

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 vs.

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

17 Defendants.

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

**DECLARATION OF GEOFF  
WINKLER IN SUPPORT OF  
THIRTEENTH INTERIM  
APPLICATION OF RECEIVER,  
GEOFF WINKLER, AND HIS  
PROFESSIONALS FOR PAYMENT  
OF FEES AND REIMBURSEMENT  
OF EXPENSES**

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

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1 I, Geoff Winkler, declare as follows:

2 1. I am the Court-appointed permanent receiver for defendant Essex  
3 Capital Corporation and its subsidiaries and affiliates (collectively, the  
4 "Receivership Entities"), having been appointed as the receiver for the Receivership  
5 Entities in the above-captioned action on December 21, 2018, by virtue of the  
6 Court's *Order Regarding Preliminary Injunction and Appointment of a Permanent*  
7 *Receiver*, ECF No. 66. I have personal knowledge of the facts stated in this  
8 declaration and make this declaration in support of the concurrently filed thirteenth  
9 interim application for the payment of fees and the reimbursement of expenses (the  
10 "Fee Application") of myself, my counsel of record, Allen Matkins Leck Gamble  
11 Mallory & Natsis LLP ("Allen Matkins"), and my tax accountant Miller Kaplan  
12 Arase LLP ("Miller Kaplan").

13 2. I have reviewed the Fee Application, and I believe that the fees and  
14 expenses requested therein are fair and reasonable and reflect an accurate  
15 representation of the work performed by Allen Matkins, Miller Kaplan, and myself  
16 and my staff. I likewise believe that the receivership estate of the Receivership  
17 Entities has benefited from the identified services.

18 3. As of June 30, 2022, I held approximately \$4,612,073.54 for the benefit  
19 and administration of the Receivership Entities.

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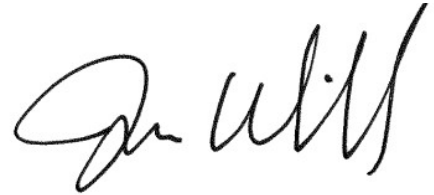
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1           4.     In accordance with plaintiff the Securities and Exchange Commission's  
2 billing guidelines, I have prepared a standardized funding accounting report, which  
3 runs through the end of the period covered by the Fee Application, a true and correct  
4 copy of which is attached hereto as **Exhibit 5**.

5           I declare under penalty of perjury that the foregoing is true and correct.

6           Executed on September 15, 2022, at Salem, Oregon.

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Geoff Winkler

# **EXHIBIT 5**

**STANDARDIZED FUND ACCOUNTING REPORT for SEC v. Essex Capital Corporation**

Receivership; Civil Docket No. 18-cv-05008-FMO-AFM

Reporting Period from 01/01/2022 to 03/31/2022

FUND ACCOUNTING (See instructions)				
		Detail	Subtotal	Grand Total
Line 1	<b>Beginning Balance (As of 01/01/2022):</b>	\$ 4,298,879.22		
	<b>Increases in Fund Balance:</b>			
Line 2	Business Income	\$ -		
Line 3	Cash and Securities (in transit)	-		
Line 4	Interest/Dividend Income	-		
Line 5	Business Asset Liquidation	-		
Line 6	Personal Asset Liquidation	-		
Line 7	Third-Party Litigation Income	750,217.47		
Line 8	Miscellaneous - Other	-		
	<b>Total Funds Available (Lines 1 - 8):</b>		\$ 750,217.47	\$ 5,049,096.69
	<b>Decreases in Fund Balance:</b>			
Line 9	<b>Disbursements to Investors</b>			
Line 10	<b>Disbursements for Receivership Operations</b>			
Line 10a	Disbursements to Receiver or Other Professionals	(425,720.49)		
Line 10b	Business Asset Expenses	-		
Line 10c	Personal Asset Expenses	-		
Line 10d	Investment Expenses	-		
Line 10e	Third-Party Litigation Expenses	-		
	1. Attorney Fees	\$ -		
	2. Litigation Expenses	-		
	<b>Total Disbursements for Receivership Operations</b>		\$ (425,720.49)	
Line 10f	Tax Administrator Fees and Bonds		-	
Line 10g	Federal and State Tax Payments		(11,302.66)	
	<b>Total Disbursements for Receivership Operations</b>			\$ (437,023.15)
Line 11	<b>Disbursements for Distribution Expenses Paid by the Fund:</b>			
Line 11a	<b>Distribution Plan Development Expenses:</b>			
	1. Fees:			
	Fund Administrator.....	\$ -		
	Independent Distribution Consultant (IDC).....	-		
	Distribution Agent.....	-		
	Consultants.....	-		
	Legal Advisers.....	-		
	Tax Advisers.....	-		
	2. Administrative Expenses	-		
	3. Miscellaneous	-		
	<b>Total Plan Development Expenses</b>		\$ -	
Line 11b	<b>Distribution Plan Implementation Expenses:</b>			
	1. Fees:			
	Fund Administrator.....	-		
	IDC.....	-		
	Distribution Agent.....	-		
	Consultants.....	-		
	Legal Advisers.....	-		
	Tax Advisers.....	-		
	2. Administrative Expenses	-		
	3. Investor Identification:			
	Notice/Publishing Approved Plan.....	-		
	Claimant Identification.....	-		
	Claims Processing.....	-		
	Web Site Maintenance/Call Center.....	-		
	4. Fund Administrator Bond	-		
	5. Miscellaneous	-		
	6. Federal Account for Investor Restitution (FAIR) Reporting Expenses	-		
	<b>Total Plan Implementation Expenses</b>		\$ -	
	<b>Total Disbursements for Distribution Expenses Paid by the Fund</b>			\$ -
Line 12	<b>Disbursements to Court/Other:</b>			
Line 12a	Investment Expenses/Court Registry Investment System (CRIS) Fees	\$ -		
Line 12b	Federal Tax Payments	-		
	<b>Total Disbursements to Court/Other:</b>		\$ -	
	<b>Total Funds Disbursed (Lines 9 - 11):</b>			\$ (437,023.15)
Line 13	<b>Ending Balance as of 6/30/22</b>			\$ 4,612,073.54
Line 14	<b>Ending Balance of Fund - Net Assets:</b>			
Line 14a	Cash & Cash Equivalents		4,612,073.54	
Line 14b	Investments		2,533,084.40	
Line 14c	Other Assets or Uncleared Funds		5,532,782.53	
	<b>Total Ending Balance of Fund - Net Assets</b>			\$ 12,677,940.47

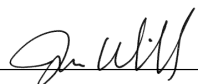
**STANDARDIZED FUND ACCOUNTING REPORT for SEC v. Essex Capital Corporation**

Receivership; Civil Docket No. 18-cv-05008-FMO-AFM

Reporting Period from 01/01/2022 to 03/31/2022

OTHER SUPPLEMENTAL INFORMATION:		Detail	Subtotal	Grand Total
<b>Line 15</b>	<b>Disbursements for Plan Administration Expenses Not Paid by the Fund:</b>			
<i>Line 15a</i>	<i>Plan Development Expenses Not Paid by the Fund</i>			
	1. Fees:			
	Fund Administrator	\$ -		
	IDC	-		
	Distribution Agent	-		
	Consultants	-		
	Legal Advisers	-		
	Tax Advisers	-		
	2. Administrative Expenses	-		
	3. Miscellaneous	-		
	<i>Total Plan Development Expenses Not Paid by the Fund</i>		\$ -	
<i>Line 15b</i>	<i>Plan Implementation Expenses Not Paid by the Fund:</i>			
	1. Fees:			
	Fund Administrator	\$ -		
	IDC	-		
	Distribution Agent	-		
	Consultants	-		
	Legal Advisers	-		
	Tax Advisers	-		
	2. Administrative Expenses	-		
	3. Investor Identification:			
	Notice/Publishing Approved Plan	-		
	Claimant Identification	-		
	Claims Processing	-		
	Web Site Maintenance/Call Center	-		
	4. Fund Administrator Bond	-		
	5. Miscellaneous	-		
	6. FAIR Reporting Expenses	-		
	<i>Total Plan Implementation Expenses Not Paid by the Fund</i>		\$ -	
<i>Line 15c</i>	<i>Tax Administrator Fees &amp; Bonds Not Paid by the Fund</i>			
	<b>Total Disbursements for Plan Administration Expenses Not Paid by the Fund</b>			-
<b>Line 16</b>	<b>Disbursements to Court/Other Not Paid by the Fund</b>			
<i>Line 16a</i>	<i>Investment Expenses/CRIS Fees</i>		\$ -	
<i>Line 16b</i>	<i>Federal Tax Payments</i>		-	
	<b>Total Disbursements to Court/Other Not Paid by the Fund:</b>			\$ -
<b>Line 17</b>	<b>DC &amp; State Tax Payments</b>			\$ -
<b>Line 18</b>	<b>No. of Claims:</b>			
<i>Line 18a</i>	# of Claims Received This Reporting Period	0		
<i>Line 18b</i>	# of Claims Received Since Inception of Fund	75		
<b>Line 19</b>	<b>No. of Claimants/Investors:</b>			
<i>Line 19a</i>	# of Claimants/Investors Paid This Reporting Period	0		
<i>Line 19b</i>	# of Claimants/Investors Paid Since Inception of Fund	0		

Receiver: Geoff Winkler

By: 

Geoff Winkler  
(printed name)

Chief Executive Officer  
American Fiduciary Services LLC  
Receiver, Essex Capital Corporation, et al.

Date: July 30, 2022

# **EXHIBIT 5**

**STANDARDIZED FUND ACCOUNTING REPORT for SEC v. Essex Capital Corporation**

Receivership; Civil Docket No. 18-cv-05008-FMO-AFM

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Line 5	Business Asset Liquidation	-		
Line 6	Personal Asset Liquidation	-		
Line 7	Third-Party Litigation Income	750,217.47		
Line 8	Miscellaneous - Other	-		
	<b>Total Funds Available (Lines 1 - 8):</b>		\$ 750,217.47	\$ 5,049,096.69
	<b>Decreases in Fund Balance:</b>			
Line 9	<b>Disbursements to Investors</b>			
Line 10	<b>Disbursements for Receivership Operations</b>			
Line 10a	Disbursements to Receiver or Other Professionals	(425,720.49)		
Line 10b	Business Asset Expenses	-		
Line 10c	Personal Asset Expenses	-		
Line 10d	Investment Expenses	-		
Line 10e	Third-Party Litigation Expenses	-		
	1. Attorney Fees	\$ -		
	2. Litigation Expenses	-		
	<b>Total Disbursements for Receivership Operations</b>		\$ (425,720.49)	
Line 10f	Tax Administrator Fees and Bonds		-	
Line 10g	Federal and State Tax Payments		(11,302.66)	
	<b>Total Disbursements for Receivership Operations</b>			\$ (437,023.15)
Line 11	<b>Disbursements for Distribution Expenses Paid by the Fund:</b>			
Line 11a	<b>Distribution Plan Development Expenses:</b>			
	1. Fees:			
	Fund Administrator.....	\$ -		
	Independent Distribution Consultant (IDC).....	-		
	Distribution Agent.....	-		
	Consultants.....	-		
	Legal Advisers.....	-		
	Tax Advisers.....	-		
	2. Administrative Expenses	-		
	3. Miscellaneous	-		
	<b>Total Plan Development Expenses</b>		\$ -	
Line 11b	<b>Distribution Plan Implementation Expenses:</b>			
	1. Fees:			
	Fund Administrator.....	-		
	IDC.....	-		
	Distribution Agent.....	-		
	Consultants.....	-		
	Legal Advisers.....	-		
	Tax Advisers.....	-		
	2. Administrative Expenses	-		
	3. Investor Identification:			
	Notice/Publishing Approved Plan.....	-		
	Claimant Identification.....	-		
	Claims Processing.....	-		
	Web Site Maintenance/Call Center.....	-		
	4. Fund Administrator Bond	-		
	5. Miscellaneous	-		
	6. Federal Account for Investor Restitution (FAIR) Reporting Expenses	-		
	<b>Total Plan Implementation Expenses</b>		\$ -	
	<b>Total Disbursements for Distribution Expenses Paid by the Fund</b>			\$ -
Line 12	<b>Disbursements to Court/Other:</b>			
Line 12a	Investment Expenses/Court Registry Investment System (CRIS) Fees	\$ -		
Line 12b	Federal Tax Payments	-		
	<b>Total Disbursements to Court/Other:</b>		\$ -	
	<b>Total Funds Disbursed (Lines 9 - 11):</b>			\$ (437,023.15)
Line 13	<b>Ending Balance as of 6/30/22</b>			\$ 4,612,073.54
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Line 14a	Cash & Cash Equivalents		4,612,073.54	
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	<b>Total Ending Balance of Fund - Net Assets</b>			\$ 12,677,940.47



**STANDARDIZED FUND ACCOUNTING REPORT for SEC v. Essex Capital Corporation**  
 Receivership; Civil Docket No. 18-cv-05008-FMO-AFM  
 Reporting Period from 01/01/2022 to 03/31/2022

OTHER SUPPLEMENTAL INFORMATION:		Detail	Subtotal	Grand Total
<b>Line 15</b>	<b>Disbursements for Plan Administration Expenses Not Paid by the Fund:</b>			
<i>Line 15a</i>	<i>Plan Development Expenses Not Paid by the Fund</i>			
	1. Fees:			
	Fund Administrator	\$ -		
	IDC	-		
	Distribution Agent	-		
	Consultants	-		
	Legal Advisers	-		
	Tax Advisers	-		
	2. Administrative Expenses	-		
	3. Miscellaneous	-		
	<i>Total Plan Development Expenses Not Paid by the Fund</i>		\$ -	
<i>Line 15b</i>	<i>Plan Implementation Expenses Not Paid by the Fund:</i>			
	1. Fees:			
	Fund Administrator	\$ -		
	IDC	-		
	Distribution Agent	-		
	Consultants	-		
	Legal Advisers	-		
	Tax Advisers	-		
	2. Administrative Expenses	-		
	3. Investor Identification:			
	Notice/Publishing Approved Plan	-		
	Claimant Identification	-		
	Claims Processing	-		
	Web Site Maintenance/Call Center	-		
	4. Fund Administrator Bond	-		
	5. Miscellaneous	-		
	6. FAIR Reporting Expenses	-		
	<i>Total Plan Implementation Expenses Not Paid by the Fund</i>		\$ -	
<i>Line 15c</i>	<i>Tax Administrator Fees &amp; Bonds Not Paid by the Fund</i>			
	<b>Total Disbursements for Plan Administration Expenses Not Paid by the Fund</b>			-
<b>Line 16</b>	<b>Disbursements to Court/Other Not Paid by the Fund</b>			
<i>Line 16a</i>	<i>Investment Expenses/CRIS Fees</i>		\$ -	
<i>Line 16b</i>	<i>Federal Tax Payments</i>		-	
	<b>Total Disbursements to Court/Other Not Paid by the Fund:</b>			\$ -
<b>Line 17</b>	<b>DC &amp; State Tax Payments</b>			\$ -
<b>Line 18</b>	<b>No. of Claims:</b>			
<i>Line 18a</i>	# of Claims Received This Reporting Period	0		
<i>Line 18b</i>	# of Claims Received Since Inception of Fund	75		
<b>Line 19</b>	<b>No. of Claimants/Investors:</b>			
<i>Line 19a</i>	# of Claimants/Investors Paid This Reporting Period	0		
<i>Line 19b</i>	# of Claimants/Investors Paid Since Inception of Fund	0		

Receiver: Geoff Winkler

By: 

Geoff Winkler  
(printed name)

Chief Executive Officer  
 American Fiduciary Services LLC  
 Receiver, Essex Capital Corporation, et al.

Date: July 30, 2022