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13 Attorneys for Receiver
 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

NOTICE OF FIFTH INTERIM
 APPLICATION OF RECEIVER, GEOFF
 WINKLER, AND ALLEN MATKINS
 LECK GAMBLE MALLORY &
 NATSIS LLP, GENERAL COUNSEL
 TO THE RECEIVER, FOR PAYMENT
 OF FEES AND REIMBURSEMENT OF
 EXPENSES

[January 1, 2020 - March 31, 2020]

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

Date: October 22, 2020

Time: 10:00 a.m.

Ctrm: 6D

Judge Hon. Fernando M. Olguin

25 **PLEASE TAKE NOTICE THAT** on October 22, 2020, or as soon thereafter
 26 as this matter may be heard in Courtroom 6D of the above-captioned Court, located
 27 at 350 W. 1st Street, 6th Floor, Los Angeles, CA 90012, Geoff Winkler (the
 28 "Receiver"), the Court-appointed permanent receiver for Defendant Essex Capital

1 Corporation and its subsidiaries and affiliates, and his counsel of record, Allen
 2 Matkins Leck Gamble Mallory & Natsis LLP ("Allen Matkins"), will and hereby do
 3 submit their collective Fifth Interim Application for Payment of Fees and
 4 Reimbursement of Expenses (the "Fee Application").

5 The Fee Application has been submitted concurrently herewith. Pursuant to
 6 the Fee Application, the Receiver and Allen Matkins seek approval and payment of
 7 their respective fees and expenses for the period from January 1, 2020 through
 8 March 31, 2020, as follows¹:

<u>Applicant</u>	<u>Fees</u>	<u>Expenses</u>	<u>Total Amount</u>
Receiver	\$131,848.20	\$752.96	\$132,601.16
Allen Matkins	\$141,294.15	\$3,970.07	\$145,264.22
<u>Total</u>	\$273,142.35	\$4,723.03	\$277,865.38

14 The Fee Application is based on this Notice of Fee Application, the
 15 concurrently filed and supporting Memorandum of Points and Authorities, the
 16 Declaration of Geoff Winkler, and any argument or evidence presented to the Court
 17 at the hearing on the Fee Application.

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

22 **Procedural Requirement: If you oppose the Fee Application, you are**
 23 **required to file your written opposition with the Office of the Clerk, United**
 24

25 ¹ The Receiver and Allen Matkins request payment of their fees, on an interim
 26 basis, at a reduced percentage of 80%, with the remaining "holdback" subject to
 27 payment at the time of the Receiver's and Allen Matkins' submission of their
 28 final fee application in this matter. Accordingly, by the Fee Application, the
 Receiver requests that the Court authorize an interim payment of his fees and
 expenses in the amounts of \$105,478.56 and \$752.96, respectively, and Allen
 Matkins' fees and expenses in the amounts of \$113,035.32 and \$3,970.07,
 respectively.

1 **States District Court, 255 East Temple Street, Los Angeles, CA 90012-4701,**
2 **and serve the same on the undersigned not later than twenty-one (21) days**
3 **prior to the above-referenced hearing date.**
4

5 Dated: September 18, 2020

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

8 By: /s/ Norman M. Aspis

9 NORMAN M. ASPIS
10 Attorneys for Receiver
11 GEOFF WINKLER
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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 **September 18, 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 FIFTH INTERIM APPLICATION OF RECEIVER, GEOFF WINKLER, AND ALLEN MATKINS LECK GAMBLE MALLORY & NATSIS LLP, GENERAL COUNSEL TO THE RECEIVER, FOR PAYMENT OF FEES AND REIMBURSEMENT OF EXPENSES**

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 12, 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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