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FILED
CHARLOTTE, N. C.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

SFP 30 2004

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,)

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

v.)

UNITED STATES OF AMERICA, et al.,)
Defendants.)

(CASES CONSOLIDATED)

RICHARD VASQUEZ,)
Intervener.)

**UNOPPOSED EMERGENCY MOTION TO ALLOW RETENTION OF COUNSEL
AND PAYMENT OF FEES**

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

COMES NOW, Michael J. Quilling, the Court-appointed receiver in these proceedings ("Receiver") and files this his Unopposed Emergency Motion to Allow Retention of Counsel and Payment of Fees and in support of such would respectfully 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 appointed to serve as receiver in this case.

2. On December 6, 2001 the Receiver filed an Unopposed Application to Pursue Frozen Funds in Norway, which Application was granted by order of this Court dated December 10, 2001.

3. The funds frozen in Norway approximate \$365,000.00 and since the entry of the above-referenced Order, the Receiver has been monitoring the funds while the criminal trial against August Christian Mohr progressed.

4. A couple of weeks ago, the Receiver was advised by the Norwegian criminal authorities that the funds were going to be released to Carlo Ferreto, a known associate of August Christian Mohr, and a person who the Receiver believes was operating a financial scam and/or had no rightful claim to the funds. Instead, it is the Receiver's firm belief that the funds are directly traceable to investor funds originally deposited into the account which is the subject of these proceedings.

5. Upon being advised of the pending release of the funds, the Receiver obtained a recommendation of competent counsel in Oslo, Norway from the criminal authorities and, thereafter, engaged those lawyers¹ to undertake emergency actions to prevent the release of the funds. Those actions were successful and an order was obtained which can be best described in U.S. legal terms as a temporary restraining order. The Receiver has been advised by his counsel in Norway that a lawsuit must be initiated promptly claiming and demonstrating a claim to the funds by the Receiver. The Receiver has instructed his counsel to undertake that action based upon the foregoing order authorizing him to pursue the funds.

6. Counsel in Norway has undertaken action at the request of the Receiver without advance payment in good faith based upon the Receiver's representation that this Motion would be promptly filed and a request made to allow him to pay them a retainer and pay monthly fee statements as they are generated in the future. Accordingly, the Receiver requests that he be allowed to pay an initial retainer of \$15,000.00 to his Norwegian counsel and once the retainer is exhausted,

¹ The link to the firm website is www.selmerlaw.com. The individual lawyer handling the case is Anne Kjolseth.

to be allowed to pay monthly invoices as they are generated. The Receiver will carefully review those invoices to make sure they are appropriate before he pays them and all payments will ultimately be accounted for to this Court in connection with the Receiver's Final Report.

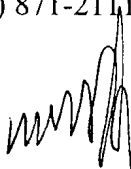
7. The Receiver has discussed this Motion with Rodney Alexander, William Brafford, and Richard Vasquez, and none of them oppose the Motion and, in fact, support it.

WHEREFORE, PREMISES CONSIDERED, the Receiver prays that upon final consideration of this Motion that the Court grant the relief 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.
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(214) 871-2100 (Telephone)
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By: _____


Michael J. Quilling
State Bar No. 16432300

ATTORNEYS FOR RECEIVER

CERTIFICATE OF SERVICE

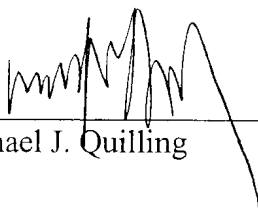
This is to certify that on the 29th day of September, 2004, a true a correct copy of the above and foregoing Motion was sent via first class mail, with full and proper postage prepaid thereon, to:

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Michael J. Quilling