

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
4 Tel: (818) 382-6200 • Fax: (818) 986-6534

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.

CASE NO.: 04CV2295-DMS(RBB)

JUDGE: Hon. Dana M. Sabraw

**MONTHLY REPORTING OF
ATTORNEY'S FEES AND COSTS
(OCTOBER, 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

18
19
20
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 October 1, 2011
25 through October 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 \$600.00 and costs of \$290.02 are being sought for this period. (Declaration of James
2 R. 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.

7 DATED: November 7, 2011

GREENBERG & BASS LLP

9 By: /s/ James R. Felton
10 JAMES R. FELTON
11 Attorneys for Receiver,
12 Dennis Murphy

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


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 October 1, 2011 through October 31, 2011. The Receiver's fees and costs will be outlined by separate memorandum. This billing shows fees in the amount of \$600.00 and costs of \$290.02 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, and that this declaration is executed on November 7, 2011 at Encino, California.

/s/ James R. Felton

JAMES R. FELTON

EXHIBIT A

30191-0001

Caption	Client Name	AcctgDate	Atty	Hours	Rate	Amount	Description	Status
S.E.C. Vs. Envest	Dennis M.	10/12/2011	3	1.00	250.00	250.00	Preparation of September, 2011 fee application	Relieved
S.E.C. Vs. Envest	Dennis M.	10/26/2011	3	1.00	250.00	250.00	Preparation of September fee application	New
						500.00		

30191-0008

Caption	Client Name	AcctgDate	Atty	Hours	Rate	Amount	Description	Status
V. Manushak	Dennis M.	10/7/2011	52	0.40	250.00	100.00	Appear via court call at hearing on default judgment.	Relieved
						100.00		
Total						600.00		

30191-0001

Caption	Client Name	Accounting	Cost Code	Amount	Description
S.E.C. Vs. Ervest	Dennis M.	10/14/2011	SCOPY	33.00	D. Murphy filed 9/2011 fee app
S.E.C. Vs. Ervest	Dennis M.	10/14/2011	SPOST	2.56	
S.E.C. Vs. Ervest	Dennis M.	10/17/2011	SPOST	1.88	
S.E.C. Vs. Ervest	Dennis M.	10/24/2011	SCOPY	19.75	Notice of Withdrawal of Filing and corrected
S.E.C. Vs. Ervest	Dennis M.	10/24/2011	SCOPY	0.75	September 2011 corrected fee application
S.E.C. Vs. Ervest	Dennis M.	10/24/2011	SCOPY	0.50	September 2011 corrected fee application
S.E.C. Vs. Ervest	Dennis M.	10/24/2011	SCOPY	0.75	notice of withdrawal of September 2011
S.E.C. Vs. Ervest	Dennis M.	10/24/2011	SCOPY	0.50	Proof of Service of notice of withdrawal of
S.E.C. Vs. Ervest	Dennis M.	10/24/2011	SCOPY	0.75	Proof of Service of notice of withdrawal of
S.E.C. Vs. Ervest	Dennis M.	10/24/2011	SCOPY	0.25	declaration of James r. felton
S.E.C. Vs. Ervest	Dennis M.	10/24/2011	SCOPY	0.25	declaration of James r. felton
S.E.C. Vs. Ervest	Dennis M.	10/24/2011	SCOPY	0.25	ecf filing receipt
S.E.C. Vs. Ervest	Dennis M.	10/24/2011	SCOPY	0.25	MAILING LABEL
S.E.C. Vs. Ervest	Dennis M.	10/24/2011	SCOPY	1.00	envelopes
S.E.C. Vs. Ervest	Dennis M.	10/24/2011	SPOST	2.56	
S.E.C. Vs. Ervest	Dennis M.	10/24/2011	SPOST	1.48	
S.E.C. Vs. Ervest	Dennis M.	10/25/2011	SCOPY	3.00	September 2011 Fee Applications
S.E.C. Vs. Ervest	Dennis M.	10/25/2011	SCOPY	2.50	J. Felton September 2011 Fee Application
				72.23	

30191-0008

Caption	Client Name	Accounting	Cost Code	Amount	Description
V. Manushak Tashchyan	Dennis M.	10/6/2011	SCOPY	0.75	
V. Manushak Tashchyan	Dennis M.	10/6/2011	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	10/6/2011	SCOPY	0.25	
V. Manushak Tashchyan	Dennis M.	10/7/2011	SMISC	105.30	Los Angeles Superior Court - Central
V. Manushak Tashchyan	Dennis M.	10/11/2011	SCOPY	0.50	Settlement Check
V. Manushak Tashchyan	Dennis M.	10/11/2011	SATTSV	13.50	File conformed copies, LA Superior Court,
V. Manushak Tashchyan	Dennis M.	10/27/2011	SCOPY	0.25	
				120.80	

30191-0011

Caption	Client Name	Accounting	Cost Code	Amount	Description
advs. Elen Zohn	Dennis M.	10/11/2011	SFEDEX	20.36	Dennis Murphy, CPA, Pasadena, CA
				20.36	

30191-0013

Caption	Client Name	Accounting	Cost Code	Amount	Description
SmartLink	Dennis M.	10/17/2011	SRESCH	76.63	Legal research Sept. 21, 2011
				76.63	
				290.02	

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 November 7, 2011, I served the foregoing document described as **MONTHLY REPORTING OF ATTORNEY'S FEES AND COSTS (OCTOBER, 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 November 7, 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 11/7/2011 at 2:24 PM PST and filed on 11/7/2011

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: 539

Docket Text:

NOTICE by Dennis M Murphy *Monthly Reporting of Attorney's Fees and Costs (October, 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=11/7/2011] [FileNumber=5654031-0]
][7a24b637d1948c87feeb613d6857ec57e2fde9a7b9a681999551cd78ec5fa8e6a23
41050df8de34f61198425eeb49d6ce0413d8702273704bf8efe3e8704da2b]]