

**UNITED STATES DISTRICT COURT  
Central District of California**

SECURITIES AND EXCHANGE COMMISSION, Plaintiff  
v.  
RALPH T. IANNELLI and ESSEX CAPITAL CORPORATION, Defendants.

Case Number 2:18-cv-05008-FMO-AFM

**GENERAL INFORMATION**

Geoff Winkler, the Receiver in the above-captioned case, has determined that there will likely be some assets to distribute to creditors and investors. The amount of funds available for distribution has not been determined; however, the Receiver believes that the best source of compensation to the investors and creditors is from the funds that the Receiver is bringing into the receivership estate and investors and creditors are strongly encouraged to file claims using the attached form. **If your Proof of Claim is not received before November 30, 2020 at 5:00 p.m. PST, you will be deemed to have accepted and agreed to the Receiver's valuation of your Claim Amount, if applicable. If the Receiver has not identified you as a Claimant and has not transmitted to you a Determination of Claim Amount letter, you will lose your right to receive any distributions from the Receiver or the receivership estate and your claim will be barred, if your Proof of Claim is not received before November 30, 2020.**

1. **WHO MUST FILE A PROOF OF CLAIM FORM?** You must file a Proof of Claim form if you: (1) dispute the Receiver's calculated Claim Amount, as set forth in the Receiver's Determination of Claim Amount letter to you, if applicable; or (2) did not receive a Determination of Claim Amount letter and you otherwise believe that you are owed money by Defendant ESSEX CAPITAL CORPORATION, or any of its subsidiaries and affiliates (collectively, the "Company"), or if you assert a claim against any other person or entity arising out of or based upon: (a) any investment with, through, or in the Company; (b) any interest in the Company or any of its assets or any claim against the Company or any entity under its control based on primary, secondary, direct, indirect, secured, unsecured, or contingent liabilities; or (c) any claim of any sort against the Company or any entity under its control whether such claim is based upon contract, tort, contribution, indemnity, reimbursement, subrogation theories or other legal or equitable theory.. If you are both an investor and creditor, or are an investor with or through more than one of the Companies, you must file a single Proof of Claim form for all claim(s) or interest(s) you allege to have against the Companies, collectively and individually. **Note that a failure to submit a signed Proof of Claim form and supporting documentation, in the event that you dispute the Receiver's calculated Claim Amount or otherwise assert a claim that has not been identified by the Receiver, will result in the denial of your claim.**
2. **CONSENT TO JURISDICTION OF THE COURT AND THE CONSEQUENCES THEREOF.** If you submit a Proof of Claim form in this case, you consent to the jurisdiction of United States District Court for the Central District of California ("District Court") for all purposes, agree to be bound by its decisions, including a determination, among other things, as to the validity and amount of your claim against the Company, or other persons or entities as identified in paragraph 1, above. In submitting a Proof of Claim, you agree to be bound by the actions of the District Court, including the District's Court approval of limiting or denying your claim, if any. By submitting a Proof of Claim, you further agree that your participation in any distribution of the receivership estate may exclude or prevent you from pursuing any other remedies.
3. **WHERE MUST THE PROOF OF CLAIM FORM BE SENT?** The completed Proof of Claim form, along with all supporting documentation, must be mailed to:

Geoff Winkler, Receiver  
c/o Essex Capital Corporation Claims  
PO Box 4364  
Portland, OR 97208-4364
4. **WHAT IS THE DEADLINE TO FILE THIS PROOF OF CLAIM FORM?** The Proof of Claim form must be received by the Receiver before **November 30, 2020 at 5:00 p.m. PST**. Please note that any late filed claim will be objected to and denied in its entirety.
5. **AM I AN INVESTOR OR CREDITOR?** If you believe you have or allege you have loaned the Company money through promissory notes or otherwise invested with, through, or in the Company, you are an investor. If you have performed services for the Company, sold merchandise, loaned money, or were an employee of the Company, you are a creditor. All other Claimants to whom the Company may owe a debt, which debts are not based on the purchase of stocks or other investments, are also creditors. Based on your categorization as either an investor or creditor, fill in the appropriate section of the attached Proof of Claim form. If you believe that you are both an investor and a creditor, you need fill out only one (1) Proof of Claim form. In either case, you must sign the Proof of Claim form at line 8.
6. **SUPPORTING DOCUMENTS.** You must attach to the Proof of Claim form copies of all documents that show that the Company owes the debts or amounts claimed. If supporting documents are not available, you must attach an explanation of why they are not available. Failure to provide such documents may result in the denial of your claim.
7. **ADDITIONAL INFORMATION.** Note that additional information regarding filing the Proof of Claim form, along with additional blank forms, can be obtained at [www.essex-receivership.com](http://www.essex-receivership.com) or you may write to the Receiver at the following address:

Geoff Winkler, Receiver  
c/o Essex Capital Corporation Claims  
PO Box 4364  
Portland, OR 97208-4364

# INFORMATION ON COMPLETING THE PROOF OF CLAIM FORM

1. **Information about Claimant.** Complete this section giving the name, address and telephone number of the Claimant to whom the Company allegedly owes money or property, and any account or reference number associated with such alleged debt.
2. **Claimant Type.** Indicate in this box whether you are an investor or creditor (as defined in the General Information section above). If you are both an investor and a creditor, please file a single Proof of Claim form for all claim(s). Upon completing this box, if you have marked investor, please proceed to box 3; if you have marked creditor, please proceed to box 4. If you have marked investor and creditor, please complete boxes 3 and 4.
3. **FOR INVESTORS ONLY.**
  - 3a. Indicate the name of the entity with, through, or in which you claim to have invested funds.
  - 3b. **Pending Legal Action.** If you have commenced a legal action against the Company, provide the details of said legal action here. Attach any additional pages of description and supporting documentation. Also, please provide any information regarding court judgments obtained against any of the above-captioned defendants.
  - 3c. **Claim Amount.** State the amount you invested or paid to the Company as of December 21, 2018. If said claim amount includes amounts over principal invested, such as interest, attorneys fees, damages, claims or late fees, please mark the appropriate box below the claim amount and provide a detailed break-down of the claim. Also attach all documentation supporting said claim amount and the calculation of said claim. Also, if you allege that your claim is subject to a security interest, mark the appropriate box in this section and provide all supporting documentation evidencing the secured status of your claim.
  - 3d. **Date and Amount of Funds Invested.** Indicate in this section each time you made an investment with the applicable Company by indicating the investment date and the investment amount. Attach additional sheets as necessary to reflect all investments.
  - 3e. **Date and Amount of any Distributions or Withdrawals.** Indicate the date of any distributions or withdrawals from the applicable Company by indicating the date and amount of each said distribution or withdrawal. Attach additional sheets as necessary to reflect the date and amount of all transfers of money out of the applicable Company. (Investors go to Section 5 of the Proof of Claim and complete Sections 5 – 8.)
  - 3f. Attach to your Proof of Claim copies of all Agreements, Certificates, and any other documents you contend reflect the terms of your agreement or investment with the Company.
4. **FOR CREDITORS ONLY.**
  - 4a. Indicate the basis of your claim in this section.
  - 4b. Company with whom claim was incurred: Identify the Company you believe owes you money.
  - 4c. **Date the Claim was Incurred.** Indicate the date on which the amount you allege to be owed arose.
  - 4d. **Pending Legal Action.** If you have commenced a legal action against the Company, provide the details of said legal action here. Attach any additional pages of description and supporting documentation. Also, please provide any information regarding court judgments obtained against any of the above-captioned defendants.
  - 4e. **Total Claim Amount as of December 21, 2018.** State your claim amount as of December 21, 2018. Also, mark the applicable box if you contend your claim is subject to a security interest, and attach copies of all security agreements and other documents that evidence the claim of secured status. Mark the applicable box if your claim amount includes interest or other charges, such as attorneys fees, loss profits, or late fees in addition to the principal amount of your claim, and attach an itemized statement of all such additional charges.
5. **Supporting Documentation.** Note that in addition to filling out the Proof of Claim form, you must provide supporting documentation evidencing your claim. Supporting documentation may include, but need not be limited to, documents such as cancelled checks, bank statements, account ledgers, promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, or evidence of perfection of liens. Furthermore, feel free to provide any additional pages of explanation or narrative discussing your claim and claim amount.
6. **Acknowledgement of Filing.** To receive an acknowledgement of the filing of your Proof of Claim form, enclose an additional copy of the Proof of Claim form, along with a self-addressed, stamped envelope when filing the original form.
7. **Date.** Insert the date on which you completed and signed the Proof of Claim form.
8. **Signature. Sign the Proof of Claim form and indicate your title, if applicable.**