

**UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
ANDERSON/GREENWOOD DIVISION**

IN RE: RECEIVER FOR ) Civil Action No.: 8:12-cv-02078-JMC  
RONNIE GENE WILSON AND )  
ATLANTIC BULLION & COIN, INC. )  
\_\_\_\_\_ )

**ORDER**

This matter is before the court for purposes of addressing an issue related to an outstanding objection to Receiver Beattie B. Ashmore’s (the “Receiver”) proposed distribution of proceeds in accordance with the court-approved Plan for Claims Administration and Distribution of Proceeds (the “Plan”) (ECF No. 176). The court held a hearing on March 14, 2016, to hear from any claimant who wished to address the court regarding an objection to the Receiver’s proposal. (ECF No. 186.)

Dawn Burdsal (“Burdsal”), Claimant No. 000084, filed an Objection (ECF No. 184-1 at 10–11) with the Receiver that is currently pending before the court.<sup>1</sup> Burdsal objects to the Receiver’s disallowance of her claim because members of Burdsal’s family were net winners or profited from the Wilson/AB&C Ponzi scheme.<sup>2</sup> (Id. at 11.) Burdsal asserts that she “never received money or gifts from these ‘family members’” and she deserves to recoup some amount of the \$150,000.00 that she lost to the Wilson/AB&C Ponzi scheme. (Id.)

In response to Burdsal’s Objection, the Receiver appeared at the March 14, 2016 hearing and communicated to the court that (1) Burdsal profited from the Wilson/AB&C Ponzi scheme, (2) it would be inequitable for her to participate in the disbursement of recovered proceeds, and

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<sup>1</sup> Dawn Burdsal did not appear at the March 14, 2016 hearing.

<sup>2</sup> Ronnie Gene Wilson (“Wilson”) and Atlantic Bullion and Coin, Inc. (“AB&C”) were charged in an Information with 2 counts of mail fraud stemming from their involvement in a criminal Ponzi scheme involving hundreds of victims and millions of dollars. United States v. Wilson, Cr. No. 8:12-cr-00320-JMC, ECF No. 11 (D.S.C. Apr. 11, 2012).

(3) he has testimony from Burdsal's family in support of his position. Thereafter, the Receiver provided the court with an excerpt from the deposition transcript of William Roy Fowler ("Fowler"), Burdsal's father and a net winner in the Wilson/AB&C Ponzi scheme. (See transcript page attached as an Exhibit to this Order.)

The court reviewed Fowler's testimony and he did admit to providing Burdsal a monetary gift of \$3,000.00. (Tr. at 163:1-6.) Based on this evidence, the court **OVERRULES** Burdsal's Objection as to this \$3,000.00, but **SUSTAINS** her Objection as to any further amounts. Therefore, upon consideration of the foregoing, as well as other information contained in the record and provided at the March 14, 2016 hearing, the court finds that Dawn Burdsal's claim should be allowed and the Receiver shall hold Burdsal accountable for \$3,000.00 as her "Verified Amount Returned by AB&C."<sup>3</sup>

**IT IS SO ORDERED.**



United States District Judge

March 17, 2016  
Columbia, South Carolina

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<sup>3</sup> The court observes that based on Burdsal's failure to appear at the March 14, 2016 hearing, her Objections could be deemed waived in accordance with the Plan. (ECF No. 176 at 6 § 3.3.) However, the court determined that the information submitted by Burdsal in support of her Objection was sufficient and, therefore, finds that it would be inequitable for her to lose her claim on this basis. E.g., Coble v. Suntrust Mortg., Inc., No. C13-1878-JCC, 2015 WL 687381, at \*5 (W.D. Wash. Feb. 18, 2015) ("Even if a defendant shows all elements for waiver, a court may refuse to apply the doctrine if to do so would be inequitable.").