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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff(s),

v.

EDWIN YOSHIHIRO FUJINAGA and MRI
INTERNATIONAL, INC., et al.,

Defendant(s).

Case No. 2:13-CV-1658 JCM (CWH)

ORDER

Presently before the court is receiver Robb Evans & Associates LLC’s (“receiver”) motion for order: (1) approving and authorizing payment of receiver’s and professionals’ fees and expenses; and (2) granting relief from Local Rule 66-5 pertaining to notice to creditors. (ECF No. 543). No response was filed, and the deadline to do so has passed.

The receiver requests an order “approving and authorizing payment of receivership fees and expenses incurred for the six-month period from January 1, 2019 through June 30, 2019,” the “reporting period.” *Id.* This includes fees for the receiver and its deputies, agents, staff and professionals in the amount of \$22,700.45, their expenses in the amount of \$338.11, business entity expenses in the amount of \$13,573.00, and expenses related to the estate’s real property in the amount of \$40,576.64. *Id.* This request also includes fees to Lynch Law Practice, PLLC in the amount of \$58,622.40 and its expenses in the amount of \$1,931.58. *Id.* The cumulative total for the expense period is \$137,742.18. *Id.*

The motion sets forth the receiver’s services and activities during the expense period, as well as the law supporting an award of the requested fees. Further, Local Rule 7-2(d) provides that “the failure of an opposing party to file points and authorities in response to any motion ...

1 constitutes a consent to the granting of the motion.” LR 7-2(d). The court will therefore grant the
2 instant unopposed motion.

3 Further, to the extent that Local Rule 66-5 applies here, the court finds that the receiver has
4 given sufficient notice to creditors under the rule. The receiver filed the instant motion on the
5 public CM/ECF docket for this case. The court set a response deadline for the motion. The
6 deadline has now passed, and no response or other objection has been filed by any party. Further,
7 the receiver will serve copies of all motion papers on the parties to the action and on all known
8 non-consumer creditors.

9 Good cause appearing, the court will grant the instant motion.

10 Accordingly,

11 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the receiver’s motion for
12 order approving and authorizing payment of receiver’s and professionals’ fees and expenses (ECF
13 No. 543) be, and the same hereby is, GRANTED.

14 IT IS FURTHER ORDERED that the receiver’s motion for order granting relief from Local
15 Rule 66-5 pertaining to notice to creditors (ECF No. 543) be, and the same hereby is, GRANTED.

16 DATED December 9, 2019.

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19 UNITED STATES DISTRICT JUDGE
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