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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
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.

Ctrl: 6D

Judge Hon. Fernando M. Olguin

Before the Court is the tenth interim application for the payment of fees and the reimbursement of expenses (the “Fee Application”), of Geoff Winkler (the “Receiver”), the Court-appointed permanent receiver for defendant Essex Capital Corporation and its subsidiaries and affiliates (collectively, the “Receivership Entities”), along with his counsel of record, Allen Matkins Leck Gamble Mallory & Natsis LLP (“Allen Matkins”), and his tax accountant, Miller Kaplan Arase, LLP (“Miller Kaplan,” and collectively, with the Receiver and Allen Matkins, the “Applicants”).

With respect to the Receiver and Allen Matkins, the Fee Application covers their fees and expenses incurred during the period from July 1, 2021, through

1 September 30, 2021 (the “Application Period”). The Receiver requests approval of
2 100% of his fees and expenses incurred during the Application Period (\$75,550.95
3 and \$43.97, respectively) and payment, on an interim basis, of 80% of those fees
4 (\$60,440.76) and 100% of those expenses (\$43.97). Allen Matkins likewise requests
5 approval of 100% of its fees and expenses incurred during the Application Period
6 (\$409,864.95 and \$6,578.93, respectively) and payment, on an interim basis, of 80%
7 of those fees (\$327,891.96) and 100% of those expenses (\$6,578.93).

8 With respect to Miller Kaplan, the Fee Application covers its fees and
9 expenses incurred during the period from February 1, 2021, through
10 September 30, 2021 (the “MK Application Period”). Miller Kaplan requests
11 approval of 100% of its fees and expenses incurred during the MK Application
12 Period (\$9,667.50 and \$0, respectively) and payment, on an interim basis, of 80% of
13 those fees (\$7,734.00) and 100% of those expenses (\$0).

14 The Court having considered the Fee Application, and good cause appearing
15 therefor,

16 **IT IS HEREBY ORDERED** that

- 17 1. The Fee Application is granted in its entirety;
- 18 2. The Receiver’s fees and expenses incurred during the Application
19 Period, in the respective amounts of \$75,550.95 and \$43.97, are approved;
- 20 3. The Receiver is authorized to pay himself, on an interim basis, 80% of
21 his approved fees incurred during the Application Period, in the amount of
22 \$60,440.76, and 100% of his approved expenses incurred during the Application
23 Period, in the amount of \$43.97, from the funds of the receivership estate of the
24 Receivership Entities (the “Receivership Estate”);
- 25 4. Allen Matkins’s fees and expenses incurred during the Application
26 Period, in the respective amounts of \$409,864.95 and \$6,578.93, are approved;
- 27 5. The Receiver is authorized to pay Allen Matkins, on an interim basis,
28 80% of its approved fees incurred during the Application Period, in the amount of

1 \$327,891.96, and 100% of its approved expenses incurred during the Application
2 Period, in the amount of \$6,578.93, from the funds of the Receivership Estate;

3 6. Miller Kaplan’s fees and expenses incurred during the MK Application
4 Period, in the respective amounts of \$9,667.50 and \$0, are approved;

5 7. The Receiver is authorized to pay Miller Kaplan, on an interim basis,
6 80% of its approved fees incurred during the MK Application Period, in the amount
7 of \$7,734.00, and 100% of its approved expenses incurred during the MK
8 Application Period, in the amount of \$0, from the funds of the Receivership Estate;

9 8. The fees that have been approved but have not been otherwise
10 authorized to be paid at this time by this order shall be subject to final review by the
11 Court in connection with the Applicants’ final fee application, to be submitted
12 contemporaneously with the winddown and termination of the receivership in the
13 above-entitled matter.

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16 Dated: _____

Hon. Fernando M. Olguin
United States District Judge

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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 **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: **[PROPOSED] ORDER GRANTING 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