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7 Attorneys for Receiver
 8 GEOFF WINKLER

9 UNITED STATES DISTRICT COURT
 10 CENTRAL DISTRICT OF CALIFORNIA
 11 WESTERN DIVISION

12 SECURITIES AND EXCHANGE
 13 COMMISSION,

14 Plaintiff,

15 v.

16 RALPH T. IANNELLI and ESSEX
 17 CAPITAL CORP.,

18 Defendants.

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

NOTICE OF THIRD INTERIM
 APPLICATION OF RECEIVER, GEOFF
 WINKLER, AND HIS
 PROFESSIONALS FOR PAYMENT OF
 FEES AND REIMBURSEMENT OF
 EXPENSES
 [July 1, 2019 - September 30, 2019]

[Third Interim Application; Memorandum
 of Points and Authorities; Declaration of
 Geoff Winkler; and [Proposed] Order
 submitted concurrently herewith]

Date: February 6, 2020
 Time: 10:00 a.m.
 Ctrm: 6D
 Judge Hon. Fernando M. Olguin

23 **PLEASE TAKE NOTICE THAT** on February 6, 2020, or as soon thereafter
 24 as this matter may be heard in Courtroom 6D of the above-captioned Court, located
 25 at 350 W. 1st Street, 6th Floor, Los Angeles, CA 90012, Geoff Winkler (the
 26 "Receiver"), the Court-appointed permanent receiver for Defendant Essex Capital
 27 Corporation and its subsidiaries and affiliates (collectively, the "Receivership
 28 Entities"), along with his counsel of record, Allen Matkins Leck Gamble Mallory &

1 Natsis LLP ("Allen Matkins"), his initial special litigation counsel for the action
 2 styled Essex Capital Corp. v. Garipalli, et al., S.D.N.Y. Case No. 17-cv-06347 (the
 3 "Garipalli Action"), Locke Lord LLP ("Locke Lord"), and his current special
 4 litigation counsel for the Garipalli Action, the Teitelbaum Law Group, LLC
 5 ("Teitelbaum"), will and hereby do submit their collective Third Interim Application
 6 for Payment of Fees and Reimbursement of Expenses (the "Application").

7 The Application has been submitted concurrently herewith. Pursuant to the
 8 Application, the Receiver, Allen Matkins, and Teitelbaum seek approval and partial
 9 payment of their respective fees and expenses for the period from July 1, 2019
 10 through September 30, 2019 (the "Application Period"), as follows¹:

<u>Applicant</u>	<u>Fees</u>	<u>Expenses</u>	<u>Total Amount</u>
Receiver	\$151,808.70	\$1,705.42	\$153,514.12
Allen Matkins	\$157,623.30	\$707.27	\$158,330.57
Locke Lord	\$82,844.23	\$794.79	\$83,639.02
Teitelbaum	\$1,900.00	\$0	\$1,900.00
<u>Total</u>	\$394,176.23	\$3,207.48	\$397,383.71

17 The Application is based on this Notice of Application, the concurrently filed
 18 and supporting Memorandum of Points and Authorities, the Declaration of Geoff
 19 Winkler, and any argument or evidence presented to the Court at the hearing on the
 20 Application.
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23 ¹ The Receiver, Allen Matkins, and Teitelbaum request payment of their fees, on
 24 an interim basis, at a reduced percentage of 80%, with the remaining "holdback"
 25 subject to payment at the time of the Receiver's, Allen Matkins', and
 26 Teitelbaum's submission of their final fee applications in this matter.
 27 Accordingly, by the Application, the Receiver requests that the Court authorize
 28 interim payment of his fees and expenses in the amounts of \$121,446.96 and
 \$1,705.42, respectively, Allen Matkins' fees and expenses in the amounts of
 \$126,098.64 and \$707.27, respectively, and Teitelbaum's fees in the amount of
 \$1,520.00. Given that Locke Lord's services in connection with the Garipalli
 Action and the instant receivership concluded during the Application Period, the
 Receiver respectfully requests full payment of Locke Lord's fees and expenses,
 in the aggregate amount of \$83,639.02.

1 Any interested parties who wish to review the Application may do so by
2 accessing the Receiver's website at www.essex-receivership.com or by accessing the
3 Application via the United States District Court's PACER (Public Access to Court
4 Electronic Records) system (account required) at www.pacer.gov.

5 **Procedural Requirement: If you oppose the Application, you are**
6 **required to file your written opposition with the Office of the Clerk, United**
7 **States District Court, 255 East Temple Street, Los Angeles, CA 90012-4701,**
8 **and serve the same on the undersigned not later than twenty-one (21) days**
9 **prior to the above-referenced hearing date.**

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Dated: January 8, 2020

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP
DAVID R. ZARO
JOSHUA A. DEL CASTILLO
NORMAN M. ASPIS

By: /s/ Joshua A. del Castillo
JOSHUA A. DEL CASTILLO
Attorneys for Receiver
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 **January 9, 2020**, I caused to be served on all the parties to this action addressed as stated on the attached service list the document entitled: **NOTICE OF THIRD INTERIM APPLICATION OF RECEIVER, GEOFF WINKLER, AND HIS PROFESSIONALS FOR PAYMENT OF FEES AND REIMBURSEMENT OF EXPENSES [July 1, 2019 – September 30, 2019]**.

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 **January 9, 2020** 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

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