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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

CAPSOURCE, INC., STEPHEN J. BYRNE,
and GREGORY P. HERLEAN

Defendants.

Case No. 2:20-cv-02303-RFB-DJA

**NOTICE OF NON-OPPOSITION TO
RECEIVER'S TWELFTH QUARTERLY
APPLICATION FOR PAYMENT OF
FEES AND REIMBURSEMENT OF
EXPENSES OF RECEIVER AND
RECEIVER'S COUNSEL GREENBERG
TRAURIG FOR PERIOD APRIL 1, 2025,
THROUGH JUNE 30, 2025 (ECF No. 114)**

Geoff Winkler, the Court-appointed Receiver ("Receiver"), by and through his counsel of record, the law firm of Greenberg Traurig, LLP, hereby submits the following Notice of Non-Opposition to the Receiver's Twelfth Quarterly Application for Fees and Reimbursement of Expenses of Receiver and Receiver's Counsel Greenberg Traurig for Period April 1, 2025, through June 30, 2025 (ECF No. 114) (the "Twelfth Application").

The Twelfth Application was filed on August 15, 2025 and any response in opposition thereto was due by August 29, 2025, pursuant to Local Rule 7- 2(b). No party has timely filed a response in opposition to the Twelfth Application and the deadline to do so has passed. Pursuant to Local Rule 7-2(d) "[t]he failure of an opposing party to file points and authorities in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney's fees, constitutes a consent to the granting of the motion."

1 In light of the foregoing and in consideration of the substantive points and legal
2 authorities more fully set forth in the Twelfth Application, the Receiver respectfully requests the
3 same be granted. A proposed order regarding the same is attached as Exhibit 3 to ECF No. 114.

4 Respectfully submitted this 3rd day of September, 2025.

5 **GREENBERG TRAURIG, LLP**

6
7 /s/ Kara B. Hendricks

8 KARA B. HENDRICKS, ESQ.

9 Nevada Bar No. 07743

10 KYLE A. EWING, ESQ.

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12 *Attorneys for Receiver Geoff Winkler*

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CERTIFICATE OF SERVICE

I hereby certify that, on the **3rd day of September 2025**, a true and correct copy of the foregoing **NOTICE OF NON-OPPOSITION TO RECEIVER'S TWELFTH QUARTERLY APPLICATION FOR PAYMENT OF FEES AND REIMBURSEMENT OF EXPENSES OF RECEIVER AND RECEIVER'S COUNSEL GREENBERG TRAURIG FOR PERIOD APRIL 1, 2025, THROUGH JUNE 30, 2025 (ECF No. 114)** was filed electronically via the Court's CM/ECF system. Notice of filing will be served on all parties by operation of the Court's CM/ECF system, and parties may access this filing through the Court's CM/ECF system.

/s/ Andrea Flintz

An employee of GREENBERG TRAURIG, LLP