IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SECURITIES AND EXCHANGE COMMISSION, Plaintiff, vs. ABC VIATICALS, INC., C. KEITH LAMONDA, and JESSE W. LAMONDA, JR., Defendants, and LAMONDA MANAGEMENT FAMILY LIMITED PARTNERSHIP, STRUCTURED LIFE SETTLEMENTS, INC., BLUE WATER TRUST, and DESTINY TRUST Relief Defendants.	§ /	Civil Action No. 3:06-CV-2136-AH

EXAMINER'S RESPONSE TO EMERGENCY MOTION FOR RECONSIDERATION BY SGI

TO THE HONORABLE UNITED STATES DISTRICT COURT:

Examiner Steven A. Harr ("Examiner") responds to the emergency motion for reconsideration filed today by the buyer, Settlement Group, Inc. (Dkt. 202), respectfully stating:

1. Since the hearing last week, the Examiner, though his counsel, invested significant time in conducting due diligence to determine the basis for the analysis behind the possible offer that formed the basis of the Emergency Motions filed last week by Mr. Diaz. The Receiver also made substantial efforts to negotiate with Highland Capital in anticipation of a possible offer to be communicated today.

2. This morning, Highland Capital informed the Receiver that it would not make an offer today and that it will not be making an offer.

3. Accordingly, there is no basis upon which to continue the stay. Thankfully, although Settlement Group, Inc. has delivered a Notice of Default to the Receiver, it is believed that they will close as soon as the stay is lifted.

4. The Examiner therefore agrees with SGI's Motion seeking that the stay be lifted forthwith, and prays that the closing take place without further delay.

Respectfully submitted,

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By: */s/ Steven A. Harr*
Steven A. Harr, SB No. 09035600

Court Appointed Examiner

CERTIFICATE OF SERVICE

I hereby certify that on the 10rd day of November 2008, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means. Additionally, I forwarded a copy of this document to Defendant Keith LaMonda.

/s/ Steven A. Harr
Steven A. Harr

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