

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 10-22078-CIV-MORENO

SECURITIES AND EXCHANGE COMMISSION,)
)
 Plaintiff,)
 v.)
)
 ESTATE OF KENNETH WAYNE MCLEOD,)
 F&S ASSET MANAGEMENT GROUP, INC. and)
 FEDERAL EMPLOYEE BENEFITS GROUP, INC.,)
)
 Defendants,)
 _____)

PLAINTIFF'S NOTICE REGARDING SELECTION OF MEDIATOR

Plaintiff Securities and Exchange Commission hereby gives notice that no mediator has been selected by the parties, as set forth in the Court's Order Referring Case to Mediation [D.E. 24]. On July 26, 2010, the Court Appointed Receiver consented to the entry of a permanent injunction on behalf of Defendants F&S Asset Management Group, Inc. and Federal Employee Benefits Group, Inc. [D.E. 26]. The estate of Kenneth Wayne McLeod has currently not been created, but it is the Commission's understanding that the Receiver intends to apply shortly to have the estate created and to have himself appointed executor over such estate. It is also the Commission's understanding that this application will not be opposed by McLeod's widow. Once the Receiver is appointed executor over the estate, the Commission expects that the Receiver will also consent to enter into a permanent injunction on behalf of Defendant Estate of Kenneth Wayne McLeod.

In light of the foregoing, the Commission believes that mediation will not be necessary in this case. However, should the Court decide that it is nevertheless necessary for the Clerk to designate a mediator from the List of Certified Mediators, or that the time for selecting a mediator be extended, the Commission would have no objection.

July 28, 2010

Respectfully submitted,

By: s/C. Ian Anderson
C. Ian Anderson
New York Reg. No. 2693067
Senior Trial Counsel
U.S. Securities and Exchange Commission
801 Brickell Avenue, Suite 1800
Miami, Florida 33131
Direct Dial: (305) 982-6317
E-mail: andersonci@sec.gov
Lead Counsel for Plaintiff

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on July 28, 2010, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served on this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

s/C. Ian Anderson
C. Ian Anderson

SERVICE LIST

Securities and Exchange Commission v. Estate of Kenneth Wayne McLeod, et al.
Case No. 10-22078-CIV-Moreno
United States District Court, Southern District of Florida

Michael I. Goldberg, Esq.
Akerman Senterfitt
Las Olas Centre II – Suite 1600
350 East Las Olas Boulevard
Fort Lauderdale, FL 33301
*Michael I. Goldberg, Inc., as Court
Appointed Receiver for F&S Asset
Management Group, Inc, and Federal
Employee Benefits Group, Inc.*

William J. Sheppard, Esq. (via email and U.S. mail)
D. Gray Thomas, Esq.
Matthew R. Kachergus, Esq.
Sheppard White, Thomas & Kachergus, P.A.
215 N Washington St
Jacksonville, FL 32202-2808
Email: sheplaw@att.net
Counsel for Susan McLeod