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5 Attorneys for the Receiver

6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
7 IN AND FOR MARICOPA COUNTY

8 State of Arizona,)
9 Plaintiff,)

Cause No. CV2014-006765

10 v.)

PETITION NO. 24

11 Sherman Eugene Unkefer, III, *et al*,)
12 In Personam Defendants.)

PETITION FOR ORDER APPROVING
FEES AND COSTS INCURRED BY THE
RECEIVER, FITZGIBBONS & CO.,
GUTTILLA MURPHY ANDERSON, P.C.
AND HENRY AND HORNE, LLP FOR
SEPTEMBER 1, 2016 THROUGH
SEPTEMBER 30, 2016

13)
14)
15) (Assigned to Judge Randall Warner)
16)

17 Michael J. FitzGibbons, as the court appointed Receiver, respectfully petitions the
18 Court as follows:

- 19 1. On April 16, 2014, this Court entered its *Order Appointing Receiver*, which
20 appointed Michael J. FitzGibbons as Receiver of Mango Trust; X-1, LLC fka X-1, Inc.;
21 Magic Wand Services, LLC; Occidental Resources Group, LP; Occidental Management,

1 LLC; E.A.P. Trust; International Marketing Systems; G.M.S. LLC; Catshaker Family Trust,
2 Inc.; SLADUR; Black Rock, Inc.; and X-1 Global, LLC. (“Receivership Order”).

3 2. Pursuant to *Order Re: Petition No. 1* the Court approved the Receiver’s
4 compensation at the rate of \$275.00 per hour together with all reasonable costs and expenses
5 incurred relating to these services as Receiver. These services are billed by and paid to the
6 Receiver’s firm, FitzGibbons and Company, Inc.

7 3. Pursuant to this Court’s Order Re: Petition No. 1, the Receiver has engaged the
8 services of the law firm of Guttilla Murphy Anderson, P.C., of Phoenix, Arizona, and the
9 Receiver has agreed to pay the law firm compensation at agreed hourly rates for the services
10 of the firm together with all reasonable costs and expenses incurred on behalf of the Receiver.

11 4. Pursuant to this Court’s *Order Appointing Receiver*, the Receiver has engaged
12 the services of the accounting firm of Henry & Horne, LLP of Tempe, Arizona to prepare
13 income tax returns for the Receivership and Mango Trust and Occidental Resource Group,
14 L.P. The Receiver has agreed to pay Henry & Horne, LLP compensation at agreed hourly
15 rates for the services of the accounting firm together with all reasonable costs and expenses
16 incurred on behalf of the Receiver.

17 5. Pursuant to the Court’s *Order Re: Petition No. 2* the Receiver is authorized to
18 file this fee petition without including as exhibits the itemized of services rendered to, and
19 costs incurred or expended on behalf of, the Receivership, provided that the pay petition
20 includes a statement that anyone desiring additional information concerning the services and
21 costs to be paid under the pay petition may obtain redacted information from the Receiver by

1 delivering to the Receiver and the Receiver's counsel, Guttilla Murphy Anderson, P.C., a
2 written request specifying the additional information requested at least three (3) days prior to
3 the date set for hearing on the pay petition. The Court's Order Re: Petition No. 2 further
4 provides that upon request of the Court, the Receiver shall make available for in camera
5 review by the Court the itemized statements and supporting documentation for the services
6 and costs to be paid under the pay petition.

7 6. The Receiver has submitted an itemized statement for services rendered to this
8 Receivership and for reimbursable costs incurred or paid during the period from September 1,
9 2016 through September 30, 2016. The total amount requested for payment by the Receiver
10 is \$14,663.13. The Receiver believes that this amount is reasonable and should be paid from
11 the Receivership Assets.

12 7. The law firm of Guttilla Murphy Anderson, P.C., has submitted an itemized
13 statement for services rendered to this Receivership and for reimbursable costs incurred or
14 paid during the period from September 1, 2016 through September 30, 2016. The total
15 amount requested for payment by the law firm of Guttilla Murphy Anderson, P.C. is \$727.40.
16 The Receiver believes that this amount is reasonable and should be paid from the
17 Receivership Assets and has therefore approved this statement for payment.

18 8. The accounting firm of Henry and Horne, LLP, has submitted an itemized
19 statement for services rendered to this Receiver and for reimbursable costs incurred or paid
20 during the period from September 1, 2016 through September 30, 2016. The total amount
21 requested for payment by the accounting firm of Henry & Horne, LLP is \$1,385.00.

1 WHEREFORE, the Receiver respectfully requests that the Court enter an order
2 authorizing the Receiver to pay from Receivership Assets:

3 1. The amount of \$14,663.13 to FitzGibbons and Company, Inc. for services
4 rendered and costs incurred or paid during the period September 1, 2016 through September
5 30, 2016;

6 2. The amount of \$727.40 to Guttilla Murphy Anderson, P.C., for services
7 rendered and costs incurred or paid during the period September 1, 2016 through September
8 30, 2016; and

9 3. The amount of \$1,385.00 to Henry & Horne, LLP for services rendered and
10 costs incurred or paid during September 1, 2016 through September 30, 2016.

11 Respectfully submitted this 11th day of November, 2016.

12 GUTTILLA MURPHY ANDERSON, P.C.

13
14 /s/Patrick M. Murphy
Patrick M. Murphy
Attorneys for the Receiver
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19 1928-001(265047)
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)	(Assigned to the Honorable Randall
15 In Personam Defendants.)	Warner)
)	

16 The Receiver having filed Petition No. 24, and the Court having considered same, and
17 it appearing to the Court that the matters requested by Petition No. 24 are reasonable, just and
18 appropriate:

19 NOW, THEREFORE, IT IS HEREBY ORDERED approving the fees and expenses
20 requested in the Receiver's Petition No. 24.

21 IT IS FURTHER ORDERED that the Receiver is authorized to pay from the
Receivership Assets:

1. The amount of \$14,663.13 to FitzGibbons and Company, Inc., for services rendered and costs incurred or paid during the period September 1, 2016 through September 30, 2016;

1 2. The amount of \$727.40 to Guttilla Murphy Anderson, P.C., for services rendered
2 and costs incurred or paid during the period September 1, 2016 through September 30, 2016;
3 and

4 3. The amount of \$1,385.00 to Henry and Horne, LLP, for services rendered and costs
5 incurred or paid during the period September 1, 2016 through September 30, 2016.

6 Dated this ____ day of _____, 2016.

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eSignature Page 1 of 1

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Granted as Submitted



/S/ Randall Warner Date: 12/16/2016
Judicial Officer of Superior Court

ENDORSEMENT PAGE

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BENJAMIN L HODGSON

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