

1 JAMES R. FELTON, ESQ. (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  
4

5 Attorneys for Receiver  
Dennis Murphy  
6  
7

8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
10

11 UNITED STATES SECURITIES AND  
12 EXCHANGE COMMISSION,

13 Plaintiff,

14 v.

15 EMVEST MORTGAGE FUND, LLC;  
16 EMVEST, INC.; AND MILTON LYLE  
BROCK,

17 Defendants.  
18  
19  
20

**CASE NO.:** 04CV2295-DMS(RBB)

**JUDGE:** Hon. Dana M. Sabraw

**MONTHLY REPORTING OF  
ATTORNEY'S FEES AND COSTS  
(AUGUST, 2011); DECLARATION  
OF JAMES R. FELTON IN  
SUPPORT THEREOF**

**CTRM:** 10  
**DATE:** Not Applicable  
**TIME:** Not Applicable

**DISC. CUT-OFF:** Nov. 10, 2005  
**MOTION CUT-OFF:** Nov. 10, 2005  
**TRIAL DATE:** JAN. 3, 2006

21  
22 By Order entered June 7, 2005, this Court requested that the Receiver and  
23 counsel submit a monthly report on fees. This report shall constitute the Receiver's  
24 counsel's monthly identification of fees and costs for the period August 1, 2011  
25 through August 31, 2011.

26 The declaration of James R. Felton attached hereto details the fees and costs  
27 incurred for the above described period. The Receiver's fees and costs will be  
28 outlined by separate memorandum. On behalf of counsel, fees in the amount of

1 \$50.00 and costs of \$37.85 are being sought for this period. (Declaration of James R.  
2 Felton ("Felton Decl."), ¶ 2, Ex. "A.")

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

6  
7 DATED: September 12, 2011

GREENBERG & BASS LLP

8  
9 By:           /s/ James R. Felton          

10 Attorneys for Receiver,  
11 Dennis Murphy  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

G&B  
GREENBERG & BASS LLP

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**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 August 1, 2011 through August 31, 2011. The Receiver's fees and costs will be outlined by separate memorandum. This billing shows fees in the amount of \$50.00 and costs of \$37.85 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 fo the State of California that the foregoing is true and correct, and that this declaration is executed on this 12<sup>th</sup> day of September, 2011 at Encino, California.

\_\_\_\_\_/s/ James R. Felton\_\_\_\_\_  
JAMES R. FELTON

**EXHIBIT A**

30191-0008

Caption	Client Name	AcctgDate	Atty	Hours	Rate	Amount	Description	Status
V. Manushak	Dennis M.	8/10/2011	44	0.20	250.00	50.00	Checked statutes regarding completion date of service by publication.	Relieved
						50.00		
<b>Total</b>						<b>50.00</b>		

## 30191-0001

Caption	Client Name	Accounting	Cost Code	Amount	Description
S.E.C. Vs. Ervest	Dennis M.	8/3/2011	SCOPY	0.50	
S.E.C. Vs. Ervest	Dennis M.	8/4/2011	SPOST	1.68	
S.E.C. Vs. Ervest	Dennis M.	8/4/2011	SPOST	5.92	
S.E.C. Vs. Ervest	Dennis M.	8/4/2011	SCOPY	26.25	
S.E.C. Vs. Ervest	Dennis M.	8/4/2011	SCOPY	0.75	
S.E.C. Vs. Ervest	Dennis M.	8/4/2011	SCOPY	0.25	
S.E.C. Vs. Ervest	Dennis M.	8/4/2011	SCOPY	0.50	
S.E.C. Vs. Ervest	Dennis M.	8/4/2011	SCOPY	0.50	
S.E.C. Vs. Ervest	Dennis M.	8/4/2011	SCOPY	0.25	
S.E.C. Vs. Ervest	Dennis M.	8/4/2011	SCOPY	0.25	
S.E.C. Vs. Ervest	Dennis M.	8/4/2011	SCOPY	0.25	
S.E.C. Vs. Ervest	Dennis M.	8/17/2011	SCOPY	0.25	
				37.35	

## 30191-0004

Caption	Client Name	Accounting	Cost Code	Amount	Description
Ervest v. Sam M. Martinez	Dennis M.	8/4/2011	SCOPY	0.25	
				0.25	

## 30191-0008

Caption	Client Name	Accounting	Cost Code	Amount	Description
V. Manushak Tashchyan	Dennis M.	8/16/2011	SCOPY	0.25	
				0.25	

37.85

## 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 September 12, 2011, I served the foregoing document described as **MONTHLY REPORTING OF ATTORNEY'S FEES AND COSTS (AUGUST, 2011); 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 September 12, 2011, at Encino, California.

  
Margaret Lyndall

## 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 9/12/2011 at 3:18 PM PDT and filed on 9/12/2011

**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:** 533

**Docket Text:**

**NOTICE by Dennis M Murphy *Monthly Reporting of Attorney's Fees and Costs (August, 2011); Declaration of James R. Felton in Support Thereof*** (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, sag@suppalaw.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=9/12/2011] [FileNumber=5474609-0]  
][b50d3a29e71dadd2e9e81b8c1ef28814d5f1eba00f2db93cbc13d1b5bbf2c71cd37  
4c85726119e7f41b484d94ce833073760466f177a6827b0e61bdeb6c80907]]