

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF FLORIDA  
Miami Division

**Case Number: 04-60573-CIV-MORENO**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

MUTUAL BENEFITS CORP., *et al.*,

Defendants,

VIATICAL BENEFACTORS, LLC, *et al.*,

Relief Defendants.

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**ORDER AUTHORIZING CLAIMS PROCESS**

THIS CAUSE is before the Court on the Receiver's Motion to Approve Proposed Claims Process. This Court, having reviewed the filings, and being otherwise fully advised in the premises, it is hereby

**ORDERED AND ADJUDGED** that:

1. The Receiver is authorized and instructed to initiate a claims process in this Receivership action. The timeline for such claims process shall be as follows:

a. The Receiver shall cause the Claim Forms to be sent out to all known investors or other creditors of the Receivership no later than 20 days from the date of this order, that is, by **April 22, 2008**.

b. Any investor or creditor wishing to assert a claim against the Receivership shall complete and return such a Claim From no later than 90 days thereafter, that is,

by **July 22, 2008**. That same date shall serve as the Claims Bar Date in this Receivership.

2. The Claim Forms shall be sent in English and in Spanish form as follows: (a) by e-mail to all investors who have previously provided the Receiver with an e-mail address as an accepted means of communication; and (b) by U.S. mail to all other investors, both domestic and foreign, and all known creditors or potential creditors, with the exception of investors in Central or Latin America for which a commercial mail delivery service, such as Ocase Logistics Solutions, will be used.

3. As Claim Forms are returned, the Receiver shall, wherever practicable, attempt to resolve objections with the investors and other claimants informally by telephone, e-mail or correspondence, so as to reduce the number of formal objections that are ultimately presented to the Court.

4. Within 30 days after the Claims Bar Date, that is, by **August 21, 2008**, the Receiver shall serve an Omnibus Claims Objection Notice, by the same means used to deliver the Claim Forms, on all investors and claimants with whom the Receiver has unresolved objections. The Omnibus Claims Objection Notice shall list all of the claims to which the Receiver continues to object (and has not been able to resolve informally), the basis for the Receiver's objection, and the amount (if any) that the Receiver has approved for the claim and recommends to the Court for approval. The Receiver shall also post the Omnibus Claims Objection Notice prominently on the Receiver's website ([www.mbreceiver.com](http://www.mbreceiver.com)).

5. The investors and claimants with whom the Receiver has unresolved objections and who are served with the Omnibus Claims Objection Notice shall have 30 days, that is, until


September 22, 2008, in which to respond to the Receiver's objections by sending a letter, e-mail or other communication to the Receiver so indicating and setting forth their position. Any investor or claimant who does not respond to the Omnibus Claims Objection Notice shall be deemed to have waived their challenge to the objection and consented to the amount of their claim proposed by the Receiver. The Receiver shall assemble and categorize all responses received and shall make an omnibus filing of them at the conclusion of the 30-day period.

6. The Receiver shall immediately post a copy of this Order and the Claim Form on the Receiver's website. The Receiver shall also immediately place notice of this claims process and the Claims Bar Date in South Florida newspapers.

7. The form of the Claim Form attached to the Receiver's Motion to Approve Proposed Claims Process is approved.

8. The Court reserves ruling on what type of claims made by investors and other creditors will or will not be recognized until a hearing to take place after the conclusion of this claims process. That hearing will take place on October 21, 2008 at 2:00 P.M.

DONE AND ORDERED in Chambers at Miami, Florida, this 3 day of April, 2008.

  
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FEDERICO A. MORENO  
UNITED STATES DISTRICT JUDGE

Copies provided to:

Counsel of Record