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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 SECURITIES AND EXCHANGE
12 COMMISSION,

CASE NO. 2:20-CV-02303-RFB-DJA

13 Plaintiff,

14 vs.

15 CAPSOURCE, INC., STEPHEN J. BYRNE,
16 AND GREGORY P. HERLEAN, .

17 Defendants.

18
19 **NOTICE OF NON-OPPOSITION TO RECEIVER’S MOTION FOR ORDER**
20 **AUTHORIZING RECEIVER TO EMPLOY TAX PROFESSIONALS**

21 Geoff Winkler, the Court-appointed Receiver (the “Receiver”), respectfully submits this
22 Notice of Non-Opposition to his Motion for Order Authorizing Receiver to Employ Tax
23 Professionals (“Motion”) (ECF No. 37).

24 Under Local Rule 7-2(b), any response in opposition to a motion is due 14 days after the
25 motion is filed. *See* LR 7-2(b). “The failure of an opposing party to file points and authorities
26 in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorneys’
27 fees, constitutes a consent to the granting of the motion.” LR 7-2(d).

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1 The Receiver filed the Motion on February 21, 2023. (See ECF No. 37). Any response
2 in opposition to the Motion was therefore due March 7, 2023.

3 No party, interested party, or creditor filed any opposition to the Motion. That being the
4 case, and also in consideration of the substantive points and legal authorities set forth therein,
5 the Receiver requests that the Court grant the same.

6 DATED this 8th day of March, 2023.

7 **GREENBERG TRAUERIG, LLP**

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9 By: */s/ Kara B. Hendricks*

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CERTIFICATE OF SERVICE

I hereby certify that on **March 8, 2023**, I caused the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the CM/ECF participants registered to receive such service.

/s/ Evelyn Escobar-Gaddi
An employee of GREENBERG TRAURIG, LLP

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