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SEMENZA KIRCHER RICKARD  
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*Attorneys for Geoff Winkler, Receiver for  
J&J Consulting Services, Inc., J&J Consulting Services, Inc.,  
J and J Purchasing LLC, The Judd Irrevocable Trust,  
and BJ Holdings LLC*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

MATTHEW WADE BEASLEY; BEASLEY  
LAW GROUP PC; JEFFREY J. JUDD;  
CHRISTOPHER R. HUMPHRIES; J&J  
CONSULTING SERVICES, INC., an Alaska  
Corporation; J&J CONSULTING SERVICE,  
INC., a Nevada Corporation; J AND J  
PURCHASING LLC; SHANE M. JAGER;  
JASON M. JONGEWARD; DENNY  
SEYBERT; and ROLAND TANNER,

Defendants,

THE JUDD IRREVOCABLE TRUST; PAJ  
CONSULTING INC; BJ HOLDINGS LLC;  
STIRLING CONSULTING, LLC.; CJ  
INVESTMENTS, LLC; ROCKING HORSE  
PROPERTIES, LLC; TRIPLE THREAT  
BASKETBALL, LLC; ACAC LLC;  
ANTHONY MICHAEL ALBERTO, JR., and  
MONTY CREW LLC;

Relief Defendants.

Case No. 2:22-cv-00612-CDS-EJY

**DECLARATION OF JARROLD L.  
RICKARD, ESQ. IN SUPPORT OF  
FOURTH QUARTERLY  
APPLICATION FOR PAYMENT OF  
FEES AND REIMBURSEMENT OF  
EXPENSES OF RECEIVER'S  
COUNSEL: (1) ALLEN MATKINS  
LECK GAMBLE MALLORY &  
NATSIS LLP; AND (2) SEMENZA  
KIRCHER RICKARD**

**[Application; Memorandum of Points  
and Authorities; and [Proposed] Order  
submitted concurrently herewith or  
under separate cover]**

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1 I, JARROD L. RICKARD, hereby declare as follows:

2 1. I am a Partner with Semenza Kircher Rickard. I make the following Declaration in  
3 support of the Receiver’s Fourth Quarterly Application for Allowance and Payment of Fees and  
4 Costs for the Period January 1, 2023 and March 31, 2023 (the “Application”). My firm is counsel  
5 of record for Geoff Winkler (the "Receiver"), the Court-appointed receiver in CASE NO. 2:22-cv-  
6 00612-CDS-EJY pending before this Court. I have personal knowledge of the facts contained in  
7 this Declaration and if called to do so, would testify competently thereto.

8 2. As reflected in the concurrently filed Application, Semenza Kircher Rickard has  
9 endeavored to staff all tasks undertaken in this matter efficiently, using paralegals wherever  
10 appropriate. In addition, as reflected in prior submissions to the Court, Semenza Kircher Rickard  
11 agreed to a significant discount from its ordinary billing rates for this matter. Accordingly, the  
12 fees identified in the Application were billed at rates reflecting significant discounts, thereby  
13 resulting in a substantial savings for the receivership estate.

14 3. Attached hereto as **Exhibit A** is a true and correct copy of the invoices containing  
15 the billing entries detailing the tasks performed by Semenza Kircher Rickard’s attorneys and  
16 paralegals during the Application Period. Semenza Kircher Rickard respectfully requests that the  
17 Court approve the fees and costs reflected in the invoice and approve payment in the amounts  
18 reflected in the Application.

19 4. In accordance with the Billing Guidelines promulgated by the plaintiff Securities  
20 and Exchange Commission (the "Commission"), on behalf of Semenza Kircher Rickard, I certify  
21 as follows:

- 22 a. I have read the Application;
- 23 b. To the best of my knowledge, information and belief formed after reasonable  
24 inquiry, the Application and all fees and expenses therein are true and accurate  
25 and comply with the Billing Instructions for Receivers in Civil Actions  
26 Commenced by the plaintiff Securities and Exchange Commission;
- 27 c. Semenza Kircher Rickard’s fees reflected in the Application are based on the  
28 rates listed in Semenza Kircher Rickard’s fee schedule for this matter, subject

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1 to increases disclosed to the Securities and Exchange Commission, and  
2 approved by the Court prior to any such increase. All fees contained in the  
3 Application are reasonable, necessary and commensurate with the skill and  
4 experience required for the activity performed and are subject to Court  
5 approval. Indeed, as reflected in the Application, Semenza Kircher Rickard  
6 has discounted its hourly rates for all timekeepers staffed on this matter. In  
7 addition, and in order to maximize the value of its services to the receivership  
8 estate, Semenza Kircher Rickard has endeavored to avoid duplication of effort  
9 with the Receiver and co-counsel, and consistently strives to staff all matters in  
10 as efficient a manner as possible, utilizing personnel best suited to each task,  
11 consistent with the complexity and demands of the task;

12 d. Semenza Kircher Rickard has not included in the amount for which  
13 reimbursement is sought the amortization of the cost of any investment,  
14 equipment, or capital outlay (except to the extent that any such amortization is  
15 included within the permitted allowable amounts set forth herein for  
16 photocopies and facsimile transmission);

17 e. In seeking reimbursement for a service which Semenza Kircher Rickard  
18 justifiably purchased or contracted for from a third party (such as copying,  
19 imaging, bulk mail, messenger service, overnight courier, computerized  
20 research, or title and lien searches), Semenza Kircher Rickard requests  
21 reimbursement only for the amount billed to Semenza Kircher Rickard by the  
22 third-party vendor and paid by Semenza Kircher Rickard to such vendor. If  
23 such services are performed by the Semenza Kircher Rickard or its retained  
24 personnel, the Semenza Kircher Rickard or its retained personnel, as  
25 appropriate, will certify that it is not making a profit on such reimbursable  
26 service.

27 f. Semenza Kircher Rickard remains sensitive to comments received from the  
28 Commission in connection with the fees and expenses requested in the

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Application. Likewise, Semenza Kircher Rickard remains committed to satisfying, to the best of its ability, this Court's directives in connection with applications for fees and reimbursement of expenses. To that end, and in addition to the substantial discounts Semenza Kircher Rickard is applying to all timekeepers in this matter, as detailed in the Application, Semenza Kircher Rickard has implemented additional procedures to further improve and maximize the clarity of its billing entries.

g. Semenza Kircher Rickard's prebills have been submitted to the Commission's staff, which has read and reviewed the prebills, and provided comments. The Commission's staff has further indicated that the Commission does not oppose the interim approval and payment of the fees requested in the Application.

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

DATED this 15th day of May, 2023.

/s/ Jarrod L. Rickard  
JARROD L. RICKARD, ESQ.

SEMENZA KIRCHER RICKARD  
10161 Park Run Drive, Suite 150  
Las Vegas, Nevada 89145  
Telephone: (702) 835-6803

**CERTIFICATE OF SERVICE**

I am employed by the law firm of Semenza Kircher Rickard in Clark County. I am over the age of 18 and not a party to this action. The business address is 10161 Park Run Drive, Suite 150, Las Vegas, Nevada 89145.

On the 15th day of May, 2023, I served the document(s), described as:

**DECLARATION OF JARROD L. RICKARD, ESQ. IN SUPPORT OF FOURTH QUARTERLY APPLICATION FOR PAYMENT OF FEES AND REIMBURSEMENT OF EXPENSES OF RECEIVER'S COUNSEL: (1) ALLEN MATKINS LECK GAMBLE MALLORY & NATSIS LLP; AND (2) SEMENZA KIRCHER RICKARD**

by serving the  original  a true copy of the above and foregoing via:

a. **CM/ECF System** to the following registered e-mail addresses:

Aaron Grigsby aaron@grigsbylawgroup.com

Cami Perkins cperkins@howardandhoward.com, jwsd@h2law.com, vla@h2law.com

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12 T. Louis Palazzo louis@palazzolawfirm.com, celina@palazzolawfirm.com,  
13 miriam@palazzolawfirm.com, office@palazzolawfirm.com

14 Timothy C. Pittsenbarger chase@lcpfirm.com

15 William Robert Urga wru@juwlaw.com, ls@juwlaw.com

16  b. **BY U.S. MAIL.** I deposited such envelope in the mail at Las Vegas, Nevada. The  
17 envelope(s) were mailed with postage thereon fully prepaid. I am readily familiar with  
18 Semenza Kircher Rickard's practice of collection and processing correspondence for  
19 mailing. Under that practice, documents are deposited with the U.S. Postal Service on the  
20 same day which is stated in the proof of service, with postage fully prepaid at Las Vegas,  
Nevada in the ordinary course of business. I am aware that on motion of party served,  
service is presumed invalid if the postal cancellation date or postage meter date is more  
than one day after the date stated in this proof of service.

21  c. **BY PERSONAL SERVICE.**

22  d. **BY DIRECT EMAIL.**

23  e. **BY FACSIMILE TRANSMISSION.**

24 I declare under penalty of perjury that the foregoing is true and correct.  
25  
26

27 /s/ Olivia A. Kelly  
28 An Employee of Semenza Kircher Rickard

# **EXHIBIT A**

# **EXHIBIT A**



LAWRENCE J SEMENZA, III, P.C.  
 dba SEMENZA KIRCHER RICKARD  
 10161 Park Run Drive, Suite 150

American Financial Services  
 c/o Geoff Winkler  
 2300 West Sahara Avenue, Suite 822  
 Las Vegas, NV 89102  
 Receiver for J&J Consulting Services, Inc

Las Vegas, Nevada 89145  
 Telephone: (702) 835-6803  
 Facsimile: (702) 920-8669  
 Federal I.D. # 27-4465751

Date 2/28/2023  
 Invoice Number 7092-01\_08  
 Client Number 7092  
 Matter Number 01

RE: Receiver in Nevada Actions

BILL THROUGH DATE 1/31/2023

Date	Employee	Description	Hours	Rate	Amount
1/3/2023	O Kelly	PROFESSIONAL FEES Review minutes re transcript of proceeding for hearing on 12/16/2022 in USDC case 22-00612 (0.1); review order dismissing bankruptcy and related cases in USBC case 22-10942 (0.1)	0.2	145.00	29.00
1/6/2023	J Rickard	Prepare for and call into Rule 26(f) conference	0.4	375.00	150.00
1/10/2023	J Rickard	Begin reviewing draft discovery plan	0.3	375.00	112.50
1/11/2023	O Kelly	Review e-mail from client re lis pendens recordings	0.1	145.00	14.50
1/11/2023	J Rickard	E-mail regarding execution of lis pendens releases for Heber City and Nevada properties	0.2	375.00	75.00
1/12/2023	O Kelly	Work with J Rickard re notices of termination of lis pendens documents in case 2:22-cv-01352 (0.3); review/revise notices of termination of lis pendens documents in case 2:22-cv-01352 (0.4); e-mail to courtroom administrator re Zoom information for upcoming hearings in 2:22-cv-00612/2:22-CV-01352/2:22-CV-01549 (0.1)	0.8	145.00	116.00
1/12/2023	J Rickard	Review K. Dean objection to Magistrate order; e-mail regarding termination of notice of lis pendens	0.3	375.00	112.50
1/13/2023	A Barreras	Work on stipulated protective order	0.9	145.00	130.50
1/13/2023	O Kelly	Review Dean's request for de novo review and appeal from order in 2:22-cv-00612 (0.1); review notices of termination of notice of lis pendens for K Cannata signature in case 2:22-cv-01352 (0.1); deliver executed/notarized copies of notices of termination of notice of lis pendens to Stewart Title (0.7); e-mails with courtroom administrator re Zoom link for upcoming hearings in 2:22-cv-00612/2:22-CV-01352/2:22-CV-01549 (0.1)	1.0	145.00	145.00
1/17/2023	J Rickard	Prepare for and attend hearing on motions and status check	1.2	375.00	450.00
1/19/2023	O Kelly	Review minute orders re hearing outcome in cases 2:22-cv-00612 and 2:22-cv-01549	0.1	145.00	14.50
1/20/2023	O Kelly	Review order remanding case 2:22-cv-01549-CDS-EJY back to state court (0.1); review order granting discovery plan and scheduling order, calendar deadlines for same for case 2:22-cv-00612 (0.4)	0.5	145.00	72.50
1/23/2023	O Kelly	Review/file stipulated protective order (Eco Battery) in case 2:22-cv-00612 (0.3); review order granting stipulated protective order (Eco Battery) in case 2:22-cv-00612 (0.1)	0.4	145.00	58.00
1/23/2023	J Rickard	Review ECO Battery stipulated protective order (0.2)	0.2	375.00	75.00
1/24/2023	O Kelly	Review/file stipulated protective order (Eco Capital) in case 2:22-cv-00612 (0.3); review orders granting stipulated protective order (Eco Capital) in case 2:22-cv-00612 (0.1)	0.4	145.00	58.00
1/24/2023	J Rickard	Review draft motion to employ ancillary counsel	0.3	375.00	112.50
1/24/2023	J Rickard	Review stipulated protective order with Eco Capital (0.2)	0.2	375.00	75.00
1/25/2023	O Kelly	Review e-mail re upcoming filings in case 2:22-cv-00612 (0.1)	0.1	145.00	14.50
1/27/2023	J Rickard	E-mail regarding notice of removal of lis pendens for Via Regina property	0.3	375.00	112.50
1/30/2023	O Kelly	Work on notice of termination of notice of lis pendens for Via Regina Coeli Street for case #2:22-cv-01352-CDS-EJY (0.2); review e-mails re status of notice of termination of notice of lis pendens for Via Regina Coeli Street for case #2:22-cv-01352-CDS-EJY (0.1); work with J Rickard/K Cannata re signing of notice of termination of notice of lis pendens for Via Regina Coeli Street for case #2:22-cv-01352-CDS-EJY (0.1)	0.4	145.00	58.00

**Total Current Invoice**

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 dba SEMENZA KIRCHER RICKARD  
 10161 Park Run Drive, Suite 150  
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 Federal I.D. # 27-4465751

American Financial Services  
 c/o Geoff Winkler  
 2300 West Sahara Avenue, Suite 822  
 Las Vegas, NV 89102  
 Receiver for J&J Consulting Services, Inc

Date 2/28/2023  
 Invoice Number 7092-01\_08  
 Client Number 7092  
 Matter Number 01

RE: Receiver in Nevada Actions

BILL THROUGH DATE 1/31/2023

Date	Employee	Description	Hours	Rate	Amount
1/30/2023	J Rickard	E-mail regarding termination of lis pendens	0.2	375.00	75.00
1/31/2023	O Kelly	Meeting with K Cannata to execute notice of termination of notice of lis pendens/deliver same to First American Title Company	1.3	145.00	188.50
Subtotal					2,249.00

**Total Current Invoice \$2,249.00**

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 Federal I.D. # 27-4465751

Date 3/29/2023  
 Invoice Number 7092-01\_09  
 Client Number 7092  
 Matter Number 01

RE: Receiver in Nevada Actions

BILL THROUGH DATE 2/28/2023

Date	Employee	Description	Hours	Rate	Amount
		<b>PROFESSIONAL FEES</b>			
2/1/2023	O Kelly	Review e-mail from client re motion for engagement of special counsel (0.1)	0.1	145.00	14.50
2/1/2023	J Rickard	Review revised motion to employ ancillary litigation counsel and e-mail regarding same	0.3	375.00	112.50
2/2/2023	O Kelly	Work on motion to employ ancillary litigation counsel documents for filing(22-cv-00612)	1.0	145.00	145.00
2/2/2023	J Rickard	E-mail regarding additional release of lis pendens	0.3	375.00	112.50
2/3/2023	O Kelly	Meeting with J Rickard to execute notice of termination of notice of lis pendens re Ruffian property/deliver same to Stewart Title Company(22-cv01352)	1.1	145.00	159.50
2/3/2023	O Kelly	Finalize/file motion to employ ancillary litigation counsel documents (22-cv-00612)	1.0	145.00	145.00
2/3/2023	J Rickard	Meeting regarding withdrawal of lis pendens; finalize motion to retain ancillary litigation counsel	0.5	375.00	187.50
2/7/2023	O Kelly	Review e-mail/file re Bank of Nevada subpoena	0.1	145.00	14.50
2/7/2023	J Rickard	Research regarding Bank of Nevada subpoena	0.3	375.00	112.50
2/8/2023	O Kelly	Review minute order rescheduling objections status check hearing and emailing remaining same (2:22-cv-00612)	0.1	145.00	14.50
2/13/2023	J Rickard	E-mail regarding Bank of Nevada subpoena; review same	0.3	375.00	112.50
2/14/2023	J Rickard	Review stipulation and order with Mark Murphy regarding motion for asset freeze and emailing regarding the same	0.3	375.00	112.50
2/21/2023	O Kelly	Work on/send out notice of subpoena for Western Alliance Bank to all counsel via e-mail (2:22-cv-00612-CDS-EJY) (1.0); send out Western Alliance Bank subpoena for service on registered agent via Legal Wings (2:22-cv-00612-CDS-EJY) (0.3)	1.3	145.00	188.50
2/21/2023	J Rickard	Review subpoena to Western Alliance Bank; e-mail regarding same	0.8	375.00	300.00
2/22/2023	O Kelly	Review order granting receiver's motions related to the third quarterly report and emailing regarding same (22-cv-00612)	0.1	145.00	14.50
2/24/2023	O Kelly	Review e-mail from Legal Wings re service executed on Western Alliance Bank (22-cv-00612)	0.1	145.00	14.50
2/27/2023	O Kelly	Work on notice of termination of notice of lis pendens re 8 Twisted Rock and emailing regarding same (2:22-cv-01352)	0.2	145.00	29.00
2/28/2023	O Kelly	Review proof of service of subpoena on Western Alliance Bank (22-cv-00612) (0.1); notarize notice of termination of notice of lis pendens and deliver to Stewart Title re 8 Twisted Rock (2:22-cv-01352) (0.6)	0.7	145.00	101.50
		Subtotal			1,891.00
		<b>EXPENSES/COSTS</b>			
2/24/2023		Legal Wings Invoice P-1980202		55.00	55.00
		Subtotal			55.00

**Total Current Invoice \$1,946.00**

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 Federal I.D. # 27-4465751

Date 4/6/2023  
 Invoice Number 7092-01\_10  
 Client Number 7092  
 Matter Number 01

RE: Receiver in Nevada Actions

BILL THROUGH DATE 3/31/2023

Date	Employee	Description	Hours	Rate	Amount
3/1/2023	O Kelly	PROFESSIONAL FEES Review minute orders re status conference and order/briefs (2:22-cv-00612) (0.3); e-mail to client with copy of notice of termination of notice of lis pendens re 8 Twisted Rock (2:22-cv-01352) (0.1)	0.4	145.00	58.00
3/2/2023	J Rickard	Review McGuire Woods correspondence regarding stipulated protective order in class action matter	0.2	375.00	75.00
3/6/2023	O Kelly	Listen to voicemail from Western Alliance Bank re subpoena (0.1) (22-cv-00612); telephone calls with K Mindlin re same(0.2) (22-cv-00612); work with J Rickard/J Kellogg re same (0.2) (22-cv-00612)	0.5	145.00	72.50
3/6/2023	J Rickard	Review correspondence responding to suggestion of conflict from Wells Fargo counsel; e-mail regarding questions from Western Alliance bank regarding scope of subpoena; review order overruling objection to magistrate order denying motion to intervene by Young and Shahabe	0.9	375.00	337.50
3/7/2023	O Kelly	E-mails with J Kellogg/K Mindlin re Western Alliance Bank subpoena (0.2) (22-cv-00612); telephone call with K Mindlin re same (0.1) (22-cv-00612)	0.3	145.00	43.50
3/7/2023	J Rickard	Review Wells Fargo objection to order appointing special litigation counsel	0.3	375.00	112.50
3/8/2023	J Rickard	Review objection to order approving special counsel to pursue Wells Fargo claims	0.3	375.00	112.50
3/10/2023	O Kelly	Review e-mails re filing of response to objection (22-cv-00612) (0.1); review e-mail/documents from Western Alliance Bank in response to subpoena (22-cv-00612)(0.2)	0.3	145.00	43.50
3/10/2023	J Rickard	Review draft opposition to objection to special master order appointing special litigation counsel for Wells Fargo; e-mail regarding same	0.8	375.00	300.00
3/13/2023	O Kelly	E-mails with K Mindlin at Western Alliance Bank re responsive documents to subpoena (0.2)(22-cv-00612); file response to Well's Fargo objections to order authorizing receiver to employ special litigation counsel (0.7) (22-cv-00612)	0.9	145.00	130.50
3/13/2023	J Rickard	E-mail regarding documents produced by Western Alliance Bank	0.3	375.00	112.50
3/14/2023	J Rickard	E-mail regarding Wells Fargo subpoena	0.2	375.00	75.00
3/15/2023	J Rickard	Additional e-mail regarding Wells Fargo subpoena	0.2	375.00	75.00
3/16/2023	J Rickard	Additional e-mail regarding Wells Fargo subpoena	0.3	375.00	112.50
3/17/2023	J Rickard	Review wells Fargo documents; review Wells Fargo subpoena; review wells Fargo protective order; e-mail regarding same	1.0	375.00	375.00
3/20/2023	J Rickard	Phone calls and e-mail regarding status check hearing and objection to application to retain special litigation counsel	0.5	375.00	187.50
3/21/2023	O Kelly	E-mails with D Saavedra/J Schneider re status hearing call-in information for J Schneider (0.2) (22-cv-00612)	0.2	145.00	29.00
3/21/2023	J Rickard	Conference call with special litigation regarding status check (.3); begin preparing for possible oral argument on objection to order appointing special litigation counsel (1.2)	1.5	375.00	562.50
3/22/2023	O Kelly	E-mails with J Schneider re Zoom status check (0.1) (22-cv-00612)	0.1	145.00	14.50
3/22/2023	J Rickard	Prepare for and attend status check hearing	0.8	375.00	300.00
3/27/2023	O Kelly	File proposed stipulated protective order re US Bank (0.3) (2:22-cv-00612); review order granting stipulated protective order re US Bank (0.1) (2:22-cv-00612)	0.4	145.00	58.00
3/27/2023	J Rickard	Review draft turnover stipulation and e-mail regarding same	0.3	375.00	112.50

**Total Current Invoice**

LAWRENCE J SEMENZA, III, P.C.  
 dba SEMENZA KIRCHER RICKARD  
 10161 Park Run Drive, Suite 150  
 Las Vegas, Nevada 89145  
 Telephone: (702) 835-6803  
 Facsimile: (702) 920-8669  
 Federal I.D. # 27-4465751

American Financial Services  
 c/o Geoff Winkler  
 2300 West Sahara Avenue, Suite 822  
 Las Vegas, NV 89102  
 Receiver for J&J Consulting Services, Inc  
 RE: Receiver in Nevada Actions

Date 4/6/2023  
 Invoice Number 7092-01\_10  
 Client Number 7092  
 Matter Number 01

BILL THROUGH DATE 3/31/2023

Date	Employee	Description	Hours	Rate	Amount
3/28/2023	O Kelly	Draft/send out notice of subpoena and subpoena for Wells Fargo Bank (2:22-cv-00612) (0.5)	0.5	145.00	72.50
3/28/2023	J Rickard	Review draft subpoena to Wells Fargo and e-mail regarding same	0.3	375.00	112.50
3/29/2023	J Rickard	Review minute order regarding stipulated protective order; e-mail regarding same	0.2	375.00	75.00
3/30/2023	O Kelly	Review minutes of status conference on 3/22/23 (0.1) (2:22-cv-00612); review e-mail from Legal Wings re service of subpoena on Wells Fargo Bank (0.1) (2:22-cv-00612)	0.2	145.00	29.00
		Subtotal			3,588.50

**Total Current Invoice \$3,588.50**