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14 GEOFF WINKLER

15 UNITED STATES DISTRICT COURT  
16 CENTRAL DISTRICT OF CALIFORNIA  
17 WESTERN DIVISION

18 SECURITIES AND EXCHANGE  
19 COMMISSION,

20 Plaintiff,

21 v.

22 RALPH T. IANNELLI and ESSEX  
23 CAPITAL CORP.,

24 Defendants.

Case No. 2:18-cv-05008-FMO-AFM

DECLARATION OF RECEIVER,  
GEOFF WINKLER, IN SUPPORT OF  
APPLICATION OF RECEIVER FOR  
PAYMENT OF FEES AND  
REIMBURSEMENT OF EXPENSES  
INCURRED DURING HIS SERVICE  
AS COURT-APPOINTED MONITOR  
[October 1, 2018 - December 20, 2018]

[Notice of Application; Application;  
Memorandum of Points and Authorities;  
and [Proposed] Order submitted  
concurrently herewith]

Date: September 19, 2019  
Time: 10:00 a.m.  
Ctrm: 6D  
Judge Hon. Fernando M. Olguin

**DECLARATION OF GEOFF WINKLER**

I, Geoff Winkler, declare as follows:

1. I am the Court-appointed permanent receiver (the "Receiver") for Defendant Essex Capital Corporation ("Essex") and its subsidiaries and affiliates (collectively, the "Receivership Entities" or "Entities"). I was appointed as Receiver for the Entities in the above-captioned action on December 21, 2018, by virtue of the Court's Order Regarding Preliminary Injunction and Appointment of a Permanent Receiver (the "Appointment Order") (ECF No. 66). Prior to my appointment as Receiver, I was appointed as Monitor ("Monitor") for the Entities on October 1, 2018, pursuant to this Court's Order Regarding Preliminary Injunction (the "Monitor Order") (ECF No. 53) (the period from October 1, 2018 through December 20, 2018 is referred to herein as the "Monitorship Period"). I have personal knowledge of the facts detailed in this Declaration, and make this Declaration in support of the concurrently filed Application of Receiver for Payment of Fees and Reimbursement of Expenses Incurred During his Service as Court-Appointed Monitor (the "Fee Application").

2. In my capacity as Court-appointed Monitor for the Entities, I was charged with, among other things: (1) monitoring and overseeing Essex's activities; and (2) conducting such investigation, as was necessary, to locate and account for all of Essex's assets and liabilities. Additionally, I was required to submit a written report to the Court containing a preliminary accounting for Essex, and a recommendation as to whether the monitorship should be converted to a permanent receivership, whether the monitorship should continue or be expanded, or whether the monitorship should be limited or terminated. On December 6, 2018, I submitted the required report, titled Report of Preliminary Accounting of Defendant Essex Capital Corporation and Recommendations of Court-Appointed Monitor Geoff Winkler (ECF No. 60), wherein I recommended that the monitorship be converted to a permanent receivership.

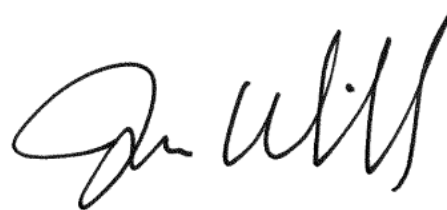
1           3.     I have reviewed the Fee Application, and I believe the fee and expense  
2 requests identified therein are fair and reasonable, and reflect an accurate  
3 representation of the work performed. I likewise believe that the estate of the  
4 Receivership Entities (the "Estate") has benefited from the identified services.

5           4.     I presently hold a retainer (the "Retainer") in the amount of \$80,000.00  
6 from Essex, which was paid during the Monitorship Period, and which I respectfully  
7 request permission from this Court to apply to the reimbursement of fees and  
8 expenses requested in the Fee Application. Accordingly, of the \$81,872.00 total  
9 fees and expenses incurred during the Monitorship Period, I submit that \$80,000.00  
10 will be covered by the Retainer. In the aggregate, I hold funds, in the form of cash  
11 for the benefit of the Estate of the Receivership Entities, in excess of those requested  
12 in the Fee Application to cover the remaining \$1,872.00 of fees and expenses not  
13 paid for via the Retainer.

14                   I declare under penalty of perjury under the laws of the State of California  
15 that the foregoing is true and correct.

16                   Executed this 14th day of August 2019, at Salem, Oregon.

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GEOFF WINKLER

**PROOF OF SERVICE**

*Securities and Exchange Commission v. Ralph T. Iannelli and Essex Capital Corporation*  
USDC, Central District of California – Case No. 2:18-cv-05008-FMO-AFM

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 865 S. Figueroa Street, Suite 2800, Los Angeles, California 90017-2543.

On **August 14, 2019**, I caused to be served the document entitled: **DECLARATION OF RECEIVER, GEOFF WINKLER, IN SUPPORT OF APPLICATION OF RECEIVER FOR PAYMENT OF FEES AND REIMBURSEMENT OF EXPENSES INCURRED DURING HIS SERVICE AS COURT-APPOINTED MONITOR [October 1, 2018 thru December 20, 2018]** on all the parties to this action addressed as stated on the attached service list.

- OFFICE MAIL:** By placing in sealed envelope(s), which I placed for collection and mailing today following ordinary business practices. I am readily familiar with the firm's practice for collection and processing of correspondence for mailing; such correspondence would be deposited with the U.S. Postal Service on the same day in the ordinary course of business.
- OVERNIGHT DELIVERY:** I deposited in a box or other facility regularly maintained by express service carrier, or delivered to a courier or driver authorized by said express service carrier to receive documents, a true copy of the foregoing document(s) in sealed envelope(s) or package(s) designed by the express service carrier, addressed as indicated on the attached service list, with fees for overnight delivery paid or provided for.
- HAND DELIVERY:** I caused to be hand delivered each such envelope to the office of the addressee as stated on the attached service list.
- ELECTRONIC MAIL:** By transmitting the document by electronic mail to the electronic mail address as stated on the attached service list.
- E-FILING:** By causing the document to be electronically filed via the Court's CM/ECF system, which effects electronic service on counsel who are registered with the CM/ECF system.
- FAX:** By transmitting the document by facsimile transmission. The transmission was reported as complete and without error.

I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on **August 14, 2019** at Los Angeles, California.

/s/ Martha Diaz  
Martha Diaz

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**SERVICE LIST**

*Securities and Exchange Commission v. Ralph T. Iannelli and Essex Capital Corporation*  
USDC, Central District of California – Case No. 2:18-cv-05008-FMO-AFM

Mark Riera, Esq.  
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Via First Class Mail