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Attorneys for the Receiver

5
6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
7
8 IN AND FOR MARICOPA COUNTY

9 State of Arizona,)
10 Plaintiff,)
11 v.)
12 Sherman Eugene Unkefer, III, *et al*,)
13 In Personam Defendants.)
14)
15)

Cause No. CV2014-006765

PETITION NO. 25

PETITION FOR ORDER APPROVING
FEES AND COSTS INCURRED BY THE
RECEIVER, FITZGIBBONS & CO., AND
GUTTILLA MURPHY ANDERSON, P.C.
FOR OCTOBER 1, 2016 THROUGH
OCTOBER 31, 2016

(Assigned to Judge Randall Warner)

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

- 18 1. On April 16, 2014, this Court entered its *Order Appointing Receiver*, which
19 appointed Michael J. FitzGibbons as Receiver of Mango Trust; X-1, LLC fka X-1, Inc.;
20 Magic Wand Services, LLC; Occidental Resources Group, LP; Occidental Management,
21 LLC; E.A.P. Trust; International Marketing Systems; G.M.S. LLC; Catshaker Family Trust,
Inc.; SLADUR; Black Rock, Inc.; and X-1 Global, LLC. (“Receivership Order”).

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

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

9 4. Pursuant to the Court's *Order Re: Petition No. 2* the Receiver is authorized to
10 file this fee petition without including as exhibits the itemized of services rendered to, and
11 costs incurred or expended on behalf of, the Receivership, provided that the pay petition
12 includes a statement that anyone desiring additional information concerning the services and
13 costs to be paid under the pay petition may obtain redacted information from the Receiver by
14 delivering to the Receiver and the Receiver's counsel, Guttilla Murphy Anderson, P.C., a
15 written request specifying the additional information requested at least three (3) days prior to
16 the date set for hearing on the pay petition. The Court's *Order Re: Petition No. 2* further
17 provides that upon request of the Court, the Receiver shall make available for in camera
18 review by the Court the itemized statements and supporting documentation for the services
19 and costs to be paid under the pay petition.

20 5. The Receiver has submitted an itemized statement for services rendered to this
21 Receivership and for reimbursable costs incurred or paid during the period from October 1,

1 2016 through October 31, 2016. The total amount requested for payment by the Receiver is
2 \$24,414.73. The Receiver believes that this amount is reasonable and should be paid from
3 the Receivership Assets.

4 6. The law firm of Guttilla Murphy Anderson, P.C., has submitted an itemized
5 statement for services rendered to this Receivership and for reimbursable costs incurred or
6 paid during the period from October 1, 2016 through October 31, 2016. The total amount
7 requested for payment by the law firm of Guttilla Murphy Anderson, P.C. is \$6,368.22. The
8 Receiver believes that this amount is reasonable and should be paid from the Receivership
9 Assets and has therefore approved this statement for payment.

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

12 1. The amount of \$24,414.73 to FitzGibbons and Company, Inc. for services
13 rendered and costs incurred or paid during the period October 1, 2016 through October 31,
14 2016;

15 2. The amount of \$6,368.22 to Guttilla Murphy Anderson, P.C., for services
16 rendered and costs incurred or paid during the period October 1, 2016 through October 31,
17 2016.

18 Respectfully submitted this 9TH day of March, 2017.

19 GUTTILLA MURPHY ANDERSON, P.C.

20 /s/Patrick M. Murphy
21 Patrick M. Murphy
Attorneys for the Receiver

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7 IN AND FOR MARICOPA COUNTY

8 State of Arizona,)

Plaintiff,)

9 v.)

10 Sherman Eugene Unkefer, III, *et al*,)

In Personam Defendants.)

11)

12)

13)

14)

Cause No. CV2014-006765

ORDER RE: PETITION NO. 25

(Assigned to the Honorable Randall
Warner)

14 The Receiver having filed Petition No. 25, *Petition for Order Approving Fees and*
15 *Costs Incurred By the Receiver, FitzGibbons & Co., And Guttilla Murphy Anderson, P.C. for*
16 *October 1, 2016 through October 31, 2016*, and the Court having considered same, and it
17 appearing to the Court that the matters requested by Petition No. 25 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. 25.
21

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

3 1. The amount of \$24,414.73 to FitzGibbons and Company, Inc., for services
4 rendered and costs incurred or paid during the period October 1, 2016 through October 31,
5 2016;

6 2. The amount of \$6,368.22 to Guttilla Murphy Anderson, P.C., for services rendered
7 and costs incurred or paid during the period October 1, 2016 through October 31, 2016.

8 Dated this ____ day of _____, 2017.

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eSignature Page 1 of 1

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Granted as Submitted



/S/ Randall Warner Date: 4/11/2017
Judicial Officer of Superior Court

ENDORSEMENT PAGE

CASE NUMBER: CV2014-006765

SIGNATURE DATE: 4/11/2017

E-FILING ID #: 8244272

FILED DATE: 4/12/2017 8:00:00 AM

BENJAMIN L HODGSON

LEE D STEIN

MARK A HOLMGREN

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RAYMOND A HANNA

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