

1 Guttilla Murphy Anderson, P.C.  
2 **Patrick M. Murphy** (Ariz. No. 002964)  
3 5415 E. High St., Suite 200  
4 Phoenix, Arizona 85054  
5 Email: pmurphy@gamlaw.com  
6 Phone: (480) 304-8300  
7 Fax: (480) 304-8301

8 Attorneys for the Receiver

9 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

10 IN AND FOR MARICOPA COUNTY

11 State of Arizona,	)	
12 Plaintiff,	)	Cause No. CV2014-006765
13 v.	)	PETITION NO. 23
14 Sherman Eugene Unkefer, III, <i>et al</i> ,	)	PETITION FOR ORDER APPROVING
15 In Personam Defendants.	)	FEES AND COSTS INCURRED BY THE
	)	RECEIVER, FITZGIBBONS & CO.,
	)	GUTTILLA MURPHY ANDERSON, P.C.,
	)	HENRY AND HORNE, LLP, AND
	)	GILARDI & CO., LLC FOR JULY 1, 2016
	)	THROUGH AUGUST 31, 2016
	)	
	)	(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,  
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 this Court's *Order Appointing Receiver*, the Receiver has engaged  
10 the services of the accounting firm of Henry & Horne, LLP of Tempe, Arizona to prepare  
11 income tax returns for the Receivership and Mango Trust and Occidental Resource Group,  
12 L.P. The Receiver has agreed to pay Henry & Horne, LLP compensation at agreed hourly  
13 rates for the services of the accounting firm together with all reasonable costs and expenses  
14 incurred on behalf of the Receiver.

15           5. Pursuant to this Court's *Order Establishing Procedures for the Adjudication of*  
16 *Requests for Compensation, Re: Petition No. 16*, entered on December 18, 2015, the Receiver  
17 engaged the services of Gilardi & Co, LLC of San Rafael, California ("Gilardi") to assist in  
18 the Receiver's investigation to ascertain the identity and current address of the Victims of  
19 North American Coin and Currency or their successors in interest. The Receiver agreed to  
20 pay Gilardi a deposit of \$5,000.00 and to pay Gilardi the balance of its charges following  
21 completion of their work.

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

12           7. The Receiver has submitted an itemized statement for services rendered to this  
13 Receivership and for reimbursable costs incurred or paid during the period from July 1, 2016  
14 through August 31, 2016. The total amount requested for payment by the Receiver is  
15 \$59,538.71. The Receiver believes that this amount is reasonable and should be paid from  
16 the Receivership Assets.

17           8. The law firm of Guttilla Murphy Anderson, P.C., has submitted an itemized  
18 statement for services rendered to this Receivership and for reimbursable costs incurred or  
19 paid during the period from July 1, 2016 through August 31, 2016. The total amount  
20 requested for payment by the law firm of Guttilla Murphy Anderson, P.C. is \$16,186.07.  
21

1           9.       The accounting firm of Henry and Horne, LLP, has submitted an itemized  
2 statement for services rendered to this Receiver and for reimbursable costs incurred or paid  
3 during the period from July 1, 2016 through August 31, 2016. The total amount requested for  
4 payment by the accounting firm of Henry & Horne, LLP is \$19,425.00.

5           10.       Gilardi has submitted its statement dated August 4, 2016 for services rendered  
6 to the Receiver. The total amount of the statement for the work done by Gilardi is  
7 \$22,696.66. After applying the deposit of \$5,000, the statement seeks a final payment to  
8 Gilardi of \$17,696.66. The Receiver believes that the charges in this statement are reasonable  
9 and should be paid from the Receivership Assets and has therefore approved this statement  
10 for payment.

11           WHEREFORE, the Receiver respectfully requests that the Court enter an order  
12 authorizing the Receiver to pay from Receivership Assets:  
13

14           1.       The amount of \$59,538.71 to FitzGibbons and Company, Inc. for services  
15 rendered and costs incurred or paid during the period July 1, 2016 through August 31, 2016;

16           2.       The amount of \$16,186.07 to Guttilla Murphy Anderson, P.C., for services  
17 rendered and costs incurred or paid during the period July 1, 2016 through August 31, 2016;

18           3.       The amount of \$19,425.00 to Henry & Horne, LLP for services rendered and  
19 costs incurred or paid during July 1, 2016 through August 31, 2016; and  
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21           .....  
          .....  
          .....



COPY

FILED  
11/22/2016 9:48am  
MICHAEL K. JEANES, Clerk  
By K. Ballard  
K. Ballard, Deputy

1 Guttilla Murphy Anderson, P.C.  
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COPY FOR CERTIFICATION

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

Cause No. CV2014-006765  
ORDER RE: PETITION NO. 23  
(Assigned to the Honorable Randall Warner)

17 The Receiver having filed Petition No. 23, and the Court having considered same, and  
18 it appearing to the Court that the matters requested by Petition No. 23 are reasonable, just and  
19 appropriate:

20 NOW, THEREFORE, IT IS HEREBY ORDERED approving the fees and expenses  
21 requested in the Receiver's Petition No. 23.

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

1. The amount of \$59,538.71 to FitzGibbons and Company, Inc. for services rendered and costs incurred or paid during the period July 1, 2016 through August 31, 2016;

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5415 E. High Street, Suite 200  
Phoenix, AZ 85054  
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2. The amount of \$16,186.07 to Guttilla Murphy Anderson, P.C., for services rendered and costs incurred or paid during the period July 1, 2016 through August 31, 2016;

3. The amount of \$19,425.00 to Henry & Horne, LLP for services rendered and costs incurred or paid during July 1, 2016 through August 31, 2016; and

4. The amount of \$17,696.66 to Gilardi & Co., LLC, for services rendered through August 4, 2016.

Dated this 22 day of NOV -, 2016.



Judge of Maricopa County Superior Court

**Randall H. Warner**

1928-001(259967)