

Asset Fund I, LLC and Select Asset Prime Index Fund, LLC (collectively, the “Receivership Entities”).

2. Mr. Harr was authorized to have complete and exclusive control, possession and custody of all Receivership assets and Receivership records of Defendants. Receivership Assets and Receivership Records were defined in the Order as “assets, monies, securities, properties, real and personal, tangible and intangible, of whatever kind and description, wherever located, and the legally recognized privileges (with regard to the entities), of the [Receivership Entities] and all entities they own or control . . . and other informational resources of or in possession of the [Receivership Entities] or issued by [Receivership Entities] and in possession of any agent or employee of the [Receivership Entities].”

3. The Receiver has been acting and fulfilling his duties as Receiver since his appointment and has conducted various investigations of the Receivership Entities with the intent to marshal the Receivership assets for the benefit of the Receivership Entities’ investors and creditors. These efforts have included interactions with existing and former employees, reviews of corporate records, discussions with involved third-parties, and evaluations of all past or present assets of Defendants.

II. ABANDONMENT OF PROPERTY

4. The Receiver has identified a 2008 Cadillac SRX, VIN #1GYEE637180110810 (“the Cadillac”). The Cadillac was purchased by J. David Salinas for use by his deceased mother, Adelpia Salinas Cox, and his deceased step-father, Ben Cox. The car was titled to Mr. Cox, but purchased by J. David Salinas. Mr. Cox passed in 2009, leaving his Estate to his wife, Adelpia Salinas Cox. Mrs. Cox subsequently passed in 2010, leaving her Estate to her son, J. David Salinas. Upon Mrs. Cox’s death, Mr. Salinas allowed for his daughter,

Sara Salinas Hail, to use the Cadillac. Unable to make payments on the vehicle, the Cadillac was voluntarily repossessed on September 1, 2011, by Sun Trust Bank, N.A., 1001 Semmes Ave., 6th Floor, Richmond, VA 23224.

5. Counsel for the Receiver contacted Sun Trust Bank to evaluate the outstanding debt, equity, and current fair market value of the Cadillac. Counsel for the Receiver spoke with the Assistant Vice President of Loss Prevention, who, in turn, provided written documentation regarding the Cadillac's outstanding debt, equity, and fair market value. *See* Exhibit "A".

6. Sun Trust Bank confirmed the following information:

a. The Cadillac is a 2008 Cadillac SRX 4D V6 sport utility vehicle, VIN #1GYEE637180110810, Model No. 6EB26. The car was classified as being in "good" condition when repossessed. The car title and loan were in the name of Ben Cox when the vehicle was purchased in 2008 at an MSRP of \$38,105.00.

b. The current balance on the car loan, as of October 18, 2011, is \$26,095.08, with a payoff of \$27,313.25 with a per diem of \$5.93. The value of the vehicle, per Mitzi Shashaty, as Assistant Vice President of Loss Prevention for SunTrust Banks, Inc., using the Black Book Wholesale average, was \$16,050.00 as of October 18, 2011.

c. Thus, there is no equity in this vehicle.

7. After a diligent inquiry into the value, it is the opinion of the Receiver that the Cadillac is of inconsequential or no value to the Estate, and, therefore, should be abandoned as burdensome to the Receivership.

8. Consistent with this analysis, the Receiver seeks the Court's permission to abandon the Cadillac and allow SunTrust Bank to keep the repossessed Cadillac.

9. The purpose of this Motion is to advise the Court of the Receiver's intended

course of action and to authorize the Receiver to execute any agreements necessary to abandon the Cadillac consistent with the foregoing. The Receiver believes that the relief requested is in the best interests of the Receivership Estate.

10. The Receiver advises the Court that the Plaintiff Securities and Exchange Commission consents to the relief requested in this motion. The Defendant entities are all controlled by the Receiver.

III. CONCLUSION

WHEREFORE, the Receiver prays that the Court enter an Order in the form submitted with this motion, or for substantially the same relief in such form as the Court may find just and proper.

Dated this 25th day of October 2011.

Respectfully submitted,

MUNSCH HARDT KOPF & HARR, P.C.

/s/ Steven A. Harr

Steven A. Harr, #09035600

MUNSCH HARDT KOPF & HARR, P.C.

700 Louisiana, Suite 4600

Houston, Texas 77002

(713) 222-4044 (telephone)

(713) 222-4047 (telecopy)

E-Mail: sharr@munsch.com

STEVEN A. HARR, RECEIVER

CERTIFICATE OF CONFERENCE

On October 25, 2011, I conferred with Timothy McCole and he stated the Securities and Exchange Commission is not opposed to this Motion.

/s/ Randy A. Canche
Randy A. Canche, Counsel for the Receiver,
Steven A. Harr

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of October 2011, a true and correct copy of the foregoing document has been served either via electronic notice as provided by the ECF noticing system, or via United States first class mail, postage prepaid, on the following individuals and or entities:

Timothy S. McCole
Securities and Exchange Commission
Fort Worth District Office
Burnett Plaza, Suite 1900
801 Cherry Street, Unit #18
Fort Worth, TX 76102

Matt Hennessy | Attorney at Law
1001 Fannin, Suite 1950
Houston, Texas 77002

/s/ Steven A. Harr
Steven A. Harr

Canche, Randy

From: Shashaty.Mitzi [Mitzi.Shashaty@suntrust.com]
Sent: Tuesday, October 18, 2011 11:38 AM
To: Holmes, Geni; Canche, Randy
Subject: RE: Sara Salinas Cadillac SRX
Attachments: Cox.pdf


The balance on this loan is \$26095.08, the payoff as of today is \$27,313.25 with a per diem of \$5.93. The value of this vehicle per the attachment (we use the value entitled Black Book Wholesale Average) is \$16,050.00. There is no equity in this vehicle.

Mitzi M. Shashaty
Assistant Vice President
Loss Prevention

SunTrust Banks, Inc.
Mail Code RVW-7951
1001 Semmes AVE, 6th FL
Richmond, VA 23224
Tel: 804.319.2762
Fax: 804.291.0102

Live Solid. Bank Solid. (sm)

The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided that the applicant has the capacity to enter into a binding contract), because all or part of the applicant's income derives from any public assistance program, or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The federal agency that administers compliance with this law concerning this creditor is the Federal Reserve Bank of Atlanta. Any questions concerning this creditor should be directed to the Federal Reserve Consumer Help Center, P.O. Box 1200, Minneapolis, MN 55480, toll-free number: (888)851-1920, fax number: (877)888-2520, TDD number: (877)766-8533.

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From: Holmes, Geni [mailto:gholmes@munsch.com]
Sent: Monday, October 17, 2011 5:05 PM
To: Shashaty.Mitzi; Canche, Randy
Subject: RE: Sara Salinas Cadillac SRX

My apologies.

The referenced orders are attached.

Geni

Geni Holmes
Executive Legal Secretary
Assistant to Ben Floyd, Fred Wahrlich, Randy Canche,
and Pamela Williams
MUNSCH HARDT
KOPF & HARR, P.C.
DALLAS | HOUSTON | AUSTIN

Bank of America Center
700 Louisiana Street, Suite 4600
Houston, Texas 77002-2845
Direct 713.222.4027
Fax 713.222.1475
gholmes@munsch.com
munsch.com

From: Shashaty.Mitzi [mailto:Mitzi.Shashaty@suntrust.com]
Sent: Monday, October 17, 2011 3:50 PM
To: Canche, Randy
Cc: Holmes, Geni
Subject: RE: Sara Salinas Cadillac SRX

Hello,
As of today, I have not received the order you mention in the email below. Thank you.

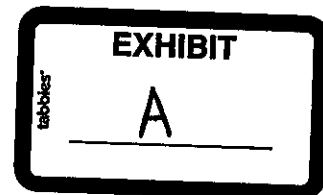
Mitzi M. Shashaty
Assistant Vice President
Loss Prevention

SunTrust Banks, Inc.
Mail Code RVW-7951
1001 Semmes AVE, 6th FL
Richmond, VA 23224
Tel: 804.319.2762
Fax: 804.291.0102


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The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided that the applicant has the capacity to enter into a binding contract), because all or part of the applicant's income derives from any public

10/24/2011



assistance program, or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The federal agency that administers compliance with this law concerning this creditor is the Federal Reserve Bank of Atlanta. Any questions concerning this creditor should be directed to the Federal Reserve Consumer Help Center, P.O. Box 1200, Minneapolis, MN 55480, toll-free number: (888)851-1920, fax number: (877)888-2520, TDD number: (877)766-8533.

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From: Canche, Randy [mailto:rcanche@munsch.com]
Sent: Thursday, October 13, 2011 2:59 PM
To: Shashaty,Mitzi
Cc: Holmes, Geni
Subject: RE: Sara Salinas Cadillac SRX

Mitzi,

I am representing the Receiver, Steven Harr. The Order is more than a subpoena that requires cooperation with our investigation and sale of assets to build the Receivership Estate. While I appreciate your statement below, I need documents which substantiate the fact that there is no equity in the vehicle to show that to the Court (and to prove our diligence).

Geni, please forward to Mitzi copies of the Orders Appointing Steve and Freezing Assets, etc.

From: Shashaty,Mitzi [mailto:Mitzi.Shashaty@suntrust.com]
Sent: Thursday, October 13, 2011 1:23 PM
To: Canche, Randy
Subject: RE: Sara Salinas Cadillac SRX

Yes, I did receive your email. Please advise again as to who you are representing. Are you the attorney for the receivership or are you the receiver? We have not received any court pleadings, so in accordance with our policy, we will not be able to release any information pertaining to account specifics unless we receive a subpoena for documents. One thing I can advise is that we are in agreement with the assessment in the below email that there is no equity in the vehicle. Thank you.

Mitzi M. Shashaty
 Assistant Vice President
 Loss Prevention
 SunTrust Banks, Inc.
 Tel: 804.319.2762
 Fax: 804.291.0102
 Live Solid. Bank Solid. (sm)

From: Canche, Randy [mailto:rcanche@munsch.com]
Sent: Thursday, October 13, 2011 1:17 PM
To: Canche, Randy; Shashaty,Mitzi
Subject: RE: Sara Salinas Cadillac SRX

Mitzi,
 Did you receive my e-mails below? Please let me know we are moving forward on this. Thank you.

From: Canche, Randy
Sent: Tuesday, October 11, 2011 9:18 AM
To: 'Mitzi Shashaty'
Subject: FW: Sara Salinas Cadillac SRX

Mitzi,
 Please see the e-mail string below. Again, I just need documentation that shows how much is still owed on the car v. how much the car is worth. Based on this, we will then make a determination whether we release the car or request it back to be owned by the Receivership Estate per the Court's order. Please let me know if you have any questions and when I can expect the aforementioned documents.
 Thanks.

From: Holcombe, Stephanie L. [mailto:SHolcombe@porterhedges.com]
Sent: Wednesday, September 28, 2011 10:37 AM
To: Canche, Randy
Cc: Hedges, Daniel K.
Subject: RE: Sara Salinas Cadillac SRX

Randy,
 I apologize for the late response to your previous email. I checked my inbox and cannot find your previous email anywhere. I assume it inadvertently ended up in Spam or another folder.
 Here is the information our clients know about the car:

1. '08 Cadillac SRX
2. VIN – 1GYEE637180110810
3. It was in good condition when it was repossessed.
4. No Equity
5. The car title and loan were in Sarah's grandmother and grandfather's name.
6. It was repossessed on September 1, 2011 by Sun Trust Bank.
7. Beverly Cook was the representative that Sarah contacted for guidance on how to handle the repossession.
8. The Sun Trust contact number that Sarah used was (615) 874-6403
9. The bills were sent to J. David Salinas' office, and Robbin was throwing them away after David passed away.

That is all of the information Sarah and Chris know about the car.
 Please let me know if we can help you with anything else.
 Thanks,



Stephanie L. Holcombe
 Associate
 shelcombe@porterhedges.com
 t (713) 226-6604
 f (713) 226-6204
 Web Site | Bio | V-card

Porter Hedges LLP
 1000 Main Street, 36th Fl.
 Houston, Texas 77002
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From: Canche, Randy [mailto:rcanche@munsch.com]
Sent: Wednesday, September 28, 2011 10:19 AM
To: Canche, Randy; Holcombe, Stephanie L.
Subject: RE: Sara Salinas Cadillac SRX

Stephanie,
Do you have any more information on this below? This item is still pending for me. Thx.

Randy Canche
MUNSCH HARDT
KOPF & HARR, P.C.
DALLAS | HOUSTON | AUSTIN

Bank of America Center
700 Louisiana Street, Suite 4600
Houston, Texas 77002-2845
Direct 713.222.4051
Fax 713.222.5851
rcanche@munsch.com
munsch.com

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From: Canche, Randy
Sent: Friday, September 16, 2011 9:53 AM
To: 'Holcombe, Stephanie L.'
Cc: Harr, Steve
Subject: Sara Salinas Cadillac SRX

Stephanie,
I contacted SunTrust regarding the repossessed Cadillac at the number you gave me (615.874.6403) and spoke with Beverly Cook. She recommended I speak with Ashley Patton in the repossession department (direct no. 804.319.0734 and fax 804.230.8479). We ran several name and social security searches for Joel David Salinas, Sara Salinas, Adelpia Cox and Ben Cox and they could not find any information in their system re the Cadillac. Is there any other information you can have Sara provide to me that would help to find the car? We assume the equity to appraised value ratio is negative, but we need to document our files reflecting same for the Court if we elect to let the car go.
Please feel free to call me if you have any helpful info or questions. I will be here until 1:00 p.m. today and then am heading out of town for our attorney retreat Thanks.

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[ST:XCL]

Black Book

10/18/2011

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VIN: 1GYEE6371801

2008 Cadillac SRX 4D Utility V6

Year: 2008
 Make: Cadillac
 Model: SRX
 Style: 4D Utility V6

State: Texas Miles: 60769

Add/Deducts:

- 18-Inch Aluminum Wheels +\$275
- 20-Inch Wheels +\$550
- Entertainment System +\$400
- Navigation System +\$600
- w/o 3rd Seat -\$600
- w/o Heated Seats -\$350
- w/o Sunroof -\$550

Refresh

2008 Cadillac SRX 4D Utility V6



VIN: 1GYDE6378
 UVC: 2008140041
 VIN + UVC: 1GYDE6378041
 MSRP: \$38,105
 Finance Advance: \$18,325
 Model Number: 6EB26
 Price Includes: AT AC LTH SR
 Mileage Cat: E

Weight: 4,164
 Wheelbase: 116.4
 Base HP: 255 @
 Taxable HP: 32.9
 Tire Size: 235/65
 Drive Train: RWD
 Transmission: A
 Fuel Type: Gas
 Cylinders: 6

	Black Book Wholesale		
	Extra Clean	Clean	Average
Base	\$20,900	\$19,200	\$16,700
Options	\$0	\$0	\$0
Mileage Adj.	(\$2,100)	(\$1,375)	(\$650)
Total	\$18,800	\$17,825	\$16,050

