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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

**SEVENTEENTH INTERIM
APPLICATION OF RECEIVER,
GEOFF WINKLER, AND HIS
PROFESSIONALS FOR PAYMENT
OF FEES AND REIMBURSEMENT
OF EXPENSES**

Date: October 26, 2023
Time: 10:00 am
Ctm: 6D
Judge Hon. Fernando M. Olguin

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20 Geoff Winkler (the "Receiver"), the Court-appointed permanent receiver for
21 defendant Essex Capital Corporation and its subsidiaries and affiliates (collectively,
22 the "Receivership Entities" or "Entities"), and his counsel of record, Allen Matkins
23 Leck Gamble Mallory & Natsis LLP ("Allen Matkins," and together, with the
24 Receiver, the "Applicants"), hereby jointly submit this seventeenth interim
25 application for the payment of fees and the reimbursement of expenses (this
26 "Application").

1 **I. INTRODUCTION**

2 This Application is the seventeenth interim fee application submitted in the
 3 above-referenced matter and covers the Applicants' fees and expenses incurred
 4 during the period from April 1, 2023, through June 30, 2023, (the "Application
 5 Period").

6 By way of this Application, the Applicants request the Court's approval of
 7 100% of their fees and expenses incurred during the Application Period and further
 8 request the interim payment of 80% of such fees and 100% of such expenses, to be
 9 paid from the funds of the receivership estate of the Receivership Entities (the
 10 "Receivership Estate" or "Estate"). Specifically, the amounts of the Applicants' fees
 11 and expenses sought to be approved and paid under this Application are as follows:

Applicant	Fees (Inclusive of Discounts, if any)	Interim Fee Payment Requested	Expenses	Interim Expense Payment Requested
Receiver	\$30,327.70	\$24,262.16	\$1,720.25	\$1,720.25
Allen Matkins	\$96,477.08 ¹	\$77,181.66	\$6,663.12	\$6,663.12
	\$126,804.78	\$101,443.82	\$8,383.37	\$8,383.37

17 Consistent with the billing guidelines of plaintiff the Securities and Exchange
 18 Commission (the "SEC") and the Applicants' commitments for this federal
 19 receivership, the remaining, unpaid 20% "holdback" of the Applicants' approved
 20 fees will be subject to final review and payment at the conclusion of this
 21 receivership. In addition, and as noted in the Applicants' most recent prior fee
 22 application, as an accommodation to the Receivership Estate and to help offset rate
 23 and staffing changes over the duration of the receivership, Allen Matkins has
 24 applied a line item discount of an additional 10% to all attorneys' fees incurred
 25 during the Application Period.

28 ¹ Prior to its application of a 10% line item discount, as discussed below, Allen Matkins' fees during the Application Period total \$107,196.75.

1 **II. GENERAL SUMMARY**

2 During the Application Period, and with assistance from Allen Matkins, the
3 Receiver made substantial progress in the satisfaction of his duties and the
4 objectives outlined by this Court in its *Order Regarding Preliminary Injunction and*
5 *Appointment of a Permanent Receiver* (the "Appointment Order") entered on
6 December 21, 2018, ECF No. 66, its *Order in Aid of Receivership* (the "Order in
7 Aid") entered on February 1, 2019, ECF No. 69, and its *Order Regarding*
8 *Permanent Injunction* (the "Permanent Injunction Order") entered on September 9,
9 2019, ECF No. 113. Among other things, the Receiver continued to execute his
10 plan for recovering and maximizing the assets of the Receivership Estate (the
11 "Receivership Assets" or "Assets"), including via the evaluation and prosecution of
12 claims against third parties believed to be in wrongful possession of any
13 Receivership Assets, with a focus on his continued pursuit of disgorgement actions
14 against profiting investors. The Receiver's efforts to marshal Assets have resulted in
15 the recovery of more than \$9.5 million in Receivership Assets since the inception of
16 the receivership, including Assets recovered after the close of the Application
17 Period, but before the filing of this Application.

18 Given the amount and significance of the work completed by the Applicants
19 during the Application Period, the Applicants respectfully submit that the fees and
20 expenses incurred during that period are reasonable and appropriate and should be
21 approved and paid, on an interim basis, in the amounts indicated above. As an
22 accommodation to the Estate, and consistent with the SEC's billing guidelines and
23 the ordinary practice in federal receiverships, the Applicants request that the Court
24 approve 100% of their fees and expenses incurred during the Application Period but
25 authorize payment, on an interim basis, of only 80% of such fees and 100% of such
26 expenses at this time.

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1 **III. THE RECEIVER'S FEES AND EXPENSES**

2 **A. Appointment of the Receiver.**

3 On December 21, 2018, by the Appointment Order, the Court appointed the
4 Receiver as the permanent receiver for the Receivership Entities.

5 **B. Services Rendered During the Application Period.**

6 During the Application Period, the Receiver and his staff undertook additional
7 efforts in connection with the Receiver's review and analysis of the financial
8 activities of the Receivership Entities; investigated and recovered Receivership
9 Assets, including by attending to pending litigation to recover such Assets and
10 through negotiation; identified and evaluated prospective Receivership Estate claims
11 against third parties; attended to tax compliance obligations of the Receivership
12 Estate; administered the claims process by which investors in and creditors of the
13 Entities submit claims against the Estate; and otherwise administered the Estate.

14 Overall, on account of their services rendered on behalf of the Receivership
15 Estate during the Application Period, the Receiver and his staff billed 112.5 hours
16 and \$30,327.70 in fees across the following ten categories:

Category	Hours	Fees
Financial - Accounting/Auditing	2.9	\$873.90
Financial - Data Analysis	1.8	\$421.20
Financial – Forensic Accounting	0.5	\$139.50
Financial – Litigation Consulting	2.9	\$913.50
Financial - Status Reports	7.9	\$2,186.90
Financial - Tax Issues	5.9	\$1,667.70
Legal - Asset Analysis and Recovery	37.3	\$9,997.70
Legal - Asset Disposition	6.0	\$1,389.60
Legal - Case Administration	43.2	\$11,723.40
Legal - Claims Administration	4.1	\$1,014.30
	112.5	\$30,327.70

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27 Provided below are narrative summaries of the work performed under each of these
28 categories. The Receiver's invoice, which includes billing entries detailing the tasks

1 performed by the Receiver and his staff during the Application Period, is attached
2 hereto as **Exhibit 1**.

3 **1. Financial - Accounting/Auditing.**

4 In connection with the "Financial – Accounting/Auditing" category, the
5 Receiver and his staff billed 2.9 hours and \$873.90 in fees during the Application
6 Period.

7 The services in this category generally relate to the review, analysis, and audit
8 of the Receivership Entities' financials, including in connection with the Receiver's
9 ongoing litigation to recover funds from alleged Ponzi "winners", and the
10 submission of tax returns for various Receivership Entities. During the Application
11 Period, the Receiver and his staff expended time processing accounts payable and
12 accounts receivable, including the receipt of payments received in satisfaction of
13 litigation settlement agreements, and updating and revising appropriate accounting
14 records.

15 **2. Financial - Data Analysis.**

16 In connection with the "Financial – Data Analysis" category, the Receiver and
17 his staff billed 1.8 hours and \$421.20 in fees during the Application Period.

18 The services in this category concern the review and analysis of third-party
19 financial data. During the Application Period, the Receiver and his staff expended
20 the majority of their time for this category in reviewing emails, bank statements, and
21 other documents to attempt to identify additional Asset transfers and to further their
22 understanding, and supplement their documentation, of previously identified
23 transfers.

24 **3. Financial – Forensic Accounting.**

25 In connection with the "Financial – Forensic Accounting" category, the
26 Receiver and his staff billed 0.5 hours and \$139.50 in fees during the Application
27 Period. The time spent during this category related to a brief review of forensic
28 accounting reports in connection with the Receiver's reporting obligations.

1 **4. Financial – Litigation Consulting.**

2 In connection with the "Financial – Litigation Consulting" category, the
3 Receiver and his staff billed 2.9 hours and \$913.50 in fees during the Application
4 Period. During the Application Period, the Receiver and his staff expended most of
5 their time for this category in connection with their preparation for dispute
6 mediation, including assisting with the preparation of a mandatory settlement
7 conference statement.

8 **5. Financial - Status Reports.**

9 In connection with the "Financial – Status Reports" category, the Receiver
10 and his staff billed 7.9 hours and \$2,186.90 in fees during the Application Period.

11 The services in this category concern the Receiver's obligations to report on
12 his progress to this Court and, by extension, to the interested parties. The time
13 expended by the Receiver for this category during the Application Period was in
14 connection with the preparation of the *Receiver's Fifteenth Interim Report and*
15 *Petition for Further Instructions* (the "Fifteenth Interim Report"), filed on May 15,
16 2023 (ECF No. 262), which included preparing and providing updated financial
17 statements to counsel for inclusion in the report and reviewing the final version of
18 the report.

19 **6. Financial - Tax Issues.**

20 In connection with the "Financial – Tax Issues" category, the Receiver and his
21 staff billed 5.9 hours and \$1,667.70 in fees during the Application Period.

22 The services in this category were performed to address the Receivership
23 Estates' various tax obligations and any associated tax issues. During the
24 Application Period, the Receiver collaborated with his tax professional, endeavoring
25 to bring the Receivership Entities current on pending tax liabilities, addressing both
26 income and asset tax obligations.

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1 **7. Legal - Asset Analysis and Recovery.**

2 In connection with the "Legal – Asset Analysis and Recovery" category, the
3 Receiver and his staff billed 37.3 hours and \$9,997.70 in fees during the Application
4 Period.

5 The services in this category broadly relate to the efforts to identify, secure,
6 preserve, and recover any remaining available Receivership Assets, including via
7 demands to or claims against third parties. During the Application Period, the
8 Receiver and his staff performed various tasks relating to pending disgorgement
9 actions against alleged profiting investors, including providing Allen Matkins with
10 relevant facts, supporting documentation, and other materials necessary to its
11 prosecution of the Receiver's claims. The Receiver and his staff also continued their
12 review and analysis of bank records, communications, and other documents to
13 assess the viability of prospective disgorgement actions. Finally, the Receiver
14 continued to analyze recovered Receivership Assets, particularly the Estate's
15 assorted equity interests, to determine accurate asset values in anticipation of the
16 Court-authorized sale of such assets, including a sale which resulted in a recovery of
17 over \$1.5 million for the Estate shortly after the end of the Application Period,
18 which sale will be addressed in a later report to be submitted by the Receiver.

19 **8. Legal - Asset Disposition.**

20 In connection with the "Legal – Asset Disposition" category, the Receiver and
21 his staff billed 6.0 hours and \$1,389.60 in fees during the Application Period.

22 The services in this category relate to the Receiver's efforts to sell, transfer, or
23 otherwise dispose of Receivership Assets. During the Application Period, the work
24 performed by the Receiver consisted primarily of efforts to liquidate certain equity
25 interests of the Estate, resulting in substantial Asset sales occurring subsequent to
26 the Application Period.

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1 **9. Legal - Case Administration.**

2 In connection with the "Legal – Case Administration" category, the Receiver
3 and his staff billed 43.2 hours and \$11,723.40 in fees during the Application Period.

4 The services in this category concern the day-to-day administration of the
5 Receivership Estate, along with the handling of other necessary administrative
6 matters for the receivership. During the Application Period, the Receiver and his
7 staff frequently communicated with Allen Matkins regarding the administration of
8 the Receivership Entities and the Estate, the status of pending or prospective legal
9 proceedings, and the Estate's tax strategy. Communications with Allen Matkins
10 were particularly extensive with respect to third-party litigation, given that
11 significant progress was made in both the settlement and prosecution of such
12 litigation.

13 The Receiver and his staff also expended time on general administrative
14 matters, including maintaining and updating the website for the receivership and
15 responding to phone and email inquiries from investors, usually regarding updates
16 as to the status of the receivership and the claims and distribution process. This
17 category also encompasses other services that do not fall squarely within any other
18 category or that might simultaneously fall within this category and another.

19 **10. Legal - Claims Administration.**

20 In connection with the "Legal – Claims Administration" category, the
21 Receiver and his staff billed 4.1 hours and \$1,014.30 in fees during the Application
22 Period.

23 The services in this category relate to the receivership's claims and
24 distribution process, including the Receiver's efforts to identify, analyze, and resolve
25 the investor and creditor claims against the Estate, and to administer actual and
26 anticipated distributions to holders of allowed claims against the Estate. During the
27 Application Period, the Receiver and his staff primarily expended time for this
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1 category communicating with several investors, addressing investor-specific claim-
2 related questions and concerns.

3 **C. Expenses Incurred During the Application Period.**

4 In connection with his services rendered on behalf of the Receivership Estate
5 during the Application Period, the Receiver incurred \$1,720.25 in expenses. The
6 Receiver's invoice, attached hereto as **Exhibit 1**, details each of the Receiver's
7 expenses.

8 The majority of the Receiver's expenses incurred during the Application
9 Period arose in connection with receivership-related travel (totaling \$1,062.99) and
10 annual receivership post office box rental fees (totaling \$332.00).

11 **IV. ALLEN MATKINS' FEES AND EXPENSES**

12 **A. The Receiver's Retention of Allen Matkins.**

13 Allen Matkins was retained by the Receiver on January 2, 2019, and by the
14 Order in Aid, the Court approved the firm's retention as lead counsel for the
15 Receiver on February 1, 2019. The Receiver selected Allen Matkins as his counsel
16 due to the firm's extensive experience and expertise in federal equity receivership
17 matters, as well as in creditors' rights and litigation matters. Allen Matkins has
18 served as counsel to federal equity receivers in dozens of cases, has represented a
19 variety of constituents in numerous bankruptcy matters, and has significant
20 substantive experience in related areas, such as securities, corporate, and real estate.

21 **B. Services Rendered During the Application Period.**

22 During the Application Period, Allen Matkins extensively assisted the
23 Receiver in the performance of his duties, primarily by handling litigation-related
24 matters in connection with the Receiver's efforts to recover Receivership Assets via
25 the actions brought against third parties.

26 Overall, on account of its services rendered to the Receiver during the
27 Application Period, Allen Matkins billed 170.3 hours and \$107,196.75 in fees across
28 the following eight categories:

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Category	Hours	Fees
General Receivership	22.5	\$15,201.45
Asset Recovery & Management	45.2	\$28,483.20
Investigation/Reporting	10.3	\$7,381.35
Pending Litigation	18.5	\$12,067.65
Nicholson Litigation	10.8	\$8,371.80
Emmons Litigation	1.1	\$734.85
McCloskey Litigation	10.3	\$6,061.05
Grimm Litigation	51.6	\$28,895.40
	170.3	\$107,196.75

Provided below are narrative summaries of the work performed under each of these categories. Allen Matkins' invoice, which includes the billing entries detailing the tasks performed by the firm's attorneys and paralegals during the Application Period, is attached hereto as **Exhibit 2**. To minimize expense to the Receivership Estate, Allen Matkins endeavored to staff each task efficiently, using a core team of attorneys, with specialized assistance as necessary. Biographies of the attorneys who rendered significant services during the Application Period are attached hereto as **Exhibit 3**. As the Court may recall, Allen Matkins also agreed to discount its ordinary billing rates by 10% for the duration of this matter, as well as not to charge the Estate for any travel time. As noted above, Allen Matkins has also agreed to apply an additional discount of 10% to all attorney time incurred, beginning during the previous application period, and continuing for the duration of the receivership, as an accommodation intended to maximize the value of the Receivership Estate.

1. General Receivership.

In connection with the "General Receivership" category, Allen Matkins personnel billed the following time and fees during the Application Period:

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Timekeeper	Position	Hourly Rate	Hours	Fees
Joshua del Castillo	Partner	\$688.50	21.1	\$14,527.35
Matthew Pham	Associate	\$481.50	1.4	\$674.10
			22.5	\$15,201.45

The services in this category generally relate to Allen Matkins' work advising and assisting the Receiver in his administration of the Receivership Estate. This category also serves as a catch-all, encompassing services that do not fall squarely within any other category. During the Application Period, Allen Matkins handled a variety of administrative matters, including conferring and coordinating with the Receiver and his office on outstanding case and Estate administration issues, tasks, and deadlines.

2. Asset Recovery & Management.

In connection with the "Asset Recovery & Management" category, Allen Matkins personnel billed the following time and fees during the Application Period:

Timekeeper	Position	Hourly Rate	Hours	Fees
David Zaro	Partner	\$895.50	2.9	\$2,596.95
Joshua del Castillo	Partner	\$688.50	32.4	\$22,307.40
Matthew Pham	Associate	\$481.50	1.1	\$529.65
James Robichaud	Associate	\$346.50	8.8	\$3,049.20
			45.2	\$28,483.20

The services in this category concern Allen Matkins' work supporting the Receiver's efforts to identify, secure, preserve, and recover Receivership Assets. During the Application Period, for this category, Allen Matkins devoted most of its time to reviewing documents to identify potential new disgorgement claims, evaluating the viability of each such potential claim, and advising the Receiver in connection with such claims. To date, the receiver has already recovered millions for the benefit of the Estate, through settlement. Allen Matkins and the Receiver

1 expect additional recoveries for the Estate via settlement with, or if necessary,
 2 litigation against, the remaining targets of disgorgement claims.

3 **3. Investigation/Reporting.**

4 In connection with the "Investigation/Reporting" category, Allen Matkins
 5 personnel billed the following time and fees during the Application Period:

Timekeeper	Position	Hourly Rate	Hours	Fees
David Zaro	Partner	\$895.50	1.9	\$1,701.45
Joshua del Castillo	Partner	\$688.50	7.9	\$5,439.15
Matthew Pham	Associate	\$481.50	0.5	\$240.75
			10.3	\$7,381.35

11 The services in this category generally relate to Allen Matkins assisting the
 12 Receiver in his efforts to investigate the nature, location, and prospect of recovery of
 13 Receivership Assets, along with addressing inquiries relating to the business and
 14 financial activities of the Receivership Entities. This category also encompasses
 15 Allen Matkins' work relating to the Receiver's reporting obligations. During the
 16 Application Period, Allen Matkins expended time for this category in preparing the
 17 Fifteenth Interim Report. Additionally, Allen Matkins assisted the Receiver and his
 18 staff in their investigation of prospective claims against an alleged profiting
 19 investor, which, shortly after the close of the Application Period, resulted in a six-
 20 figure settlement agreement.

21 **4. Pending Litigation.**

22 In connection with the "Pending Litigation" category, Allen Matkins
 23 personnel billed the following time and fees during the Application Period:

Timekeeper	Position	Hourly Rate	Hours	Fees
Joshua del Castillo	Partner	\$688.50	13.4	\$9,225.90
Michael Farrell	Partner	\$823.50	1.8	\$1,482.30
Matthew Pham	Associate	\$481.50	1.6	770.40
James Robichaud	Associate	\$346.50	1.7	\$589.05
			18.5	\$12,067.65

1 The services in this category relate to Allen Matkins' management of any pre-
2 receivership actions pending against the Receivership Entities and include such
3 general tasks as preparing materials for and attending hearings and status
4 conferences in connection with those actions, preparing materials to advise the
5 applicable courts of the litigation stay included in the Court's Appointment Order
6 and Permanent Injunction Order, and reviewing the dockets for those actions for any
7 new developments. During the Application Period, Allen Matkins' work in this
8 category was primarily related to preparing a case management status report in
9 anticipation of the June 9, 2023, case management conference in the action
10 captioned as *Dennis v. Iannelli, et al.* and bearing Case No. 18CV03317 taking
11 place before the Superior Court of California, County of Santa Barbara. During the
12 hearing, Allen Matkins informed the presiding court that the litigation stay imposed
13 by the Permanent Injunction Order remains in place. Allen Matkins will continue to
14 monitor the case and make necessary appearances and keep the presiding court
15 apprised of any developments in the instant action, as appropriate.

16 **5. Nicholson Litigation.**

17 In connection with the "Nicholson Litigation" category, Allen Matkins
18 personnel billed the following time and fees during the Application Period:

Timekeeper	Position	Hourly Rate	Hours	Fees
David Zaro	Partner	\$895.50	3.4	\$3,044.70
Michael Farrell	Partner	\$823.50	3.1	\$2,340.90
Joshua del Castillo	Partner	\$688.50	3.4	\$2,552.85
Matthew Pham	Associate	\$481.50	0.9	\$433.35
			10.8	\$8,371.80

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25 The services in this category are associated with the litigation in the
26 Receiver's disgorgement action against an alleged profiting investor, William
27 Nicholson, before this Court, in the matter captioned as *Winkler v. Nicholson* and
28 bearing Case No. 2:21-cv-07458-FMO-AFM.

1 During the Application Period, the majority of Allen Matkins' work for this
2 category related to the parties' still-ongoing settlement negotiations, in connection
3 with which Allen Matkins conferred with both the Receiver and opposing counsel in
4 an effort to develop mutually acceptable settlement parameters. Additionally, Allen
5 Matkins conferred with opposing counsel with respect to the continuing of a
6 scheduled status conference from April 20, 2023, to September 12, 2023.

7 **6. Emmons Litigation.**

8 In connection with the "Emmons Litigation" category, Allen Matkins
9 personnel billed the following time and fees during the Application Period:

Timekeeper	Position	Hourly Rate	Hours	Fees
Michael Farrell	Partner	\$823.50	0.6	\$494.10
Matthew Pham	Associate	\$481.50	0.5	\$240.75
			1.1	\$734.85

14 The services in this category are associated with the litigation in the
15 Receiver's disgorgement action against alleged profiting investors before this Court,
16 in the matter captioned as *Winkler v. Emmons, et al.* and bearing Case No. 2:21-cv-
17 07267-FMO-AFM (the "Emmons Action").

18 During the Application Period, Allen Matkins' work for this category related
19 to finalizing the settlement agreement reached in the Emmons Action, which
20 primarily consisted of, upon the Receiver's receipt of payment in satisfaction of the
21 terms of the agreement, conferring with Emmons' counsel with respect to the
22 drafting and execution of the parties' joint stipulation to dismiss the action, with
23 prejudice.

24 **7. McCloskey Litigation.**

25 In connection with the "McCloskey Litigation" category, Allen Matkins
26 personnel billed the following time and fees during the Application Period:

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Timekeeper	Position	Hourly Rate	Hours	Fees
David Zaro	Partner	\$895.50	0.4	\$358.20
Michael Farrell	Partner	\$823.50	1.9	\$1,564.65
Joshua del Castillo	Partner	\$688.50	3.6	\$2,478.60
Matthew Pham	Associate	\$481.50	1.0	\$481.50
James Robichaud	Associate	\$346.50	3.4	\$1,178.10
			10.3	\$6,061.05

7 The services in this category are associated with the litigation in the
 8 Receiver's disgorgement action against alleged profiting investors before this Court,
 9 in the matter captioned as *Winkler v. McCloskey, et al.* and bearing Case No. 2:21-
 10 cv-05757-FMO-AFM (the "McCloskey Action").

11 As the Court will likely recall, the defendants in the McCloskey Action, (the
 12 "McCloskey Defendants") submitted to this Court several motions to dismiss, which
 13 argued that the Receiver was, and is, bound by pre-receivership arbitration
 14 agreements entered into by and between entities indirectly associated with the
 15 McCloskey Defendants and Essex Capital Corporation. This Court denied that
 16 motion and the McCloskey Defendants filed an appeal to the Ninth Circuit, which
 17 remains pending.

18 During the Application Period, Allen Matkins continued its efforts in
 19 connection with the appeal, which primarily consisted of the drafting and filing of
 20 motions attendant to the parties' appellate briefs. Additionally, Allen Matkins
 21 continued to engage with counsel for the McCloskey Defendants in substantive
 22 settlement discussions throughout the Application Period.

23 **8. Grimm Litigation.**

24 In connection with the "Grimm Litigation" category, Allen Matkins personnel
 25 billed the following time and fees during the Application Period:

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Timekeeper	Position	Hourly Rate	Hours	Fees
Michael Farrell	Partner	\$823.50	10.9	\$8,976.15
Joshua del Castillo	Partner	\$688.50	4.1	\$2,822.85
Matthew Pham	Associate	\$481.50	32.7	\$15,745.05
James Robichaud	Associate	\$346.50	3.9	\$1,351.35
			51.6	\$28,895.40

The services in this category are associated with the litigation in the Receiver's disgorgement action against alleged profiting investors before this Court, in the matter captioned as *Winkler v. Grimm, et al.* and bearing Case No. 2:22-cv-05735-FMO-AFM.

During the Application Period, Allen Matkins' expended time preparing for the May 24, 2023 settlement conference before Magistrate Judge MacKinnon. Among other things, Allen Matkins conducted an extensive review of the facts underlying the Receiver's claims, including the Receiver's accounting, prepared the Receiver's settlement brief, prepared a settlement offer, discussed acceptable deal parameters with the Receiver, and attended the settlement conference. Although a settlement was not reached, the parties made progress in their settlement negotiations, and have continued to engage in substantive negotiation since.

Allen Matkins also expended time in this category in connection with the parties' pre-trial discovery efforts. Among other things, Allen Matkins prepared discovery requests to be propounded upon each of the three defendants, prepared the Receiver's responses to discovery requests propounded upon him, and conferred extensively with opposing counsel with respect to the logistics of document production and the scheduling of depositions.

C. Expenses Incurred During the Application Period.

In connection with its services rendered to the Receiver during the Application Period, Allen Matkins incurred \$6,663.12 in expenses. Allen Matkins' invoice, attached hereto as **Exhibit 2**, details the firm's expenses.

1 The substantial majority of Allen Matkins' expenses incurred during the
2 Application Period was on account of the monthly fees for hosting the voluminous
3 number of documents produced to the Receiver in this matter on an e-discovery
4 platform (approximately \$2,184.00 each month). The expense varies with the
5 amount of storage required. As reflected in numerous of the Receiver's other
6 submissions to the Court, in this matter he has obtained and recovered a significant
7 number of documents, addressing hundreds of thousands of individual transactions.

8 **V. THE FEES AND EXPENSES INCURRED ARE REASONABLE AND**
9 **SHOULD BE ALLOWED**

10 The Applicants respectfully submit that the fees and expenses incurred during
11 the Application Period were fair, reasonable, necessary, and significantly benefited
12 the Estate. Accordingly, as noted above, the Applicants request that the Court
13 approve 100% of their respective fees and expenses as noted herein and also
14 authorize the payment of those fees and expenses as requested herein.

15 The billing rates charged by the Applicants in this matter are consistent with,
16 and comparable to, those charged in the community on similarly complex matters.
17 Further, and as described in the concurrently filed memorandum of points and
18 authorities submitted in support of this Application, the invoices of the Applicants
19 were submitted to the SEC for review prior to the filing of this Application, and no
20 objection to the Application from the SEC is anticipated.

21 **VI. CONCLUSION**

22 For the foregoing reasons, the Applicants respectfully request that the Court
23 enter an order:

- 24 1. Granting this Application in its entirety;
- 25 2. Approving the Receiver's fees and expenses incurred during the
26 Application Period, in the respective amounts of \$30,327.70 and \$1,720.25;
- 27 3. Authorizing the Receiver to pay himself, on an interim basis, 80% of
28 his approved fees incurred during the Application Period, in the amount of

1 \$24,262.16, and 100% of his approved expenses incurred during the Application
2 Period, in the amount of \$1,720.25, from the funds of the Receivership Estate;

3 4. Approving Allen Matkins' discounted fees and expenses incurred
4 during the Application Period, in the respective amounts of \$96,477.08 and
5 \$6,663.12;

6 5. Authorizing the Receiver to pay Allen Matkins, on an interim basis,
7 80% of its approved fees incurred during the Application Period, in the amount of
8 \$77,181.66, and 100% of its approved expenses incurred during the Application
9 Period, in the amount of \$6,663.12, from the funds of the Receivership Estate; and

10 6. Providing such other and further relief as the Court deems just and
11 proper under the circumstances.

12

13 Dated: September 21, 2023

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

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By: /s/ Matthew D. Pham

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MATTHEW D. PHAM
Attorneys for Receiver
GEOFF WINKLER

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EXHIBIT 1

SEC v. Essex Capital Corporation
Summary of Fees of Receiver and Retained Personnel
April 01, 2023 - June 30, 2023
(Sorted in Chronological Order by Activity Category)

Attachment 1

Personnel	Item / Description	Date	Hours	Rate	Amount	Activity Category
Anna Priebe	Meeting to discuss litigation and other next steps with JBH, MCC, AMD, MBB, PCC and GBW.	4/3/2023	0.1	215.00	21.50	Legal - Case Administration
Geoff Winkler	Meeting to discuss litigation and other next steps with JBH, MCC, AMD, MBB, PCC and AMP.	4/3/2023	0.1	315.00	31.50	Legal - Case Administration
John Hall	Team meeting to discuss ongoing activities with GBW, MCC, MBB, AMP, PCC, AMD.	4/3/2023	0.1	279.00	27.90	Legal - Case Administration
Milana Barkhanoy	Team meeting to discuss ongoing tasks and review updates with GBW, JBH, AMP, AMD, JPM, PCC, MCC.	4/3/2023	0.1	225.00	22.50	Legal - Case Administration
John Hall	Discuss Fifth Third Bank request with MP.	4/4/2023	0.2	279.00	55.80	Legal - Asset Analysis and Recovery
Geoff Winkler	Call with claimant.	4/4/2023	0.2	315.00	63.00	Legal - Case Administration
Geoff Winkler	Discuss CVL K-1 issues with JBH.	4/4/2023	0.3	315.00	94.50	Legal - Case Administration
John Hall	Discuss CVL K-1 issues with GBW.	4/4/2023	0.3	279.00	83.70	Legal - Case Administration
John Hall	Review and discuss expense reimbursement issues with NS.	4/5/2023	0.2	279.00	55.80	Financial - Tax Issues
Anna Priebe	Email to JBH and MBB re: lost documents.	4/5/2023	0.1	215.00	21.50	Legal - Case Administration
Anna Priebe	Meeting with USPS supervisor re: lost documents.	4/5/2023	0.4	215.00	86.00	Legal - Case Administration
Anna Priebe	Communication with JPM re: USPS certified documents.	4/5/2023	0.4	215.00	86.00	Legal - Case Administration
Geoff Winkler	Review invoice, emails with MBB.	4/5/2023	0.1	315.00	31.50	Legal - Case Administration
John Hall	Review and discussion of USPS issue with AMP.	4/5/2023	0.1	279.00	27.90	Legal - Case Administration
Josh McGraw	Communication with AMP re: USPS certified documents.	4/5/2023	0.4	225.00	90.00	Legal - Case Administration
Milana Barkhanoy	Email from AMP re: lost documents.	4/5/2023	0.1	225.00	22.50	Legal - Case Administration
Milana Barkhanoy	Review invoice, emails with GBW.	4/5/2023	0.1	225.00	22.50	Legal - Case Administration
Milana Barkhanoy	Email from JdC re assets.	4/6/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Anna Priebe	Meeting with GBW to discuss signing of original documents.	4/6/2023	0.1	215.00	21.50	Legal - Case Administration
Geoff Winkler	Email with counsel re oral argument for ninth circuit appeal.	4/6/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Call with JBH, MP, MBB, DZ, JdC, discussing case status and third party litigation progress.	4/6/2023	0.4	315.00	126.00	Legal - Case Administration
John Hall	Team meeting with GBW, MBB, MP, JdC, and DZ on outstanding issues.	4/6/2023	0.4	279.00	111.60	Legal - Case Administration
Milana Barkhanoy	Call with JBH, MP, GBW, DZ, JdC, discussing case status and third party litigation progress.	4/6/2023	0.4	225.00	90.00	Legal - Case Administration
Geoff Winkler	Review financials from CVL.	4/7/2023	0.2	315.00	63.00	Financial - Accounting/Auditing
John Hall	Review and compile leasing transactions, and answer various inquiries from RB re: MBT and FRB accounts. Email to MP with related FRB inquiry.	4/7/2023	1.5	279.00	418.50	Legal - Asset Analysis and Recovery
John Hall	Pulling MBT and FRB and BNY bank statements per ME request.	4/7/2023	0.8	279.00	223.20	Legal - Case Administration
Anna Priebe	Meeting to discuss litigation and other next steps with JBH, MCC, AMD, MBB, PCC and JPM.	4/10/2023	0.1	215.00	21.50	Legal - Case Administration
John Hall	Team meeting to discuss case and ongoing tasks and responsibilities with GBW, MBB, MCC, PCC, AMD, AMP, JPM, OR.	4/10/2023	0.1	279.00	27.90	Legal - Case Administration
John Hall	Review 15th draft report from Allen Matkins and review needed items from case file and accounting system.	4/10/2023	0.8	279.00	223.20	Legal - Case Administration
Josh McGraw	Meeting to discuss litigation and other next steps with JBH, MCC, AMP, MBB, PCC and AMD.	4/10/2023	0.1	225.00	22.50	Legal - Case Administration
Milana Barkhanoy	Team meeting to discuss case and ongoing tasks and responsibilities with GBW, JBH, MCC, PCC, AMD, AMP, JPM, OR.	4/10/2023	0.1	225.00	22.50	Legal - Case Administration
John Hall	Review of credit card payment transactions and accounts, discussion with KA for potential recovery.	4/12/2023	0.4	279.00	111.60	Financial - Accounting/Auditing
Geoff Winkler	Email from private equity partner to discuss asset.	4/12/2023	0.1	315.00	31.50	Legal - Asset Analysis and Recovery
John Hall	Review inquiry from Kate Farms and discussion of asset liquidation.	4/12/2023	0.2	279.00	55.80	Legal - Asset Analysis and Recovery
Geoff Winkler	Review email from JBH re million dollar transfer, account holder.	4/12/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Discussion with JBH re credit card payments, potential claw back, need to have outside counsel review.	4/12/2023	0.2	315.00	63.00	Legal - Case Administration

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<u>Personnel</u>	<u>Item / Description</u>	<u>Date</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>	<u>Activity Category</u>
Milana Barkhanoy	Emails with claimant. Review WN collection effort, documents provided to counsel in 2021, lack of any disproving information provided by MN, summarize all claim with GBW and recommend not settling for less.	4/12/2023	0.1	225.00	22.50	Legal - Claims Administration and Objections
John Hall		4/13/2023	1.0	279.00	279.00	Legal - Asset Analysis and Recovery
Milana Barkhanoy	Email from GBW re assets.	4/13/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Geoff Winkler	Emails with JBH re WN litigation.	4/13/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Call with counsel to discuss claim against defendant, settlement.	4/13/2023	0.3	315.00	94.50	Legal - Case Administration
Milana Barkhanoy	Emails with a claimant re payout.	4/14/2023	0.1	225.00	22.50	Legal - Claims Administration and Objections
Geoff Winkler	Review and execute state and federal tax returns (2018).	4/17/2023	0.3	315.00	94.50	Financial - Tax Issues
Anna Priebe	Meeting to discuss litigation and other next steps with JBH, MCC, AMD, MBB, PCC., GBW and JPM.	4/17/2023	0.1	215.00	21.50	Legal - Case Administration
Geoff Winkler	Meeting to discuss litigation and other next steps with JBH, MCC, AMD, MBB, PCC., AMP and JPM.	4/17/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Emails with potential litigation counsel to discuss case.	4/17/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Review mailbox issue and mail.	4/17/2023	0.2	315.00	63.00	Legal - Case Administration
Grace Radke	Meeting with MBB re case overview and next tasks.	4/17/2023	0.2	225.00	45.00	Legal - Case Administration
John Hall	Team meeting to discuss ongoing case activities, with MBB, MCC, JPM, AMD, GR, PCC, GBW, AMP.	4/17/2023	0.1	279.00	27.90	Legal - Case Administration
Josh McGraw	Meeting to discuss litigation and other next steps with JBH, MCC, AMP, MBB, PCC., GBW and AMD.	4/17/2023	0.1	225.00	22.50	Legal - Case Administration
Milana Barkhanoy	Meeting with JGR re case overview and next tasks.	4/17/2023	0.2	225.00	45.00	Legal - Case Administration
John Hall	Compile Amex schedule and statements for KA review, analysis of applicable recovery timeframe.	4/18/2023	1.2	279.00	334.80	Legal - Asset Analysis and Recovery
Geoff Winkler	Meeting with MBB re new case documents and next steps.	4/18/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Emails with potential litigation counsel re claim against CC companies.	4/18/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Call with JBH and potential litigation counsel to discuss potential claim.	4/18/2023	0.4	315.00	126.00	Legal - Case Administration
Grace Radke	Meeting with MBB about case overview and tasks.	4/18/2023	0.2	225.00	45.00	Legal - Case Administration
Milana Barkhanoy	Meeting with GBW re new case documents and next steps.	4/18/2023	0.1	225.00	22.50	Legal - Case Administration
Geoff Winkler	Review and execute state and federal tax returns for QSF.	4/19/2023	0.2	315.00	63.00	Financial - Tax Issues
John Hall	Review 2019 tax issues, minimum tax payments, and entity termination process with NL of MK.	4/19/2023	0.3	279.00	83.70	Financial - Tax Issues
Anna Priebe	Meeting with JPM and AMD re: report status update and management.	4/19/2023	0.1	215.00	21.50	Legal - Case Administration
Geoff Winkler	Emails with potential litigation counsel re documents needed, timing for discussion.	4/19/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Email from claimant.	4/19/2023	0.1	315.00	31.50	Legal - Case Administration
John Hall	Affected investor FAQ.	4/19/2023	0.3	279.00	83.70	Legal - Case Administration
Josh McGraw	Meeting with AMP and AMD re: report status update and management.	4/19/2023	0.1	225.00	22.50	Legal - Case Administration
Geoff Winkler	Call with JBH, MP, MBB, JdC, discussing case status and third party litigation progress.	4/20/2023	0.4	315.00	126.00	Legal - Case Administration
John Hall	Case discussion of outstanding issues and items with MP, JdC, MBB and GBW.	4/20/2023	0.4	279.00	111.60	Legal - Case Administration
Milana Barkhanoy	Call with JBH, MP, GBW, JdC, discussing case status and third party litigation progress.	4/20/2023	0.4	225.00	90.00	Legal - Case Administration
Anna Priebe	Email to JBH re: status report.	4/24/2023	0.1	215.00	21.50	Financial - Status Reports
John Hall	Review AM materials, discuss with GBW.	4/24/2023	0.5	279.00	139.50	Financial - Status Reports
Anna Priebe	Email to MBB re: setter 30/Q2.	4/24/2023	0.1	215.00	21.50	Legal - Case Administration
John Hall	Team meeting to discuss ongoing activities and to-do list with MBB, MCC, GR, AMP, JPM, PCC.	4/24/2023	0.1	279.00	27.90	Legal - Case Administration
Josh McGraw	Team meeting to discuss ongoing activities and to-do list with MBB, MCC, JGR, AMP, JBH, PCC.	4/24/2023	0.1	225.00	22.50	Legal - Case Administration
Josh McGraw	Reviewing status report inquiry from AMP.	4/24/2023	0.1	225.00	22.50	Legal - Case Administration

SEC v. Essex Capital Corporation
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<u>Personnel</u>	<u>Item / Description</u>	<u>Date</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>	<u>Activity Category</u>
Milana Barkhanoy	Team meeting with JBH, MCC, PCC, AMP, JPM, ORR, JGR to discuss case and ongoing tasks and responsibilities.	4/24/2023	0.1	225.00	22.50	Legal - Case Administration
Geoff Winkler	Review and reconcile accounting, holdbacks, prepare for discussion with DZ, future discussion with DM, discuss issue with JBH.	4/25/2023	0.4	315.00	126.00	Financial - Accounting/Auditing
John Hall	Review and prepare materials for, drafting of and circulating quarterly reports.	4/25/2023	4.3	279.00	1,199.70	Financial - Status Reports
Milana Barkhanoy	Reconciling asset records; updating KCC; email to GBW; email to MF.	4/25/2023	0.5	225.00	112.50	Legal - Asset Analysis and Recovery
Geoff Winkler	Emails with counsel re meeting with DM.	4/25/2023	0.1	315.00	31.50	Legal - Case Administration
John Hall	Review MBT issues with GBW and TF.	4/26/2023	0.5	279.00	139.50	Legal - Asset Analysis and Recovery
Geoff Winkler	Call with potential litigation counsel to discuss case.	4/26/2023	0.7	315.00	220.50	Legal - Case Administration
John Hall	Preparation of MBT materials for TF.	4/26/2023	0.3	279.00	83.70	Legal - Case Administration
Josh McGraw	Locating documentation for counsel on GG deposition and emailing files to JBH. Compile needed information for TF, request staff compile additional materials to provide for research and underwriting.	4/27/2023	0.3	225.00	67.50	Financial - Data Analysis
John Hall	Call with DZ to discuss case.	4/27/2023	0.9	279.00	251.10	Legal - Asset Analysis and Recovery
Geoff Winkler	Pull emails for potential litigation counsel.	4/27/2023	0.2	315.00	63.00	Legal - Case Administration
Geoff Winkler	Review and package emails for potential litigation counsel review.	4/27/2023	0.3	315.00	94.50	Legal - Case Administration
Geoff Winkler	Call with Dm and JdC to discuss strategy for wrapping up litigation.	4/27/2023	0.8	315.00	252.00	Legal - Case Administration
Geoff Winkler	Discuss upcoming mediation dates, planning for mediation.	4/28/2023	0.2	315.00	63.00	Legal - Case Administration
Josh McGraw	Communication with MBB re: claimant requested information.	4/28/2023	0.1	225.00	22.50	Legal - Case Administration
Josh McGraw	Call with claimant re: claim objection letter.	4/28/2023	0.2	225.00	45.00	Legal - Case Administration
John Hall	Affected claimant FAQ, research and explain claim treatment.	4/28/2023	0.4	279.00	111.60	Legal - Claims Administration and Objections
John Hall	Review claims and payouts, provide requested info and provide FAQ to claimant.	4/28/2023	0.4	279.00	111.60	Legal - Claims Administration and Objections
Josh McGraw	Reviewing claims letters to determine information for claimant.	4/28/2023	0.5	225.00	112.50	Legal - Claims Administration and Objections
Milana Barkhanoy	Communication with JPM re claimant email and calls.	4/28/2023	0.1	225.00	22.50	Legal - Claims Administration and Objections
John Hall	Pull forensic accounting reports for KA, memo on ponzi findings.	4/29/2023	0.5	279.00	139.50	Financial - Forensic Accounting
Geoff Winkler	Review investor report from UGI.	5/1/2023	0.1	315.00	31.50	Legal - Asset Analysis and Recovery
Anna Priebe	Team meeting to discuss ongoing case issues and work product with GBW, JBH, JPM, and MBB.	5/1/2023	0.2	215.00	43.00	Legal - Case Administration
Geoff Winkler	Team meeting to discuss ongoing case issues and work product with JPM, JBH, AMP, and MBB.	5/1/2023	0.2	315.00	63.00	Legal - Case Administration
Grace Radke	Team meeting with JBH, MCC, PCC, MBB, JPM, ORR, JGR to discuss case and ongoing tasks responsibilities in regard to asset management, forensic accounting, third party litigation.	5/1/2023	0.2	225.00	45.00	Legal - Case Administration
John Hall	Team meeting to discuss ongoing case issues and work product with GBW, MBB, JPM, AMP	5/1/2023	0.2	279.00	55.80	Legal - Case Administration
Josh McGraw	Team meeting to discuss ongoing case issues and work product with GBW, JBH, AMP, and MBB.	5/1/2023	0.2	225.00	45.00	Legal - Case Administration
Milana Barkhanoy	Team meeting to discuss ongoing case issues and work product with GBW, JBH, JPM, AMP	5/1/2023	0.2	225.00	45.00	Legal - Case Administration
Geoff Winkler	Review CC discussion with potential counsel, discuss with JBH.	5/3/2023	0.2	315.00	63.00	Legal - Asset Analysis and Recovery
John Hall	Review and discuss potential claims with KH, and discuss findings with GBW.	5/3/2023	0.4	279.00	111.60	Legal - Asset Analysis and Recovery
John Hall	Review memo and requests from TF (1.4), discuss outstanding issues with MBB (.2).	5/3/2023	1.6	279.00	446.40	Legal - Asset Analysis and Recovery
Milana Barkhanoy	Discuss MBT issues with JBH (.2), pull needed backup and provide info to JBH to provide to potential third party counsel (.8).	5/3/2023	1.0	225.00	225.00	Legal - Asset Analysis and Recovery
Geoff Winkler	Emails with counsel re settlement conference scheduling.	5/3/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Discuss settlement conference related issues with counsel.	5/3/2023	0.1	315.00	31.50	Legal - Case Administration

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Geoff Winkler	Prepare for upcoming Grimm settlement conference.	5/3/2023	0.3	315.00	94.50	Legal - Case Administration
Geoff Winkler	Review memo and complaint from attorney representing investors, discuss.	5/3/2023	0.3	315.00	94.50	Legal - Case Administration
John Hall	Review issues and reach out to NL to inquire on outstanding items.	5/4/2023	0.2	279.00	55.80	Financial - Tax Issues
Geoff Winkler	Call with claimant to discuss case status.	5/4/2023	0.2	315.00	63.00	Legal - Case Administration
Geoff Winkler	Call with JBH, MP, MBB, MF, discussing case status and third party litigation progress.	5/4/2023	0.3	315.00	94.50	Legal - Case Administration
John Hall	Team meeting to discuss assets and tax issues with GBW MBB MF and MP.	5/4/2023	0.3	279.00	83.70	Legal - Case Administration
Milana Barkhanoy	Call with JBH, MP, GBW, MF, discussing case status and third party litigation progress.	5/4/2023	0.3	225.00	67.50	Legal - Case Administration
John Hall	Discuss tax issues with NL.	5/5/2023	0.2	279.00	55.80	Financial - Tax Issues
Milana Barkhanoy	Emails from AMP and JBH re demand letters for third party litigation.	5/5/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
John Hall	Review and respond to data request from NL.	5/6/2023	0.3	279.00	83.70	Financial - Data Analysis
John Hall	Review TF analysis, discussion with GBW and answer follow up questions re: analysis.	5/7/2023	1.0	279.00	279.00	Legal - Asset Analysis and Recovery
John Hall	Review request, provide needed documents and memo to JdC re: recovery effort with JP.	5/8/2023	0.5	279.00	139.50	Legal - Asset Analysis and Recovery
Milana Barkhanoy	Email from JdC on documents for third party litigation.	5/8/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Milana Barkhanoy	Email from JBH re third party litigation.	5/8/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Anna Priebe	Team meeting to discuss ongoing case issues and work product with GBW, JBH, JPM, and MBB.	5/8/2023	0.1	215.00	21.50	Legal - Case Administration
Geoff Winkler	Emails with counsel re report and supporting documents.	5/8/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Discuss outstanding case issues with MBB, JPM, JBH, AMP, PCC, KJD, GJR.	5/8/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Emails and discussion with TF and JBH re potential litigation target.	5/8/2023	0.2	315.00	63.00	Legal - Case Administration
Grace Radke	Team meeting to discuss cases and ongoing efforts and responsibilities with GBW, JBH, MCC, JPM ,AMP, MBB.	5/8/2023	0.1	225.00	22.50	Legal - Case Administration
John Hall	Discuss outstanding case issues with MBB, GBW, JPM, AMP, PCC, KJD, GJR.	5/8/2023	0.1	279.00	27.90	Legal - Case Administration
Josh McGraw	Discuss outstanding case issues with MBB, GBW, JBH, AMP, PCC, KJD, GJR.	5/8/2023	0.1	225.00	22.50	Legal - Case Administration
Milana Barkhanoy	Discuss outstanding case issues with JBH, GBW, JPM, AMP, PCC, KJD, GJR.	5/8/2023	0.1	225.00	22.50	Legal - Case Administration
John Hall	Drafting and researching needed items for quarterly report.	5/9/2023	2.8	279.00	781.20	Financial - Status Reports
Milana Barkhanoy	Emails from JBH and AF re asset.	5/9/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Geoff Winkler	Discussion with JBH and JdC re potential distribution details.	5/9/2023	0.2	315.00	63.00	Legal - Case Administration
Geoff Winkler	Analyze response from counsel , research language of agreement, email to counsel.	5/9/2023	0.2	315.00	63.00	Legal - Case Administration
John Hall	Review billing instructions with GBW and cross referenced invoices.	5/9/2023	0.3	279.00	83.70	Legal - Case Administration
John Hall	Review facts on TM collection, memo to GBW on receiver's position.	5/10/2023	0.7	279.00	195.30	Legal - Asset Analysis and Recovery
Geoff Winkler	Review updated motion from counsel.	5/10/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Review settlement offer from CEL.	5/10/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Review JBH's analysis of CEL and TM offer.	5/10/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Review memo from counsel and discuss with JBH.	5/10/2023	0.2	315.00	63.00	Legal - Case Administration
John Hall	Review and mark up draft quarterly report from JdC.	5/10/2023	0.4	279.00	111.60	Legal - Case Administration
Geoff Winkler	Review response to settlement offer re WN.	5/11/2023	0.1	315.00	31.50	Financial - Litigation Consulting
Geoff Winkler	Review confidential settlement brief for GI recovery effort, discuss with JBH.	5/11/2023	0.6	315.00	189.00	Legal - Asset Analysis and Recovery
Grace Radke	Call with MBB regarding defendant related activity.	5/11/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Grace Radke	Review assets issues with JBH.	5/11/2023	0.5	225.00	112.50	Legal - Asset Analysis and Recovery

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John Hall	Review WN update from MF.	5/11/2023	0.1	279.00	27.90	Legal - Asset Analysis and Recovery
John Hall	Review assets issues with GJR.	5/11/2023	0.5	279.00	139.50	Legal - Asset Analysis and Recovery
John Hall	Review confidential settlement brief for GI recovery effort, discuss with GBW.	5/11/2023	0.6	279.00	167.40	Legal - Asset Analysis and Recovery
Milana Barkhanoy	Call with JGR re remaining assets.	5/11/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Geoff Winkler	Review settlement brief and email with counsel.	5/11/2023	0.2	315.00	63.00	Legal - Case Administration
Geoff Winkler	Case discussion with MF and MP, JBH discuss outstanding third party and other issues.	5/11/2023	0.4	315.00	126.00	Legal - Case Administration
John Hall	Case discussion with MF and MP, GBW discuss outstanding third party and other issues.	5/11/2023	0.4	279.00	111.60	Legal - Case Administration
Geoff Winkler	Review and reconcile bank accounts.	5/12/2023	0.2	315.00	63.00	Financial - Accounting/Auditing
Grace Radke	Meet with MBB and JBH on remaining assets to liquidate.	5/12/2023	1.0	225.00	225.00	Legal - Asset Analysis and Recovery
John Hall	Meet with GJR and MBB on remaining assets to liquidate.	5/12/2023	1.0	279.00	279.00	Legal - Asset Analysis and Recovery
Milana Barkhanoy	Emails from BH re asset status, forwarding to JGR.	5/12/2023	0.2	225.00	45.00	Legal - Asset Analysis and Recovery
Milana Barkhanoy	Meet with GJR and JBH on remaining assets to liquidate.	5/12/2023	1.0	225.00	225.00	Legal - Asset Analysis and Recovery
Geoff Winkler	Review updates on related cases.	5/12/2023	0.1	315.00	31.50	Legal - Case Administration
Milana Barkhanoy	Email from JBH re asset related meeting.	5/12/2023	0.1	225.00	22.50	Legal - Case Administration
John Hall	Review and respond to four assets issues for GJR.	5/14/2023	0.5	279.00	139.50	Legal - Asset Analysis and Recovery
Milana Barkhanoy	Emails from JBH and counsel on CVL.	5/14/2023	0.2	225.00	45.00	Legal - Asset Analysis and Recovery
John Hall	review CVL financials, memo to GBW re: needed clarification.	5/14/2023	0.4	279.00	111.60	Legal - Asset Disposition
John Hall	Review and reconcile banking recon and asset recon items in accounting software.	5/15/2023	0.7	279.00	195.30	Financial - Accounting/Auditing
Geoff Winkler	Discuss CVL with JBH.	5/15/2023	0.2	315.00	63.00	Legal - Asset Analysis and Recovery
Grace Radke	Conversation with JPM re: liquidating outstanding shares in private company.	5/15/2023	0.3	225.00	67.50	Legal - Asset Analysis and Recovery
Josh McGraw	Conversation with JGR re: liquidating outstanding shares in private company.	5/15/2023	0.3	225.00	67.50	Legal - Asset Analysis and Recovery
Milana Barkhanoy	Emails from JBH re CVL and other assets details.	5/15/2023	0.2	225.00	45.00	Legal - Asset Analysis and Recovery
Milana Barkhanoy	Reviewing asset detail in meeting with JGR.	5/15/2023	0.2	225.00	45.00	Legal - Asset Analysis and Recovery
Grace Radke	Working with AST to liquidate Procure stock.	5/15/2023	0.5	225.00	112.50	Legal - Asset Disposition
Grace Radke	Reviewing outstanding assets and following up next steps on liquidation.	5/15/2023	1.0	225.00	225.00	Legal - Asset Disposition
Grace Radke	Reviewing outstanding assets and following up next steps on liquidation.	5/15/2023	3.3	225.00	742.50	Legal - Asset Disposition
Geoff Winkler	Review updated settlement estimates.	5/15/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Review CVL financials and email to JBH.	5/15/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Emails with JBH re system reporting.	5/15/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Review case reports in preparation for upcoming reporting.	5/15/2023	0.2	315.00	63.00	Legal - Case Administration
Grace Radke	Discussion with MBB on document preservation.	5/15/2023	0.2	225.00	45.00	Legal - Case Administration
Grace Radke	Creating asset summary and status of liquidations.	5/15/2023	1.3	225.00	292.50	Legal - Case Administration
Milana Barkhanoy	Email from JBH re asset related meeting.	5/15/2023	0.1	225.00	22.50	Legal - Case Administration
Grace Radke	Call to American Stock Transfer to discuss the liquidation of Procure stock.	5/16/2023	0.3	225.00	67.50	Legal - Asset Analysis and Recovery
Grace Radke	Investigation of liquidation of Twinlab common stock.	5/16/2023	0.8	225.00	180.00	Legal - Asset Analysis and Recovery
John Hall	Review PDI asset documentation with GJR.	5/16/2023	0.2	279.00	55.80	Legal - Asset Analysis and Recovery
Grace Radke	Call with MBB to discuss stock liquidation.	5/17/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Grace Radke	Called Urban Green and sent email to discuss stock liquidation.	5/17/2023	0.5	225.00	112.50	Legal - Asset Analysis and Recovery
Milana Barkhanoy	Call with JGR to discuss stock liquidation.	5/17/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Geoff Winkler	Process two accounts receivable.	5/18/2023	0.2	315.00	63.00	Financial - Accounting/Auditing
Milana Barkhanoy	Communication with GBW re status reports and updating website.	5/18/2023	0.2	225.00	45.00	Financial - Status Reports
Geoff Winkler	Review distribution notice and investment update.	5/18/2023	0.1	315.00	31.50	Legal - Asset Analysis and Recovery
Grace Radke	Tracking and liquidation of Essex private equity shares. Sending emails to liquidate.	5/18/2023	0.6	225.00	135.00	Legal - Asset Analysis and Recovery

SEC v. Essex Capital Corporation
Summary of Fees of Receiver and Retained Personnel
April 01, 2023 - June 30, 2023
(Sorted in Chronological Order by Activity Category)

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John Hall	Review and respond to information request from JR.	5/18/2023	0.5	279.00	139.50	Legal - Asset Analysis and Recovery
Milana Barkhanoy	Email from JdC re court filings.	5/18/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Grace Radke	Calls with Jasmine regarding wire instructions for distribution.	5/18/2023	0.3	225.00	67.50	Legal - Asset Disposition
Anna Priebe	Call from company looking for wire instructions (.1) called JGR to discuss (.1).	5/18/2023	0.2	215.00	43.00	Legal - Case Administration
Geoff Winkler	Review litigation update from counsel.	5/18/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Emails with counsel re RE payment.	5/18/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Emails with MBB re website update.	5/18/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Review letter from counsel re JP litigation, discuss with JBH, email to counsel.	5/18/2023	0.2	315.00	63.00	Legal - Case Administration
Milana Barkhanoy	Email to GBW re uploading court documents to the website.	5/18/2023	0.1	225.00	22.50	Legal - Case Administration
Milana Barkhanoy	Communication with counsel re upcoming meeting.	5/18/2023	0.1	225.00	22.50	Legal - Case Administration
Geoff Winkler	Process accounts receivable.	5/19/2023	0.1	315.00	31.50	Financial - Accounting/Auditing
Grace Radke	Emailed wire instructions to Jasmine for distribution of 69 MWS LLC.	5/19/2023	0.3	225.00	67.50	Legal - Asset Disposition
Geoff Winkler	Discussion with claimant re case status, process.	5/19/2023	0.3	315.00	94.50	Legal - Case Administration
Geoff Winkler	Review investor calculations, current status of litigation, prepare documents for upcoming settlement conference.	5/19/2023	0.5	315.00	157.50	Legal - Case Administration
John Hall	Affected claimant FAQ email and follow up.	5/19/2023	0.3	279.00	83.70	Legal - Claims Administration and Objections
Geoff Winkler	Ongoing case deliverables discussion with MBB, JPM, JBH, KJD.	5/22/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Discussion with claimant re timing, process, questions from report.	5/22/2023	0.2	315.00	63.00	Legal - Case Administration
Grace Radke	Discuss Essex case operations during team meeting AMP, GBW, JBH, KD, JPM.	5/22/2023	0.1	225.00	22.50	Legal - Case Administration
John Hall	Ongoing case deliverables discussion with MBB, GBW, JPM, KJD.	5/22/2023	0.1	279.00	27.90	Legal - Case Administration
Josh McGraw	Ongoing case deliverables discussion with MBB, GBW, JBH, KJD.	5/22/2023	0.1	225.00	22.50	Legal - Case Administration
Milana Barkhanoy	Ongoing case deliverables discussion with JBH, GBW, JPM, KJD.	5/22/2023	0.1	225.00	22.50	Legal - Case Administration
Geoff Winkler	Review mediation brief, responses, prepare for mediation.	5/23/2023	2.8	315.00	882.00	Financial - Litigation Consulting
Geoff Winkler	Provide documents needed for tax preparer.	5/23/2023	0.1	315.00	31.50	Financial - Tax Issues
Grace Radke	Liquidation of Essex private equity assets.	5/23/2023	0.5	225.00	112.50	Legal - Case Administration
John Hall	Review request from MK and pull needed reports and transmit with memo re: same.	5/24/2023	0.6	279.00	167.40	Financial - Tax Issues
Anna Priebe	Meeting with JGR and JPM re: accounting for assets within KCC.	5/24/2023	0.2	215.00	43.00	Legal - Asset Analysis and Recovery
Geoff Winkler	Communication with JPM re: claims form needed for mediation.	5/24/2023	0.1	315.00	31.50	Legal - Asset Analysis and Recovery
Geoff Winkler	Prepare for and attend Grimm settlement conference, follow up discussion with counsel.	5/24/2023	5.0	315.00	1,575.00	Legal - Asset Analysis and Recovery
John Hall	Review asset documentation with GJR.	5/24/2023	0.2	279.00	55.80	Legal - Asset Analysis and Recovery
Josh McGraw	Communication with GBW re: claims form needed for mediation.	5/24/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Josh McGraw	Email to JGR re: location of asset documents.	5/24/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Josh McGraw	Meeting with JGR and AMP re: accounting for assets within KCC.	5/24/2023	0.2	225.00	45.00	Legal - Asset Analysis and Recovery
Josh McGraw	Gathering documents for GBW for settlement conference.	5/24/2023	0.4	225.00	90.00	Legal - Asset Analysis and Recovery
Anna Priebe	Communication with JGR re: Apeel Sciences.	5/24/2023	0.1	215.00	21.50	Legal - Case Administration
Anna Priebe	Call with JGR re: association of wire for investment distribution.	5/24/2023	0.2	215.00	43.00	Legal - Case Administration
Anna Priebe	Review of documentation for JGR re: Apeel Sciences (.3) and emails to JGR with documentation (.1).	5/24/2023	0.4	215.00	86.00	Legal - Case Administration
Grace Radke	Investigate liquidation of Essex private equity.	5/24/2023	0.8	225.00	180.00	Legal - Case Administration
Grace Radke	Investigate liquidation of Essex private equity assets.	5/24/2023	2.0	225.00	450.00	Legal - Case Administration
Grace Radke	Sent email regarding Essex Capital Corp / Arroweye Solution Private Equity liquidation.	5/25/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Geoff Winkler	Review potential litigation against third party.	5/25/2023	0.2	315.00	63.00	Legal - Case Administration
Anna Priebe	Communication with MBB re: calls from investor.	5/26/2023	0.2	215.00	43.00	Legal - Case Administration
Geoff Winkler	Review records for information to assist in review of potential litigation.	5/26/2023	1.2	315.00	378.00	Legal - Case Administration
Milana Barkhanoy	Communication with AMP re: calls from investor.	5/26/2023	0.2	225.00	45.00	Legal - Case Administration

SEC v. Essex Capital Corporation
Summary of Fees of Receiver and Retained Personnel
April 01, 2023 - June 30, 2023
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John Hall	Work through claims calculations from MBB, discuss loss and future payments with claimant RT.	5/26/2023	0.6	279.00	167.40	Legal - Claims Administration and Objections
Milana Barkhanoy	Analyzing scenarios for next payout amounts for a claimant.	5/26/2023	1.1	225.00	247.50	Legal - Claims Administration and Objections
Josh McGraw	Searching emails and files for offering memorandums per TF request.	5/30/2023	1.2	225.00	270.00	Financial - Data Analysis
Anna Priebe	Discuss needed TF items with MBB and JBH.	5/30/2023	0.2	215.00	43.00	Legal - Asset Analysis and Recovery
John Hall	Review TF needs, discuss needed items with MBB and GBW.	5/30/2023	0.3	279.00	83.70	Legal - Asset Analysis and Recovery
Josh McGraw	Email to JBH re: requested supporting documentation for TF.	5/30/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Milana Barkhanoy	Discuss TF needed items with JBH and GBW.	5/30/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
John Hall	Discuss needed investigation work with JPM re PPM and Offering Memoranda.	5/30/2023	0.2	279.00	55.80	Legal - Case Administration
Josh McGraw	Discuss needed investigation work with JBH re PPM and Offering Memoranda.	5/30/2023	0.2	225.00	45.00	Legal - Case Administration
Milana Barkhanoy	Emails from JBH and JPM on documents for third party litigation.	5/30/2023	0.1	225.00	22.50	Legal - Case Administration
Grace Radke	Call with KF counsel re: share liquidation issues.	5/31/2023	0.4	225.00	90.00	Legal - Asset Analysis and Recovery
John Hall	Call with KF counsel re: share liquidation issues.	5/31/2023	0.4	279.00	111.60	Legal - Asset Analysis and Recovery
John Hall	Review Fifth Third Accounts to FTFS Account, identify recipient of NEOFS shares, memo to GBW and MP re: same.	5/31/2023	1.0	279.00	279.00	Legal - Asset Analysis and Recovery
Geoff Winkler	Review analysis of transactions from FTB discovery response.	5/31/2023	0.2	315.00	63.00	Legal - Case Administration
Geoff Winkler	Call with JB re: Essex Capital and Kate Farms updates.	5/31/2023	0.5	315.00	157.50	Legal - Case Administration
Grace Radke	Review and emailed AST to sell Procore Stock.	6/1/2023	0.3	225.00	67.50	Legal - Asset Analysis and Recovery
John Hall	Review KSK offer and compare against findings, memo to team re: position on offer.	6/1/2023	0.5	279.00	139.50	Legal - Asset Analysis and Recovery
Milana Barkhanoy	Email from JBH re asset status and next steps.	6/1/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Geoff Winkler	Review settlement offer, discuss with JBH.	6/1/2023	0.2	315.00	63.00	Legal - Case Administration
John Hall	Meet with MBB, JdC and MP to discuss ongoing case issues, tax issues and third party recovery issues.	6/1/2023	0.3	279.00	83.70	Legal - Case Administration
Milana Barkhanoy	Call with JBH, MF, JdC re third-party litigations and asset recovery.	6/1/2023	0.3	225.00	67.50	Legal - Case Administration
Milana Barkhanoy	Email from JdC re asset status and next steps.	6/2/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Geoff Winkler	Review counsel's analysis of clawback claim, review accounting.	6/2/2023	0.2	315.00	63.00	Legal - Case Administration
Anna Priebe	Discuss case and ongoing items with JPM, JBH, MBB, JGR, KJD, GBW, PCC. Meeting with JBH, JPM, MBB, AMP, KJD, JGR to discuss ongoing case needs and coordinating work efforts.	6/5/2023	0.1	215.00	21.50	Legal - Case Administration
Geoff Winkler		6/5/2023	0.1	315.00	31.50	Legal - Case Administration
Grace Radke	Discuss case and ongoing items with JPM, JBH, MBB, AMP, KJD, GBW, PCC. Meeting with GBW, JPM, MBB, AMP, KJD, GJR to discuss ongoing case needs and coordinating work efforts.	6/5/2023	0.1	225.00	22.50	Legal - Case Administration
John Hall		6/5/2023	0.1	279.00	27.90	Legal - Case Administration
Josh McGraw	Discuss remaining assets and taxes with AMP, JBH, MBB, JGR, KJD, GBW, PCC.	6/5/2023	0.1	225.00	22.50	Legal - Case Administration
Milana Barkhanoy	Discuss case and ongoing items with JPM, JBH, GJR, AMP, KJD, GBW, PCC.	6/5/2023	0.1	225.00	22.50	Legal - Case Administration
Milana Barkhanoy	Email from JdC with third-party litigation update.	6/6/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Anna Priebe	Email to MBB re: investor address update.	6/6/2023	0.1	215.00	21.50	Legal - Case Administration
Anna Priebe	Call with investor and change of address request.	6/6/2023	0.2	215.00	43.00	Legal - Case Administration
Anna Priebe	Discussion with MBB re: investor calls.	6/6/2023	0.2	215.00	43.00	Legal - Case Administration
Milana Barkhanoy	Email from AMP re: investor address update.	6/6/2023	0.1	225.00	22.50	Legal - Case Administration
Milana Barkhanoy	Discussion with AMP re: investor calls.	6/6/2023	0.2	225.00	45.00	Legal - Case Administration
John Hall	Call with TF, GBW, DZ discussing possible recovery.	6/8/2023	1.2	279.00	334.80	Legal - Asset Analysis and Recovery
Milana Barkhanoy	Email from JdC re asset status and next steps.	6/8/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Milana Barkhanoy	Email from JdC re asset recovery update.	6/8/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Geoff Winkler	Emails from MBB and JdC re third party litigations.	6/9/2023	0.2	315.00	63.00	Legal - Asset Analysis and Recovery

SEC v. Essex Capital Corporation
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April 01, 2023 - June 30, 2023
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Milana Barkhanoy	Emails from GBW and JdC re third party litigations.	6/9/2023	0.2	225.00	45.00	Legal - Asset Analysis and Recovery
Geoff Winkler	Discussion with party interested in PE purchase.	6/9/2023	0.2	315.00	63.00	Legal - Asset Disposition
Geoff Winkler	Review settlement offer update from counsel and respond.	6/9/2023	0.1	315.00	31.50	Legal - Case Administration
	Review litigation update from counsel (.1), emails with counsel re upcoming appellate argument (.1).	6/9/2023	0.2	315.00	63.00	Legal - Case Administration
Geoff Winkler	Reconcile bank accounts.	6/12/2023	0.2	315.00	63.00	Financial - Accounting/Auditing
Geoff Winkler	Emails with counsel JDC re DM email.	6/12/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Discussion with claimant.	6/12/2023	0.2	315.00	63.00	Legal - Case Administration
Milana Barkhanoy	Email from MD with court filings.	6/13/2023	0.1	225.00	22.50	Legal - Case Administration
Geoff Winkler	Emails with claimant.	6/14/2023	0.1	315.00	31.50	Legal - Case Administration
Milana Barkhanoy	Email from GBW re third party litigations.	6/15/2023	0.1	225.00	22.50	Legal - Asset Analysis and Recovery
Geoff Winkler	Email to MBB re third party litigations.	6/15/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Review appellate response brief.	6/15/2023	0.2	315.00	63.00	Legal - Case Administration
Geoff Winkler	Call with JBH, MF, JDC, MBB re third-party litigations and asset recovery.	6/15/2023	0.3	315.00	94.50	Legal - Case Administration
	Meeting with GBW, MBB, JdC, MP and MF regarding third party litigation, taxes and other outstanding case issues.	6/15/2023	0.3	279.00	83.70	Legal - Case Administration
John Hall	Call with JBH, MF, JdC, GBW re third-party litigations and asset recovery.	6/15/2023	0.3	225.00	67.50	Legal - Case Administration
Milana Barkhanoy	Call with claimant re next distribution timing.	6/16/2023	0.2	315.00	63.00	Legal - Case Administration
Geoff Winkler	Communication with MBB re: claimant calls.	6/20/2023	0.1	225.00	22.50	Legal - Case Administration
Josh McGraw	Communication with JPM re claimant calls.	6/20/2023	0.1	225.00	22.50	Legal - Case Administration
Milana Barkhanoy	Email from JdC re third party litigation update.	6/21/2023	0.2	225.00	45.00	Legal - Asset Analysis and Recovery
Milana Barkhanoy	Email to JdC confirming weekly update question.	6/21/2023	0.1	215.00	21.50	Legal - Case Administration
Anna Priebe	Call from ES (.1), call with GBW to discuss (.1) and email to GBW with contact information (.1).	6/21/2023	0.3	215.00	64.50	Legal - Case Administration
Anna Priebe	Call with AMP to discuss ES call.	6/21/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Review memo from counsel re proposed settlements with MN clients.	6/21/2023	0.2	315.00	63.00	Legal - Case Administration
Geoff Winkler	Call with counsel representing insurance company.	6/21/2023	0.4	315.00	126.00	Legal - Case Administration
Geoff Winkler	Email from counsel re notice of non-opposition.	6/22/2023	0.1	315.00	31.50	Legal - Case Administration
Anna Priebe	Research on ES, email to GBW re: follow up on call from ES.	6/23/2023	0.4	215.00	86.00	Legal - Case Administration
Geoff Winkler	Call with attorney representing insurance company re RI insurance policy.	6/23/2023	0.4	315.00	126.00	Legal - Case Administration
Milana Barkhanoy	Email from a claimant.	6/23/2023	0.1	225.00	22.50	Legal - Claims Administration and Objections
John Hall	Review outstanding tax issues from NL.	6/26/2023	0.3	279.00	83.70	Financial - Tax Issues
	Discuss remaining assets and taxes with MBB, JBH, JPM, JGR, KJD, GBW, PCC.	6/26/2023	0.1	215.00	21.50	Legal - Case Administration
Anna Priebe	Discuss remaining assets and taxes with AMP, JBH, JPM, JGR, KJD, MBB, PCC.	6/26/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Review Grimm discovery requests and proposed responses.	6/26/2023	0.2	315.00	63.00	Legal - Case Administration
Grace Radke	Discuss case and ongoing items with JPM, JBH, MBB, AMP, KJD, GBW, PCC.	6/26/2023	0.1	225.00	22.50	Legal - Case Administration
Josh McGraw	Discuss remaining assets and taxes with AMP, JBH, MBB, JGR, KJD, GBW, PCC.	6/26/2023	0.1	225.00	22.50	Legal - Case Administration
	Discuss remaining assets and taxes with AMP, JBH, JPM, JGR, KJD, GBW, PCC.	6/26/2023	0.1	225.00	22.50	Legal - Case Administration
Milana Barkhanoy	Email to a claimant.	6/26/2023	0.1	225.00	22.50	Legal - Claims Administration and Objections
Milana Barkhanoy		6/26/2023	0.1	225.00	22.50	Legal - Claims Administration and Objections
Geoff Winkler	Process accounts receivable, email to counsel re final WR payment received.	6/27/2023	0.2	315.00	63.00	Financial - Accounting/Auditing
	Review litigation and settlement memo from JDC, review accounting file and discuss with GBW.	6/27/2023	0.9	279.00	251.10	Legal - Asset Analysis and Recovery
John Hall	Review memo of litigation strategy update, budget.	6/27/2023	0.2	315.00	63.00	Legal - Case Administration
Geoff Winkler	Emails with a claimant, gathering detail on payment.	6/27/2023	0.3	225.00	67.50	Legal - Claims Administration and Objections
Milana Barkhanoy		6/27/2023	0.3	225.00	67.50	Legal - Claims Administration and Objections
John Hall	Review and respond to list of questions from MP re: GI.	6/28/2023	1.2	279.00	334.80	Legal - Asset Analysis and Recovery

SEC v. Essex Capital Corporation
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April 01, 2023 - June 30, 2023
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Anna Priebe	Email to counsel re: case update response.	6/28/2023	0.1	215.00	21.50	Legal - Case Administration
Geoff Winkler	Discussion with counsel re availability for deposition.	6/28/2023	0.1	315.00	31.50	Legal - Case Administration
Geoff Winkler	Case discussion with JBH, MBB, MF, MP, and JdC.	6/29/2023	0.6	315.00	189.00	Legal - Case Administration
John Hall	Case discussion with GBW, MBB, MF, MP, and JdC.	6/29/2023	0.6	279.00	167.40	Legal - Case Administration
Milana Barkhanoy	Case discussion with GBW, JBH, MF, MP, and JdC.	6/29/2023	0.6	225.00	135.00	Legal - Case Administration
Geoff Winkler	Process three accounts payable, wire transfer, verification with bank.	6/30/2023	0.3	315.00	94.50	Financial - Accounting/Auditing
John Hall	Research and resolution of outstanding issues to produce and finalize ECC 2019 taxes. Memo with findings to NL of MK.	6/30/2023	3.5	279.00	976.50	Financial - Tax Issues
John Hall	Reconcile order against records, discuss with GBW, memo to JdC re: same.	6/30/2023	0.5	279.00	139.50	Legal - Case Administration
Milana Barkhanoy	Communication from JBH and JdC re SFAR detail.	6/30/2023	0.1	225.00	22.50	Legal - Case Administration
Totals			112.5		\$ 30,327.70	

SEC v. Essex Capital Corporation
 Summary of Fees of Receiver and Retained Personnel
 April 01, 2023 - June 30, 2023
 (Sorted in Chronological Order by Activity Category)

Attachment 1

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Summary by Activity Category and Personnel						
Financial - Accounting/Auditing	Personnel	Firm	Hours	Rate	Amount	
Financial - Accounting/Auditing	Geoff Winkler	AFS	1.8	315.00	\$ 567.00	
Financial - Accounting/Auditing	John Hall	AFS	1.1	279.00	\$ 306.90	
			<u>2.9</u>		<u>\$ 873.90</u>	
Financial - Data Analysis	Personnel	Firm	Hours	Rate	Amount	
Financial - Data Analysis	John Hall	AFS	0.3	279.00	\$ 83.70	
Financial - Data Analysis	Josh McGraw	AFS	1.5	225.00	\$ 337.50	
			<u>1.8</u>		<u>\$ 421.20</u>	
Financial - Forensic Accounting	Personnel	Firm	Hours	Rate	Amount	
Financial - Forensic Accounting	John Hall	AFS	0.5	279.00	\$ 139.50	
			<u>0.5</u>		<u>\$ 139.50</u>	
Financial - Litigation Consulting	Personnel	Firm	Hours	Rate	Amount	
Financial - Litigation Consulting	Geoff Winkler	AFS	2.9	315.00	\$ 913.50	
			<u>2.9</u>		<u>\$ 913.50</u>	
Financial - Status Reports	Personnel	Firm	Hours	Rate	Amount	
Financial - Status Reports	Anna Priebe	AFS	0.1	215.00	\$ 21.50	
Financial - Status Reports	John Hall	AFS	7.6	279.00	\$ 2,120.40	
Financial - Status Reports	Milana Barkhanoy	AFS	0.2	225.00	\$ 45.00	
			<u>7.9</u>		<u>\$ 2,186.90</u>	
Financial - Tax Issues	Personnel	Firm	Hours	Rate	Amount	
Financial - Tax Issues	Geoff Winkler	AFS	0.6	315.00	\$ 189.00	
Financial - Tax Issues	John Hall	AFS	5.3	279.00	\$ 1,478.70	
			<u>5.9</u>		<u>\$ 1,667.70</u>	
Legal - Asset Analysis and Recovery	Personnel	Firm	Hours	Rate	Amount	
Legal - Asset Analysis and Recovery	Anna Priebe	AFS	0.4	215.00	\$ 86.00	
Legal - Asset Analysis and Recovery	Geoff Winkler	AFS	6.6	315.00	\$ 2,079.00	
Legal - Asset Analysis and Recovery	Grace Radke	AFS	5.0	225.00	\$ 1,125.00	
Legal - Asset Analysis and Recovery	John Hall	AFS	18.8	279.00	\$ 5,245.20	
Legal - Asset Analysis and Recovery	Josh McGraw	AFS	1.2	225.00	\$ 270.00	
Legal - Asset Analysis and Recovery	Milana Barkhanoy	AFS	5.3	225.00	\$ 1,192.50	
			<u>37.3</u>		<u>\$ 9,997.70</u>	
Legal - Asset Disposition	Personnel	Firm	Hours	Rate	Amount	
Legal - Asset Disposition	Geoff Winkler	AFS	0.2	315.00	\$ 63.00	
Legal - Asset Disposition	Grace Radke	AFS	5.4	225.00	\$ 1,215.00	
Legal - Asset Disposition	John Hall	AFS	0.4	279.00	\$ 111.60	
			<u>6.0</u>		<u>\$ 1,389.60</u>	
Legal - Case Administration	Personnel	Firm	Hours	Rate	Amount	
Legal - Case Administration	Anna Priebe	AFS	4.5	215.00	\$ 967.50	
Legal - Case Administration	Geoff Winkler	AFS	18.2	315.00	\$ 5,733.00	
Legal - Case Administration	Grace Radke	AFS	5.8	225.00	\$ 1,305.00	

SEC v. Essex Capital Corporation
Summary of Fees of Receiver and Retained Personnel
April 01, 2023 - June 30, 2023
 (Sorted in Chronological Order by Activity Category)

Attachment 1

Personnel	Item / Description	Date	Hours	Rate	Amount	Activity Category
Legal - Case Administration	John Hall	AFS	7.6	279.00	\$ 2,120.40	
Legal - Case Administration	Josh McGraw	AFS	2.1	225.00	\$ 472.50	
Legal - Case Administration	Milana Barkhanoy	AFS	5.0	225.00	\$ 1,125.00	
			<u>43.2</u>		<u>\$ 11,723.40</u>	
Legal - Claims Administration and Objections	Personnel	Firm	Hours	Rate	Amount	
Legal - Claims Administration and Objections	John Hall	AFS	1.7	279.00	\$ 474.30	
Legal - Claims Administration and Objections	Josh McGraw	AFS	0.5	225.00	\$ 112.50	
Legal - Claims Administration and Objections	Milana Barkhanoy	AFS	1.9	225.00	\$ 427.50	
			<u>4.1</u>		<u>\$ 1,014.30</u>	

Overall Summary						
Totals	Personnel	Firm	Hours	Rate	Amount	
	Anna Priebe	AFS	5.0	215.00	\$ 1,075.00	
	Geoff Winkler	AFS	30.3	315.00	\$ 9,544.50	
	Grace Radke	AFS	16.2	225.00	\$ 3,645.00	
	John Hall	AFS	43.3	279.00	\$ 12,080.70	
	Josh McGraw	AFS	5.3	225.00	\$ 1,192.50	
	Milana Barkhanoy	AFS	12.4	225.00	\$ 2,790.00	
			<u>112.5</u>		<u>\$ 30,327.70</u>	
	TOTAL FEES		112.5		\$ 30,327.70	

SEC v. Essex Capital Corporation
Summary of Expenses of Receiver and Retained Personnel
April 01, 2023 - June 30, 2023

Attachment 2

Incurred By	Payee	Item / Description	Date Incurred	Amount	Category
John Hall	Extra Space Storage	Storage rent prorations	4/1/2023	73.50	Document and Asset Storage
Geoff Winkler	PACER	Internet/Online Fees	4/3/2023	1.30	Internet/Online Fees
Geoff Winkler	USPS	Miscellaneous * PO Box * 2022 renewal	4/14/2023	166.00	Miscellaneous
Geoff Winkler	USPS	Miscellaneous * PO Box * 2023 renewal	4/17/2023	166.00	Miscellaneous
Geoff Winkler	USPS	Shipping * Essex tax returns	4/17/2023	68.40	Courier/Shipping/Freight
John Hall	Extra Space Storage	Storage rent prorations	5/1/2023	73.50	Document and Asset Storage
Geoff Winkler	Alaska Airlines	Alaska Airlines - Airfare	5/3/2023	306.78	Airfare
Geoff Winkler	AFS	Essex Per Diem Meals	5/23/2023	55.50	Per Diem Meals
Geoff Winkler	Uber	Uber - Taxi	5/23/2023	125.03	Automotive Expense
Geoff Winkler	AFS	Essex Per Diem Meals	5/24/2023	55.50	Per Diem Meals
Geoff Winkler	Port of Portland	Port of Portland - Parking	5/24/2023	60.00	Automotive Expense
Geoff Winkler	Uber	Uber - Taxi	5/24/2023	10.90	Automotive Expense
Geoff Winkler	Uber	Uber - Taxi	5/24/2023	10.93	Automotive Expense
Geoff Winkler	Uber	Uber - Taxi	5/24/2023	86.19	Automotive Expense
Geoff Winkler	Westin Hotel	Westin Hotel (1 night)	5/24/2023	352.16	Hotel
John Hall	TLO	Miscellaneous TLO research	6/1/2023	19.46	Miscellaneous
John Hall	Extra Space Storage	Storage rent prorations	6/1/2023	73.50	Document and Asset Storage
Geoff Winkler	PACER	Internet/Online Fees	6/13/2023	1.30	Internet/Online Fees
Geoff Winkler	PACER	Internet/Online Fees	6/30/2023	14.30	Internet/Online Fees
Total				\$ 1,720.25	

	<i>John Hall</i>	<i>Geoff Winkler</i>	<i>Maggie Chavez</i>	<i>Anna Priebe</i>	<i>Total</i>
Airfare	-	306.78	-	-	306.78
Automotive Expense	-	293.05	-	-	293.05
Courier/Shipping/Freight	-	68.40	-	-	68.40
Document and Asset Storage	220.50	-	-	-	220.50
Hotel	-	352.16	-	-	352.16
Per Diem Meals	-	111.00	-	-	111.00
Internet/Online Fees	-	16.90	-	-	16.90
Miscellaneous	19.46	332.00	-	-	351.46
Office Supplies	-	-	-	-	-
Personal Car Mileage	-	-	-	-	-
Printing/Photocopying/Stationery	-	-	-	-	-
Total	239.96	1,480.29	-	-	1,720.25

**SEC v. Essex Capital Corporation
Receivership Estate Balance Sheet
April 01, 2023 - June 30, 2023**

Attachment 3

Assets:		Liabilities:	
Cash	\$ 2,194,664	State/Federal Taxes ⁴	\$ -
Loan Receivable	\$ -	Property Taxes ⁴	\$ -
Marketable Securities	\$ -	Admin Holdback ¹	\$ 1,184,507
Net Lease Receivables	\$ -	Total Liabilities	\$ 1,184,507
Real Property ¹	\$ 1,200,000		
Equipment Residual Value ¹	\$ -	Claims:	
Private Equity Investments ¹	\$ 1,320,331	Investors	\$ 39,780,165
Existing Litigation ^{2,3}	\$ -	Creditors	\$ 114,604
Third Party Litigation ^{2,3}	\$ 4,602,316	Total Claims	\$ 39,894,769
Professional Liability Litigation ^{2,3}	\$ -		
Total Assets	\$ 9,317,312	Total Liabilities plus Claims	\$ 41,079,276

-
1. Estimated value that is subject to further revision.
 2. Probability of successful recovery unknown.
 3. Value based on discounted present value and is under evaluation.
 4. There is no known tax liability, but the Receiver is reviewing.

SEC v. Essex Capital Corporation
Receiver's Cash Receipts and Disbursements
April 01, 2023 - June 30, 2023

Attachment 4

Beginning Balance of Cash in Receivership Estate on April 01, 2023	\$ 1,972,676.88
Deposits:	\$ 406,212.79
Payments:	\$ (184,225.49)
Ending Balance of Cash in Receivership Estate on June 30, 2023	<u><u>\$ 2,194,664.18</u></u>

Exhibit 1
Page 33

EXHIBIT 2

07/26/23 14:24:06 PROFORMA STATEMENT FOR MATTER 378224.00002 (Winkler, Geoff/Receiver for Essex Capita) (General Receivership)

Preliminary Billing Form

Billing Atty: 001842 - Del Castillo, Matter #: 378224.00002 Client Name: Winkler, Geoff/Receiver for Essex Capita
 Joshua
 Date of Last Billing: 06/30/23 Matter Name: General Receivership
 Proforma Number: 1226815
 Client/Matter Joint Group # 378224-1 Client Matter Number:

Fees for Matter 378224.00002.(General Receivership)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
04/03/23	9175050	Emails with Receiver's office regarding pending case and estate administration issues (0.5); review materials in connection with anticipated conference with SEC regarding same (0.6).	Del Castillo, Joshua	1.10	757.35	757.35	WO	HD	TR	_____
04/04/23	9175782	Review disgorgement dockets and confer with counsel regarding litigation and settlement strategy, including pending discovery and mandatory settlement conference briefing (1.2).	Del Castillo, Joshua	1.20	826.20	1,583.55	WO	HD	TR	_____
04/06/23	9177562	Prepare for and attend videoconference with Receiver's office (0.4).	Del Castillo, Joshua	0.40	275.40	1,858.95	WO	HD	TR	_____
04/06/23	9202987	Virtually attend weekly meeting with client regarding latest case updates and outstanding tasks	Pham, Matt D.	0.40	192.60	2,051.55	WO	HD	TR	_____
04/17/23	9186552	Review notes and docket and attention to case administration matters (0.5).	Del Castillo, Joshua	0.50	344.25	2,395.80	WO	HD	TR	_____
04/20/23	9189979	Review docket and notes and prepare for and attend videoconference with Receiver regarding case status and administration	Del Castillo, Joshua	0.90	619.65	3,015.45	WO	HD	TR	_____

07/26/23 14:24:06 PROFORMA STATEMENT FOR MATTER 378224.00002 (Winkler, Geoff/Receiver for Essex Capita) (General Receivership)

Fees for Matter 378224.00002.(General Receivership)

Trans Date	Index	Description of Service Rendered (0.9).	Timekeeper	Hours	Fees	Sum	Circle	Action		
04/20/23	9203145	Virtually attend weekly meeting with client regarding latest case updates and outstanding tasks	Pham, Matt D.	0.40	192.60	3,208.05	WO	HD	TR	_____
04/25/23	9194113	Emails and teleconferences regarding case and receivership administration matters (1.0).	Del Castillo, Joshua	1.00	688.50	3,896.55	WO	HD	TR	_____
04/27/23	9197097	Review docket, summaries of all pending matters, and confer with counsel regarding status of receivership case and asset administration issues in preparation for teleconference with SEC (1.3); attend teleconference with Receiver and SEC (0.9).	Del Castillo, Joshua	2.20	1,514.70	5,411.25	WO	HD	TR	_____
05/04/23	9208027	Emails with M. Farrell, M. Pham and Receiver's office regarding pending case administration issues and follow-up conference regarding same (1.0).	Del Castillo, Joshua	1.00	688.50	6,099.75	WO	HD	TR	_____
05/04/23	9234377	Virtually attend weekly meeting with client regarding case updates and outstanding tasks	Pham, Matt D.	0.30	144.45	6,244.20	WO	HD	TR	_____
05/08/23	9210549	Emails with client and counsel regarding case administration issues and attention to same (1.0).	Del Castillo, Joshua	1.00	688.50	6,932.70	WO	HD	TR	_____
05/11/23	9214285	Confer with counsel regarding videoconference with Receiver (0.2); review and respond to emails regarding case administration matters (0.5).	Del Castillo, Joshua	0.70	481.95	7,414.65	WO	HD	TR	_____

07/26/23 14:24:06 PROFORMA STATEMENT FOR MATTER 378224.00002 (Winkler, Geoff/Receiver for Essex Capita) (General Receivership)

Fees for Matter 378224.00002.(General Receivership)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
05/11/23	9234436	Virtually attend weekly meeting with client regarding case updates and outstanding tasks	Pham, Matt D.	0.30	144.45	7,559.10	WO	HD	TR	_____
05/15/23	9216472	Emails and teleconferences with Receiver's office and counsel regarding case administration and asset administration matters (1.5); strategy regarding receivership administration through wind-down (0.5).	Del Castillo, Joshua	2.00	1,377.00	8,936.10	WO	HD	TR	_____
05/16/23	9217632	Confer with M. Pham and M. Farrell regarding pending litigation and case administration matters (0.6).	Del Castillo, Joshua	0.60	413.10	9,349.20	WO	HD	TR	_____
05/17/23	9219206	Attention to estate administration matters and confer with M. Pham and J. Robichaud regarding same (1.1).	Del Castillo, Joshua	1.10	757.35	10,106.55	WO	HD	TR	_____
05/22/23	9223463	Review dockets and confer with AM counsel regarding pending case administration matters (0.5).	Del Castillo, Joshua	0.50	344.25	10,450.80	WO	HD	TR	_____
06/01/23	9237961	Prepare for and attend videoconference with Receiver's office regarding pending case administration matters (0.4); emails with D. Zaro and M. Farrell regarding same (0.2); attention to critical outstanding case admin matters (0.7).	Del Castillo, Joshua	1.30	895.05	11,345.85	WO	HD	TR	_____
06/02/23	9238925	Detailed review of all case files and attention to case administration matters (1.2); emails and teleconferences with Receiver's office and counsel regarding pending deadlines and other matters (0.8).	Del Castillo, Joshua	2.00	1,377.00	12,722.85	WO	HD	TR	_____

07/26/23 14:24:06 PROFORMA STATEMENT FOR MATTER 378224.00002 (Winkler, Geoff/Receiver for Essex Capita) (General Receivership)

Fees for Matter 378224.00002.(General Receivership)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
06/10/23	9263593	Review and respond to correspondence regarding status of pending case administration and asset recovery matters (0.4); review and assemble materials for transmittal to Receiver and counsel (0.4).	Del Castillo, Joshua	0.80	550.80	13,273.65	WO	HD	TR	_____
06/14/23	9249218	Review emails and notes and prepare detailed list of pending and anticipated actions requiring Receiver attention (0.8); emails with D. Zaro regarding same (0.2).	Del Castillo, Joshua	1.00	688.50	13,962.15	WO	HD	TR	_____
06/15/23	9249752	Prepare for and attend videoconference with Receiver (0.4).	Del Castillo, Joshua	0.40	275.40	14,237.55	WO	HD	TR	_____
06/28/23	9261905	Emails with Receiver's office regarding scheduled teleconference and outstanding case administration matters (0.2); emails to D. Zaro, M. Farrell, and M. Pham regarding same (0.2).	Del Castillo, Joshua	0.40	275.40	14,512.95	WO	HD	TR	_____
06/29/23	9262093	Prepare for and attend videoconference with Receiver regarding pending case administration issues (0.7); follow-up correspondence regarding same (0.3).	Del Castillo, Joshua	1.00	688.50	15,201.45	WO	HD	TR	_____

Disbursements for Matter 378224.00002 (General Receivership)

Trans Date	Index	Type	Quantity	Amt	Circle	Action		
04/01/23	2814041	EDISC – CS Disco, Inc. - Monthly Hosting for April 2023	0.00	2,247.48	WO	HD	TR	_____
04/04/23	2822463	DCSRCH – Document Search - - PACER - Usage 1st QTR	0.00	5.70	WO	HD	TR	_____
04/04/23	2822464	DCSRCH – Document Search - - PACER - Usage 1st QTR	0.00	8.60	WO	HD	TR	_____

07/26/23 14:24:06 PROFORMA STATEMENT FOR MATTER 378224.00002 (Winkler, Geoff/Receiver for Essex Capita) (General Receivership)

Disbursements for Matter 378224.00002 (General Receivership)

Trans Date	Index	Type	Quantity	Amt				
05/01/23	2818005	EDISC – CS Disco, Inc. - Monthly Hosting for May 2023	0.00	2,184.77	WO	HD	TR	_____
06/01/23	2823097	EDISC – CS Disco, Inc. - Monthly Hosting for June 2023	0.00	2,184.77	WO	HD	TR	_____

Proforma Summary

Timekeeper

Number	Timekeeper	Hours	Rate	Amounts
001842	Del Castillo, Joshua	21.10	688.50	14,527.35
002510	Pham, Matt D.	1.40	481.50	674.10
		22.50		\$15,201.45
Subtotal Fees				\$15,201.45
Discount				0.00
Total Fees				15,201.45
Total Disbursements				6,631.32

Attorney Billing Instructions

<input type="checkbox"/> BILL ALL	<input type="checkbox"/> Hold
<input type="checkbox"/> BILL FEES ONLY	<input type="checkbox"/> Write Off
<input type="checkbox"/> BILL COST ONLY	<input type="checkbox"/> Transfer All

Billing Instructions

expires 6/30/2024: 10% off standard rates (automatic)

Account Summary – As Of 07/25/23

	Fiscal YTD			Calendar YTD			LTD		
	Total	Fees	Disb.	Total	Fees	Disb.	Total	Fees	Disbursements
Worked	1,443.60	1,443.60	0.00	37,454.16	24,269.40	13,184.76	322,884.19	234,491.62	88,392.57
Unbilled Adj	0.00	0.00	0.00	0.00	0.00	0.00	4,140.50	4,015.21	125.29
Billed	0.00	0.00	0.00	45,113.88	24,234.75	20,879.13	202,708.89	202,708.89	81,761.25
Collected	0.00	0.00	0.00	45,113.88	24,234.75	20,879.13	284,470.14	202,708.89	81,761.25
AR Write Off	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

07/26/23 14:24:06 PROFORMA STATEMENT FOR MATTER 378224.00002 (Winkler, Geoff/Receiver for Essex Capita) (General Receivership)

	<i>Total</i>	<i>Fees</i>	<i>Costs</i>
<i>WIP</i>	<i>25,502.97</i>	<i>16,645.05</i>	<i>8,857.92</i>
<i>Balance</i>			
<i>AR Balance</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>
<i>Unalloc</i>	<i>0.00</i>		
<i>Payment</i>			
<i>Client Trust</i>	<i>0.00</i>		
<i>Balance</i>			

Billing Address

Winkler, Geoff/Receiver for Essex Capital Corporation
Geoff Winkler
Managing Director
Alvarez & Marsal LLC
100 Pine Street, Suite 900
San Francisco, CA 94111-5222

07/26/23 14:24:07 PROFORMA STATEMENT FOR MATTER 378224.00003 (Winkler, Geoff/Receiver for Essex Capita) (Asset Recovery & Management)

Preliminary Billing Form

Billing Atty: 001842 - Del Castillo, Matter #: 378224.00003 Client Name: Winkler, Geoff/Receiver for Essex Capita
 Joshua
 Date of Last Billing: 06/30/23 Matter Name: Asset Recovery & Management
 Proforma Number: 1226815
 Client/Matter Joint Group # 378224-1 Client Matter Number:

Fees for Matter 378224.00003.(Asset Recovery & Management)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
04/10/23	9203011	Phone call with Fifth Third Bank's counsel regarding account (0.1); Draft email to client regarding phone call with Fifth Third Bank's counsel (0.1)	Pham, Matt D.	0.20	96.30	96.30	WO	HD	TR	_____
04/20/23	9190088	Review prior demands to and responses from M. Napoli regarding prospective new disgorgement matters and confer with D. Zaro and M. Pham regarding same (0.6); analysis of issues associated with same (0.6).	Del Castillo, Joshua	1.20	826.20	922.50	WO	HD	TR	_____
04/28/23	9198850	Review all outstanding litigation dockets, settlement memos, and related notes, and prepare updated summary for discussion with Receiver and counsel (1.6); review correspondence from court and emails with counsel regarding scheduling Grimm mandatory settlement conference (0.3).	Del Castillo, Joshua	1.90	1,308.15	2,230.65	WO	HD	TR	_____
04/29/23	9199429	Review Grimm discovery, memoranda, and correspondence regarding mandatory settlement conference and attention to issues regarding same (1.5).	Del Castillo, Joshua	1.50	1,032.75	3,263.40	WO	HD	TR	_____

07/26/23 14:24:07 PROFORMA STATEMENT FOR MATTER 378224.00003 (Winkler, Geoff/Receiver for Essex Capita) (Asset Recovery & Management)

Fees for Matter 378224.00003.(Asset Recovery & Management)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
04/30/23	9201819	Emails to counsel regarding Grimm mandatory settlement conference and review mandatory settlement conference template and prepare notes regarding updates (0.6).	Del Castillo, Joshua	0.60	413.10	3,676.50	WO	HD	TR	_____
05/05/23	9210314	Legal analysis regarding prospective additional turnover claim and review client documents regarding same (3.0).	Del Castillo, Joshua	3.00	2,065.50	5,742.00	WO	HD	TR	_____
05/08/23	9210548	Confer with J. Robichaud regarding disgorgement demand (0.5); review client correspondence and prepare follow-up inquiries regarding same (0.7); confer with M. Pham regarding Grimm mandatory settlement conference statement (0.5); confer with M. Pham regarding outstanding asset administration matters and prepare inquiries to opposing counsel regarding same (1.1).	Del Castillo, Joshua	2.80	1,927.80	7,669.80	WO	HD	TR	_____
05/09/23	9211609	Review correspondence and documents from J. Hall in connection with outstanding Perry/Kim demands and confer with counsel regarding same (0.5); prepare for and attend teleconference with D. Cousineau regarding CVL interest (0.7).	Del Castillo, Joshua	1.20	826.20	8,496.00	WO	HD	TR	_____
05/09/23	9212021	Review accountings provided by Kim, Perry, and Receiver, and communications from Mike Napoli, with respect to prospective disgorgement action in anticipation of drafting demand letter to Perry and Kim (2.0).	Robichaud, James	2.00	693.00	9,189.00	WO	HD	TR	_____

07/26/23 14:24:07 PROFORMA STATEMENT FOR MATTER 378224.00003 (Winkler, Geoff/Receiver for Essex Capita) (Asset Recovery & Management)

Fees for Matter 378224.00003.(Asset Recovery & Management)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
05/09/23	9234417	Phone call with Josh del Castillo and CVL's counsel regarding potential disposition of Receiver's interest in CVL	Pham, Matt D.	0.30	144.45	9,333.45	WO	HD	TR	_____
05/10/23	9212988	Draft reply to M. Napoli regarding his reply to G. Winkler's demand letters to J. Perry and K. Kim (1.8).	Robichaud, James	1.80	623.70	9,957.15	WO	HD	TR	_____
05/10/23	9234432	Phone call with Fifth Third Bank regarding omnibus account	Pham, Matt D.	0.10	48.15	10,005.30	WO	HD	TR	_____
05/11/23	9234437	Prepare subpoena to Fifth Third Bank	Pham, Matt D.	0.50	240.75	10,246.05	WO	HD	TR	_____
05/12/23	9216227	Emails with J. Robichaud regarding follow-up to outstanding Perry/Kim demands and review correspondence from J. Hall in connection with same (0.5).	Del Castillo, Joshua	0.50	344.25	10,590.30	WO	HD	TR	_____
05/15/23	9216761	Review revised follow-up demand regarding Perry / Kim profits and confer with J. Robichaud regarding recommended revisions (1.0).	Del Castillo, Joshua	1.00	688.50	11,278.80	WO	HD	TR	_____
05/15/23	9218965	Several emails/calls with the Receiver counsel as to CVL interest, disposition of the assets and strategy.	Zaro, David	0.30	268.65	11,547.45	WO	HD	TR	_____
05/16/23	9218120	Review renewed Perry turnover and settlement demand and confer with counsel regarding same (1.3).	Del Castillo, Joshua	1.30	895.05	12,442.50	WO	HD	TR	_____
05/17/23	9218937	Prepare for and teleconferences with J. Robichaud and M. Farrell regarding Perry/Kim recovery strategy (0.8).	Del Castillo, Joshua	0.80	550.80	12,993.30	WO	HD	TR	_____

07/26/23 14:24:07 PROFORMA STATEMENT FOR MATTER 378224.00003 (Winkler, Geoff/Receiver for Essex Capita) (Asset Recovery & Management)

Fees for Matter 378224.00003.(Asset Recovery & Management)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
05/17/23	9220006	Discuss draft Perry letter with J. del Castillo (.2); update draft per J. del Castillo's input (.5); transmit draft to J. Hall for confirmation of information contained therein (.1).	Robichaud, James	0.80	277.20	13,270.50	WO	HD	TR	_____
05/18/23	9220023	Emails with J. Robichaud regarding Perry/Kim settlement demand and strategy (0.3).	Del Castillo, Joshua	0.30	206.55	13,477.05	WO	HD	TR	_____
05/19/23	9221294	Confer with J. Robichaud regarding Perry/Kim matter (0.5).	Del Castillo, Joshua	0.50	344.25	13,821.30	WO	HD	TR	_____
05/22/23	9223232	Follow-up emails and discussion regarding Perry/Kim demand (1.1).	Del Castillo, Joshua	1.10	757.35	14,578.65	WO	HD	TR	_____
05/22/23	9223592	Final revisions to email to M. Napoli regarding Perrys incorporating input from J. Hall (.2).	Robichaud, James	0.20	69.30	14,647.95	WO	HD	TR	_____
05/23/23	9224665	Review materials regarding Perry/Kim demand and confer internally regarding same (0.5); review correspondence to M. Napoli regarding same (0.2); confer with counsel regarding next steps (0.5).	Del Castillo, Joshua	1.20	826.20	15,474.15	WO	HD	TR	_____
05/24/23	9225515	Emails with M. Napoli and J. Robichaud regarding Perry/Kim settlement demand and discussions regarding same (0.6); confer with J. Robichaud regarding same (0.4).	Del Castillo, Joshua	1.00	688.50	16,162.65	WO	HD	TR	_____
05/30/23	9232125	Follow-up to CVL counsel regarding requested financials (0.5).	Del Castillo, Joshua	0.50	344.25	16,506.90	WO	HD	TR	_____
05/31/23	9235570	Review Napoli detailed settlement correspondence regarding Perry/Kim	Del Castillo, Joshua	1.40	963.90	17,470.80	WO	HD	TR	_____

07/26/23 14:24:07 PROFORMA STATEMENT FOR MATTER 378224.00003 (Winkler, Geoff/Receiver for Essex Capita) (Asset Recovery & Management)

Fees for Matter 378224.00003.(Asset Recovery & Management)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
		matter, complete associated legal analysis, and confer with counsel regarding same (1.4).								
06/01/23	9237870	Review correspondence from M. Pham regarding J. Hall direction after review of Merrill documents and confer with M. Pham and D. Zaro regarding same (0.6); assemble materials and email to J. Hall (0.2); emails regarding proposed K. Kim settlement (0.6).	Del Castillo, Joshua	1.40	963.90	18,434.70	WO	HD	TR	_____
06/02/23	9238933	Confer with D. Zaro regarding K. Kim settlement proposal and prepare update and recommendation to Receiver (1.1).	Del Castillo, Joshua	1.10	757.35	19,192.05	WO	HD	TR	_____
06/07/23	9242592	Confer with M. Pham and D. Zaro regarding outstanding Kim settlement offer (0.5).	Del Castillo, Joshua	0.50	344.25	19,536.30	WO	HD	TR	_____
06/07/23	9246506	Follow-up on the proposed settlement analysis related to the Perry/Kim matter, advice as to settlement.	Zaro, David	0.40	358.20	19,894.50	WO	HD	TR	_____
06/08/23	9243507	Confer with D. Zaro regarding K. Kim settlement analysis and prepare update and recommendation to client regarding same (0.6).	Del Castillo, Joshua	0.60	413.10	20,307.60	WO	HD	TR	_____
06/08/23	9246511	Further evaluate legal issues related to the claims for recovery on the Perry/Kim matters and advice to counsel/Receiver.	Zaro, David	0.40	358.20	20,665.80	WO	HD	TR	_____
06/12/23	9250898	Several conferences with Receiver counsel, further analysis of claims versus settlement and prospects for recovery.	Zaro, David	0.40	358.20	21,024.00	WO	HD	TR	_____

07/26/23 14:24:07 PROFORMA STATEMENT FOR MATTER 378224.00003 (Winkler, Geoff/Receiver for Essex Capita) (Asset Recovery & Management)

Fees for Matter 378224.00003.(Asset Recovery & Management)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
06/15/23	9249685	Emails and teleconferences with AM team regarding outstanding asset recovery efforts and litigation (0.8); prepare settlement email to M. Napoli (0.2).	Del Castillo, Joshua	1.00	688.50	21,712.50	WO	HD	TR	_____
06/15/23	9254772	Conferences with Receiver counsel related to settlement proposals, strategy related to negotiations and follow-up.	Zaro, David	0.30	268.65	21,981.15	WO	HD	TR	_____
06/16/23	9251127	Review correspondence from M. Napoli regarding outstanding Receiver demands (0.2); review Receiver accounting (0.3); prepare inquiry to M. Pham regarding same (0.2).	Del Castillo, Joshua	0.70	481.95	22,463.10	WO	HD	TR	_____
06/20/23	9275204	Prepare for and teleconference with M. Napoli regarding settlement alternatives (0.7); prepare update to M. Farrell and M. Pham regarding same (0.5).	Del Castillo, Joshua	1.20	826.20	23,289.30	WO	HD	TR	_____
06/21/23	9254598	Review materials transmitted by M. Napoli in connection with Perry and Kim demands (0.8); confer extensively with counsel regarding outstanding litigation and prospective renewed settlement proposals (1.7); prepare materials and memorandum for Receiver regarding same (0.6).	Del Castillo, Joshua	3.10	2,134.35	25,423.65	WO	HD	TR	_____
06/22/23	9255921	Confer with D. Zaro and emails regarding Kim settlement proposal (0.2).	Del Castillo, Joshua	0.20	137.70	25,561.35	WO	HD	TR	_____
06/22/23	9256241	Legal analysis pertaining to Receiver's contractual obligations (2.0).	Robichaud, James	2.00	693.00	26,254.35	WO	HD	TR	_____
06/23/23	9256800	Review emails from J. Robichaud regarding asset recovery matters and confer	Del Castillo, Joshua	0.80	550.80	26,805.15	WO	HD	TR	_____

07/26/23 14:24:07 PROFORMA STATEMENT FOR MATTER 378224.00003 (Winkler, Geoff/Receiver for Essex Capita) (Asset Recovery & Management)

Fees for Matter 378224.00003.(Asset Recovery & Management)

Trans Date	Index	Description of Service Rendered regarding same (0.8).	Timekeeper	Hours	Fees	Sum	Circle	Action
06/23/23	9257499	Continue legal analysis pertaining to Receiver's contractual obligations (2.0).	Robichaud, James	2.00	693.00	27,498.15	WO	HD TR
06/27/23	9263195	Analysis of and review research related to Receiver's fraudulent conveyance actions, cost of establishing foundation for Ponzi scheme and the elements of each case (.8). Conference/email with counsel to advise as to legal issues and strategy (.3).	Zaro, David	1.10	985.05	28,483.20	WO	HD TR

Proforma Summary

Timekeeper Number	Timekeeper	Hours	Rate	Amounts
000313	Zaro, David	2.90	895.50	2,596.95
001842	Del Castillo, Joshua	32.40	688.50	22,307.40
002510	Pham, Matt D.	1.10	481.50	529.65
002592	Robichaud, James	8.80	346.50	3,049.20
		<u>45.20</u>		<u>\$28,483.20</u>
Subtotal Fees				\$28,483.20
Discount				0.00
Total Fees				28,483.20
Total Disbursements				0.00

Attorney Billing Instructions

<input type="checkbox"/> BILL ALL	<input type="checkbox"/> Hold
<input type="checkbox"/> BILL FEES ONLY	<input type="checkbox"/> Write Off
<input type="checkbox"/> BILL COST ONLY	<input type="checkbox"/> Transfer All

Billing Instructions

expires 6/30/2024: 10% off standard rates (automatic)

07/26/23 14:24:07 PROFORMA STATEMENT FOR MATTER 378224.00003 (Winkler, Geoff/Receiver for Essex Capita) (Asset Recovery & Management)

Account Summary – As Of 07/25/23

	Fiscal YTD			Calendar YTD			LTD		
	Total	Fees	Disb.	Total	Fees	Disb.	Total	Fees	Disbursements
Worked	1,907.25	1,739.25	168.00	68,051.70	68,051.70	0.00	985,470.32	984,701.02	769.30
Unbilled Adj	0.00	0.00	0.00	346.50	346.50	0.00	48,828.51	48,828.51	0.00
Billed	0.00	0.00	0.00	54,076.05	54,076.05	0.00	855,201.65	855,201.65	769.30
Collected	0.00	0.00	0.00	54,076.02	54,076.02	0.00	855,970.92	855,201.62	769.30
AR Write Off	0.00	0.00	0.00	0.03	0.03	0.00	0.03	0.03	0.00
	Total	Fees	Costs						
WIP	38,265.30	38,265.30	0.00						
Balance									
AR Balance	0.00	0.00	0.00						
Unalloc	0.00								
Payment									
Client Trust	0.00								
Balance									

Billing Address

Winkler, Geoff/Receiver for Essex Capital Corporation
 Geoff Winkler
 Managing Director
 Alvarez & Marsal LLC
 100 Pine Street, Suite 900
 San Francisco, CA 94111-5222

07/26/23 14:24:09 PROFORMA STATEMENT FOR MATTER 378224.00004 (Winkler, Geoff/Receiver for Essex Capita) (Investigation/Reporting)

Preliminary Billing Form

Billing Atty: 001842 - Del Castillo, Matter #: 378224.00004 Client Name: Winkler, Geoff/Receiver for Essex Capita
 Joshua
 Date of Last Billing: 06/30/23 Matter Name: Investigation/Reporting
 Proforma Number: 1226815
 Client/Matter Joint Group # 378224-1 Client Matter Number:

Fees for Matter 378224.00004.(Investigation/Reporting)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
04/06/23	9180061	Prepare for/attend the meeting with Receiver concerning the pending actions, strategy to conclude the case, address the Fifth Third Bank issues (.4). Follow-up on outstanding discovery as to accounts at Fifth Third Bank, conference with counsel (.3).	Zaro, David	0.70	626.85	626.85	WO	HD	TR	_____
04/10/23	9180076	Review materials, confer with counsel and Receiver's office, and prepare draft Fifteenth Interim Report (4.3).	Del Castillo, Joshua	4.30	2,960.55	3,587.40	WO	HD	TR	_____
04/10/23	9181525	Analysis of pending claims, recoveries and issues impacting closure for proceeding, and draft report.	Zaro, David	0.60	537.30	4,124.70	WO	HD	TR	_____
04/20/23	9190571	Confer with M. Pham regarding pending and anticipated document subpoena (0.3); emails with Receiver's office regarding interim report (0.2).	Del Castillo, Joshua	0.50	344.25	4,468.95	WO	HD	TR	_____
04/25/23	9193973	Review notes and draft interim report and prepare detailed update to SEC regarding case status (0.5).	Del Castillo, Joshua	0.50	344.25	4,813.20	WO	HD	TR	_____

07/26/23 14:24:09 PROFORMA STATEMENT FOR MATTER 378224.00004 (Winkler, Geoff/Receiver for Essex Capita) (Investigation/Reporting)

Fees for Matter 378224.00004.(Investigation/Reporting)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
04/27/23	9197710	Emails with M. Pham regarding documents subpoena (0.2).	Del Castillo, Joshua	0.20	137.70	4,950.90	WO	HD	TR	_____
05/09/23	9211863	Review and respond to email from J. Hall regarding draft interim report (0.2); confer with counsel and attention to finalizing report for filing (0.6).	Del Castillo, Joshua	0.80	550.80	5,501.70	WO	HD	TR	_____
05/10/23	9212598	Review and revise draft interim report and confer with Receiver's office and counsel regarding same (0.9).	Del Castillo, Joshua	0.90	619.65	6,121.35	WO	HD	TR	_____
05/11/23	9214315	Follow-up regarding interim report (0.2).	Del Castillo, Joshua	0.20	137.70	6,259.05	WO	HD	TR	_____
05/15/23	9234458	Revise and finalize interim report, notice, proposed order	Pham, Matt D.	0.50	240.75	6,499.80	WO	HD	TR	_____
05/30/23	9231900	Review subpoena tracker and notes regarding discovery and confer with M. Pham regarding same (0.5).	Del Castillo, Joshua	0.50	344.25	6,844.05	WO	HD	TR	_____
06/01/23	9240540	Evaluate the analysis of the Fifth Third claims and advice to counsel (.3). Follow-up on the Perry/Kim claims, strategy, settlement and advice to counsel (.3).	Zaro, David	0.60	537.30	7,381.35	WO	HD	TR	_____

Proforma Summary

Timekeeper

Number	Timekeeper	Hours	Rate	Amounts
000313	Zaro, David	1.90	895.50	1,701.45
001842	Del Castillo, Joshua	7.90	688.50	5,439.15
002510	Pham, Matt D.	0.50	481.50	240.75

07/26/23 14:24:09 PROFORMA STATEMENT FOR MATTER 378224.00004 (Winkler, Geoff/Receiver for Essex Capita) (Investigation/Reporting)

Proforma Summary

Timekeeper

Number	Timekeeper	Hours	Rate	Amounts
		10.30		\$7,381.35
	Subtotal Fees			\$7,381.35
	Discount			0.00
	Total Fees			7,381.35
	Total Disbursements			0.00

Attorney Billing Instructions

()	BILL ALL	()	Hold
()	BILL FEES ONLY	()	Write Off
()	BILL COST ONLY	()	Transfer All

Billing Instructions

expires 6/30/2024: 10% off standard rates (automatic)

Account Summary – As Of 07/25/23

	Fiscal YTD			Calendar YTD			LTD		
	Total	Fees	Disb.	Total	Fees	Disb.	Total	Fees	Disbursements
Worked	1,741.50	1,741.50	0.00	28,595.25	28,595.25	0.00	315,858.18	315,758.16	100.02
Unbilled Adj	0.00	0.00	0.00	0.00	0.00	0.00	23,704.92	23,704.92	0.00
Billed	0.00	0.00	0.00	29,677.05	29,677.05	0.00	271,854.99	271,854.99	100.02
Collected	0.00	0.00	0.00	29,677.04	29,677.04	0.00	271,955.00	271,854.98	100.02
AR Write Off	0.00	0.00	0.00	0.01	0.01	0.00	0.01	0.01	0.00
WIP	9,122.85	9,122.85	0.00						
Balance									
AR Balance	0.00	0.00	0.00						
Unalloc	0.00								
Payment									
Client Trust	0.00								
Balance									

Billing Address

07/26/23 14:24:09 PROFORMA STATEMENT FOR MATTER 378224.00004 (Winkler, Geoff/Receiver for Essex Capita) (Investigation/Reporting)

Winkler, Geoff/Receiver for Essex Capital Corporation
Geoff Winkler
Managing Director
Alvarez & Marsal LLC
100 Pine Street, Suite 900
San Francisco, CA 94111-5222

07/26/23 14:24:10 PROFORMA STATEMENT FOR MATTER 378224.00007 (Winkler, Geoff/Receiver for Essex Capita) (Pending Litigation)

Preliminary Billing Form

Billing Atty: 001842 - Del Castillo, Matter #: 378224.00007 Client Name: Winkler, Geoff/Receiver for Essex Capita
 Joshua
 Date of Last Billing: 06/30/23 Matter Name: Pending Litigation
 Proforma Number: 1226815
 Client/Matter Joint Group # 378224-1 Client Matter Number:

Fees for Matter 378224.00007.(Pending Litigation)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
04/24/23	9200762	Analysis and review of emails re: settlement conference issues.	Farrell, Michael	0.20	164.70	164.70	WO	HD	TR	_____
04/25/23	9203171	Draft email to client regarding status of outstanding clawback actions	Pham, Matt D.	0.50	240.75	405.45	WO	HD	TR	_____
04/26/23	9200773	Analysis and exchange of emails re: settlement conference issues/timing.	Farrell, Michael	0.30	247.05	652.50	WO	HD	TR	_____
04/28/23	9200199	Telephone conference, analysis and exchange of various emails re: settlement conference issues and timing.	Farrell, Michael	0.40	329.40	981.90	WO	HD	TR	_____
05/19/23	9221519	Review dockets and confer with J. Robichaud regarding upcoming hearings in stayed state court matters (0.5).	Del Castillo, Joshua	0.50	344.25	1,326.15	WO	HD	TR	_____
05/25/23	9227556	Correspond with J. del Castillo and plaintiff's counsel in Dennis v. lanelli action and exchange status reports in anticipation of June 9 hearing (.2).	Robichaud, James	0.20	69.30	1,395.45	WO	HD	TR	_____
05/25/23	9227744	Review Dennis/lannelli status report and confer with counsel regarding same (0.5).	Del Castillo, Joshua	0.50	344.25	1,739.70	WO	HD	TR	_____

07/26/23 14:24:10 PROFORMA STATEMENT FOR MATTER 378224.00007 (Winkler, Geoff/Receiver for Essex Capita) (Pending Litigation)

Fees for Matter 378224.00007.(Pending Litigation)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
05/26/23	9228410	Review materials in connection with prospective assignment of litigation rights to third party attorney (0.6); review documents provided by Receiver's office in connection with same (0.5); review memorandum from S. Kenney (0.3); emails with D. Zaro (0.2).	Del Castillo, Joshua	1.60	1,101.60	2,841.30	WO	HD	TR	_____
05/31/23	9235642	Review outstanding pending litigation and disgorgement dockets and email and confer with M. Farrell, M. Pham, and J. Robichaud regarding outstanding tasks in connection with same (1.0).	Del Castillo, Joshua	1.00	688.50	3,529.80	WO	HD	TR	_____
06/06/23	9241471	Review dockets and confer with J. Robichaud regarding upcoming hearing in Dennis v. Iannelli matter (0.7).	Del Castillo, Joshua	0.70	481.95	4,011.75	WO	HD	TR	_____
06/09/23	9244536	Confer with J. Robichaud regarding status conference and OSC issue dby Court for plaintiffs' counsel's non-appearance (0.5).	Del Castillo, Joshua	0.50	344.25	4,356.00	WO	HD	TR	_____
06/09/23	9244566	Prepare for and appear at case management conference in Dennis v. Iannelli et al (1.5).	Robichaud, James	1.50	519.75	4,875.75	WO	HD	TR	_____
06/09/23	9244661	Emails with Receiver's office regarding pending litigation matters and administrative issues (0.5).	Del Castillo, Joshua	0.50	344.25	5,220.00	WO	HD	TR	_____
06/15/23	9266230	Preparatoin for and participation in conference call re: third party claim pursuit and strategy.	Farrell, Michael	0.30	247.05	5,467.05	WO	HD	TR	_____

07/26/23 14:24:10 PROFORMA STATEMENT FOR MATTER 378224.00007 (Winkler, Geoff/Receiver for Essex Capita) (Pending Litigation)

Fees for Matter 378224.00007.(Pending Litigation)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
06/21/23	9267355	Conference, analysis, review of summary and exchange of emails re: global claim resolution strategy and timing.	Farrell, Michael	0.60	494.10	5,961.15	WO	HD	TR	_____
06/21/23	9268577	Confer with Josh del Castillo and Mike Farrell regarding settlements of McCloskey, Nicholson, Grimm, and Perry disputes	Pham, Matt D.	0.70	337.05	6,298.20	WO	HD	TR	_____
06/22/23	9255873	Emails and confer with counsel regarding preparation of updated litigation strategy memos and budgets (1.1); review documents in connection with same (0.8).	Del Castillo, Joshua	1.90	1,308.15	7,606.35	WO	HD	TR	_____
06/26/23	9258528	Complete litigation strategy memos and deliver to M. Farrell and M. Pham for discussion (3.0).	Del Castillo, Joshua	3.00	2,065.50	9,671.85	WO	HD	TR	_____
06/27/23	9260205	Attend follow-up call regarding prior Dennis status conference and OSC regarding plaintiff's failure to appear (0.8); confer with M. Pham regarding settlement analysis (0.5); prepare summary description for and transmit litigation, settlement, and budget update to Receiver for discussion (1.0).	Del Castillo, Joshua	2.30	1,583.55	11,255.40	WO	HD	TR	_____
06/27/23	9268692	Confer with Josh del Castillo regarding potential settlement ranges in various pending actions	Pham, Matt D.	0.40	192.60	11,448.00	WO	HD	TR	_____
06/28/23	9261862	Review and respond to correspondence from Plaintiff's counsel in Dennis v. Iannelli matter (0.2); confer with D. Zaro regarding associated litigation and prospective litigation issues (0.2).	Del Castillo, Joshua	0.40	275.40	11,723.40	WO	HD	TR	_____

07/26/23 14:24:10 PROFORMA STATEMENT FOR MATTER 378224.00007 (Winkler, Geoff/Receiver for Essex Capita) (Pending Litigation)

Fees for Matter 378224.00007.(Pending Litigation)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action
06/29/23	9263173	Confer with counsel regarding prospective settlement strategy determined by Receiver (0.5).	Del Castillo, Joshua	0.50	344.25	12,067.65	WO	HD TR

Proforma Summary

Timekeeper

Number	Timekeeper	Hours	Rate	Amounts
000739	Farrell, Michael	1.80	823.50	1,482.30
001842	Del Castillo, Joshua	13.40	688.50	9,225.90
002510	Pham, Matt D.	1.60	481.50	770.40
002592	Robichaud, James	1.70	346.50	589.05
		<u>18.50</u>		<u>\$12,067.65</u>
Subtotal Fees				\$12,067.65
Discount				0.00
Total Fees				12,067.65
Total Disbursements				0.00

Attorney Billing Instructions

<input type="checkbox"/> BILL ALL	<input type="checkbox"/> Hold
<input type="checkbox"/> BILL FEES ONLY	<input type="checkbox"/> Write Off
<input type="checkbox"/> BILL COST ONLY	<input type="checkbox"/> Transfer All

Billing Instructions

expires 6/30/2024: 10% off standard rates (automatic)

Account Summary – As Of 07/25/23

	Fiscal YTD		Calendar YTD				LTD		
	Total	Fees	Disb.	Total	Fees	Disb.	Total	Fees	Disbursements
Worked	6,311.25	6,311.25	0.00	20,566.80	20,566.80	0.00	126,268.17	123,938.10	2,330.07
Unbilled Adj	0.00	0.00	0.00	0.00	0.00	0.00	5,042.79	5,042.79	0.00
Billed	0.00	0.00	0.00	3,014.10	3,014.10	0.00	95,157.81	95,157.81	2,330.07

07/26/23 14:24:10 PROFORMA STATEMENT FOR MATTER 378224.00007 (Winkler, Geoff/Receiver for Essex Capita) (Pending Litigation)

Collected	0.00	0.00	0.00	3,014.10	3,014.10	0.00	97,487.88	95,157.81	2,330.07
AR Write Off	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Total	Fees	Costs						
WIP Balance	18,424.10	18,378.90	45.20						
AR Balance	0.00	0.00	0.00						
Unalloc Payment	0.00								
Client Trust Balance	0.00								

Billing Address

Winkler, Geoff/Receiver for Essex Capital Corporation
 Geoff Winkler
 Managing Director
 Alvarez & Marsal LLC
 100 Pine Street, Suite 900
 San Francisco, CA 94111-5222

07/26/23 14:24:11 PROFORMA STATEMENT FOR MATTER 378224.00020 (Winkler, Geoff/Receiver for Essex Capita) (Nicholson Litigation)

Preliminary Billing Form

Billing Atty: 001842 - Del Castillo, Matter #: 378224.00020 Client Name: Winkler, Geoff/Receiver for Essex Capita
 Joshua
 Date of Last Billing: 06/30/23 Matter Name: Nicholson Litigation
 Proforma Number: 1226815
 Client/Matter Joint Group # 378224-1 Client Matter Number:

Fees for Matter 378224.00020.(Nicholson Litigation)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
04/04/23	9177564	Evaluate the Nicholson matter issues, the status of the litigation and prior negotiations (.4). Follow-up on the status of present settlement issues, strategy with counsel (.2)	Zaro, David	0.60	537.30	537.30	WO	HD	TR	_____
04/13/23	9185454	Review, analysis and exchange of various e-mails with clients and counsel re: settlement issues and strategy (.5); conference and analysis re: same (.3).	Farrell, Michael	0.80	658.80	1,196.10	WO	HD	TR	_____
04/13/23	9203055	Review and analyze case notes and draft email to client regarding prior settlement analysis	Pham, Matt D.	0.60	288.90	1,485.00	WO	HD	TR	_____
04/14/23	9184455	Review notes and mandatory settlement conference statement and analysis (0.9); Review and respond to correspondence from Receiver's office and counsel regarding settlement status and proposals (0.9).	Del Castillo, Joshua	1.80	1,239.30	2,724.30	WO	HD	TR	_____
04/15/23	9185451	Reviewed e-mail re: settlement issues (.2); reviewed prior settlement calculations (.3); drafted response e-mail (.2).	Farrell, Michael	0.70	576.45	3,300.75	WO	HD	TR	_____

07/26/23 14:24:11 PROFORMA STATEMENT FOR MATTER 378224.00020 (Winkler, Geoff/Receiver for Essex Capita) (Nicholson Litigation)

Fees for Matter 378224.00020.(Nicholson Litigation)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle Action			
04/17/23	9186289	Confer with D. Zaro, M. Farrell, and M. Pham regarding settlement analysis, review materials in connection with same, and prepare memorandum to D. Zaro (1.3).	Del Castillo, Joshua	1.30	895.05	4,195.80	WO	HD	TR	_____
04/17/23	9188191	Evaluate several emails, analysis of claims, evidence, BOP and settlement negotiations (.8). Review legal issues and defenses, call to advise counsel, email to Receiver/Mr. Hall (.6).	Zaro, David	1.40	1,253.70	5,449.50	WO	HD	TR	_____
04/17/23	9200676	Conference, analysis and exchange of emails re: settlement issues and strategy.	Farrell, Michael	0.60	494.10	5,943.60	WO	HD	TR	_____
04/18/23	9200683	Analysis and exchange of emails with opposing counsel.	Farrell, Michael	0.20	164.70	6,108.30	WO	HD	TR	_____
04/18/23	9203107	Phone call with opposing counsel regarding continuance and status of Nicholson's health	Pham, Matt D.	0.30	144.45	6,252.75	WO	HD	TR	_____
04/20/23	9191391	Work on the analysis of the Nicholson claims, legal issues and advice related to settlement, assess evidence as to insider role.	Zaro, David	0.40	358.20	6,610.95	WO	HD	TR	_____
04/28/23	9200173	Telephone conference, analysis and preparation of email re: settlement proposal.	Farrell, Michael	0.40	329.40	6,940.35	WO	HD	TR	_____
05/11/23	9214363	Reviewed settlement response from opposing counsel (.1); conference, analysis and exchange of emails re: same (.3).	Farrell, Michael	0.40	329.40	7,269.75	WO	HD	TR	_____

07/26/23 14:24:11 PROFORMA STATEMENT FOR MATTER 378224.00020 (Winkler, Geoff/Receiver for Essex Capita) (Nicholson Litigation)

Fees for Matter 378224.00020.(Nicholson Litigation)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action
05/31/23	9236631	Evaluate status of Nicholson pleadings and accounting, meet with counsel to assess/evaluate strategy for settlement/proceeding.	Zaro, David	0.70	626.85	7,896.60	WO	HD TR
06/12/23	9250894	Analysis of the Nicholson claim, meeting with Receiver counsel to address Nicholson case, offer of settlement and Receiver's strategy.	Zaro, David	0.30	268.65	8,165.25	WO	HD TR
06/22/23	9255925	Confer with counsel and attention to litigation and settlement strategy matters (0.3).	Del Castillo, Joshua	0.30	206.55	8,371.80	WO	HD TR

Proforma Summary

Timekeeper

Number	Timekeeper	Hours	Rate	Amounts
000313	Zaro, David	3.40	895.50	3,044.70
000739	Farrell, Michael	3.10	823.50	2,552.85
001842	Del Castillo, Joshua	3.40	688.50	2,340.90
002510	Pham, Matt D.	0.90	481.50	433.35
		<u>10.80</u>		<u>\$8,371.80</u>
Subtotal Fees				\$8,371.80
Discount				0.00
Total Fees				8,371.80
Total Disbursements				0.00

Attorney Billing Instructions

- | | |
|---|---------------------------------------|
| <input type="checkbox"/> BILL ALL | <input type="checkbox"/> Hold |
| <input type="checkbox"/> BILL FEES ONLY | <input type="checkbox"/> Write Off |
| <input type="checkbox"/> BILL COST ONLY | <input type="checkbox"/> Transfer All |

Billing Instructions

expires 6/30/2024: 10% off standard rates (automatic)

07/26/23 14:24:11 PROFORMA STATEMENT FOR MATTER 378224.00020 (Winkler, Geoff/Receiver for Essex Capita) (Nicholson Litigation)

Account Summary – As Of 07/25/23

	Fiscal YTD			Calendar YTD			LTD		
	Total	Fees	Disb.	Total	Fees	Disb.	Total	Fees	Disbursements
Worked	0.00	0.00	0.00	32,389.28	31,953.60	435.68	109,283.86	108,581.40	702.46
Unbilled Adj	0.00	0.00	0.00	0.00	0.00	0.00	1,067.58	1,067.58	0.00
Billed	0.00	0.00	0.00	78,835.24	78,132.78	702.46	99,254.88	99,254.88	702.46
Collected	0.00	0.00	0.00	78,835.23	78,132.77	702.46	99,957.33	99,254.87	702.46
AR Write Off	0.00	0.00	0.00	0.01	0.01	0.00	0.01	0.01	0.00
	Total	Fees	Costs						
WIP	8,371.80	8,371.80	0.00						
Balance									
AR Balance	0.00	0.00	0.00						
Unalloc	0.00								
Payment									
Client Trust	0.00								
Balance									

Billing Address

Winkler, Geoff/Receiver for Essex Capital Corporation
 Geoff Winkler
 Managing Director
 Alvarez & Marsal LLC
 100 Pine Street, Suite 900
 San Francisco, CA 94111-5222

07/26/23 14:24:12 PROFORMA STATEMENT FOR MATTER 378224.00022 (Winkler, Geoff/Receiver for Essex Capita) (Emmons Litigation)

Preliminary Billing Form

Billing Atty: 001842 - Del Castillo, Matter #: 378224.00022 Client Name: Winkler, Geoff/Receiver for Essex Capita
 Joshua
 Date of Last Billing: 04/04/23 Matter Name: Emmons Litigation
 Proforma Number: 1226815
 Client/Matter Joint Group # 378224-1 Client Matter Number:

Fees for Matter 378224.00022.(Emmons Litigation)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
05/18/23	9233915	Analysis and exchange of emails with opposing counsel re: payment and dismissal.	Farrell, Michael	0.20	164.70	164.70	WO	HD	TR	_____
05/19/23	9222373	Review, analysis and exchange of emails re: settlement terms and dismissal requirement.	Farrell, Michael	0.20	164.70	329.40	WO	HD	TR	_____
05/23/23	9225111	Analysis and exchange of emails re: dismissal.	Farrell, Michael	0.20	164.70	494.10	WO	HD	TR	_____
05/23/23	9234513	Draft stipulation and proposed order regarding dismissal of action with prejudice (0.4); Draft email to opposing counsel regarding stipulation re dismissal (0.1)	Pham, Matt D.	0.50	240.75	734.85	WO	HD	TR	_____

Proforma Summary

Timekeeper Number	Timekeeper	Hours	Rate	Amounts
000739	Farrell, Michael	0.60	823.50	494.10
002510	Pham, Matt D.	0.50	481.50	240.75
		<u>1.10</u>		<u>\$734.85</u>
Subtotal Fees				\$734.85

07/26/23 14:24:12 PROFORMA STATEMENT FOR MATTER 378224.00022 (Winkler, Geoff/Receiver for Essex Capita) (Emmons Litigation)

Proforma Summary

Timekeeper

Number	Timekeeper	Hours	Rate	Amounts
Discount				0.00
Total Fees				734.85
Total Disbursements				0.00

Attorney Billing Instructions

()	BILL ALL	()	Hold
()	BILL FEES ONLY	()	Write Off
()	BILL COST ONLY	()	Transfer All

Billing Instructions

expires 6/30/2024: 10% off standard rates (automatic)

Account Summary – As Of 07/25/23

	Fiscal YTD			Calendar YTD			LTD		
	Total	Fees	Disb.	Total	Fees	Disb.	Total	Fees	Disbursements
Worked	0.00	0.00	0.00	734.85	734.85	0.00	68,547.50	67,233.15	1,314.35
Unbilled Adj	0.00	0.00	0.00	0.00	0.00	0.00	1,311.30	1,311.30	0.00
Billed	0.00	0.00	0.00	51,371.45	50,057.10	1,314.35	65,187.00	65,187.00	1,314.35
Collected	0.00	0.00	0.00	51,371.45	50,057.10	1,314.35	66,501.35	65,187.00	1,314.35
AR Write Off	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIP	734.85	734.85	0.00						
Balance									
AR Balance	0.00	0.00	0.00						
Unalloc	0.00								
Payment									
Client Trust	0.00								
Balance									

Billing Address

Winkler, Geoff/Receiver for Essex Capital Corporation
 Geoff Winkler

07/26/23 14:24:12 PROFORMA STATEMENT FOR MATTER 378224.00022 (Winkler, Geoff/Receiver for Essex Capita) (Emmons Litigation)

Managing Director
Alvarez & Marsal LLC
100 Pine Street, Suite 900
San Francisco, CA 94111-5222

07/26/23 14:24:14 PROFORMA STATEMENT FOR MATTER 378224.00023 (Winkler, Geoff/Receiver for Essex Capita) (McCloskey Litigation)

Preliminary Billing Form

Billing Atty: 001842 - Del Castillo, Matter #: 378224.00023 Client Name: Winkler, Geoff/Receiver for Essex Capita
 Joshua
 Date of Last Billing: 06/30/23 Matter Name: McCloskey Litigation
 Proforma Number: 1226815
 Client/Matter Joint Group # 378224-1 Client Matter Number:

Fees for Matter 378224.00023.(McCloskey Litigation)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
04/03/23	9175087	Complete forms required by Ninth Circuit and confer with M. Pham regarding same (0.3).	Del Castillo, Joshua	0.30	206.55	206.55	WO	HD	TR	_____
04/04/23	9175556	Review Appellants' Opposition to Receiver's Motion for Judicial Notice and confer with counsel regarding same (0.8); legal analysis in connection with same (0.4); attention to Ninth Circuit administrative matter (0.3).	Del Castillo, Joshua	1.50	1,032.75	1,239.30	WO	HD	TR	_____
04/04/23	9176938	Analysis of law cited in McCloskeys' opposition to motion for judicial notice and other relevant case law (2.0).	Robichaud, James	2.00	693.00	1,932.30	WO	HD	TR	_____
04/04/23	9202968	Review and analyze McCloskeys' opposition to Receiver's motion to take judicial notice.	Pham, Matt D.	0.20	96.30	2,028.60	WO	HD	TR	_____
04/05/23	9176949	Draft reply to Appellants' opposition to motion for judicial notice (1.0).	Robichaud, James	1.00	346.50	2,375.10	WO	HD	TR	_____
04/06/23	9177749	Revise draft reply to Appellants' opposition to motion for judicial notice (0.4).	Robichaud, James	0.40	138.60	2,513.70	WO	HD	TR	_____

07/26/23 14:24:14 PROFORMA STATEMENT FOR MATTER 378224.00023 (Winkler, Geoff/Receiver for Essex Capita) (McCloskey Litigation)

Fees for Matter 378224.00023.(McCloskey Litigation)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
04/06/23	9177955	Review and revise draft Reply ISO Motion for Judicial Notice (0.5).	Del Castillo, Joshua	0.50	344.25	2,857.95	WO	HD	TR	_____
04/10/23	9180078	Confer with counsel regarding draft Reply in support of Motion for Judicial Notice and attend to related filing matters (0.8).	Del Castillo, Joshua	0.80	550.80	3,408.75	WO	HD	TR	_____
04/10/23	9203015	Revise and finalize Receiver's reply in support of motion to take judicial notice (0.6).	Pham, Matt D.	0.60	288.90	3,697.65	WO	HD	TR	_____
04/24/23	9200755	Analysis and exchange of emails re: McCloskey request for extension and response to same.	Farrell, Michael	0.30	247.05	3,944.70	WO	HD	TR	_____
04/28/23	9200207	Telephone conference, analysis and exchange of e-mails re: appellate briefing schedule and McCloskey request for extension of time.	Farrell, Michael	0.30	247.05	4,191.75	WO	HD	TR	_____
04/28/23	9203220	Draft email to opposing counsel regarding no consent to extension	Pham, Matt D.	0.20	96.30	4,288.05	WO	HD	TR	_____
05/02/23	9207917	Email/call with counsel related to McCloskey case, prospective settlement and follow-up.	Zaro, David	0.40	358.20	4,646.25	WO	HD	TR	_____
05/10/23	9232302	Reviewed correspondence from opposing counsel re: settlement proposal and exchanged emails re: same (.3); reviewed materials re: prior settlement discussions (.2).	Farrell, Michael	0.50	411.75	5,058.00	WO	HD	TR	_____
05/11/23	9214361	Conferences, analysis, review of materials and exchange of emails re: settlement	Farrell, Michael	0.80	658.80	5,716.80	WO	HD	TR	_____

07/26/23 14:24:14 PROFORMA STATEMENT FOR MATTER 378224.00023 (Winkler, Geoff/Receiver for Essex Capita) (McCloskey Litigation)

Fees for Matter 378224.00023.(McCloskey Litigation)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action
05/24/23	9225943	Review appellate Reply Brief and emails with M. Pham regarding same (0.5).	Del Castillo, Joshua	0.50	344.25	6,061.05	WO	HD TR

Proforma Summary

Timekeeper

Number	Timekeeper	Hours	Rate	Amounts
000313	Zaro, David	0.40	895.50	358.20
000739	Farrell, Michael	1.90	823.50	1,564.65
001842	Del Castillo, Joshua	3.60	688.50	2,478.60
002510	Pham, Matt D.	1.00	481.50	481.50
002592	Robichaud, James	3.40	346.50	1,178.10
		<u>10.30</u>		<u>\$6,061.05</u>
Subtotal Fees				\$6,061.05
Discount				0.00
Total Fees				6,061.05
Total Disbursements				0.00

Attorney Billing Instructions

- BILL ALL
- BILL FEES ONLY
- BILL COST ONLY
- Hold
- Write Off
- Transfer All

Billing Instructions

expires 6/30/2024: 10% off standard rates (automatic)

Account Summary – As Of 07/25/23

	Fiscal YTD		Calendar YTD				LTD		
Worked	Total	Fees	Disb.	Total	Fees	Disb.	Total	Fees	Disbursements
	535.50	535.50	0.00	95,950.49	95,944.95	5.54	178,283.24	177,657.30	625.94

07/26/23 14:24:14 PROFORMA STATEMENT FOR MATTER 378224.00023 (Winkler, Geoff/Receiver for Essex Capita) (McCloskey Litigation)

Unbilled Adj	0.00	0.00	0.00	6,532.87	6,532.87	0.00	8,275.72	8,275.72	0.00
Billed	0.00	0.00	0.00	54,526.87	54,521.33	5.54	105,870.83	105,870.83	625.94
Collected	0.00	0.00	0.00	54,526.86	54,521.32	5.54	106,496.76	105,870.82	625.94
AR Write Off	0.00	0.00	0.00	0.01	0.01	0.00	0.01	0.01	0.00
	Total	Fees	Costs						
WIP	63,602.34	63,510.75	91.59						
Balance									
AR Balance	0.00	0.00	0.00						
Unalloc	0.00								
Payment									
Client Trust	0.00								
Balance									

Billing Address

Winkler, Geoff/Receiver for Essex Capital Corporation
 Geoff Winkler
 Managing Director
 Alvarez & Marsal LLC
 100 Pine Street, Suite 900
 San Francisco, CA 94111-5222

07/26/23 14:24:15 PROFORMA STATEMENT FOR MATTER 378224.00024 (Winkler, Geoff/Receiver for Essex Capita) (Grimm Litigation)

Preliminary Billing Form

Billing Atty: 001842 - Del Castillo, Matter #: 378224.00024 Client Name: Winkler, Geoff/Receiver for Essex Capita
 Joshua
 Date of Last Billing: Matter Name: Grimm Litigation
 Proforma Number: 1226815
 Client/Matter Joint Group # 378224.1 Client Matter Number:

Fees for Matter 378224.00024.(Grimm Litigation)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
04/24/23	9203155	Draft email to opposing counsel regarding mandatory settlement conference (0.3); Revise and continue drafting requests for production to defendants (2.1); Revise and continue drafting interrogatories to Blue Pacific (0.8)	Pham, Matt D.	3.20	1,540.80	1,540.80	WO	HD	TR	_____
04/25/23	9203176	Continue drafting three sets of interrogatories to three defendants (1.9); Continue drafting three sets of requests for production to three defendants (0.9); Continue drafting two sets of requests for admission to Blue Pacific and Grimm Investments (1.0)	Pham, Matt D.	3.80	1,829.70	3,370.50	WO	HD	TR	_____
04/26/23	9203175	Review and analyze client's documents relating to defendants (1.6); Continue drafting two sets of requests for admission to two defendants (2.0).	Pham, Matt D.	3.60	1,733.40	5,103.90	WO	HD	TR	_____
04/28/23	9203221	Draft email to Judge MacKinnon's courtroom deputy regarding availability for mandatory settlement conference.	Pham, Matt D.	0.20	96.30	5,200.20	WO	HD	TR	_____

07/26/23 14:24:15 PROFORMA STATEMENT FOR MATTER 378224.00024 (Winkler, Geoff/Receiver for Essex Capita) (Grimm Litigation)

Fees for Matter 378224.00024.(Grimm Litigation)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
05/03/23	9226347	Review and analysis of extensive draft discovery and exchanged emails re: same (.9); reviewed applicable provisions of pleadings (.4).	Farrell, Michael	1.30	1,070.55	6,270.75	WO	HD	TR	_____
05/03/23	9234362	Revise three sets of RFPs, three sets of interrogatories, and two sets of RFAs (1.6); Confer with Mike Farrell regarding Grimm accounting and litigation strategy (0.2); Review and analyze client's documents in preparation for drafting confidential settlement brief (1.2); Begin drafting confidential settlement brief - factual background (1.6); Draft multiple emails to Judge MacKinnon's courtroom deputy and client regarding mandatory settlement conference (0.2)	Pham, Matt D.	4.80	2,311.20	8,581.95	WO	HD	TR	_____
05/05/23	9230078	Analysis and review of order re: settlement conference.	Farrell, Michael	0.20	164.70	8,746.65	WO	HD	TR	_____
05/08/23	9234404	Review and analyze client's documents relating to Grimm transactions (1.2); Continue drafting confidential settlement brief - factual background on Grimm transactions (2.0); Continue drafting confidential settlement brief - argument section (1.6)	Pham, Matt D.	4.80	2,311.20	11,057.85	WO	HD	TR	_____
05/09/23	9211868	Confer with M. Pham and M. Farrell regarding Grimm mandatory settlement conference statement (0.5).	Del Castillo, Joshua	0.50	344.25	11,402.10	WO	HD	TR	_____
05/10/23	9212678	Confer with M. Pham and M. Farrell regarding mandatory settlement conference statement and related matters (0.5).	Del Castillo, Joshua	0.50	344.25	11,746.35	WO	HD	TR	_____

07/26/23 14:24:15 PROFORMA STATEMENT FOR MATTER 378224.00024 (Winkler, Geoff/Receiver for Essex Capita) (Grimm Litigation)

Fees for Matter 378224.00024.(Grimm Litigation)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
05/10/23	9232305	Analysis and exchange of emails re: settlement conference issues and strategy.	Farrell, Michael	0.30	247.05	11,993.40	WO	HD	TR	_____
05/10/23	9234434	Continue drafting confidential settlement brief - argument regarding no loss from Solixel transaction (1.7); Continue drafting confidential settlement brief - Solixel argument, settlement posture, factual background (1.4).	Pham, Matt D.	3.10	1,492.65	13,486.05	WO	HD	TR	_____
05/11/23	9214344	Review and analysis of draft settlement conference statement (.9); conference and analysis re: issues raised and potential revisions to same (.4); conference with clients re: settlement issues and strategy (.2); reviewed emails with Magistrate's office re: submission timing (.1); reviewed client emails re: statement (.1).	Farrell, Michael	1.70	1,399.95	14,886.00	WO	HD	TR	_____
05/11/23	9234435	Confer with Mike Farrell regarding settlement brief (0.2); Make revisions to confidential settlement brief per Mike Farrell's comments (1.3)	Pham, Matt D.	1.50	722.25	15,608.25	WO	HD	TR	_____
05/15/23	9216487	Review mandatory settlement conference statement and confer with M. Pham regarding settlement strategy matters (0.5).	Del Castillo, Joshua	0.50	344.25	15,952.50	WO	HD	TR	_____
05/16/23	9218054	Confer with M. Pham regarding upcoming mandatory settlement conference (0.2); review Receiver accounting in connection with same (0.2).	Del Castillo, Joshua	0.40	275.40	16,227.90	WO	HD	TR	_____
05/22/23	9223473	Confer with M. Pham regarding upcoming mandatory settlement conference (0.3).	Del Castillo, Joshua	0.30	206.55	16,434.45	WO	HD	TR	_____

07/26/23 14:24:15 PROFORMA STATEMENT FOR MATTER 378224.00024 (Winkler, Geoff/Receiver for Essex Capita) (Grimm Litigation)

Fees for Matter 378224.00024.(Grimm Litigation)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
05/23/23	9224627	Confer with M. Pham regarding upcoming mandatory settlement conference and settlement strategy (0.5).	Del Castillo, Joshua	0.50	344.25	16,778.70	WO	HD	TR	_____
05/23/23	9225104	Review and analysis of statement and other materials in preparation for settlement conference.	Farrell, Michael	0.90	741.15	17,519.85	WO	HD	TR	_____
05/24/23	9225652	Emails regarding mandatory settlement conference and settlement offers (0.2); confer after conclusions of mandatory settlement conference regarding next steps for litigation (0.3).	Del Castillo, Joshua	0.50	344.25	17,864.10	WO	HD	TR	_____
05/24/23	9226376	Preparation for and participation in settlement conference (3.7); analysis and review of materials re: potential additional discovery (.3).	Farrell, Michael	4.00	3,294.00	21,158.10	WO	HD	TR	_____
05/24/23	9234527	Prepare for mandatory settlement conference (0.4); Attend mandatory settlement conference before Judge MacKinnon (3.1)	Pham, Matt D.	3.50	1,685.25	22,843.35	WO	HD	TR	_____
05/25/23	9227818	Conference and analysis re: discovery issues, timing and strategy.	Farrell, Michael	0.20	164.70	23,008.05	WO	HD	TR	_____
05/25/23	9234548	Confer with Mike Farrell regarding Grimm discovery issues and litigation strategy	Pham, Matt D.	0.20	96.30	23,104.35	WO	HD	TR	_____
05/26/23	9234569	Draft email to opposing counsel regarding response to requested extension and scheduling deposition	Pham, Matt D.	0.20	96.30	23,200.65	WO	HD	TR	_____

07/26/23 14:24:15 PROFORMA STATEMENT FOR MATTER 378224.00024 (Winkler, Geoff/Receiver for Essex Capita) (Grimm Litigation)

Fees for Matter 378224.00024.(Grimm Litigation)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
05/30/23	9231121	Review discovery requests to Receiver and emails with M. Farrell and M. Pham regarding same (0.6).	Del Castillo, Joshua	0.60	413.10	23,613.75	WO	HD	TR	_____
05/30/23	9234589	Draft initial expert disclosures (0.2); Review and analyze defendants' RFPs, RFAs, and interrogatories (0.6)	Pham, Matt D.	0.80	385.20	23,998.95	WO	HD	TR	_____
05/30/23	9236609	Conference, analysis and exchange of emails re: expert witness disclosure issues (.3); initial review and analysis of discovery propounded by defense (.3).	Farrell, Michael	0.60	494.10	24,493.05	WO	HD	TR	_____
06/07/23	9244564	Analysis and review of email re: counsel's request for discovery extension.	Farrell, Michael	0.10	82.35	24,575.40	WO	HD	TR	_____
06/15/23	9266227	Conference and analysis re: deposition issues and timing.	Farrell, Michael	0.30	247.05	24,822.45	WO	HD	TR	_____
06/21/23	9254845	Analyze request for production of documents from Grimm to determine nature of potentially responsive documents (.2); begin drafting replies to written discovery (2.1).	Robichaud, James	2.30	796.95	25,619.40	WO	HD	TR	_____
06/22/23	9255848	Prepare questions for Receiver for purposes of completing discovery responses (.5).	Robichaud, James	0.50	173.25	25,792.65	WO	HD	TR	_____
06/22/23	9255924	Confer with counsel and attention to litigation and settlement strategy matters (0.3).	Del Castillo, Joshua	0.30	206.55	25,999.20	WO	HD	TR	_____
06/26/23	9259407	Telephone conference, analysis and review of emails with clients re: re: discovery issues, timing and strategy.	Farrell, Michael	0.60	494.10	26,493.30	WO	HD	TR	_____

07/26/23 14:24:15 PROFORMA STATEMENT FOR MATTER 378224.00024 (Winkler, Geoff/Receiver for Essex Capita) (Grimm Litigation)

Fees for Matter 378224.00024.(Grimm Litigation)

Trans Date	Index	Description of Service Rendered	Timekeeper	Hours	Fees	Sum	Circle	Action		
06/26/23	9268666	Review list of questions for client regarding discovery responses prepared by James Robichaud and make revisions thereto prior to sending to client (0.3); Confer with Mike Farrell regarding Grimm's written discovery (0.2); Draft email to opposing counsel regarding requested extension for discovery responses (0.2)	Pham, Matt D.	0.70	337.05	26,830.35	WO	HD	TR	_____
06/27/23	9260497	Review documents preliminarily identified as responsive to Grimm request for responsiveness (.9); additional revisions to Grimm discovery response documents (.2).	Robichaud, James	1.10	381.15	27,211.50	WO	HD	TR	_____
06/27/23	9268693	Review and analyze defendants' responses to RFAs and interrogatories	Pham, Matt D.	0.80	385.20	27,596.70	WO	HD	TR	_____
06/28/23	9267369	Review and analysis of correspondence from client and counsel re: discovery issues (.3); conference and analysis re: deposition and written discovery strategy and timing (.4).	Farrell, Michael	0.70	576.45	28,173.15	WO	HD	TR	_____
06/28/23	9268758	Confer with Mike Farrell regarding Grimm's discovery responses and deposition scheduling	Pham, Matt D.	0.30	144.45	28,317.60	WO	HD	TR	_____
06/29/23	9268804	Continue drafting responses to defendants' RFAs and interrogatories	Pham, Matt D.	1.20	577.80	28,895.40	WO	HD	TR	_____

Disbursements for Matter 378224.00024 (Grimm Litigation)

Trans Date	Index	Type	Quantity	Amt
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07/26/23 14:24:15 PROFORMA STATEMENT FOR MATTER 378224.00024 (Winkler, Geoff/Receiver for Essex Capita) (Grimm Litigation)

Disbursements for Matter 378224.00024 (Grimm Litigation)

Trans Date	Index	Type	Quantity	Amt	WO	HD	TR	
05/24/23	2821001	PARK – Parking - Michael Farrell - SP Plus - Parking re Settlement Conference Hearing	0.00	14.00	WO	HD	TR	_____
05/24/23	2822562	PARK – Parking - Matt Pham D - Aiso Parking Garage - Parking for attending settlement conference at Roybal Courthouse	0.00	9.50	WO	HD	TR	_____
05/24/23	2822563	MILE – Mileage - Matt Pham D - (N-A) - From:: 6311 Monterey Road, Los Angeles, CA, USA To:: Edward R. Roybal Federal Building, East Temple Street, Los Angeles, CA, USA To:: 6311 Monterey Road, Los Angeles, CA, USA	0.00	8.30	WO	HD	TR	_____

Proforma Summary

Timekeeper

Number	Timekeeper	Hours	Rate	Amounts
000739	Farrell, Michael	10.90	823.50	8,976.15
001842	Del Castillo, Joshua	4.10	688.50	2,822.85
002510	Pham, Matt D.	32.70	481.50	15,745.05
002592	Robichaud, James	3.90	346.50	1,351.35
		51.60		\$28,895.40
Subtotal Fees				\$28,895.40
Discount				0.00
Total Fees				28,895.40
Total Disbursements				31.80

Attorney Billing Instructions

<input type="checkbox"/> BILL ALL	<input type="checkbox"/> Hold
<input type="checkbox"/> BILL FEES ONLY	<input type="checkbox"/> Write Off
<input type="checkbox"/> BILL COST ONLY	<input type="checkbox"/> Transfer All

Billing Instructions

expires 6/30/2024: 10% off standard rates (automatic)

Account Summary – As Of 07/25/23

Fiscal YTD Calendar YTD LTD

07/26/23 14:24:15 PROFORMA STATEMENT FOR MATTER 378224.00024 (Winkler, Geoff/Receiver for Essex Capita) (Grimm Litigation)

	Total	Fees	Disb.	Total	Fees	Disb.	Total	Fees	Disbursements
Worked	1,835.55	1,835.55	0.00	30,762.75	30,730.95	31.80	30,762.75	30,730.95	31.80
Unbilled Adj	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Billed	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Collected	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
AR Write Off	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

	Total	Fees	Costs
WIP Balance	30,775.67	30,730.95	44.72
AR Balance	0.00	0.00	0.00
Unalloc Payment	0.00		
Client Trust Balance	0.00		

Billing Address

Winkler, Geoff/Receiver for Essex Capital Corporation
 Geoff Winkler
 Managing Director
 Alvarez & Marsal LLC
 100 Pine Street, Suite 900
 San Francisco, CA 94111-5222

EXHIBIT 3



David R. Zaro

PARTNER | LOS ANGELES

T (213) 955-5518

E dzaro@allenmatkins.com

David R. Zaro is a partner in our Los Angeles office, where his practice focuses upon litigation with an emphasis upon creditors' rights, bankruptcy litigation, and state and federal receiverships. David represents a wide range of clients including banks and other institutional lenders, developers, landlords, receivers, examiners, secured and unsecured creditors, and other business enterprises.

David has extensive experience as a bankruptcy lawyer as well as a trial lawyer in federal and state courts in California and several other jurisdictions. His experience in the field of insolvency, creditors' rights, and bankruptcy litigation includes out-of-court workouts and restructurings, federal and state court receiverships, and bankruptcy reorganization proceedings. David also advises residential and commercial lenders and others regarding all aspects of commercial law with regard to commercial and residential mortgage litigation, bank regulatory disputes, and collection actions.

David's representative cases include the representation of Court Appointed Receivers in a \$1.2 billion fraud action brought by the Securities and Exchange Commission in connection with the sale of TIC and other interests in 300 assisted living facilities; and a \$750 million ponzi-like scheme involving the purchase of medical related receivables and related lending transactions; representation of lender in workout of mezzanine financing on a multi-building office park; defense of actions in bankruptcy by junior lienholder and debtor against lender on an industrial park; and structure lease termination and modifications for commercial and retail tenants both in and out of bankruptcy.

David has lectured on matters regarding residential and commercial mortgage litigation and workouts, creditors' rights, construction law, and other real property remedies.

MEMBERSHIPS

- Financial Lawyers Conference

EDUCATION

J.D., UC Hastings College of the Law
B.A., Stanford University

SERVICES

Litigation & Counseling
Restructuring, Insolvency & Bankruptcy
Construction Contracts
Receiverships, Lenders & Special Creditor Remedies

INDUSTRIES

Financial Services
Construction

- American Bankruptcy Institute
- Turnaround Management Association

ACCOLADES

- Awarded Turnaround Management Association's Transaction of the Year- Large Turnaround Award (2011)

BAR ADMISSIONS

- California

COURT ADMISSIONS

- U.S. District Court, Central District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Southern District of California
- U.S. District Court, District of Arizona
- California Supreme Court
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Supreme Court

Matters

- **Residential and Commercial Bank.** Represented bank in achieving a favorable published decision by the Ninth Circuit in Chapter 12 bankruptcy case. The appeal involved an attempt by a debtor in bankruptcy, and self-described family farmer, to leverage a discharge of personal debt in a prior Chapter 7 bankruptcy case into subsequent eligibility under Chapter 12 of the Bankruptcy Code, which could have enabled her to avoid foreclosure or strip down the value of the bank's security in the subject property. The Ninth Circuit did not agree with the debtor. The debtor sought an en banc review of the Ninth Circuit's decision which was subsequently denied.
- **SEC Receiver.** Representing SEC Receiver in securities fraud case in connection with the raising of \$120 million via the EB-5 program for the development of two large real estate developments in Seattle and neighboring Everett. We are prosecuting claims to recover investor funds from third-party borrower.
- **Residential and Commercial Bank.** Represented a residential and commercial bank in defending several thousand lawsuits throughout California, and managed local counsel in 20 other states. The lawsuits concern allegations of mortgage fraud, wrongful foreclosure, violations of TILA, RESPA, HOSPA, and other statutory and regulatory issues.
- **SEC Receiver.** Represented SEC Receiver in securities fraud case involving losses to investors of over \$40 million.

- **Residential and Commercial Lender.** Represented a residential and commercial lender in the workout and collection of a portfolio of commercial loans exceeding \$1 billion.
- **Residential and Commercial Lender.** Represented a residential and commercial lender as to the workout and collections of a portfolio of construction loans, some loans involving completed projects as well as those in progress.



Joshua A. del Castillo

PARTNER | LOS ANGELES

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Institutional lenders, commercial litigants, and receivers look to Joshua del Castillo for inventive answers to complex creditors' rights, receivership, and regulatory questions. His depth of experience and creativity in the areas of creditors' rights litigation and bankruptcy, the unique relationships he has cultivated in the receiverships space, and his familiarity with to up-to-the-minute regulatory developments, enable him to develop innovative strategies that mitigate client risks and improve client results.

Creditors' Rights, Litigation, and Regulatory Counsel

Joshua is a key member of the firm's Restructuring, Insolvency & Bankruptcy practice group, and routinely serves as counsel for institutional lenders or other creditors in bankruptcy and commercial litigation proceedings throughout California, in both state and federal courts, in addition to providing oversight to local counsel nationwide. Joshua likewise regularly represents clients in state and federal appellate matters. He is often called upon to provide proactive regulatory counsel, dispensing compliance advice and developing and deploying troubleshooting strategies, many derived from his extensive experience in serving as defense counsel to financial institutions in regulatory matters. In this capacity, Joshua assists clients in effectively satisfying their regulatory obligations while seeking to avoid potentially costly litigation or penalties.

A Pioneer in Receivership Solutions

As a member of the firm's premier Receiverships, Lenders & Special Creditor Remedies practice group, Joshua has been recognized for pioneering new legal solutions for receivers in state and federal matters, and has developed significant practical experience in creditors' rights, bankruptcy, and

EDUCATION

J.D., USC Gould School of Law
M.A., University of Michigan
B.A., *cum laude*, University of Southern California

SERVICES

Restructuring, Insolvency & Bankruptcy
Litigation & Counseling
Receiverships, Lenders & Special Creditor Remedies
Commercial Finance

INDUSTRIES

Financial Services
Residential & Multifamily

commercial litigation, including in the receivership context. This experience has taught him how to leverage new developments in the law to find innovative solutions to both age-old and novel problems.

Joshua bolsters his ability to solve multi-faceted client problems with broad access critical resources at Allen Matkins—including attorneys with unique knowledge and relationships across a spectrum of environmental, real estate, securities, labor, and related issues—and regularly works with an extensive network of outside professionals, including forensic accountants, tax accountants, private investigators, property managers, and brokers. Joshua endeavors to staff matters leanly so that his clients become familiar with all of the attorneys working on their matters, and receive accountable and responsive service.

In the Community

While helping his clients thrive, Joshua works to help the broader community prosper. In addition to his commitment to *pro bono* service, he currently serves on the advisory board of the Wage Justice Center, which works to advance low-income workers' rights, educate workers, and advocate for the collection of unpaid wages.

MEMBERSHIPS

- Financial Lawyers Conference
- California Receivers Forum
- Hispanic National Bar Association
- National Association of Federal Equity Receivers

ACCOLADES

- *Pro Bono Award*, Wage Justice Center, 2009
- Selected for inclusion in *Super Lawyers' Southern California Rising Stars* (2012 - 2015)

BAR ADMISSIONS

- California

COURT ADMISSIONS

- All California state courts
- U.S. District Court, Northern District of California (including Bankruptcy Court)
- U.S. District Court, Eastern District of California (including Bankruptcy Court)
- U.S. District Court, Central District of California (including Bankruptcy Court)
- U.S. District Court, Southern District of California (including Bankruptcy Court)
- U.S. Court of Appeals for the Ninth Circuit
- Bankruptcy Appellate Panel of the Ninth Circuit
- Supreme Court of the United States

Matters

LITIGATION AND BANKRUPTCY

- **Commercial Lenders.** Represented a national, commercial lender in connection with a large bankruptcy and breach of contract dispute, in both state and federal courts.
- **Developers.** Represented national developers in connection with preferential transfer claims brought by bankruptcy trustees.
- **Law Firms.** Represented a national law firm in connection with the bankruptcy of a large client.
- **Mortgage Lenders.** Represented a number of the nation's largest mortgage lenders in multiple commercial litigation matters, in both state and federal courts, including courts of appeal.
- **Non-Profit Organizations.** Provided *pro bono* assistance to a non-profit organization representing indigent and low-income workers in employment disputes.

FEDERAL EQUITY RECEIVERSHIPS

- ***Securities and Exchange Commission v. Plus Money, Inc., et al.***, (U.S. District Court, Southern District of California). Represented a receiver appointed in a Securities and Exchange Commission enforcement action alleging a \$45 million Ponzi-like investment scheme based on purported covered-call option trading. Receiver marshaled assets and distributed funds to defrauded investors.
- ***Securities and Exchange Commission v. Pacheco, et al.***, (U.S. District Court, Southern District of California). Represented a receiver appointed in a Securities and Exchange Commission enforcement action alleging a \$15 million Ponzi-like investment scheme based on purported covered-call option trading. Receiver marshaled assets and distributed funds to defrauded investors.
- ***Securities and Exchange Commission v. Medical Capital Holding, et al.***, (U.S. District Court, Central District of California). Represented a receiver appointed in a Securities and Exchange Commission enforcement action alleging a Ponzi-like investment scheme which raised over \$1 billion, ostensibly to purchase medical receivables.
- ***Securities and Exchange Commission v. Global Online Direct, Inc., et al.***, (U.S. District Court, Northern District of Georgia). Represented a receiver appointed in a Securities and Exchange Commission enforcement action alleging that the defendant entities raised over \$45 million through the sale of unregistered securities.
- ***Securities and Exchange Commission v. Trabulse, et al.***, (U.S. District Court, Northern District of California). Represented a receiver appointed to monitor a hedge fund, at the request of the Securities and Exchange Commission.

- ***Federal Trade Commission v. Consumer Advocates Group, LLC, et al.***, (U.S. District Court, Southern District of California). Represented a receiver appointed at the request of the Federal Trade Commission in connection with an enforcement action alleging deceptive and fraudulent mortgage modification practices.

REAL PROPERTY RECEIVERSHIPS

- ***Wachovia Bank, NA v. Downtown Sunnyvale Residential, LLC, et al.***, (Superior Court of California, County of Santa Clara). Represented a real property receiver appointed over a large-scale commercial development in connection with successfully securing trial court approval of the receiver's administration and improvement of the development, as well as approval of the receiver's compensation and discharge request.
- ***First Citizens Bank & Trust Co. v. NDustrial Drive LLC, et al.***, (Superior Court of California, County of San Joaquin). Represented a real property receiver appointed to administer receivership estate substantially comprised of abandoned recycling facility. Assisted receiver with site clean-up, marketing, and sale efforts.
- ***Hana Small Business Lending, Inc. v. Rock Petroleum, Inc., et al.***, (Superior Court of California, County of Riverside). Represented a real property receiver appointed to administer, and ultimately sell, receivership estate comprised of multiple service stations, convenience stores, and attendant contracts and permits.
- ***Excel National Bank v. Tolosa Sison Family Corp., et al.***, (Superior Court of California, County of San Mateo). Represented a real property receiver appointed to administer receivership estate substantially comprised of service station and convenience store assets.

REGULATORY COMPLIANCE

- **Real Property Brokerage.** Represented one of the Southwest's largest real property brokerages in connection with litigation alleging a violation of federal consumer protection statutes.
- **Lenders and Institutional Investors.** Represented lender in connection with litigation alleging systematic violations of the Fair Credit Reporting Act. Represented national institutional investor in connection with revision of internal policies and procedures for compliance with new or revised consumer protection statutes. Represented lender in connection with action implicating Bank Secrecy Act and Gramm-Leach-Bliley-Act matters.
- **Telecommunications Business.** Represented cell tower leasing entity in connection with policies and procedures for compliance with new or revised consumer protection statutes.
- **Public Interest Organizations.** Provided analysis of applicability of provisions of Dodd-Frank Act to highly publicized business practices of so-called buy-here / pay-here automobile dealerships.



Kevin D. Lloyd

PARTNER | LOS ANGELES

T (213) 955-5629

E klloyd@allenmatkins.com

Kevin D. Lloyd is a litigation partner in the firm's Los Angeles office. Kevin's practice encompasses a broad range of commercial litigation and criminal defense matters, representing clients in matters involving federal and state securities laws, the duties of corporate officers and directors, intellectual property disputes, commercial disputes, contract disputes, labor and employment disputes, civil forfeiture actions, SEC enforcement actions, and criminal insider trading. He has significant trial and arbitration experience, including first chairing and leading large teams for multiple jury trials.

BAR ADMISSIONS

- California

MEMBERSHIPS

- Los Angeles County Bar Association

EDUCATION

J.D., Stanford Law School, with distinction
B.A., *magna cum laude*, Duke University

SERVICES

Litigation & Counseling
Business Disputes
Jury Trials

INDUSTRIES

Financial Services



M e D.

ASSOCIATE | LOS ANGELES

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E mpham@allenmatkins.com

Matthew D. Pham is an associate in the Los Angeles office of Allen Matkins where he is a member of the Receiverships, Lenders & Special Creditor Remedies and the Restructuring, Insolvency & Bankruptcy practice groups.

Across a range of bankruptcy and insolvency-related proceedings, such as chapter 11 cases, receiverships, assignments for the benefit of creditors, and out-of-court workouts, Matt has represented a variety of constituents, including operating debtors, creditors' committees, secured and unsecured creditors, shopping center landlords, utility companies, and defendants in avoidance actions.

Following law school, Matt served in two clerkships. From 2011 to 2014, he was a rotating law clerk to the Honorable Fredrick E. Clement, W. Richard Lee (retired), and Whitney Rimel (retired) of the U.S. Bankruptcy Court, Eastern District of California. Then, from 2014 to 2015, he clerked for the Honorable Scott H. Yun of the U.S. Bankruptcy Court, Central District of California. Prior to joining Allen Matkins, Matt was in private practice at two mid-sized firms in Southern California

MEMBERSHIPS

- Insolvency Law Committee of the California Lawyers Association's Business Law Section (current chair of the Constituency, Outreach, and Website Subcommittee)
- Financial Lawyers Conference
- American Bankruptcy Institute

BAR ADMISSIONS

- California

COURT ADMISSIONS

- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California

EDUCATION

J.D., *cum laude*, UC Hastings College of the Law
B.S.C., *umma cum laude*, Santa Clara University

SERVICES

Receiverships, Lenders & Special Creditor Remedies
Restructuring, Insolvency & Bankruptcy

- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California

EXHIBIT 4

STANDARDIZED FUND ACCOUNTING REPORT for SEC v. Essex Capital Corporation
 Receivership; Civil Docket No. 18-cv-05008-FMO-AFM
 Reporting Period from 01/01/2023 to 03/31/2023

FUND ACCOUNTING (See instructions)				
		Detail	Subtotal	Grand Total
Line 1	Beginning Balance (As of 04/01/2023):	\$ 1,972,676.88		
	Increases in Fund Balance:			
Line 2	Business Income	\$ 34,484.84		
Line 3	Cash and Securities (in transit)	-		
Line 4	Interest/Dividend Income	6,477.95		
Line 5	Business Asset Liquidation	-		
Line 6	Personal Asset Liquidation	-		
Line 7	Third-Party Litigation Income	365,250.00		
Line 8	Miscellaneous - Uncleared	-		
	Total Funds Available (Lines 1 - 8):		\$ 406,212.79	\$ 2,378,889.67
	Decreases in Fund Balance:			
Line 9	Disbursements to Investors	-		
Line 10	Disbursements for Receivership Operations			
Line 10a	<i>Disbursements to Receiver or Other Professionals</i>	(184,225.49)		
Line 10b	<i>Business Asset Expenses</i>	-		
Line 10c	<i>Personal Asset Expenses</i>	-		
Line 10d	<i>Investment Expenses</i>	-		
Line 10e	<i>Third-Party Litigation Expenses</i>	-		
	1. Attorney Fees	\$ -		
	2. Litigation Expenses	-		
	Total Disbursements for Receivership Operations		\$ (184,225.49)	
Line 10f	<i>Tax Administrator Fees and Bonds</i>		-	
Line 10g	<i>Federal and State Tax Payments</i>		-	
	Total Disbursements for Receivership Operations			\$ (184,225.49)
Line 11	Disbursements for Distribution Expenses Paid by the Fund:			
Line 11a	<i>Distribution Plan Development Expenses:</i>			
	1. Fees:			
	Fund Administrator.....	\$ -		
	Independent Distribution Consultant (IDC).....	-		
	Distribution Agent.....	-		
	Consultants.....	-		
	Legal Advisers.....	-		
	Tax Advisers.....	-		
	2. Administrative Expenses	-		
	3. Miscellaneous	-		
	Total Plan Development Expenses		\$ -	
Line 11b	<i>Distribution Plan Implementation Expenses:</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. Federal Account for Investor Restitution (FAIR) Reporting Expenses	-		
	Total Plan Implementation Expenses		\$ -	
	Total Disbursements for Distribution Expenses Paid by the Fund			\$ -
Line 12	Disbursements to Court/Other:			
Line 12a	<i>Investment Expenses/Court Registry Investment System (CRIS) Fees</i>	\$ -		
Line 12b	<i>Federal Tax Payments</i>	-		
	Total Disbursements to Court/Other:		\$ -	
	Total Funds Disbursed (Lines 9 - 11):			\$ (184,225.49)
Line 13	Ending Balance as of 06/30/2023			\$ 2,194,664.18
Line 14	Ending Balance of Fund - Net Assets:			
Line 14a	<i>Cash & Cash Equivalents</i>		2,194,664.18	
Line 14b	<i>Investments</i>		1,320,331.33	
Line 14c	<i>Other Assets or Uncleared Funds</i>		5,802,316.00	
	Total Ending Balance of Fund - Net Assets			\$ 9,317,311.51

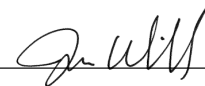
STANDARDIZED FUND ACCOUNTING REPORT for SEC v. Essex Capital Corporation

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

Reporting Period from 01/01/2023 to 03/31/2023

OTHER SUPPLEMENTAL INFORMATION:		Detail	Subtotal	Grand Total
Line 15	Disbursements for Plan Administration Expenses Not Paid by the Fund:			
<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 & Bonds Not Paid by the Fund</i>			
	Total Disbursements for Plan Administration Expenses Not Paid by the Fund			-
Line 16	Disbursements to Court/Other Not Paid by the Fund			
<i>Line 16a</i>	<i>Investment Expenses/CRIS Fees</i>		\$ -	
<i>Line 16b</i>	<i>Federal Tax Payments</i>		-	
	Total Disbursements to Court/Other Not Paid by the Fund:			\$ -
Line 17	DC & State Tax Payments			\$ -
Line 18	No. of Claims:			
<i>Line 18a</i>	<i># of Claims Received This Reporting Period</i>	0		
<i>Line 18b</i>	<i># of Claims Received Since Inception of Fund</i>	75		
Line 19	No. of Claimants/Investors:			
<i>Line 19a</i>	<i># of Claimants/Investors Paid This Reporting Period</i>	0		
<i>Line 19b</i>	<i># of Claimants/Investors Paid Since Inception of Fund</i>	64		

Receiver: **Geoff Winkler**

By: 

Geoff Winkler
(printed name)

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

Date: **July 31, 2023**