

1 JAMES R. FELTON, ESQ. (CA State Bar No. 138767)
jfelton@greenbass.com
2 GREENBERG & BASS LLP
16000 Ventura Boulevard, Suite 1000
3 Encino, California 91436
Tel: (818) 382-6200 • Fax: (818) 986-6534

Electronically
Filed 1-10-2011

4 Attorneys for Receiver
5 Dennis Murphy

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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10
11 UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

12 Plaintiff,

13 v.

14 EMVEST MORTGAGE FUND, LLC;
15 EMVEST, INC.; and MILON LYLE
BROCK,

16 Defendants.

CASE NO.: 04CV2295-DMS (RBB)

JUDGE: Hon. Dana M. Sabraw

**MONTHLY REPORTING OF
ATTORNEY'S FEES AND COSTS
(DECEMBER 2010);
DECLARATION OF JAMES R.
FELTON IN SUPPORT THEREOF**

CTRM: 10
DATE: Not Applicable
TIME: Not Applicable

Disc. Cut-off: November 10, 2005
Motion Cut-off: November 10, 2005
Trial Date: January 3, 2006

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21 By Order entered June 7, 2005, this Court requested that the Receiver and
22 counsel submit a monthly report on fees. This report shall constitute the Receiver's
23 counsel's monthly identification of fees and costs for the period December 1, 2010
24 through December 31, 2010.

25 The declaration of James R. Felton attached hereto details the fees and costs
26 incurred for the above described period. The Receiver's fees and costs will be
27 outlined by separate memorandum. On behalf of counsel, fees in the amount of
28 \$3,925.00 and costs of \$755.18 are being sought for this period. (Declaration of

1 James R. Felton ("Felton Decl."), ¶ 2, Ex. "A".)

2 Based upon the foregoing and this Court's Order dated October 3, 2005, this
3 report, along with the Receiver's report, shall be filed with the Court and served on all
4 counsel.

5 Dated: January 10, 2011

GREENBERG & BASS
A Registered Limited
Liability Partnership

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8 By: /s/ James R. Felton
9 JAMES R. FELTON
10 Attorneys for Receiver,
11 Dennis Murphy
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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 December 1, 2010 through December 31, 2010. The Receiver's fees and costs will be outlined by separate memorandum. This billing shows fees in the amount of \$3,925.00 and costs of \$755.18 are being sought for the same period.

3. I have reviewed the time entries submitted on Exhibit "A" which comprise work performed for the Receivership Estate on several different matters. I believe the time incurred to be reasonable given the nature of this matter and the amount of work that was needed to be performed.

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct. Executed this 10th day of January, 2011 at Encino, California.

/s/ James R. Felton
JAMES R. FELTON



EXHIBIT A

30191-0000

Caption	Client Name	AcctgDate	Atty	Hours	Rate	Amount	Description	Status
General Business	Dennis M.	12/23/2010	46	2.50	250.00	625.00	Meeting with DA, telephone conferences with SJB and Bonnie Huang, email correspondence with Dennis Murphy and Bonnie Huang, review of Promissory Note and Deed of Trust, researched recorded liens, and began preparation of Purchase Agreement and new Note and Deed of Trust documents re sale of First Deed of Trust and portion of Note on Woodie Sellers property in Moreno Valley, CA	Relieved
General Business	Dennis M.	12/27/2010	46	5.20	250.00	1,300.00	Completed and revised draft Asset Purchase Agreement, prepared draft Restated Note, New Promissory Note, Amendment of Deed of Trust, Assignment of Deed of Trust and Supplemental Deed of Trust and email correspondence with Bonnie Huang re sale of Woodie Sellers note	Relieved
General Business	Dennis M.	12/28/2010	46	2.50	250.00	625.00	Email correspondence with Bonnie Huang and Dennis Murphy re status of current notes on Woodie Sellers property; revised Asset Purchase Agreement, Amendment to Deed of Trust and Assignment of Deed of Trust in connection therewith; researched effect of latter filed amendments to priority of trust deeds	Relieved
General Business	Dennis M.	12/28/2010	6	0.30	250.00	75.00	Multiple office conferences with YSK re: sale of note	Relieved
General Business	Dennis M.	12/29/2010	46	0.50	250.00	125.00	Follow up email correspondence and telephone conference with client re status of review of Woodie Sellers purchase agreement and execution of related documents; meeting with Madlen Monet to arrange year end recording of deeds of trust and related documents; meeting with SJB re revisions to purchase agreement	New
General Business	Dennis M.	12/30/2010	46	0.60	250.00	150.00	Follow up email correspondence to client and SJB, meeting with SJB and telephone conference with client re status of review of draft purchase documents and timeline for recording; reviewed SJB's comments and revisions to draft purchase agreement	New
						2,900.00		

30191-0001

Caption	Client Name	AcctgDate	Atty	Hours	Rate	Amount	Description	Status
S.E.C. Vs. Emvest	Dennis M.	12/8/2010	3	1.00	250.00	250.00	Preparation of motion for fees for November	Relieved
						250.00		

30191-0008

Caption	Client Name	AcctgDate	Atty	Hours	Rate	Amount	Description	Status
V. Manushak	Dennis M.	12/16/2010	44	2.40	250.00	600.00	Reviewed file and prepared new complaint.	Relieved
						600.00		

30191-0011

Caption	Client Name	AcctgDate	Atty	Hours	Rate	Amount	Description	Status
advs. Ellen Zohn	Dennis M.	12/3/2010	44	0.40	250.00	100.00	Reviewed final settlement agreement.	Relieved
advs. Ellen Zohn	Dennis M.	12/28/2010	44	0.30	250.00	75.00	Communications regarding payment to Emvest.	Relieved
						175.00		

Total **3,925.00**

30191-0000

Caption	Client Name	Accounting	Cost Code	Amount	Description
General Business	Dennis M.	12/23/2010	SCOPY	0.75	
General Business	Dennis M.	12/27/2010	SCOPY	1.25	
General Business	Dennis M.	12/27/2010	SCOPY	0.50	
General Business	Dennis M.	12/27/2010	SCOPY	0.75	
General Business	Dennis M.	12/27/2010	SCOPY	0.25	
General Business	Dennis M.	12/27/2010	SCOPY	0.25	
General Business	Dennis M.	12/27/2010	SCOPY	2.25	
General Business	Dennis M.	12/27/2010	SCOPY	2.50	
General Business	Dennis M.	12/27/2010	SCOPY	0.25	
General Business	Dennis M.	12/27/2010	SCOPY	4.25	
General Business	Dennis M.	12/27/2010	SCOPY	0.75	
General Business	Dennis M.	12/27/2010	SCOPY	0.75	
General Business	Dennis M.	12/27/2010	SCOPY	0.25	
General Business	Dennis M.	12/27/2010	SCOPY	0.25	
General Business	Dennis M.	12/27/2010	SCOPY	0.75	
General Business	Dennis M.	12/27/2010	SCOPY	1.00	
General Business	Dennis M.	12/27/2010	SCOPY	1.00	
General Business	Dennis M.	12/27/2010	SCOPY	0.25	
General Business	Dennis M.	12/28/2010	SRESCH	30.10	Legal research - Dec. 23, 2010
				48.10	

30191-0001

Caption	Client Name	Accounting	Cost Code	Amount	Description
S.E.C. Vs. Emvest	Dennis M.	12/7/2010	SCOPY	0.50	
S.E.C. Vs. Emvest	Dennis M.	12/8/2010	SCOPY	16.50	
S.E.C. Vs. Emvest	Dennis M.	12/8/2010	SCOPY	15.00	
S.E.C. Vs. Emvest	Dennis M.	12/8/2010	SCOPY	0.75	
S.E.C. Vs. Emvest	Dennis M.	12/8/2010	SCOPY	0.25	
S.E.C. Vs. Emvest	Dennis M.	12/8/2010	SCOPY	0.50	
S.E.C. Vs. Emvest	Dennis M.	12/8/2010	SCOPY	0.50	
S.E.C. Vs. Emvest	Dennis M.	12/8/2010	SCOPY	0.25	
S.E.C. Vs. Emvest	Dennis M.	12/8/2010	SCOPY	0.25	
S.E.C. Vs. Emvest	Dennis M.	12/8/2010	SCOPY	0.25	
S.E.C. Vs. Emvest	Dennis M.	12/9/2010	SPOST	1.73	
S.E.C. Vs. Emvest	Dennis M.	12/9/2010	SPOST	6.24	
				42.72	

30191-0008

Caption	Client Name	Accounting	Cost Code	Amount	Description
V. Manushak Tashchyan	Dennis M.	12/16/2010	HFF	395.00	Complaint [cost check #1881]
V. Manushak Tashchyan	Dennis M.	12/16/2010	SCOPY	1.00	
V. Manushak Tashchyan	Dennis M.	12/16/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/16/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/16/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/16/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/16/2010	SCOPY	0.50	
V. Manushak Tashchyan	Dennis M.	12/16/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/16/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/16/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/16/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/16/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/16/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/16/2010	SCOPY	0.50	

30191-0008

Caption	Client Name	Accounting	Cost Code	Amount	Description
V. Manushak Tashchyan	Dennis M.	12/16/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/16/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/16/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/17/2010	SCOPY	9.50	
V. Manushak Tashchyan	Dennis M.	12/17/2010	SCOPY	0.50	
V. Manushak Tashchyan	Dennis M.	12/17/2010	SCOPY	2.75	
V. Manushak Tashchyan	Dennis M.	12/20/2010	SCOPY	1.00	
V. Manushak Tashchyan	Dennis M.	12/22/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/22/2010	SCOPY	8.00	
V. Manushak Tashchyan	Dennis M.	12/22/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/27/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/28/2010	SRESCH	46.24	Legal research - Dec. 22, 2010
V. Manushak Tashchyan	Dennis M.	12/28/2010	SRESCH	175.28	Legal research - Dec. 10, 2010
V. Manushak Tashchyan	Dennis M.	12/28/2010	SCOPY	9.50	
V. Manushak Tashchyan	Dennis M.	12/28/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/28/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/28/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/28/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/28/2010	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	12/29/2010	SPOST	0.44	
V. Manushak Tashchyan	Dennis M.	12/29/2010	SPOST	1.90	
				657.61	

30191-0011

Caption	Client Name	Accounting	Cost Code	Amount	Description
advs. Elen Zohn	Dennis M.	12/1/2010	SCOPY	0.25	
advs. Elen Zohn	Dennis M.	12/3/2010	SCOPY	3.75	
advs. Elen Zohn	Dennis M.	12/6/2010	SCOPY	0.75	
advs. Elen Zohn	Dennis M.	12/16/2010	SCOPY	2.00	
				6.75	

755.18

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is **16000 Ventura Boulevard, Suite 1000, Encino, California 91436.**

On January 10, 2011, I served the foregoing document described as **MONTHLY REPORTING OF ATTORNEY'S FEES AND COSTS (DECEMBER 2010); DECLARATION OF JAMES R. FELTON IN SUPPORT THEREOF** on the interested parties in this action.

- by placing the original and/or a true copy thereof enclosed in (a) sealed envelope(s), addressed as follows:

SEE ATTACHED SERVICE LIST

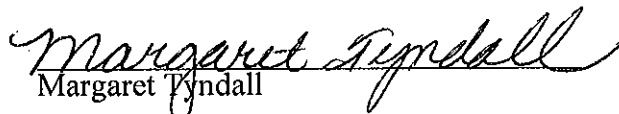
- BY REGULAR MAIL:** I deposited such envelope in the mail at 16000 Ventura Boulevard, Suite 1000, Encino, California. The envelope was mailed with postage thereon fully prepaid.

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

- BY FACSIMILE MACHINE:** I transmitted a true copy of said document(s) by facsimile machine, and no error was reported. Said fax transmission(s) were directed as indicated on the service list.
- BY OVERNIGHT MAIL:** I deposited such documents at the Overnite Express or Federal Express Drop Box located at 16000 Ventura Boulevard, Suite 1000, Encino, California. The envelope was deposited with delivery fees thereon fully prepaid.
- BY PERSONAL SERVICE:** I caused such envelope(s) to be delivered by hand to the above addressee(s).

I declare that I am employed in the office of a member of the Bar of this Court, at whose direction the service was made. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 10, 2011, at Encino, California.


Margaret Tyndall

SERVICE LIST

United States Securities and Exchange Commission
v. Emvest Mortgage Fund, et al.
Case No. 04CV2295-DMS(RBB)

Molly M. White, Esq.
Securities and Exchange Commission
5670 Wilshire Blvd., 11th Floor
Los Angeles, CA 90036
(323) 965-3908 (FAX)

Magnolia Marcelo, Esq.
Securities and Exchange Commission
5670 Wilshire Blvd., 11th Floor
Los Angeles, CA 90036
(323) 965-3908 (FAX)

David R. Clark, Esq.
The Clark Law Firm, APLC
1520 Wood Duck Lane
Meadow Vista, CA 95722
(530) 878-3609 (FAX)

Dennis M. Murphy, CPA, CIRA
630 N. Rosemead Blvd., Suite 100
Pasadena, CA 91107
(626) 794-7298 (FAX)

Notices

3:04-cv-02295-DMS -RBB SEC v. Emvest Mortgage Fund, et al CASE CLOSED on 05/17/2006

REFER, SEALDC, TERMED, TRIAL

U.S. District Court**Southern District of California****Notice of Electronic Filing**

The following transaction was entered by Felton, James on 1/10/2011 at 1:55 PM PST and filed on 1/10/2011

Case Name: SEC v. Emvest Mortgage Fund, et al

Case Number: 3:04-cv-02295-DMS -RBB

Filer: Dennis M Murphy

WARNING: CASE CLOSED on 05/17/2006

Document Number: 511

Docket Text:

NOTICE by Dennis M Murphy *Monthly Reporting of Attorney's Fees and Costs (December 2010); Declaration of James R. Felton in Support Thereof (with exhibit and Proof of Service)* (Felton, James)

3:04-cv-02295-DMS -RBB Notice has been electronically mailed to:

David Robert Clark Drclarklaw@att.net

James R Felton jfelton@greenbass.com, twilliams@greenbass.com

Joseph Jr Scanlan , A jas@millermorton.com, lac@millermorton.com

Molly M White whitem@sec.gov

Raymond Roy Lee leesd@aol.com

Robert Anthony Cocchia rcocchia@mckennalong.com, lwhitaker@mckennalong.com

3:04-cv-02295-DMS -RBB Electronically filed documents must be served conventionally by the filer to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1106146653 [Date=1/10/2011] [FileNumber=4791706-0]
][40fa3a4018da374878f0e4c8bcde8f1119c1016406cf3cc43305fa4439c4df2ba15
ba0558799f74025b63ea6a283641b16c1c3ab7ac4d622ee370c55bae85334]]