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7 Permanent Receiver for:
8 Emvest Mortgage Fund, LLC and
9 Emvest, Inc.

10 UNITED STATES DISTRICT COURT
11 SOUTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES SECURITIES AND	)	Case No. 04CV2295-DMS (LSP)
12 EXCHANGE COMMISSION,)	
	)	MONTHLY FEE APPLICATION
13 Plaintiff,	)	FOR PAYMENT OF
	)	PROFESSIONAL FEES AND
14 vs.	)	REIMBURSEMENT OF COSTS AND
	)	EXPENSES FOR DENNIS M.
15 EMVEST MORTGAGE FUND, LLC,	)	MURPHY, RECEIVER;
16 EMVEST, INC., AND MILTON LYLE	)	DECLARATION OF DENNIS M.
BROCK,	)	MURPHY IN SUPPORT THEREOF
)	
	)	DATE: [No Hearing Required]
	)	TIME:
18 Defendants.	)	PLACE: Courtroom 10
	)	(Hon. Dana M. Sabraw)

19
20 TO THE HONORABLE DANA M. SABRAW, UNITED STATES DISTRICT
21 JUDGE, AND TO ALL PARTIES IN INTEREST:

22 Dennis M. Murphy (hereinafter "Applicant") respectfully
23 represents:

24 1. Appointment. The Applicant is Dennis M. Murphy, CPA,
25 CIRA (Certified Insolvency and Restructuring Advisor). The
26 Applicant is a sole practitioner, who employs five accountants
27 and has a practice specializing in forensic accounting, taxes,
28 and general business consulting. Members of the firm have

1 extensive experience in representing creditors, debtors,
2 trustees, and committees in litigation and bankruptcy cases. The
3 Applicant's address is 630 N Rosemead Bl, #100, Pasadena, CA
4 91107.

5 The appointment of Applicant as Temporary Receiver for
6 Emvest Mortgage Fund, LLC, and for Emvest, Inc. was granted by an
7 Order from this Court which was entered on November 16, 2004.
8 The Applicant was appointed as Permanent Receiver by an Order
9 entered by this Court on December 3, 2004.

10 2. Summary of Advance Fees Paid and Costs Reimbursed.

11 No advance fees or costs were paid or reimbursed.

12 3. Professional Fees. The firm charges for its

13 professional services based upon time, nature, extent, and value
14 of such services and the cost of comparable services in the
15 Southern California area. Presently, the expenses for which the
16 firm customarily charges its clients include only photocopying
17 and telecopying charges, long distance telephone (at cost),
18 outside tax/computer services (at cost), postage and any unusual
19 expenses (i.e. travel, court costs, special mailing charges and
20 messenger services).

21 4. Time Reports. The names, actual hours spent, hourly

22 rates, and dollar totals of the individuals whose services form
23 the basis for the fees requested in the application are provided
24 for the period March 2011:

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1 Schedule of Fees:

2 <u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Stephen J Baumgartner	<u>1.6</u>	350	<u>560.00</u>
3 <u>Totals</u>	<u>1.6</u>		<u>\$560.00</u>

4 5. Schedule of Expenses. As itemized in Exhibit "B", for
the period March 2011, expenses were:

5 - Copying - internal (.20/page)	\$ 23.40
6 - Postage	7.55
- Lacerte	59.26
7 - Yahoo Emvest.info	12.95
- Storage	<u>400.00</u>
8 <u>Total</u>	<u>\$503.16</u>

9 6. Detailed Billing Report. Exhibit "A" includes a copy
10 of the firm's time reports and records kept in the regular course
11 of business, reflecting the services rendered and the expenses
12 incurred by the firm in connection with representing the client in
13 this case. The firm's time reports are prepared by the accountant
14 performing the described service. The time reports are organized
15 on a daily basis and no entry is made for a service until at least
16 one-tenth of an hour is spent separately or in aggregate with
17 other services performed for that client by the reporting
18 individual.

19 For the billing period March 2011 my firm expended
20 1.6 hours in connection with the rendering of professional
21 services to the client. The value of these services is
22 \$560.00. Expenses for the period March 2011 were \$503.16 as
23 itemized above.

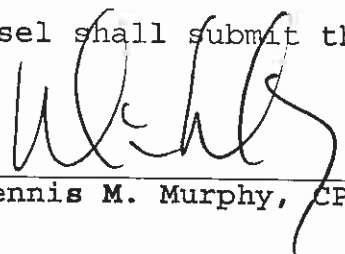
24 7. Disinterested Person. I have made diligent inquiry
25 into this matter and after such inquiry I have determined that
26 neither I nor any of the other members of my firm have any
27 connection with the client herein, its members, its creditors or
28 any other party in interest in this case.

1 Neither I, nor any employee of my firm has any interest
2 adverse to the client in any matter related to this case. I have
3 also made inquiry and have determined that my employees and I are
4 considered "disinterested persons", and accordingly I am qualified
5 to act in the capacity as Receiver for the client in this case.

6 8. Posting on Web Site. As done for the previous Fee
7 Applications, in lieu of serving this Fee Application on all of
8 the approximately 200 investors in the Emvest Mortgage Fund, this
9 Fee Application is being posted on the Receiver's web site
10 (www.emvest.info).

11 WHEREFORE, based upon Judge Sabraw's Order dated
12 February 3, 2011, the Receiver would be moved to a fixed Fund
13 management fee of \$2,000.00 per month for the duration of the
14 Fund's tenure, the Receiver is drawing seventy-five percent (75%)
15 of his monthly fees (75% x \$2,560.00) \$1,920.00 plus one hundred
16 percent (100%) of his costs \$503.16 or a total of \$2,423.16. The
17 fee, however, would not cover non-operation activities such as
18 court appearances and claims litigation. At the end of the
19 litigation, the Receiver and his Counsel shall submit their final
20 comprehensive fee application(s).

21 DATED: April 7, 2011


22 _____
23 Dennis M. Murphy, CPA, CIRA
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DECLARATION OF DENNIS M. MURPHY

I, Dennis M. Murphy, declare:

1. I am a Certified Public Accountant (CPA) and a Certified Insolvency and Restructuring Advisor (CIRA), employed as Permanent Receiver for Emvest Mortgage Fund, LLC and for Emvest, Inc., which was approved by this Court by Order entered on or about December 3, 2004. My business is located at 630 N Rosemead Bl, #100, Pasadena, CA 91107.

2. I have read the foregoing MONTHLY FEE APPLICATION FOR PAYMENT OF PROFESSIONAL FEES AND REIMBURSEMENT OF COSTS AND EXPENSES FOR DENNIS M. MURPHY; DECLARATIONS OF DENNIS M. MURPHY IN SUPPORT THEREOF. The matters stated herein relating to my own hours are true of my own personal knowledge, and upon information and belief, the hours spent by other employees and the costs incurred are also accurate.

3. I am the designated professional responsible for overseeing the billing in this matter and for assuring compliance.

4. No arrangement has been made, directly or indirectly, and no understanding exists, for a division of compensation herein between Applicant and any other person, contrary to federal or state law.

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EXHIBIT "A"

PROFESSIONAL ACTIVITY SUMMARY

CASE NAME: EMVEST
CASE NO: 04cv2295-DMS(LSP)

	1 Total Hours 3/01/11 - 3/31/11	2 Total Amt. Avg. Billing Rate: \$350.00
LITIGATION CONSULTING	1.60	\$560.00
Stephen J Baumgartner..	1.60	\$560.00
Total	1.60	\$560.00

1
Total Amount
March 2011

LITIGATION CONSULTING	\$560.00
Stephen J Baumgartner..	\$560.00
Total	\$560.00

EMVEST LITIGATION CONSULTING

12:42:54PM

4/7/2011

Page 1

Amount

Activity: LITIGATION CONSULTING

3/10/2011	Stephen J Baumgartner.. EMVEST	Hours Rate	0.80 350.00	280.00
	Analysis of Woody Sellers' Trust Deed and send two (2) emails on foreclosing (.8 hr.).			
3/14/2011	Stephen J Baumgartner.. EMVEST	Hours Rate	0.50 350.00	175.00
	Analysis of Amendment to Trust Deed on Woody Sellers' foreclosure (.5 hr.).			
3/16/2011	Stephen J Baumgartner.. EMVEST	Hours Rate	0.30 350.00	105.00
	Email to Teri Snyder at FCI on including fees and back payments on Woody Sellers' foreclosure (.3 hr.).			

Total Time Charges **560.00**

Activity: LITIGATION CONSULTING 560.00

Grand Total: **560.00**

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EXHIBIT "B"

	A	B	C	D	E	F
1						
2	MONTH/YEAR	COPIES	POSTAGE	LACERTE	YAHOO	STORAGE
3						
4	MARCH 2011	\$23.40				
5	MARCH 2011		\$7.55			
6	JANUARY 2011			\$59.26		
7	MARCH 2011				\$12.95	
8	MARCH 2011					\$400.00
9						
10	COL. TOTAL	\$23.40	\$7.55	\$59.26	\$12.95	\$400.00
11	GRAND					
12						
13	Column	117 copies	Fee App;Pmts	1/24/11	Emvest.info	
14	Explanations	x \$0.20 =		Emvest		
15		\$23.40		Mortgage		
16				Fund		
17						
18	RECAP:					
19	COPIES	\$23.40				
20	POSTAGE	\$7.55				
21	LACERTE	\$59.26				
22	YAHOO	\$12.95				
23	STORAGE	\$400.00				
24	TOTAL	\$503.16				

Proof of Service By Mail

SERVICE LIST

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