

COPY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

FILED
CHARLOTTE, N. C.

2005

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.)
GEORGE AND DOLORES ROLLAR,)
Plaintiffs,)
v.)
UNITED STATES OF AMERICA, et al.,)
Defendants.)
RICHARD VASQUEZ,)
Intervener.)

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

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

(CASES CONSOLIDATED)

**RECEIVER'S MOTION TO ALLOW/DISALLOW IIG
CLAIMS AND MAKE INTERIM DISTRIBUTION**

TO THE HONORABLE DAVID C. KEESLER, UNITED STATES MAGISTRATE JUDGE:

COMES NOW, Michael J. Quilling ("Receiver"), and files this his Motion to Allow/Disallow IIG Claims and Make Interim Distribution 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 September 27, 2002, the Receiver filed his Unopposed Amended Motion to Establish Distribution Procedures ("Distribution Motion") which motion was heard by the Court on

October 10, 2002. Thereafter, on October 11, 2002, the Court issued its Order approving the Distribution Motion (“Distribution Order”).

3. On April 5, 2004, the Receiver filed a Motion to Approve Aggregate Claim and to Segregate Funds for International Investment Group Investors. On April 20, 2004, the Court issued an Order approving the Motion.

4. Since that time the Receiver reviewed the numerous claims filed by International Investment Group (“IIG”) investors. Attached hereto as Exhibit “A” and incorporated herein by reference for all purposes is a list of claimants which the Receiver submits should be given an allowed claim in the amount stated.

5. Dale C. Martin filed two claims with the Receiver, one for \$100,000 and one for \$150,000. The Receiver believes that each of these claims should be disallowed because the funds did not belong to him and instead the funds belonged to investors Stickles and Martinelli, and thus, his claims are duplicates because those investors each filed claims with the Receiver. As set forth on Exhibit “A” the Receiver is suggesting the individual claims of Stickles and Martinelli be allowed.

6. As of this time the Receiver is holding slightly in excess of \$2,250,000.00 of aggregated funds to be shared by IIG investors with allowed claims. The Receiver proposes that a pro-rata interim distribution be made to each holder of an allowed claim using \$2,000,000.00 of the funds he is holding. Assuming the Dale Martin claims are disallowed and the claims set forth in Exhibit “A” are allowed, the pro-rata distribution amount will be as set forth in the “Distribution” column on Exhibit “A”.

7. Consistent with the terms of the Distribution Motion and the Distribution Order, any objections to the allowance of the claims must be filed with the Court and served upon the Receiver

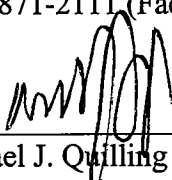
on or before ten (10) days after this Motion is filed ("Objection Period"). If, upon expiration of the Objection Period, the Court's file does not reflect the filing of an objection, the Receiver requests that the Court enter an Order allowing the foregoing claims and authorizing the interim distribution.

WHEREFORE, PREMISES CONSIDERED, the Receiver prays that upon final consideration of this matter that the Court issue an Order allowing the claims set forth on Exhibit "A" and authorizing an interim distribution in the amount requested 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 SERVICE

I hereby certify that on the 26th day of April, 2005, a true and correct copy of the foregoing document was sent via first class mail, postage prepaid, on the following and on all persons on the attached list:

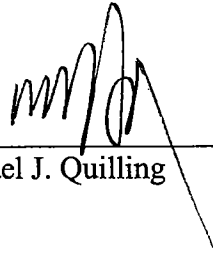
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United States Attorney's Office for
the Western District of North Carolina
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Mayer, Brown & Rowe & Maw
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Meagan Watkins
Kilpatrick Stockton LLP
3500 One First Union Center
301 South College Street
Charlotte, North Carolina 28202-6001

Richard Lamere
Post Office Box 385
New Haven, Connecticut 06502

This Motion will also be posted on the Receiver's website, www.secreceiver.com, immediately after filing.



Michael J. Quilling

Exhibit “A”

Last Name	First Name	Entity Name	Claim Amount	Distribution
Ackerman	Judy		\$ 26,251.55	\$ 11,232.54
Adams	C.H.		\$ 25,003.43	\$ 10,698.49
Aguinaga	Domingo		\$ 25,000.37	\$ 10,697.18
Armstrong	John		\$ 25,004.29	\$ 10,698.86
Arnold	Bill	Cinecorp Finance Co	\$ 10,000.00	\$ 4,278.81
Ashford	Tab Ray		\$ 8,000.32	\$ 3,423.18
Baldis	Gary		\$ 35,001.01	\$ 14,976.27
Barney	Samuel	Barmacs, Ltd.	\$ 50,000.00	\$ 21,394.05
Barone	James		\$ 5,000.00	\$ 2,139.40
Barone	Nicholas		\$ 5,000.00	\$ 2,139.40
Bartholomew	Alfred A. & Phyllis L.		\$ 10,000.85	\$ 4,279.17
Bartholomew	Alfred A. & Phyllis L.		\$ 25,000.75	\$ 10,697.35
Bernstein	Ron		\$ 50,001.32	\$ 21,394.61
Bishop	Janet		\$ 10,000.36	\$ 4,278.96
Black	John & Judith		\$ 30,000.57	\$ 12,836.67
Black	John & Judith		\$ 30,000.56	\$ 12,836.67
Blair	William		\$ 32,013.27	\$ 13,697.87
Blair	William		\$ 19,014.16	\$ 8,135.80
Bowman	Christopher		\$ 10,000.69	\$ 4,279.11
Bragano	Nicholas		\$ 15,505.55	\$ 6,634.53
Bragano	Nicholas		\$ 12,505.55	\$ 5,350.89
Brown	George		\$ 100,000.00	\$ 42,788.10
Bruno	Anthony		\$ 100,000.00	\$ 42,788.10
Budzinski	Dieter	Onyx Asset Management, Ltd	\$ 35,001.08	\$ 14,976.30
Butler	Richard Frank	Chardonnay Financial Ltd	\$ 25,002.10	\$ 10,697.92
Cabot	Diane		\$ 18,750.00	\$ 8,022.77
Carlson	Walter & Arlene		\$ 25,000.00	\$ 10,697.03
Chadderton-Stoyer	Ann		\$ 38,000.22	\$ 16,259.57
Clemmer	Paul		\$ 10,508.00	\$ 4,496.17
Codianna	Mark		\$ 38,009.19	\$ 16,263.41
Codianna	Mark		\$ 82,009.19	\$ 35,090.17
Cranson	Robert W.		\$ 30,050.33	\$ 12,857.97
Crescenzi	Gene C.		\$ 25,000.55	\$ 10,697.26
Damiani	Peter		\$ 19,000.16	\$ 8,129.81
Davis	Ernest L & Connie F		\$ 28,511.21	\$ 12,199.41
Delaney	Ronald G		\$ 18,751.00	\$ 8,023.20
Delaney	Ronald G		\$ 25,000.00	\$ 10,697.03
Delgigante	Yolanda		\$ 10,000.00	\$ 4,278.81
DelGrosso	James J		\$ 5,100.45	\$ 2,182.39
Delima	Judith		\$ 40,104.86	\$ 17,160.11
Ensign	Terry		\$ 5,002.50	\$ 2,140.47
Farina	Jessie L.		\$ 5,000.00	\$ 2,139.40
Faubel	Anna Marie		\$ 5,000.00	\$ 2,139.40
Ferk	Thomas J.		\$ 25,085.00	\$ 10,733.39
Fernandez	Mertxe Z.		\$ 50,001.58	\$ 21,394.73
Festus	Franita	Metropolitan, Inc	\$ 10,500.00	\$ 4,492.75
Fisher	Mervin L.		\$ 25,000.00	\$ 10,697.03
Frenette	Larry		\$ 12,000.00	\$ 5,134.57
Garber	Nathan		\$ 37,510.75	\$ 16,050.14
Garrett	W. Keith		\$ 10,000.71	\$ 4,279.11
Gascoyne	James		\$ 40,025.00	\$ 17,125.94
Gibbs	Elijah	Hearts of Gold Enterprises	\$ 10,000.00	\$ 4,278.81
Gilbert	Donnie		\$ 25,000.10	\$ 10,697.07
Gilbert	Richard I.		\$ 40,000.80	\$ 17,115.58
Gitt	MaryAnn		\$ 5,000.12	\$ 2,139.46
Goossen	Theodor P.	Willow Traders, LTD	\$ 4,000.21	\$ 1,711.61
Goossen	Waldomar E.		\$ 25,001.83	\$ 10,697.81
Grabbe	Betty L.		\$ 21,011.17	\$ 8,990.28
Gray	Jack		\$ 32,526.00	\$ 13,917.26
Gray	Jack		\$ 13,508.00	\$ 5,779.82
Graybill	Robert		\$ 17,062.51	\$ 7,300.72
Graybill	Robert		\$ 25,382.50	\$ 10,860.69
Graybill	Robert		\$ 962.50	\$ 411.84
Green	Bernell		\$ 35,001.53	\$ 14,976.49
Greenberg	Randy		\$ 30,000.52	\$ 12,836.65
Hagler	Burl E.		\$ 10,000.00	\$ 4,278.81
Hannah	George & Joanne		\$ 25,003.33	\$ 10,698.45
Hannah	Lola & Thomas	Mountain Spirit Venture Group	\$ 2,500.43	\$ 1,069.89
Hannah	Lola & Thomas	Mountain Spirit Venture Group	\$ 1,000.52	\$ 428.10
Hannah	Lola & Thomas	Mountain Spirit Venture Group	\$ 4,000.25	\$ 1,711.63

LastName	FirstName	EntityName	Claim Amount	Distribution
Herald	Eileen C.		\$ 25,000.56	\$ 10,697.26
Hillhouse	James		\$ 40,000.00	\$ 17,115.24
Hodges, III	Jefferson H.		\$ 18,750.00	\$ 8,022.77
Hodges, III	Jefferson H.		\$ 18,750.00	\$ 8,022.77
Hoffman	Michael & Iris		\$ 10,750.00	\$ 4,599.72
Hollinger	Elmeda and Luke(Deceased)		\$ 25,007.24	\$ 10,700.12
Hunt	James & Jean		\$ 25,001.35	\$ 10,697.60
Idleman	Thomas		\$ 5,000.06	\$ 2,139.43
Infantino	Michael C.		\$ 12,000.00	\$ 5,134.57
Jacob	Rukma		\$ 30,000.45	\$ 12,836.62
Johnson	Raymond C.		\$ 25,001.07	\$ 10,697.48
Kovacs, Jr.	John J.		\$ 100,000.00	\$ 42,788.10
Krogh	Rhawn		\$ 43,075.77	\$ 18,431.30
LaMadeleine	Ronald		\$ 17,002.00	\$ 7,274.83
Lamper	Jacqueline		\$ 25,000.00	\$ 10,697.03
Landro Jr	Thomas J		\$ 25,000.05	\$ 10,697.05
Landro Jr	Thomas J		\$ 30,000.00	\$ 12,836.43
Lang	Kathryn M.		\$ 25,002.62	\$ 10,698.15
Lariviere	Mike	C/o Northwind, Inc.	\$ 8,000.82	\$ 3,423.40
Laurino	Joanne		\$ 10,001.01	\$ 4,279.24
Leichter	Gus & Florence	The Wellington Group Ltd	\$ 25,000.00	\$ 10,697.03
MacLauchlan, Jr.	George A.		\$ 31,500.00	\$ 13,478.25
MacLauchlan, Jr.	George A.		\$ 25,005.47	\$ 10,699.37
Macosky	Margaret		\$ 50,000.17	\$ 21,394.12
Mahaffie	Maryann		\$ 56,544.00	\$ 24,194.10
Malys	Stephen A.		\$ 34,000.08	\$ 14,547.99
Mammana	Doris		\$ 20,000.00	\$ 8,557.62
Martinelli	Robert & Eleanor		\$ 50,000.00	\$ 21,394.05
Martinelli	Robert & Eleanor		\$ 100,000.00	\$ 42,788.10
Mattera	Peter & Assunta		\$ 20,000.00	\$ 8,557.62
Matthes	Thomas A	Thunderbird Inc	\$ 25,000.68	\$ 10,697.32
McConway	Denis D.	Glenville Station	\$ 25,002.50	\$ 10,698.09
McGahee	Catherine & Kenneth	C/o Jan Alspaugh	\$ 10,000.03	\$ 4,278.82
McMahon	Mary		\$ 10,003.39	\$ 4,280.26
Melnick	June		\$ 24,450.00	\$ 10,461.69
Mirabella	Stephen & Maria		\$ 9,000.12	\$ 3,850.98
Moreland	Dennie		\$ 15,000.25	\$ 6,418.32
Murphy	Gerald		\$ 25,000.36	\$ 10,697.18
Nardini	Joseph		\$ 25,062.00	\$ 10,723.55
Nealon, Jr	Donald		\$ 12,000.52	\$ 5,134.79
Nealon, Jr	Donald		\$ 18,250.48	\$ 7,809.03
Norton	Robert W.		\$ 25,001.38	\$ 10,697.62
Oskwarek	Stanley M.		\$ 25,002.22	\$ 10,697.97
Oyen	Bruce D.	Gateway Resourse Group & Galaxy Marketing Ltd	\$ 20,250.88	\$ 8,664.97
Paradise	Nicholas D	Crystal Wells Ltd	\$ 15,000.00	\$ 6,418.21
Peachey	Virgil	Skyward Resources	\$ 15,000.75	\$ 6,418.54
Peachey	Virgil	Skyward Resources	\$ 21,000.92	\$ 8,985.89
Pentecost	Jack C.		\$ 10,001.10	\$ 4,279.28
Perse	Scott	Spice Island Asset Group	\$ 5,000.00	\$ 2,139.40
Piccolo	John		\$ 20,000.88	\$ 8,558.00
Poulos	Dorothy	Beaver Meadow Ltd	\$ 32,000.19	\$ 13,692.27
Proctor	Kay S.		\$ 10,001.93	\$ 4,279.64
Proctor	Kay S.		\$ 25,003.85	\$ 10,698.67
Proia	William J.	White Sands Ltd	\$ 25,000.77	\$ 10,697.35
Pullo	Barak G.		\$ 25,000.49	\$ 10,697.23
Quirk	John M.		\$ 25,000.79	\$ 10,697.36
Rasbach	Robert N.		\$ 22,500.23	\$ 9,627.42
Reiling	Gregg P.		\$ 6,700.01	\$ 2,866.81
Riccoboni	Joel A.		\$ 2,501.01	\$ 1,070.13
Rigano	Charles J.		\$ 10,001.98	\$ 4,279.66
Rigano	John		\$ 5,000.00	\$ 2,139.40
Ritter	Dana L.		\$ 25,001.92	\$ 10,697.85
Schafraath	Lawrence	Siboney Group Ltd / Bavarian Trading Co	\$ 30,000.00	\$ 12,836.43
Schneider	Diane		\$ 18,750.03	\$ 8,022.78
Schneider	Ellice		\$ 25,000.09	\$ 10,697.06
Schwamm	Jonathan C.		\$ 10,000.52	\$ 4,279.03
Schwartz	Stephen & Alma		\$ 40,000.44	\$ 17,115.43
Schwartz	Stephen & Alma		\$ 100,001.44	\$ 42,788.72
Scott	Kenneth Wayne		\$ 45,000.00	\$ 19,254.64
Selden, Jr.	Kenneth J.		\$ 11,500.32	\$ 4,920.77

Last Name	First Name	Entity Name	Claim Amount	Distribution
Sharp	Theodore L.		\$ 25,051.89	\$ 10,719.23
Sherman	John A.		\$ 10,000.96	\$ 4,279.22
Shuman	David L. & Vickie L.		\$ 18,750.38	\$ 8,022.93
Silk	David	High Seas Investment	\$ 8,225.00	\$ 3,519.32
Sloan	Brook		\$ 33,600.00	\$ 14,376.80
Smith	Ric	AMZI Management Team Ltd	\$ 5,000.11	\$ 2,139.45
Socci	Lynn		\$ 7,500.25	\$ 3,209.21
Stickles	Jeffrey & Jane		\$ 100,000.00	\$ 42,788.10
Stoffer	Jim	Highcastle Assets Ltd	\$ 35,004.36	\$ 14,977.70
Stone	Michael L.		\$ 30,012.77	\$ 12,841.89
Stoyer	Chris E.		\$ 100,000.10	\$ 42,788.14
Sutherland	Paul	Sugartime Inc	\$ 25,001.69	\$ 10,697.75
Taccone	Ortenza M.		\$ 12,000.00	\$ 5,134.57
Taylor	David & Linda		\$ 15,000.88	\$ 6,418.59
Taylor	Susanne G.		\$ 40,026.23	\$ 17,126.46
Thomsen	David		\$ 15,000.25	\$ 6,418.32
Tolleson	William M.		\$ 25,001.10	\$ 10,697.50
Tolleson	William M.		\$ 25,000.65	\$ 10,697.30
Tolleson	William M.		\$ 50,001.25	\$ 21,394.58
Tolleson	William M.		\$ 50,002.25	\$ 21,395.01
Tolleson	William M.		\$ 70,001.75	\$ 29,952.42
Torello	James M. & Lori A.		\$ 25,000.22	\$ 10,697.12
Trogus	James E.		\$ 25,117.56	\$ 10,747.33
Twigt	Adrianus	Appleway, Inc	\$ 108,001.08	\$ 46,211.61
Vallario	Diana		\$ 20,000.00	\$ 8,557.62
Velardi, Jr.	Frank B.		\$ 18,750.00	\$ 8,022.77
Vessichio	Charlene A.		\$ 25,001.89	\$ 10,697.83
Vigil	Daniel L	Stary Night Inc	\$ 25,000.19	\$ 10,697.11
Vines	Rebecca A.		\$ 25,000.15	\$ 10,697.09
Wallace	Debra		\$ 10,000.00	\$ 4,278.81
Yates	Nancy		\$ 25,001.26	\$ 10,697.56
Yish	Gene & Melba		\$ 18,753.12	\$ 8,024.10
Yish	Gene & Melba		\$ 25,031.20	\$ 10,710.37
Yost	John		\$ 159,780.47	\$ 68,367.03
174 claims			\$ 4,674,197.00	\$ 2,000,000.00

International Investment Group Claim \$ 3,500,000.00
Distribution Amount \$ 2,000,000.00

Distribution Percent 0.4278809999999998