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5 Attorneys for Receiver  
Dennis Murphy  
6  
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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.  
17

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

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

**MONTHLY REPORTING OF  
ATTORNEY'S FEES AND COSTS  
(AUGUST 2007); 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  
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, 2007  
25 through August 31, 2007.


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 \$2,295.00 and costs of \$312.65 are being sought for this period. (Declaration of  
2 James R. Felton ("Felton Decl."), ¶ 2, Ex. "A".)

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

7 Dated: September 16, 2007

GREENBERG & BASS  
A Registered Limited  
Liability Partnership

9  
10 By:   
11 JAMES R. FELTON  
12 Attorneys for Receiver,  
13 Dennis Murphy





Client	Trans Date	Tmkr	Rate	Hours to Bill	Amount	
Client ID 300191.01000 DENNIS M. MURPHY						
300191.01000	08/15/2007	3	250.00	0.20	50.00	REVIEW AND ANALYSIS OF LETTER FROM WILLIAM STUART - EMAIL TO MURPHY RE: REVIEW
300191.01000	08/20/2007	3	250.00	1.00	250.00	PREPARATION OF MONTHLY REPORT OF FEES
300191.01000	08/20/2007	3	250.00	0.30	75.00	PREPARATION OF LETTER TO MR. STUART RE: SETTLEMENT OFFER
300191.01000	08/21/2007	3	250.00	0.30	75.00	REVIEW E-MAIL CORRESPONDENCE FROM WILLIAM STUART AND RESPOND THERETO
300191.01000	08/21/2007	3	250.00	0.20	50.00	PREPARE E-MAIL CORRESPONDENCE AND RESPOND TO EMAIL FROM MURPHY RE: STUART REQUEST
300191.01000	08/22/2007	3	250.00	0.30	75.00	PREPARATION OF EMAIL TO SCANLAN ON BEHALF OF WILLIAM STUART
300191.01000	08/24/2007	3	250.00	0.30	75.00	CONFERENCE WITH SJB RE: RESPONSE TO OPPOSITION TO RELIEF FROM STAY
300191.01000	08/24/2007	3	250.00	0.30	75.00	CONFERENCE WITH TW RE: POSSIBLE REPLY BRIEF ON MOTION FOR RELIEF FROM STAY
300191.01000	08/24/2007	35	160.00	0.50	80.00	REVIEW OPPOSITION FILED BY MCCALLISTER STEVEN TO OUR MOTION FOR RELIEF FROM STAY, REVIEW LOCAL RULES RE LATE FILED OPPOSITION, RESEARCH RE RESPONDING TO SAME VIA ORDER WITH ADEQUATE PROTECTION CLAUSE.
300191.01000	08/27/2007	35	160.00	0.20	32.00	TELEPHONE CONFERENCE WITH MCCALLISTER STEVEN RE HER OPPOSITION TO OUR MOTION FOR RELIEF FROM STAY AND POSSIBLE STIPULATION THEREON.
300191.01000	08/27/2007	3	250.00	0.30	75.00	CONFERENCE WITH TW RE: POSSIBLE REPLY BRIEF AND STIPULATION RE: ADEQUATE PROTECTION
300191.01000	08/29/2007	3	250.00	0.30	75.00	REVIEW FILE IN PREPARATION FOR HEARING ON MOTION FOR RELIEF FROM STAY
300191.01000	08/29/2007	34	450.00	0.40	180.00	MATTERS RE PENDING MOTION FOR STAY RELIEF AND PREPARATION FOR HEARING
300191.01000	08/30/2007	35	160.00	0.10	16.00	TELEPHONE CONFERENCE WITH JAMES FELTON RE PROPOSED COUNTER OFFER OF DEBTOR.
300191.01000	08/30/2007	35	160.00	0.70	112.00	DRAFT STIPULATION RE MOTION FOR RELIEF FROM STAY AND ADEQUATE PROTECTION ORDER.
300191.01000	08/30/2007	3	250.00	3.00	750.00	ATTENDANCE AT COURT HEARING ON MOTION FOR RELIEF FROM STAY; PREPARE OF ORDER ON ADEQUATE PROTECTION AND RELIEF FROM STAY
300191.01000	08/31/2007	3	250.00	1.00	250.00	PREPARATION OF SETTLEMENT AGREEMENT WITH WILLIAM STUART

Total for Client ID: 300191.01000  
 Billable 9.40 2295.00 DENNIS M. MURPHY  
 S.E.C. VS. EMVEST

GRAND TOTALS  
 Billable 9.40 2295.00

EXHIBIT A

4

<u>Tcode</u>	<u>Client</u>	<u>Trans Date</u>	<u>Tmkr</u>	<u>Rate</u>	<u>Amount</u>
10	PACER RESEARCH				
300191.01000		08/16/2007	3		14.64 PACER RESEARCH

Total for Tcode 10 Billed 14.64 PACER RESEARCH

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<u>Tcode</u>	<u>Client</u>	<u>Trans Date</u>	<u>Tmkr</u>	<u>Rate</u>	<u>Amount</u>	
300191.01000	12 DUPLICATING CHARGES	08/02/2007	3		85.25	DUPLICATING CHARGES
300191.01000		08/02/2007	3		0.50	DUPLICATING CHARGES
300191.01000		08/02/2007	3		0.50	DUPLICATING CHARGES
300191.01000		08/02/2007	3		0.25	DUPLICATING CHARGES
300191.01000		08/02/2007	3		0.50	DUPLICATING CHARGES
300191.01000		08/07/2007	3		0.50	DUPLICATING CHARGES
300191.01000		08/07/2007	3		0.25	DUPLICATING CHARGES
300191.01000		08/07/2007	3		0.25	DUPLICATING CHARGES
300191.01000		08/08/2007	3		8.25	DUPLICATING CHARGES
300191.01000		08/08/2007	3		0.25	DUPLICATING CHARGES
300191.01000		08/08/2007	3		0.25	DUPLICATING CHARGES
300191.01000		08/08/2007	3		2.00	DUPLICATING CHARGES
300191.01000		08/20/2007	3		0.75	DUPLICATING CHARGES
300191.01000		08/20/2007	3		2.25	DUPLICATING CHARGES
300191.01000		08/20/2007	3		0.50	DUPLICATING CHARGES
300191.01000		08/22/2007	3		26.25	DUPLICATING CHARGES
300191.01000		08/22/2007	3		0.50	DUPLICATING CHARGES
300191.01000		08/22/2007	3		0.50	DUPLICATING CHARGES
300191.01000		08/22/2007	3		0.25	DUPLICATING CHARGES
300191.01000		08/22/2007	3		0.25	DUPLICATING CHARGES

Total for Tcode 12		Billable		130.00	DUPLICATING CHARGES	
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<u>Client</u>	<u>Trans Date</u>	<u>Tmkr</u>	<u>Rate</u>	<u>Amount</u>
<b>Tcode 13 POSTAGE</b>				
300191.01000	08/02/2007	3	0.920	7.36 POSTAGE
300191.01000	08/08/2007	3	0.410	3.28 POSTAGE
300191.01000	08/20/2007	3	0.410	0.82 POSTAGE
300191.01000	08/22/2007	3	1.310	6.55 POSTAGE

Total For Tcode 13 Billable 18.01 POSTAGE

7

**Detail Cost Transaction File List**  
Greenberg & Bass

<u>Client</u>	<u>Trans Date</u>	<u>Tmkr</u>	<u>Rate</u>	<u>Amount</u>
<b>Tcode 21 FILING FEE</b>				
300191.01000	08/06/2007	3		150.00 FILING FEE US BANKRUPTCY COURT

Total for Tcode 21                      Billable                      150.00 FILING FEE

GRAND TOTALS

## 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 17, 2007, I served the foregoing document described as **MONTHLY REPORTING OF ATTORNEY'S FEES AND COSTS (AUGUST 2007); 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

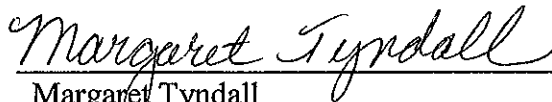
- BY REGULAR MAIL:** I deposited such envelope in the mail at 16000 Ventura Boulevard, Suite 1000, Encino, California. The envelope was mailed with postage thereon fully prepaid.

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 17, 2007, at Encino, California.

  
Margaret Tyndall

## SERVICE LIST

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

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