

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

FILED
CHARLOTTE, N.C.

02 AUG 12 PM 1:24

U.S. DISTRICT COURT
W. DIST. OF N.C.

IN RE: ALL FUNDS ON DEPOSIT IN)
ACCOUNT NUMBER 000669829075 in)
THE BANK OF MM APMC BANQUE DE)
COMMERCE, INC., AT NATIONSBANK,)
N.A., CONSISTING OF \$18,756,420.97,)
MORE OR LESS.)

C.A. NO. 3:98mc96-McK

GEORGE AND DOLORES ROLLAR,)

Plaintiffs,)

v.)

C.A. NO. 3:01CV205-McK

UNITED STATES OF AMERICA, et al.,)

Defendants.)

(CASES CONSOLIDATED)

RICHARD VASQUEZ,)

Intervener.)

RECEIVER'S UNOPPOSED MOTION TO REIMBURSE LEGAL EXPENSES

TO THE HONORABLE H. BRENT McKNIGHT, UNITED STATES MAGISTRATE JUDGE:

Comes now, Michael J. Quilling, the Receiver appointed in these proceedings ("Receiver") and files this his Unopposed Motion to Reimburse Legal Expenses and in support of such would show unto the Court as follows:

1. On October 11, 2001, the Court issued its Consent Order regarding the appointment of a receiver in these proceedings. Thereafter, on October 29, 2001 the Court issued its Order

Appointing Receiver pursuant to which Michael J. Quilling was specifically appointed to serve as receiver in this case.

2. On December 11, 2001, Christian Mohr, allegedly on behalf of MM ACMC Banque de Commerce, Inc. filed a Motion for Return of Property Seized. After conducting discovery with respect to the Motion, the Receiver, joined by George and Dolores Rollar and Richard Vasquez (“Movants”), filed a Motion for Summary Judgment as to the issues raised by virtue of the Motion for Return of Property Seized. Thereafter, a Response to the Motion for Summary Judgment was filed and then the Movants filed a Reply to the Motion. By Order dated July 30, 2002 this Court granted the Motion for Summary Judgment.

3. By agreement reached amongst the movants, counsel for the Rollars, Rodney Alexander of Mayer, Brown, Rowe & Maw, performed the vast majority of the legal work relating to the Motion for Summary Judgment. As part of the arrangement, the movants agreed that counsel for the Rollars could request reimbursement of the legal fees associated with the preparation of the Motion for Summary Judgment. In that regard, attached hereto as Exhibit “A” and incorporated herein by reference for all purposes, is a copy of the invoice for services performed and expenses incurred. The Receiver has reviewed the statement and believes that it is reasonable and that the work performed was necessary in order to properly address the issues presented in the Motion for Summary Judgment.

WHEREFORE, PREMISES CONSIDERED, the Receiver requests that upon final consideration of this matter, the Court issue an Order authorizing the Receiver to pay Mayer, Brown, Rowe & Maw the amount of \$54,840.00 and for such other and further relief, general or special, at law or in equity, to which the Receiver may show himself justly entitled.

Respectfully submitted,

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

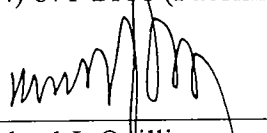
2001 Bryan Street, Suite 1800

Dallas, Texas 75201-4240

(214) 871-2100 (Telephone)

(214) 871-2111 (Facsimile)

By:



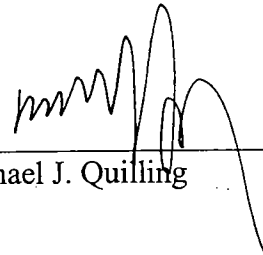
Michael J. Quilling

State Bar No. 16432300

ATTORNEYS FOR RECEIVER

CERTIFICATE OF CONFERENCE

Prior to filing this Application, I conferred with all counsel of record. None of them oppose the Application.



Michael J. Quilling

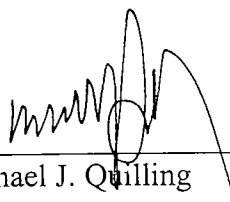
CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of August, 2002 a true and correct copy of the foregoing document was served via first class mail, postage pre-paid, on:

William A. Brafford
Assistant United States Attorney
United States Attorney's Office for
the Western District of North Carolina
227 West Trade Street, Suite 1700
Charlotte, NC 28202

Rodney E. Alexander
Mayer, Brown, Rowe & Maw
214 N. Tryon Street, Suite 3800
Charlotte, NC 28202

Jennifer Leong
Kilpatrick Stockton LLP
3500 One First Union Center
301 South College Street
Charlotte, NC 28202-6001



Michael J. Quilling