

BURCH & CRACCHIOLO, P.A.
1850 NORTH CENTRAL AVENUE, SUITE 1700
PHOENIX, AZ 85004
TELEPHONE 602.274.7611

Ryan W. Anderson (Ariz. No. 020974)
Email: randerson@bcattorneys.com
Attorneys for the Receiver

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

STATE OF ARIZONA,
Plaintiff,

v.

SHERMAN EUGENE UNKEFER, III, et
al,
In Personam Defendants.

) Cause No. CV2014-006765

)

) **PETITION NO. 72**

)

) **PETITION FOR ORDER**
) **APPROVING FEES AND COSTS**
) **INCURRED BY THE RECEIVER AND**
) **BURCH & CRACCHIOLO, P.A., FOR**
) **THE PERIOD SEPTEMBER 1, 2024,**
) **THROUGH SEPTEMBER 30, 2024**

) (Assigned to the Honorable Danielle
) Viola)

)

)

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

1. On April 16, 2014, this Court entered its *Order Appointing Receiver*, which
appointed Michael J. FitzGibbons as Receiver of Mango Trust; X-1, LLC fka X-1, Inc.;
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. On May 29, 2024, the Attorney for the Receiver filed a *Notice of Substitution*
10 *of Counsel*, which substituted *Burch & Cracchiolo P.A.* for the law firm of Guttilla Murphy
11 Anderson, P.C. as general counsel to the Receiver.

12 5. Pursuant to the Court's *Order Re: Petition No. 2* the Receiver is authorized to
13 file this fee petition without including as exhibits the itemized of services rendered to, and
14 costs incurred or expended on behalf of, the Receivership, provided that the pay petition
15 includes a statement that anyone desiring additional information concerning the services and
16 costs to be paid under the pay petition may obtain redacted information from the Receiver by
17 delivering to the Receiver and the Receiver's counsel, Burch & Cracchiolo, P.A., a written
18 request specifying the additional information requested at least three (3) days prior to the date
19 set for hearing on the pay petition. The Court's *Order Re: Petition No. 2* further provides that
20 upon request of the Court, the Receiver shall make available for in camera review by the
21
22

1 Court the itemized statements and supporting documentation for the services and costs to be
2 paid under the pay petition.

3 6. The Receiver has submitted an itemized statement for services rendered to this
4 Receivership and for reimbursable costs incurred or paid during the period from September
5 1, 2024 through September 30, 2024, attached hereto as Exhibit A. The total amount
6 requested for payment by the Receiver is \$422.50. The Receiver believes that this amount is
7 reasonable and should be paid from the Receivership Assets.

8 7. The law firm of Burch & Cracchiolo, P.A., has submitted an itemized statement
9 for services rendered to this Receivership and for reimbursable costs incurred or paid during
10 the period from September 1, 2024 through September 30, 2024, attached hereto as Exhibit
11 B. The total amount requested for payment by the law firm of Burch & Cracchiolo, P.A. is
12 \$1,409.95. The Receiver believes that this amount is reasonable and should be paid from the
13 Receivership Assets and has therefore approved this statement for payment.

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

16 1. The amount of \$422.50 to FitzGibbons and Company, Inc. for services
17 rendered and costs incurred or paid during the period September 1, 2024 through September
18 30, 2024; and

19 2. The amount of \$1,409.95 to Burch & Cracchiolo, P.A., for services rendered
20 and costs incurred or paid during the period September 1, 2024 through September 30, 2024.

21 ///

1 Respectfully submitted this 8th day of November, 2024.

2 BURCH & CRACCHIOLO, P.A.

3 /s/ Ryan W. Anderson

4 Ryan W. Anderson

5 Attorneys for the Receiver

EXHIBIT A

FitzGibbons and Company, Inc.
8701 E Vista Bonita Dr. Suite 200
Scottsdale, Arizona 85255

Summary of Fees and Expenses

Invoice Submitted to: Michael J. FitzGibbons, Receiver
Matter: Mango Trust Receivership
For the Period: September 2024

FEES & EXPENSES

Michael J. FitzGibbons, Receiver

	<u>Hours Billed</u>	<u>Rate</u>	<u>Amount</u>
Receiver Hours & Fees	0.20	\$ 275.00	\$ 55.00
Total Receiver Hours, Fees & Expenses	0.20		\$ 55.00

F&C Consultants

Tenna Dillon	0.25	\$ 165.00	\$ 41.25
James FitzGibbons	1.50	\$ 180.00	\$ 270.00
Cindy Essendrup	0.45	\$ 125.00	\$ 56.25
Total Consultants Hours & Fees	2.20		\$ 367.50
Consultant Expenses			\$ -
Total Consultants Hours, Fees and Expenses			\$ 422.50
TOTAL HOURS, FEES AND EXPENSES	2.40		\$ 422.50

PREVIOUS BALANCE DUE

\$ -

TOTAL DUE

\$ 422.50

Mango Trust Receivership

FitzGibbons and Company, Inc.
for
September 2024

Michael J. FitzGibbons, Receiver

Receiver/Consultants	Date	Description of Services Performed	Time	Billing Rate	Billed Amount
Michael J. FitzGibbons	9/9	Meeting with Mr Andersen.	0.20	275.00	55.00
		Total	0.20		55.00
Tenna Dillon	9/3	Banking/Check Run	0.25	165.00	41.25
		Total	0.25		41.25
Cindy Essendrup	9/3	August Bank Recs.	0.25	125.00	31.25
	9/19	EM Mert at Lookout Mountain for copy of Mango insurance policy. Efile same.	0.20		25.00
		Total	0.45		56.25
James FitzGibbons	9/9	Mango liquidation website updates.	1.50	180.00	270.00
		Total	1.50		270.00
		Additional Staff Total	2.20		367.50
		Grand Total - Receiver & Consultants	2.40		422.50

EXHIBIT B

BURCH & CRACCHIOLO, P.A.

A PROFESSIONAL ASSOCIATION
LAW OFFICES

MAILING ADDRESS
1850 N CENTRAL AVE, SUITE 1700
PHOENIX, ARIZONA 85004
(602) 274-7611

TAX IDENTIFICATION NUMBERS
FEDERAL 86-0316924
STATE 158754

October 29, 2024

FitzGibbons and Company, Inc.
Michael J. FitzGibbons
8701 E. Vista Bonita Dr.
Suite 200
Scottsdale, AZ 85255

Invoice #: 416702
Client #: 34657
Matter #: 1
Billing Attorney: RWA

INVOICE SUMMARY

For professional services rendered through September 30, 2024:

RE: **Mango Trust Receivership**
prolaw #1928-001

Professional Services	\$ 1,375.50
Current Disbursements	<u>\$ 34.45</u>
TOTAL THIS INVOICE	\$ 1,409.95

TOTAL BALANCE DUE	\$ 1,409.95
--------------------------	--------------------

PLEASE MAKE CHECK PAYABLE TO: BURCH & CRACCHIOLO, P.A.

Please return the remittance page with your payment and write the invoice number / file on check.

DISBURSEMENTS MADE TO THIRD PARTY VENDORS ON BEHALF OF YOUR MATTER MAY NOT HAVE BEEN POSTED TO THE ACCOUNT BY THE DATE THE BILL HAS BEEN ISSUED. ANY SUCH DISBURSEMENTS SHALL APPEAR ON A LATER STATEMENT

Invoice #: 416702

October 29, 2024

PROFESSIONAL SERVICES

Date	Atty	Description of Service	Hours
9/08/24	RWA	Read series of e-mails from Mike FitzGibbons re: Mango Receivership; prepare for meeting with client.	.30
9/09/24	RWA	Meet with Receiver re: series of action items, outline issues to file.	.50
9/11/24	RWA	Read Receiver's Status Report; Outline detailed e-mail to Lisa B. re: series of action items re: Petition No. 70. Review Receiver's e-mail re: Fee Petition; draft detailed e-mail to Lisa B. re: action items. Draft e-mail to Receiver re: same.	.70
9/17/24	LB	Receive and review email from Ryan Anderson re case status [.1]; Begin drafting Petition to Approve Status Report as of 8.27.24, Exhibit 1, Proof of Service, and Order [.9]; Begin drafting Petition No. 71 for Order Approving Fees and Costs of Receiver and Counsel, Proof of Mailing, and Order [1.3]; Draft email to Kim Rice re Guttilla Murphy Anderson and Burch & Cracchiolo invoices [.1]; Finalize Petition to Approve Status Report as of 8.27.24, Exhibit 1, Proof of Service, and Order and draft email to Kim Runyan re filing same [.3]	2.70
9/18/24	LB	Receive and review email from Kim Rice re Guttilla Murphy Anderson and Burch & Cracchiolo invoices [.1]; Draft email to Ryan Anderson re unpaid January through March fees [.2]; Continue drafting Petition No. 71 for Order Approving Fees and Costs of Receiver and Counsel, Exhibits A-F, and Order [.7]	1.00
9/20/24	LB	Receive and review email from Ryan Anderson re finalizing and filing Fee Petition No. 71 [.1]; Finalize Fee Petition [.2]; Draft email to Kim Runyan re filing same [.1]	.40

SUMMARY OF PROFESSIONAL SERVICES

Name	Hours	Rate	Amount
Ryan W. Anderson	1.50	425.00	637.50
Lisa Bailey	4.10	180.00	738.00
TOTALS	5.60		\$ 1,375.50

TOTAL PROFESSIONAL SERVICES**\$ 1,375.50****CURRENT DISBURSEMENTS**

Date	Description	Qty	Amount
	Postage		7.65
9/20/24	Filing Fee, #10251775		6.70
9/20/24	Filing Fee, #10253017		6.70
9/20/24	Filing Fee, #10255804		6.70
9/20/24	Filing Fee, #10258199		6.70

Invoice #: 416702

October 29, 2024

CURRENT DISBURSEMENTS

\$ 34.45

TOTAL THIS INVOICE

\$ 1,409.95