

CAUSE NO. D-1-GV-10-000454

STATE OF TEXAS,	§	IN THE DISTRICT COURT OF
<i>Plaintiff,</i>	§	
	§	
v.	§	
	§	
RETIREMENT VALUE, LLC, <i>ET. AL.</i>	§	
<i>Defendants,</i>	§	TRAVIS COUNTY, TEXAS
	§	
AND	§	
	§	
JAMES SETTLEMENT SERVICES, LLC,	§	
<i>ET. AL.</i>	§	
<i>Third-Party Defendants</i>	§	126 th JUDICIAL DISTRICT

RECEIVER’S AMENDED SEVENTH MOTION FOR APPROVAL OF SETTLEMENTS WITH THIRD-PARTY DEFENDANTS/LICENSEES

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Eduardo S. Espinosa in his capacity as Temporary Receiver of Retirement Value, LLC, and files this Seventh Motion for Approval of Settlements with Third-Party Defendants/Licensees as follows:

The Receiver has reached settlements with Third-Party Defendants Reid Thorburn, Barbara H. Thorburn, Reid Thorburn, Trustee of the Reid H. & Barbara H. Thorburn Irrevocable Family Trust, Secured Financial Strategies, LLC, Brian Cervenka, David Shields, Global One Direct, LLP, Marco Lopez, Steven Feeken, Raymon G. Chadwick Jr., W. Neil “Doc” Gallagher, Gallagher Financial Group, Inc., Walter c. Young, Creative Wealth Designs, LLC, Michael Castellano, Ronald Coleman, Clement Ng, Lighthouse Capital Preservation, Stephen J. Skijus, T. C. Weston, James Craig Orr, Jerry Neal Orr, John Reagan and Frederick Rust (collectively “the Defendants). Each Defendant/Licensee has agreed to turn over all documents relating to

Retirement Value and fully cooperate in any investigation by the Receiver or the State of Texas.

The Parties have also agreed to full and complete mutual releases upon full payment.

The settlement agreements are attached for each of the following Licensees:

Exhibit 1	Reid Thorburn, et al	\$ 30,000.00
Exhibit 2	Brian Cervenka	\$ 50,000.00
Exhibit 3	David Shields and Global One Direct, LLP	\$ 25,000.00
Exhibit 4	Marco Lopez	\$ 41,200.00
Exhibit 5	Steven Feeken	\$ 47,500.00
Exhibit 6	Raymon G. Chadwick Jr.	\$ 30,000.00
Exhibit 7	W. Neil "Doc" Gallagher and Gallagher Financial Group, Inc.	\$250,000.00
Exhibit 8	Walter C. Young and Creative Wealth Designs, LLC	\$ 30,000.00
Exhibit 9	Michael Castellano	\$ 30,000.00
Exhibit 10	Ronald Coleman	\$ 33,500.00
Exhibit 11	Clement Ng and Lighthouse Capital Preservation	\$ 20,000.00
Exhibit 12	Stephen J. Skijus	\$ 17,200.00
Exhibit 13	T. C. Weston	\$ 6,200.00
Exhibit 14	James Craig Orr, Jerry Neal Orr John Reagan, Frederick Rust and Carol Rust	\$ 17,500.00
TOTAL:		<u>\$628,100.00</u>

Defendant Wesley Davidson is a Third-Party Defendant in the above-styled and numbered cause that has been served with process. Upon the Court's approval of his settlement agreement attached herein, the Receiver also requests that the Court dismiss the claims against Defendant Davidson with prejudice.

Defendant Michael Woods is a Third-Party Defendant in the above-styled and numbered cause that has been served with process. Upon the Court's approval of his settlement agreement attached herein, the Receiver also requests that the Court dismiss the claims against Defendant Woods with prejudice.

Defendant Sam Hensley is a Third-Party Defendant in the above-styled and numbered cause that has been served with process. Upon the Court's approval of his settlement agreement attached herein, the Receiver also requests that the Court dismiss the claims against Defendant Hensley with prejudice.

Defendant Robert "Bob" Knox is a Third-Party Defendant in the above-styled and numbered cause that has been served with process. Upon the Court's approval of his settlement agreement attached herein, the Receiver also requests that the Court dismiss the claims against Defendant Knox with prejudice.

Defendant James Craig Orr is a Third-Party Defendant in the above-styled and numbered cause that has been served with process. Upon the Court's approval of his settlement agreement attached herein, the Receiver also requests that the Court dismiss the claims against Defendant James Craig Orr with prejudice.

Defendant Jerry Neal Orr is a Third-Party Defendant in the above-styled and numbered cause that has been served with process. Upon the Court's approval of his settlement agreement attached herein, the Receiver also requests that the Court dismiss the claims against Defendant Jerry Neal Orr with prejudice.

Defendant John Reagan is a Third-Party Defendant in the above-styled and numbered cause that has been served with process. Upon the Court's approval of his settlement agreement attached herein, the Receiver also requests that the Court dismiss the claims against Defendant John Reagan with prejudice.

Defendant Frederick Rust is a Third-Party Defendant in the above-styled and numbered cause that has been served with process. Upon the Court's approval of his settlement agreement

attached herein, the Receiver also requests that the Court dismiss the claims against Defendant Frederick Rust with prejudice.

This Court previously approved a contingency fee for the Receiver's counsel with respect to these claims. In summary, the fees are 37.5% for each settlement involving a cash payment.

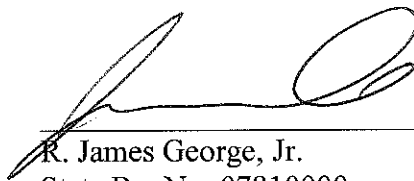
Full payments have not yet been received from Defendants and the Receiver will not agree to settle with these Defendants until all the payments have been received. The Receiver asks that the Court go ahead and approve the terms of those settlements, but condition that approval on the payments actually being made.

Each settlement is contingent upon the approval of this Court.

PRAYER

The Receiver prays that the Court approve these settlements and the distribution of the proceeds and request such other and further relief to which he may be justly entitled.

Respectfully submitted,



R. James George, Jr.
State Bar No. 07810000
John W. Thomas
State Bar No. 19856425
John R. McConnell
State Bar No. 24053351
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ATTORNEYS FOR RECEIVER

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been forwarded to all counsel of record herein by:

- U.S. Mail, First Class (as to Lanahan, Williams, and D'Agostino only)
- Certified Mail (return receipt requested)
- Facsimile
- Federal Express Delivery
- Hand Delivery
- Electronic Service

on this the 16th day of August, 2013, to wit:

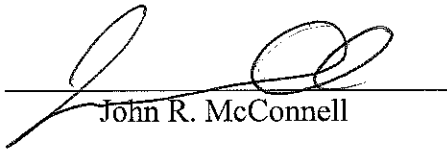
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John R. McConnell