 871-2100
Facsimile: (214) 871-2111

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

10 UNITED STATES DISTRICT COURT

11 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

12 SECURITIES AND EXCHANGE
13 COMMISSION,

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15 v.

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

18 Defendants.
19

Case No. 2:07-cv-01724 GEB CMK
RECEIVER’S FIFTH MOTION FOR
ORDER TO ALLOW “A” CLAIMS

Date: May 17, 2010
Time: 9:00 a.m.
Department: 10

20 TO: THE PARTIES AND ALL COUNSEL OF RECORD:

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

24 1. On October 29, 2007, the Court entered an Order [Doc. No. 73] establishing the
25 claim procedures for this case. Among other things, the Court directed the Receiver to send
26 claim forms to all persons or entities believed to be an investor with a potential claim against any
27 of the corporate defendants.
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2. On February 5, 2008, the Court entered an Order allowing 41 investor "A" claims totaling \$1,441,155.00 [Doc. No. 107].

3. On September 2, 2009, the Court entered an Order allowing 123 investor "A" claims totaling \$4,893,405.76 [Doc. No. 674].

4. On November 5, 2009, the Court entered an Order allowing 159 investor "A" claims totaling \$5,980,206.69 [Doc. No. 691].

5. On February 3, 2010, the Court entered an Order allowing 81 investor "A" claims totaling \$2,855,931.15 [Doc. No. 723].

6. Since his appointment as Receiver, a total of 788 claims against the receivership estate have been received. Claim analysts have reviewed those claims and continue to contact investors in an effort to verify the allowed claim amounts.

7. Since the last Order allowing claims, the Receiver has verified an additional 79 investor "A" claims totaling \$3,485,577.72 as set out in Exhibit 1 attached hereto, and the Receiver now asks the Court to allow those claims against the receivership estate. Consistent with the Order of October 29, 2007 [Doc. No. 73], this Court should allow the claims listed on Exhibit 1 if no objection is lodged within thirty (30) days after the filing of this motion.

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

WHEREFORE, PREMISES CONSIDERED, the Receiver prays that, upon final consideration of this motion, the Court enter an order allowing the 79 investor "A" claims set out in Exhibit 1 and for such other and further relief, general or special, at law or in equity, to which the Receiver may show himself justly entitled.

Submitted this 5th day of April, 2010.

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Respectfully submitted,

/s/ Michael J. Quilling
MICHAEL J. QUILLING (Tex. Bar No. 16432300)
BRENT J. RODINE (Tex. Bar No. 24048770)
QUILLING, SELANDER, CUMMISKEY
& LOWNDS, P.C.

Chris Gibson, SBN 073353
Maralee MacDonald, SBN 208699
BOUTIN GIBSON DI GIUSTO HODELL INC.
Attorneys for Receiver

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of April, 2010, a copy of this Motion was served on all interested parties through the Court's electronic filing system. In addition, a copy of this motion was served on the following other persons by First Class U.S. Mail:

Bazzle John Wilson
1291 Nunneley Road
Paradise, CA 95969

Ernest Jeremias
5022 17th Avenue, Apt. 1
Brooklyn, NY 11204

/s/ Maralee MacDonald
Maralee MacDonald

Exhibit “1”

Exhibit 1 - Verified Investor "A" Claims

Claim #	Name	Company	NetClaim
SIA-00005	Jewel Cole		\$32,000.00
SIA-00014	Melroy J. Brandt		\$10,000.00
SIA-00039	Mary R Lewis		\$10,000.00
SIA-00050	Harold E. Jackson		\$18,097.41
SIA-00051	Duane R. Jackson		\$12,072.03
SIA-00052	Orleta V. Jackson		\$235,683.00
SIA-00061	Brent P. Michael		\$50,000.00
SIA-00066	David W. Luzan, TTEE	Luzan & Co. Employee Retirement Trust	\$25,000.00
SIA-00081	William S Brister		\$20,000.00
SIA-00092	Douglas Klufa		\$15,214.88
SIA-00127	Larry F & Janie O Burruss		\$50,000.00
SIA-00181	Nancy A Heck		\$50,000.00
SIA-00188	Leonard & Stella Kleinrock, TTEEs	Kleinrock Trust	\$200,000.00
SIA-00207	Glenn E & Betty L Copeland		\$100,000.00
SIA-00240	John William & Dixie A Moffitt		\$50,000.00
SIA-00321	William J & Janice M Peterson		\$30,000.00
SIA-00322	Joel Farias & Yolanda Ayala		\$20,000.00
SIA-00335	Denny K Hargis		\$10,000.00
SIA-00336	Estate of Ima L Bowers (Hargis)	c/o Denny K Hargis	\$34,854.28
SIA-00352	Lee & Florence Barker		\$50,000.00
SIA-00356	Steve Julius		\$100,000.00
SIA-00369	Annette Grow Trust	Annette Grow, Ttee	\$20,000.00
SIA-00372	Hans J Hodell		\$100,000.00
SIA-00373	Hans J Hodell		\$75,000.00
SIA-00385	Larry Blakeney		\$165,000.00
SIA-00508	Nancy & Dean Talley		\$6,944.22
SIA-00564	Richard N. Batham		\$5,333.30
SIA-00565	Richard N. Batham		\$5,714.29
SIA-00566	Richard N. Batham		\$5,714.29
SIA-00577	Judy Marzen-Hage		\$97,917.00
SIA-00578	Mahipat Patel		\$48,959.00
SIA-00580	Paul & Betty Gronendyke		\$29,375.00
SIA-00583	T Eugene Monkres		\$199,558.44
SIA-00584	Georgia Monkres		\$86,201.12
SIA-00590	Karin M Mehilhorn		\$48,959.00
SIA-00595	Del & Jane Kohn		\$45,899.00
SIA-00597	William S Duty Jr		\$39,167.00
SIA-00608	Bipin & Ketki Shah		\$97,917.00
SIA-00609	Earl & Geraldine Nielsen		\$24,479.00
SIA-00611	Helen Cardullo		\$48,959.00
SIA-00612	Brigitte & John Wos Rev Liv Trust		\$97,917.00
SIA-00614	Greg Prigge		\$7,833.00
SIA-00619	Thomas D Ross		\$48,959.00
SIA-00629	Jerry & Carol Cox		\$97,917.00
SIA-00652	Richard C. Jewell		\$6,843.00
SIA-00653	Gerald T. Peavy		\$11,360.55
SIA-00670	Larry W. Gies		\$19,556.63
SIA-00690	John M. Dietz		\$100,000.00

Claim #	Name	Company	NetClaim
SIA-00691	John M. Dietz		\$99,917.00
SIA-00692	John M. Dietz		\$100,000.00
SIA-00693	Ma Lourdes A. Templado		\$58,103.00
SIA-00694	Corsini C. Templado		\$90,000.00
SIA-00712	Debra L. Ducommun		\$21,618.28
SIA-00713	Larry J. Ducommun		\$12,328.83
SIA-00717	Estate of Helen Tobin	C/o James Tobin	\$29,375.00
SIA-00718	Marilyn Machuta		\$25,699.33
SIA-00719	Robert J. Machuta		\$32,800.00
SIA-00721	Roger J. Quiring		\$35,439.52
SIA-00762	Emma Bloch		\$61,198.00
SIA-00767	Linda F. Burke		\$4,700.00
SIA-00768	Marie Biggs		\$10,000.00
SIA-00769	Marvin Z. Boyd		\$25,000.00
SIA-00770	Speedy Calderone		\$12,595.98
SIA-00771	Ruth M. Cowan		\$6,006.58
SIA-00772	Rebecca Decottignies		\$15,965.00
SIA-00773	Terry Decottignies		\$14,000.00
SIA-00774	Karl J. & Zeldia Eckstein		\$10,000.00
SIA-00775	Arlen H. Emmons		\$5,000.00
SIA-00776	Arlen H. Emmons		\$5,000.00
SIA-00777	Steven R. & Barbara Enochian		\$8,333.00
SIA-00778	Steven R. & Barbara Enochian		\$8,334.00
SIA-00780	Helen C. Kort		\$10,000.00
SIA-00781	Gary M. Loustale (emily)	for Emily Loustale	\$6,000.00
SIA-00782	Gary M. Loustale (eric)	for Eric Loustale	\$6,000.00
SIA-00783	Gary M. Loustale (kevin)	for Kevin Loustale	\$6,000.00
SIA-00784	Sebastian T. & Mary Purayidom		\$30,000.00
SIA-00785	Sebastian T. & Mary Purayidom		\$30,000.00
SIA-00787	Robert J. Machuta		\$22,176.76
SIA-00788	Estate of Morris Tobin	c/o James Tobin	\$19,583.00
79 claims for			<u>\$3,485,577.72</u>

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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 GEB CMK

PROPOSED ORDER GRANTING
RECEIVER'S FIFTH MOTION FOR
ORDER TO ALLOW "A" CLAIMS

Date: May 17, 2010
Time: 9:00 a.m.
Department: 10

On this day the Court considered the Receiver's Fifth Motion for Order to Allow "A" Claims. Having carefully considered the Motion and the pleadings and papers on file in this case, the Court is of the opinion, and so finds, that the Motion should be granted. Accordingly,

It is ORDERED that the Receiver's Fifth Motion for Order to Allow "A" Claims is hereby GRANTED, and the seventy-nine (79) investor claims totaling \$3,485,577.72 as reflected on Exhibit "1" to the Receiver's Fifth Motion for Order to Allow "A" Claims are allowed against the Receivership estate.

SIGNED this _____ day of _____, 2010.

UNITED STATES DISTRICT JUDGE
HONORABLE GARLAND E. BURRELL, JR.

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CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of April, 2010, a copy of this [Proposed] Order on all interested parties through the Court's electronic filing system. In addition, a copy of this [Proposed] Order was served on the following other persons by First Class U.S. Mail:

Bazzle John Wilson
1291 Nunneley Road
Paradise, CA 95969

Ernest Jeremias
5022 17th Avenue, Apt. 1
Brooklyn, NY 11204

/s/ Maralee MacDonald
Maralee MacDonald

JeDonna Adams

From: caed_cmecf_helpdesk@caed.uscourts.gov
Sent: Monday, April 05, 2010 3:09 PM
To: caed_cmecf_nef@caed.uscourts.gov
Subject: Activity in Case 2:07-cv-01724-GEB-CMK Securities and Exchange Commission v. Secure Investment Services, Inc., et al Motion for Miscellaneous Relief

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U.S. District Court

Eastern District of California - Live System

Notice of Electronic Filing

The following transaction was entered by MacDonald, Maralee on 4/5/2010 at 1:08 PM PDT and filed on 4/5/2010

Case Name: Securities and Exchange Commission v. Secure Investment Services, Inc., et al
Case Number: 2:07-cv-1724
Filer: Michael J. Quilling
Document Number: 725

Docket Text:

MOTION - Notice of Receiver's Fifth Motion for Order to Allow "A" Claims by Michael J. Quilling. Motion Hearing set for 5/17/2010 at 09:00 AM in Courtroom 10 (GEB) before Judge Garland E. Burrell Jr.. (Attachments: # (1) Points and Authorities Receiver's Fifth Motion for Order to Allow "A" Claims, # (2) Proposed Order Proposed Order Granting Receiver's Fifth Motion for Order to Allow "A" Claims)(MacDonald, Maralee)

2:07-cv-1724 Electronically filed documents will be served electronically to:

Securities and Exchange Commission emet@sec.gov

Zink & Lenzi Profit Sharing Plan chicolaw@pacbell.net

Brent J. Rodine , PHV brodine@qsclpc.com

Bruce Locke blocke@mosslocke.com

Chris Gibson cgibson@boutindentino.com, plee@boutindentino.com

Dennis Lynn Roossien , Jr droossien@munsch.com, lgarrett@munsch.com

J.D. Zink chicolaw@pacbell.net

Kenneth C. Mennemeier , Jr kcm@mgsllaw.com, aknight@mgsllaw.com, gosling@mgsllaw.com,
slau@mgsllaw.com

Lawrence John Semenza , II lsemenza@semenzalawfirm.com

Lloyd A. Farnham-GOVT farnhaml@sec.gov

Maralee MacDonald mmacdonald@boutindentino.com, mkelly@boutindentino.com

Michael J. Quilling , PHV mquilling@qsclpc.com, cmorris@qsclpc.com, jadams@qsclpc.com,
mmartin@munsch.com, sblackstock@munsch.com

Robert D. Rowlett browlett@rowlettlawgroup.com

Stephen Lau slau@mgsllaw.com, aknight@mgsllaw.com

Steven A. Harr sharr@munsch.com

Thomas J. Eme emet@sec.gov, alcairoe@sec.gov, johnstonj@sec.gov, yunj@sec.gov

2:07-cv-1724 Electronically filed documents must be served conventionally by the filer to:

Bazzle John Wilson
1291 Nunneley Road
Paradise, CA 95969

Ernest Jeremias
5022 17th Avenue
Apt 1
Brooklyn, NY 11204

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1064943537 [Date=4/5/2010] [FileNumber=3757778-0]
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Document description:Points and Authorities Receiver's Fifth Motion for Order to Allow "A" Claims

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1064943537 [Date=4/5/2010] [FileNumber=3757778-1]
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Document description:Proposed Order Proposed Order Granting Receiver's Fifth Motion for Order to Allow "A" Claims

Original filename:n/a

Electronic document Stamp:

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