

美國聯邦地方法院
德克薩斯州北區
達拉斯分庭

證券及交易委員會	§
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	§
原告，	§
	§
	§
	§
訴	§
	§
ABC VIATICALS, INC.,	§
C. KEITH LAMONDA,	§
及 JESSE W. LAMONDA, JR.	§
	§
	§
被告，	§
	§
及	§
	§
LAMONDA MANAGEMENT FAMILY	§
LIMITED PARTNERSHIP	§
STRUCTURED LIFE SETTLEMENTS, INC.	§
BLUE WATER TRUST,	§
及 DESTINY TRUST	§
	§
	§
	§
連帶被告(被稱為 Relief Defendants	§
因為證券及交易委員會只要求他們	§
退還款項並無其他指控 – 譯者注)	§

民事案宗編號：
3-06-CV-2136-P

接管人第一份請求批准“A”索賠的動議

謹致美國聯邦地方法院 Jorge Solis 法官閣下：

根據貴法庭 2007 年 1 月 18 日的令【法院入案紀錄表第 26 號】，接管人遞交了第一份請求批准“A”索賠的動議。

1. 作為接管人責任的一部分，接管人已審核了其收到的對 ABC Viaticals 接管資產的大量的索賠。附件 1 是經接管人審核的對 ABC Viaticals 接管資產的“A”索賠清單，直到 2008 年 5 月 1 日止接管人對這些“A”索賠沒有異議。因此，接管人請求法庭批准全部附件 1 上列出的 206 份總金額為 9,144,834.19 美元的“A”索賠為對 ABC Viaticals 接管資產投資者索賠。

2. 與貴法庭 2007 年 1 月 18 日的令一致，接管人請求如果在遞交本動議之日後的三十 (30) 日內無人遞交反對意見，法庭作出批准列於附件 1 上“A”索賠的令。

3. 接管人目前仍在審核其它對 ABC Viaticals 接管資產的索賠。這些索賠將會成為未來動議的內容。

日期: 2008 年 5 月 1 日。

謹此呈上

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

2001 Bryan Street, Suite 1800
Dallas, Texas 75201

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簽字 : /s/Michael J. Quilling

Michael J. Quilling

德克薩斯州律師執照號 16432300

Dee Raibourn

德克薩斯州律師執照號 24009495

Brent Rodine

德克薩斯州律師執照號 24048770

接管人律師

送達證明

本動議的複件已通過法庭的電子遞交系統送達給所有的利害關係人。

/s/Michael J. Quilling

Exhibit “1”

Claim ID	Last	First	Company	NetClaim	
1	ABA-00025	Harper Jr.	Abner C.	\$ 59,506.58	
2	ABA-00027	Fromowitz	Gary S.	\$ 25,000.00	
3	ABA-00032	Lawless, Trustees	Richard R. & Karyn G.	The Lawless Family Trust	\$ 12,500.00
4	ABA-00033	Lawless, Trustees	Richard R. & Karyn G.	The Lawless Family Trust	\$ 12,500.00
5	ABA-00034	Lawless, Trustees	Richard R. & Karyn G.	The Lawless Family Trust	\$ 25,000.00
6	ABA-00035	Loftus	Joseph P.	c/o Joseph W. Greenwald, Sr.	\$ 100,000.00
7	ABA-00036	Petrova	Gertrude L.		\$ 45,850.92
8	ABA-00037	Cotton	Yong Cha		\$ 65,000.00
9	ABA-00038	Jones	Algernon J.		\$ 50,000.00
10	ABA-00043	Monahan, Treasurer	Edward V.	Edward V. Monahan, Inc.	\$ 50,000.00
11	ABA-00044	Holmes	John W.		\$ 30,000.00
12	ABA-00045	Butler	Alice Marie & Jimmy L.		\$ 10,000.00
13	ABA-00046	Cavanaugh	Dennis P.		\$ 58,642.85
14	ABA-00048	Cohn, President	Theodore	Cooperative Holding Company	\$ 50,000.00
15	ABA-00051	Murphy	Edward		\$ 35,000.00
16	ABA-00058	Wallin	Gerard T.		\$ 26,000.81
17	ABA-00059	Burke	Rocky A.		\$ 25,000.00
18	ABA-00062	Deja-Jason	Darlene A.		\$ 12,186.93
19	ABA-00064	Page, Jr.	James W		\$ 21,110.00
20	ABA-00065	Page, Jr.	James W		\$ 52,000.00
21	ABA-00066	Massengale	Manice		\$ 163,461.57
22	ABA-00070	Hughes	Marval M.		\$ 10,000.00
23	ABA-00071	Hughes	John F.		\$ 12,000.00
24	ABA-00072	Haynes	David P.		\$ 104,500.00
25	ABA-00074	Martinez	Karl D.		\$ 92,923.22
26	ABA-00076	Gering	Richard J.		\$ 50,000.00
27	ABA-00077	Frechette	Reginald & Janice		\$ 300,000.00
28	ABA-00082	Nemes	Judith		\$ 50,000.00
29	ABA-00085	Held	Philip L.		\$ 10,000.00
30	ABA-00005	Parker	Lyndel Louise		\$ 31,963.20
31	ABA-00006	McAuley	John B. & Marlene K.		\$ 150,000.00
32	ABA-00007	Reed Trust	Jonathan & Katherine		\$ 25,000.00
33	ABA-00008	Sowards	N. Gary	Sowards Family Trust	\$ 25,000.00
34	ABA-00009	Pedroza	Emilio & Oralia		\$ 77,000.00
35	ABA-00010	Hull	Noel Thomas		\$ 91,018.96
36	ABA-00012	Gibson	Debra A.		\$ 25,000.00
37	ABA-00014	Bennett	Alan B.		\$ 30,000.00
38	ABA-00016	Millin	Judy C.		\$ 60,000.00
39	ABA-00017	Sherman, Jr.	Jimmy F.		\$ 5,000.00
40	ABA-00018	Ford	Raelene Jo		\$ 90,000.00
41	ABA-00020	Rhone	The Estate of Linda L.	c/o Christopher Rhone	\$ 6,251.91
42	ABA-00024	Kell	Robert V.		\$ 25,000.00
43	ABA-00102	Phelps	Carl W & Carol A.		\$ 10,000.00
44	ABA-00104	Fuller	Robert D.		\$ 15,000.00
45	ABA-00113	Prunty	Scott C.		\$ 10,000.00
46	ABA-00138	Robertson	Marc Evans		\$ 25,000.00
47	ABA-00139	Robertson	Marc Evans		\$ -
48	ABA-00140	Kasic	Donna		\$ 38,377.11
49	ABA-00141	Kasic	Donna		\$ 2,372.14
50	ABA-00142	Kasic	James Andrew		\$ 18,284.16
51	ABA-00143	Perry	Robert B.		\$ 50,000.00
52	ABA-00147	Runge	Michael L.		\$ 124,300.00
53	ABA-00149	Ochs	Gerard J.		\$ 10,000.00
54	ABA-00150	Rogers	Michael D.		\$ 100,000.00
55	ABA-00156	Smith	Charles W.		\$ 35,000.00
56	ABA-00158	Booth	James A.		\$ 25,000.00
57	ABA-00159	Booth	James A.		\$ 15,000.00
58	ABA-00161	Blanchard	Normand & Betty Ann		\$ 50,000.00
59	ABA-00163	Costa	John F. and Helen L.		\$ 50,000.00
60	ABA-00164	Kray	Carolyn Christine		\$ 50,000.00

Claim ID	Last	First	Company	NetClaim	
61	ABA-00165	Kray	Carolyn Christine	\$ 50,000.00	
62	ABA-00166	Fox	James Joseph	\$ 40,000.00	
63	ABA-00167	Kray Jr.	Albert R.	\$ 50,000.00	
64	ABA-00168	Kray Jr.	Albert R.	\$ 50,000.00	
65	ABA-00169	Kray Jr.	Albert R.	\$ 50,000.00	
66	ABA-00170	Kray Jr.	Albert R.	\$ 50,000.00	
67	ABA-00171	Martin, Trustee	Ronald	The Martin Family Trust	\$ 30,000.00
68	ABA-00172	Parker	Philip J.	\$ 100,000.00	
69	ABA-00173	Parker	Estate of Sheila Ann	c/o Wendy Roystan, Executor	\$ 50,000.00
70	ABA-00174	Rowe	Ann Louise	\$ 189,000.00	
71	ABA-00175	Siteman	Diane Joyce	\$ 300,000.00	
72	ABA-00176	Soucy	Henry C. & Lucille J.	\$ 100,000.00	
73	ABA-00177	Zinck, Jr.	Melton Douglas	\$ 20,000.00	
74	ABA-00193	Redovian	Jim	\$ 100,000.00	
75	ABA-00195	Scaggs	Thomas R	\$ 50,000.00	
76	ABA-00196	Hepp	Aaron	\$ 25,000.00	
77	ABA-00197	Duncan	Virginia P.	\$ 100,000.00	
78	ABA-00198	Callahan Jr	L. Clayton	\$ 60,049.04	
79	ABA-00202	Klink	Edith D.	\$ 120,000.00	
80	ABA-00203	Klink	Edith D.	\$ 50,000.00	
81	ABA-00204	Klink	Edith D.	\$ 120,000.00	
82	ABA-00205	Fulco III	Frank	\$ 100,000.00	
83	ABA-00206	Murney, Trustees	Kennth & Sandra	Murney Revocable Living Trust 5/30/2003	\$ 35,000.00
84	ABA-00207	Bennett	Yvonne	\$ 10,000.00	
85	ABA-00208	Greene	Norma Jean	\$ 10,000.00	
86	ABA-00209	Bennett	Jerry D.	\$ 40,000.00	
87	ABA-00210	Powell	Leon A.	\$ 80,000.00	
88	ABA-00213	Ransom	Birdie Joyce	\$ 23,332.90	
89	ABA-00214	Ransom	Jarrett B.	\$ 12,389.90	
90	ABA-00215	Ransom	Jarrett B & Birdie Joyce	\$ 6,719.02	
91	ABA-00216	Green	Harry E.	\$ 20,000.00	
92	ABA-00219	Cutler	Carol J.	\$ 35,409.79	
93	ABA-00220	Parekh	Vinita	\$ 25,000.00	
94	ABA-00221	Bailey	Kenneth R	\$ 99,500.00	
95	ABA-00222	Gaspar	Marion J.	\$ 2,000.00	
96	ABA-00223	Gaspar	William L.	\$ 2,000.00	
97	ABA-00224	Locke	Lou W.	\$ 25,000.00	
98	ABA-00225	Lisin	Katheryn D.	\$ 50,000.00	
99	ABA-00226	Venckus	Michael J.	\$ 41,000.00	
100	ABA-00227	Frasier	Don A.	\$ 25,000.00	
101	ABA-00228	Templin	Richard H	\$ 22,804.64	
102	ABA-00229	Senft	Andrew R.	\$ 98,582.99	
103	ABA-00230	Schimmel	Jessica A.	\$ 100,000.00	
104	ABA-00231	Schimmel	Jessica A.	\$ 200,000.00	
105	ABA-00232	Schimmel	Jessica A.	\$ -	
106	ABA-00233	Winiski	Jim P	\$ 32,353.73	
107	ABA-00240	Hanna	Jack R & Jeff L	\$ 40,000.00	
108	ABA-00241	Hanna	Jack R & Jeff L	\$ 54,000.00	
109	ABA-00242	Nicholl	Robert A.	\$ 35,000.00	
110	ABA-00243	Klein	David W.	\$ 10,000.00	
111	ABA-00248	Stoneberg	Ronald P.	\$ 60,000.00	
112	ABA-00250	Ibbitson	Raymond L.	\$ 30,000.00	
113	ABA-00251	Hawkins, FBO	Sister Mary	St. Benedict Monastery, Inc.	\$ 15,000.00
114	ABA-00254	Wang	Ivan	\$ 30,000.00	
115	ABA-00256	Simonet	Steve J.	\$ 20,000.00	
116	ABA-00259	Blavat	Cynthia A.	\$ 48,801.27	
117	ABA-00262	Schmidt	Frank L.	\$ 40,000.00	
118	ABA-00263	Schmidt	Frank L.	\$ 15,000.00	
119	ABA-00264	Schmidt	Frank L.	\$ 25,000.00	
120	ABA-00267	Goodman	Mark R. & Meryl D.	Basherit Enterprises, Inc.	\$ 25,454.03

Claim ID	Last	First	Company	NetClaim	
121	ABA-00268	Goodman	Mark R. & Meryl D.	Basherit Enterprises, Inc.	\$ 8,219.60
122	ABA-00269	Goodman	Mark R. & Meryl D.	Basherit Enterprises, Inc.	\$ 5,326.37
123	ABA-00270	Goodman	Mark R. & Meryl D.	Basherit Enterprises, Inc.	\$ 7,350.00
124	ABA-00271	Goodman	Mark R. & Meryl D.	Basherit Enterprises, Inc.	\$ 25,000.00
125	ABA-00272	Goodman	Mark R. & Meryl D.	Basherit Enterprises, Inc.	\$ 10,000.00
126	ABA-00273	Goodman	Mark R. & Meryl D.	Basherit Enterprises, Inc.	\$ 10,000.00
127	ABA-00274	Goodman	Mark R. & Meryl D.	Basherit Enterprises, Inc.	\$ 10,000.00
128	ABA-00275	Nuss	George H.		\$ 30,000.00
129	ABA-00276	Coons	Darrell L.		\$ 151,587.83
130	ABA-00279	Harb	Frederick Joseph		\$ 131,510.50
131	ABA-00280	Shaw	Mark C.		\$ 25,000.00
132	ABA-00281	Shaw	Mark C.		\$ 25,000.00
133	ABA-00285	Jarvis	Robert		\$ 22,059.00
134	ABA-00286	Jarvis	Robert		\$ 49,731.00
135	ABA-00287	Jarvis	Robert		\$ 49,731.00
136	ABA-00289	Voigt	Craig Ralph		\$ 48,971.03
137	ABA-00296	Garcia	Ernesto Y.		\$ 100,000.00
138	ABA-00297	Garcia	Ernesto Y.		\$ 114,074.56
139	ABA-00298	Dupin	William (Bill) F.		\$ 50,000.00
140	ABA-00299	Dupin	William (Bill) F.		\$ 25,000.00
141	ABA-00302	McLelland	Donald R.		\$ 200,000.00
142	ABA-00303	Denight	Michael L.		\$ 25,000.00
143	ABA-00304	Parker	Barry	BLP Limited Liability Company	\$ 11,000.00
144	ABA-00305	Fisher	Guy D.		\$ 20,000.00
145	ABA-00306	McManus	Judy L.		\$ 32,687.81
146	ABA-00307	Hillin	Linda S.		\$ 32,000.00
147	ABA-00309	Ferens	John M.		\$ 40,000.00
148	ABA-00310	Smith Sr.	Floyd		\$ 6,819.14
149	ABA-00311	Smith	Lessie Lee		\$ 16,633.36
150	ABA-00312	Dolan	William S.		\$ 70,000.00
151	ABA-00313	Reedy	J. H. Buster		\$ 5,000.00
152	ABA-00314	Henke	Paul		\$ 30,000.00
153	ABA-00315	Hogan	Gary M.		\$ 25,000.00
154	ABA-00316	Lee	Douglas J.		\$ 40,000.00
155	ABA-00320	Gordon	Lorne A.		\$ 10,000.00
156	ABA-00322	Wagner	John Michael		\$ 20,947.00
157	ABA-00324	Cruickshank	Colin Leslie	Tatevalley Super Funds	\$ 30,988.00
158	ABA-00330	Dugger	Diane L.		\$ 9,469.71
159	ABA-00331	Dugger	Diane L.		\$ 23,613.62
160	ABA-00333	Mbuvi	Pauline M.		\$ 40,000.00
161	ABA-00335	Heim	David O.		\$ 50,000.00
162	ABA-00341	Paschall	Greta S.		\$ 100,000.00
163	ABA-00342	Paschall	Greta S.		\$ 777.00
164	ABA-00343	Kray Jr.	Albert R.		\$ 55,000.00
165	ABA-00345	Mayberry	Vickie L.		\$ 2,000.00
166	ABA-00348	Woltering	Joseph A.		\$ 25,000.00
167	ABA-00349	Powers	Charles W.		\$ 40,000.00
168	ABA-00359	Wilson	Carl S.		\$ 20,000.00
169	ABA-00360	Wilson	Carl S.		\$ 27,150.54
170	ABA-00361	Wilson	Carl S.		\$ 24,986.98
171	ABA-00362	Ghijzen	Willem Louis	c/o Merisol GP LLC	\$ 25,000.00
172	ABA-00363	Benkert	Michael J & Patricia K	Benkert Family Trust dtd 12/24/1990	\$ 50,000.00
173	ABA-00364	Rosenblum	Leland H.		\$ 25,000.00
174	ABA-00365	Pracht	Jeffrey L.		\$ 25,000.00
175	ABA-00367	Lam	Johnny		\$ 10,000.00
176	ABA-00369	Maker	Jessie P.		\$ 11,000.00
177	ABA-00371	Webb	Helen B.		\$ 30,000.00
178	ABA-00374	Leonard	Mary W.		\$ 60,269.50
179	ABA-00375	Leonard	Mary W.		\$ 23,662.00
180	ABA-00381	King	Ronald D.		\$ 75,000.00

Claim ID	Last	First	Company	NetClaim
181	ABA-00382	King	Ronald D.	\$ 24,847.08
182	ABA-00383	Burrows	Marilyn	\$ 100,000.00
183	ABA-00384	Jarvis	Andrew Charles Sasol China	\$ 25,000.00
184	ABA-00386	Saubier	Philippe & Maria Florian	\$ 50,000.00
185	ABA-00387	Saubier	Philippe & Maria Florian	\$ 50,000.00
186	ABA-00389	Gorden	Robert W.	\$ 10,000.00
187	ABA-00390	Zwicky	Gary	\$ 20,000.00
188	ABA-00394	Wendte	Walter G.	\$ 10,000.00
189	ABA-00396	Travis	Lois E.	\$ 30,000.00
190	ABA-00398	Friedberg	Alvin E.	\$ 10,000.00
191	ABA-00400	Wendte	Doris A.	\$ 10,000.00
192	ABA-00404	Ruwe	Estate of Maxine L. c/o Donald Ruwe	\$ 100,000.00
193	ABA-00405	Ruwe	Estate of Maxine L. c/o Donald Ruwe	\$ 33,500.00
194	ABA-00422	Koch	Leroy D & Gladys A	\$ 3,000.00
195	ABA-00424	Helser	David D.	\$ 16,408.69
196	ABA-00425	Jacobs	Charles C	\$ 5,210.20
197	ABA-00427	Krueger	Gerhard K.	\$ 59,475.00
198	ABA-00428	Gupta	Sanjay K.	\$ 5,000.00
199	ABA-00429	Gupta	Sanjay K.	\$ 5,600.00
200	ABA-00435	Stone	William J.	\$ 50,000.00
201	ABA-00436	Stone	William J.	\$ 50,050.00
202	ABA-00437	Stone	William J.	\$ 50,030.00
203	ABA-00438	Stone	William J.	\$ 50,000.00
204	ABA-00439	Mellen	Patricia A.	\$ 20,000.00
205	ABA-00440	Sikora	Christopher P.	\$ 7,000.00
206	ABA-00441	Ronson	Craig S.	\$ 6,000.00
				<u>\$9,144,834.19</u>