

1 DAVID R. ZARO (BAR NO. 124334)
 2 JOSHUA A. DEL CASTILLO (BAR NO. 239015)
 3 NORMAN M. ASPIS (BAR NO. 313466)
 4 ALLEN MATKINS LECK GAMBLE
 5 MALLORY & NATSIS LLP
 6 865 South Figueroa Street, Suite 2800
 7 Los Angeles, California 90017-2543
 8 Phone: (213) 622-5555
 9 Fax: (213) 620-8816
 10 E-Mail: dzaro@allenmatkins.com
 11 jdelcastillo@allenmatkins.com
 12 naspis@allenmatkins.com

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 EIGHTH 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, 2021 - March 31, 2021]

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

Date: June 17, 2021

Time: 10:00 a.m.

Ctrm: 6D

Judge Hon. Fernando M. Olguin

25 PLEASE TAKE NOTICE THAT on June 17, 2021, or as soon thereafter as
 26 this matter may be heard in Courtroom 6D of the above-captioned Court, located at
 27 350 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 Eighth 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, 2021 through
 8 March 31, 2021, as follows¹:

| <u>Applicant</u> | <u>Fees</u> | <u>Expenses</u> | <u>Total Amount</u> |
|------------------|---------------------|-------------------|---------------------|
| Receiver | \$178,196.40 | \$863.31 | \$179,059.71 |
| Allen Matkins | \$193,915.80 | \$5,445.21 | \$199,361.01 |
| Total | \$372,112.20 | \$6,308.52 | \$378,420.72 |

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

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

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

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 \$142,557.12 and \$863.31, respectively, and Allen
 Matkins' fees and expenses in the amounts of \$155,132.64 and \$5,445.21,
 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: May 19, 2021

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

6
7
8 By: /s/ Norman M. Aspis

9 NORMAN M. ASPIS
10 Attorneys for Receiver
11 GEOFF WINKLER
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 **May 19, 2021**, 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 EIGHTH INTERIM APPLICATION OF RECEIVER, GEOFF WINKLER, AND ALLEN MATKINS LECK GAMBLE MALLORY AND NATSIS, GENERAL COUNSEL TO THE RECEIVER, FOR PAYMENT OF FEES & REIMBURSEMENT OF EXPENSES [January 1, 2021 – March 31, 2021]**

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 **May 19, 2021** at Los Angeles, California.

/s/ Martha Diaz

Martha Diaz

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

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