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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

RALPH T. IANNELLI and ESSEX  
CAPITAL CORP.,

Defendants.

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

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

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Judge Hon. Fernando M. Olguin

19 Before the Court is the Third Interim Application of Receiver, Geoff Winkler,  
20 and His Professionals for Payment of Fees and Reimbursement of Expenses (the  
21 "Application"), filed by Geoff Winkler (the "Receiver"), the Court-appointed  
22 permanent receiver for Defendant Essex Capital Corporation and its subsidiaries and  
23 affiliates (collectively, the "Receivership Entities"), for services rendered during the  
24 period from July 1, 2019 through September 30, 2019 (the "Application Period").

25 The Receiver requests approval of 100% of his fees and expenses  
26 (\$151,808.70 and \$1,705.42, respectively) incurred during the Application Period,  
27 and payment, on an interim basis, of 80% of his fees (\$121,446.96) and 100% of his  
28 expenses (\$1,705.42). The Receiver and his counsel of record, Allen Matkins Leck

1 Gamble Mallory & Natsis LLP ("Allen Matkins"), request approval of 100% of  
2 Allen Matkins' fees and expenses (\$157,623.30 and \$707.27, respectively) incurred  
3 during the Application Period, and payment, on an interim basis, of 80% of its fees  
4 (\$126,098.64), and 100% of its expenses (\$707.27). The Receiver and his initial  
5 special litigation counsel for the action styled Essex Capital Corp. v. Garipalli, et al.,  
6 S.D.N.Y. Case No. 17-cv-06347 (the "Garipalli Action"), Locke Lord LLP ("Locke  
7 Lord"), request approval of 100% of Locke Lord's fees and expenses (\$82,844.23  
8 and \$794.79, respectively) incurred over the duration of the instant receivership, and  
9 payment on a full and final basis of 100% of its fees and expenses, in the amounts of  
10 \$82,844.23 and \$794.79, respectively. The Receiver and his current special  
11 litigation counsel for the Garipalli Action, the Teitelbaum Law Group, LLC  
12 ("Teitelbaum"), request approval of 100% of Teitelbaum's fees (\$1,900.00), and  
13 payment, on an interim basis, of 80% of its fees (\$1,520.00).

14 The Application having been considered, and good cause appearing therefor,  
15 this Court orders as follows:

- 16 1. The fees and expenses incurred by the Receiver during the Application  
17 Period, in the respective amounts of \$151,808.70 and \$1,705.42, are approved;
- 18 2. The Receiver is authorized to pay himself, on an interim basis, 80% of  
19 his fees incurred during the Application Period, in the amount of \$121,446.96, and  
20 100% of his expenses incurred during the Application Period, in the amount of  
21 \$1,705.42, from the assets of the Receivership Entities;
- 22 3. The fees and expenses incurred by Allen Matkins during the  
23 Application Period, in the respective amounts of \$157,623.30 and \$707.27, are  
24 approved;
- 25 4. The Receiver is authorized to pay Allen Matkins, on an interim basis,  
26 80% of the fees it incurred during the Application Period, in the amount of  
27 \$126,098.64, and 100% of the expenses it incurred during the Application Period, in  
28 the amount of \$707.27, from the assets of the Receivership Entities;

1           5.       The fees and expenses incurred by Locke Lord during the course of the  
2 instant receivership, in the respective amounts of \$82,844.23 and \$794.79, are  
3 approved;

4           6.       The Receiver is authorized to pay Locke Lord, on a full and final basis,  
5 100% of the fees and expenses it incurred during the course of the instant  
6 receivership, in the amounts of \$82,844.23 and \$794.79, respectively, from the  
7 assets of the Receivership Entities;

8           7.       The fees incurred by Teitelbaum during the Application Period, in the  
9 amount of \$1,900.00, are approved;

10          8.       The Receiver is authorized to pay Teitelbaum, on an interim basis, 80%  
11 of the fees it incurred during the Application Period, in the amount of \$1,520.00,  
12 from the assets of the Receivership Entities; and

13          9.       The fees approved, but not paid, pursuant to this Order, shall be subject  
14 to final review by the Court in connection with the Receiver's, Allen Matkins', and  
15 Teitelbaum's final fee and expense application, to be submitted contemporaneously  
16 with the wind-down and termination of the receivership in the above-entitled matter.

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18           **SO ORDERED.**

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20 Dated: \_\_\_\_\_

\_\_\_\_\_  
Hon. Fernando M. Olguin  
Judge, United States District Court

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**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: **[PROPOSED] ORDER GRANTING THIRD INTERIM APPLICATION OF RECEIVER 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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