

1 JAMES R. FELTON, ESQ. (State Bar No. 138767)
2 GREENBERG & BASS
3 A Registered Limited Liability Partnership
4 16000 Ventura Blvd., Suite 1000
5 Encino, California 91436
6 (818) 986-5687 - (818) 986-6534 FAX

7 Attorneys for Receiver,
8 Dennis Murphy

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10 **UNITED STATES DISTRICT COURT**
11 **SOUTHERN DISTRICT OF CALIFORNIA**

12 UNITED STATES SECURITIES AND
13 EXCHANGE COMMISSION,

14 Plaintiff,

15 vs.

16 EMVEST MORTGAGE FUND, LLC,
17 EMVEST, INC., and MILON LYLE
18 BROCK,

19 Defendants.

CASE NO. 04CV2295-DMS (LSP)

**MONTHLY FEE APPLICATION
FOR PAYMENT OF
ATTORNEY'S FEES AND
EXPENSES; DECLARATION
OF JAMES R. FELTON IN
SUPPORT THEREOF**

Date: No Hearing Required
Time:
Ctrm: 10
(Hon. Dana M. Sabraw)

20 By Order entered June 7, 2005, this Court requested that the Receiver and
21 counsel submit a monthly report on fees. This application shall constitute the
22 Receiver's counsel's monthly request for fees and costs. This request will cover
23 the time period from June 1, 2005 through June 30, 2005.

24 The declaration of James R. Felton attached hereto details the fees and
25 costs incurred for the above described period. The Receiver's fees and costs will
26 be outlined by separate memorandum. On behalf of counsel, fees in the amount
27 of \$3,408.50 and costs of \$451.20 are being sought for this period. (Declaration
28 of James R. Felton ("Felton Decl."), ¶ 2, Ex. "A".)

Based upon the foregoing, the Receiver respectfully requests that this Court
approve the fees and costs associated with his attorneys and permit the Receiver


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to pay such amounts pursuant to the June 7, 2005 Order of this Court, that is, 30% of the fee expense and 100% of the cost expense.

Dated: July 8, 2005

GREENBERG & BASS
A Registered Limited
Liability Partnership

By: 
JAMES R. FELTON
Attorneys for Receiver,
Dennis Murphy

DECLARATION OF JAMES R. FELTON

I, James R. Felton, declare as follows:

1. I am an attorney duly licensed to practice law in this Court and am a partner in the law firm of Greenberg & Bass, counsel for the Receiver herein. The facts recited in this declaration are known to me of my own personal knowledge, and if called upon to testify as a witness, I could and would competently testify thereto.

2. Attached hereto as Exhibit "A" is a true and correct copy of my office's billing totals for the period June 1, 2005 through June 30, 2005. The Receiver's fees and costs will be outlined by separate memorandum. This billing shows fees in the amount of \$3,408.50 and costs of \$451.20 being sought for the same period.

3. I have reviewed the time entries submitted on Exhibit "A" and believe them to be reasonable given the nature of this matter and the amount of work that was needed to be performed. I respectfully request that this Court grant this request for fees and permit the Receiver to pay such amount from funds on hand in accordance with the terms of the June 7, 2005 Order of this Court.

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct. Executed this 8th day of July, 2005 at Encino, California.



JAMES R. FELTON

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DENNIS M. MURPHY
 630 N. ROSEMEAD BLVD., SUITE 100
 PASADENA CA 91107
 USA

Page: 1
 June 30, 2005
 Account No: 300191-01000M
 Statement No: 9

Attn: DENNIS M. MURPHY

S.E.C. VS. EMVEST

Fees

			Hours	
06/03/2005	JRF	TELEPHONE CONFERENCE WITH STEVE KIANG RE: RENEWAL OF CALIFORNIA SECRETARY OF STATE LICENSE TO SELL SECURITIES	0.30	75.00
	TPW	PACER RESEARCH RE STATUS OF RULING FROM 5/27/05 HEARING.	0.20	25.00
06/06/2005	TPW	FURTHER PACER RESEARCH RE STATUS OF RULING FROM 5/27/05 HEARING.	0.20	25.00
06/07/2005	TPW	FURTHER PACER RESEARCH RE STATUS OF RULING FROM 5/27/05 HEARING.	0.20	25.00
06/09/2005	JRF	TELEPHONE CONFERENCE WITH CLIENT DENNIS MURPHY RE: REVIEW OF ORDER	0.30	75.00
	JRF	REVIEW AND ANALYSIS OF LATEST COURT ORDER	0.30	75.00
06/14/2005	JRF	TELEPHONE CONFERENCE WITH OPPOSING ATTORNEY LUKE PISTORIUS RE: SCOPE OF DOCUMENTS REQUESTED	0.30	75.00
	JRF	PREPARE E-MAIL CORRESPONDENCE TO LUKE PISTORIUS RE: CONCERNS OVER MONIES	0.20	50.00
06/17/2005	KAO	REVIEW AND ANALYSIS OF AMENDED APPLICATION FOR PERMIT TO ISSUE SECURITIES	1.40	343.00
	KAO	REVIEW OF DEPARTMENT OF CORPORATIONS WEB PAGE REGARDING APPLICATION TO ISSUE SECURITIES	0.80	196.00
	KAO	REVIEW AND ANALYSIS EXHIBITS TO SUBMIT WITH APPLICATION FOR PERMIT TO ISSUE SECURITIES	0.60	147.00
06/20/2005	KAO	ANALYSIS REGARDING 2005 PERMIT TO ISSUE SECURITIES	1.40	343.00
	JRF	REVIEW ON DISCOVERY; FORWARD BY E-MAIL TO DENNIS MURPHY	0.30	75.00
	KAO	REVIEW OF EXHIBITS TO APPLICATION FOR A PERMIT TO ISSUE SECURITIES	1.60	392.00
06/21/2005	KAO	CONDUCT RESEARCH REGARDING SECTION 32 REQUIREMENTS	2.50	612.50
	DZA	MULTIPLE OFFICE CONFERENCES WITH K. OUGHTON RE: CAL 32 LOAN RESEARCH	0.50	125.00
06/27/2005	JRF	PREPARATION OF MONTHLY FEE APPLICATION FOR COUNSEL; REVIEW AND REVISE APPLICATION FOR RECEIVER	2.00	500.00
06/28/2005	DZA	REVIEW MORTGAGE RESEARCH; PREPARE EMAIL TO D. MURPHY RE:		

EXHIBIT A

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S.E.C. VS. EMVEST

SAME	Hours	
	1.00	250.00
For Current Services Rendered	14.10	3,408.50

Recapitulation

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>RATE</u>	<u>TOTAL</u>
James R. Felton	3.70	\$250.00	\$925.00
David Adelman	1.50	250.00	375.00
Kimberly A. Oughton	8.30	245.00	2,033.50
Theresa Williams	0.60	125.00	75.00

EXPENSES

06/28/2005	DUPLICATING CHARGES	56.00
06/28/2005	POSTAGE	6.08
	TOTAL EXPENSES	62.08

ADVANCES

05/25/2005	SERVICE OF PROCESS (U.S. DISTRICT COURT-SAN DIEGO) - AMERICAN LEGAL SUPPORT SERVICES, INC.	14.85
05/25/2005	SERVICE OF PROCESS (U.S. DISTRICT COURT, SAN DIEGO) - AMERICAN LEGAL SUPPORT SERVICES, INC.	124.20
05/27/2005	PARKING EXPENSE (USDC) - JRF	16.00
05/31/2005	TRAVEL EXPENSES (SAN DIEGO, COST ACCOUNT CHECK TO) - MERRILL LYNCH, JRF	204.83
06/21/2005	RESEARCH ON LINE- LEXIS-NEXIS	91.32
	TOTAL ADVANCES	451.20

Total Current Work	3,921.78
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SHOULD YOU HAVE ANY QUESTIONS REGARDING YOUR INVOICE,
PLEASE CONTACT DORA BARRANTES AT 818/382-6200 EXTENSION
129.

PAYMENTS RECEIVED AFTER THIS STATEMENT DATE ARE NOT
INCLUDED

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SERVICE LIST

UNITED STATES SECURITIES AND EXCHANGE COMMISSION
v. EMVEST MORTGAGE FUND, et al.
CASE NO. 04CV2295-DMS (LSP)

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