

1 DAVID R. ZARO (BAR NO. 124334)
 JOSHUA A. DEL CASTILLO (BAR NO. 239015)
 2 MATTHEW D. PHAM (BAR NO. 287704)
 ALLEN MATKINS LECK GAMBLE
 3 MALLORY & NATSIS LLP
 865 South Figueroa Street, Suite 2800
 4 Los Angeles, California 90017-2543
 Phone: (213) 622-5555
 5 Fax: (213) 620-8816
 E-Mail: dzaro@allenmatkins.com
 6 jdelcastillo@allenmatkins.com
 mpham@allenmatkins.com

7 Attorneys for Receiver
 8 GEOFF WINKLER

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

12 SECURITIES AND EXCHANGE
 COMMISSION,

13 Plaintiff,

14 v.

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

17 Defendants.

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

NOTICE OF TENTH INTERIM
 APPLICATION OF RECEIVER, GEOFF
 WINKLER, AND HIS
 PROFESSIONALS FOR PAYMENT OF
 FEES AND REIMBURSEMENT OF
 EXPENSES

Date: January 13, 2022
 Time: 10:00 a.m.
 Ctrm: 6D
 Judge Hon. Fernando M. Olguin

18
 19
 20 **PLEASE TAKE NOTICE** that on January 13, 2022, at 10:00 a.m. or as soon
 21 thereafter as this matter may be heard in Courtroom 6D of the above-captioned
 22 Court, located at 350 W. 1st Street, 6th Floor, Los Angeles, California 90012, Geoff
 23 Winkler (the “Receiver”), the Court-appointed permanent receiver for defendant
 24 Essex Capital Corporation and its subsidiaries and affiliates, along with his counsel
 25 of record, Allen Matkins Leck Gamble Mallory & Natsis LLP (“Allen Matkins”),
 26 and his tax accountant, Miller Kaplan Arase, LLP (“Miller Kaplan,” and
 27 collectively, with the Receiver and Allen Matkins, the “Applicants”), will jointly
 28

1 submit their tenth interim application for the payment of fees and the reimbursement
 2 of expenses (the “Fee Application”).

3 The Fee Application has been submitted concurrently herewith. Pursuant to
 4 the Fee Application, the Receiver and Allen Matkins seek approval, payment, and
 5 reimbursement of their respective fees and expenses incurred during the period from
 6 July 1, 2021, through September 30, 2021, and Miller Kaplan seeks approval,
 7 payment, and reimbursement of its fees and expenses incurred the period from
 8 February 1, 2021, through September 30, 2021, as follows¹:

Applicant	Fees	Expenses	Total
Receiver	\$75,550.95	\$43.97	\$75,594.92
Allen Matkins	\$409,864.95	\$6,578.93	\$416,443.88
Miller Kaplan	\$9,667.50	\$0.00	\$9,667.50
	\$495,083.40	\$6,622.90	\$501,706.30

14 **PLEASE TAKE FURTHER NOTICE** that the Fee Application is based on
 15 this notice, the concurrently filed memorandum of points and authorities and
 16 declaration of Geoff Winkler, and any argument or evidence presented to the Court
 17 at the hearing on the Fee Application.

18 **PLEASE TAKE FURTHER NOTICE** that you may obtain a copy of the
 19 Fee Application by accessing the Receiver’s website at [https://essex-](https://essex-receivership.com/)
 20 [receivership.com/](https://essex-receivership.com/) or via the United States Courts’ PACER (Public Access to Court
 21 Electronic Records) system (account required) at <https://pacer.uscourts.gov/>.

22 **PLEASE TAKE FURTHER NOTICE that if you oppose the Fee**
 23 **Application, you are required to file your written opposition with the Office of**
 24

25 ¹ The Applicants request payment of their fees, on an interim basis, at a reduced
 26 80%, with the remaining 20% “holdback” subject to payment at the time of the
 27 Applicants’ submission of their final fee application in this matter. Accordingly,
 28 by the Fee Application, the Applicants request that the Court authorize an interim
 payment of (a) the Receiver’s fees and expenses in the amounts of \$60,440.76
 and \$43,97, respectively, (b) Allen Matkins’ fees and expenses in the amounts of
 \$327,891.96 and \$6,578.93, respectively, and (c) Miller Kaplan’s fees and
 expenses in the amounts of \$7,734.00 and \$0, respectively.

1 **the Clerk, United States District Court for the Central District of California,**
2 **255 East Temple Street, Los Angeles, California 90012 and serve the same on**
3 **the undersigned not later than 21 days prior to the above-referenced hearing**
4 **date.**

5
6 Dated: December 3, 2021

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP
DAVID R. ZARO
JOSHUA A. DEL CASTILLO
MATTHEW D. PHAM

7
8
9 By: /s/ Matthew D. Pham

MATTHEW D. PHAM
Attorneys for Receiver
GEOFF WINKLER

10
11
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 **December 3, 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 TENTH INTERIM APPLICATION OF RECEIVER, GEOFF WINKLER, AND HIS PROFESSIONALS 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.

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 **December 3, 2021** at Los Angeles, California.

/s/ Martha Diaz
Martha Diaz