

**ROBB EVANS OF
ROBB EVANS & ASSOCIATES LLC
Receiver of I Works, Inc., et al. and
the Assets of Jeremy Johnson**

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**Federal Trade Commission v. Jeremy Johnson, I Works, Inc., et al.
CASE No. 2:10-CV-02203-RLH-GWF**

Notice of Filing of Motion for Order:

- (1) Approving and Authorizing Payment of Receiver's and Professionals' Fees and Expenses from Inception Through March 31, 2011;**
- (2) Approving Stipulation and Settlement with Pivotal Payments, Inc. and CD Liquidation Trust; and**
- (3) Granting Relief from Local Rule 66-5 Pertaining to Notice to Creditors**

Filed June 10, 2011

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 11 **ROBB EVANS OF ROBB EVANS &
 ASSOCIATES LLC**

12
 13 **UNITED STATES DISTRICT COURT**

14
 15 **DISTRICT OF NEVADA**

16 FEDERAL TRADE COMMISSION,
 17 Plaintiff,

18 v.

19 JEREMY JOHNSON, individually, as
 20 officer of Defendants I Works, Inc.,
 etc., et al.,

21 Defendants.
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Case No. 2:10-CV-02203-RLH-GWF

**NOTICE OF FILING OF MOTION
 FOR ORDER (1) APPROVING
 AND AUTHORIZING PAYMENT
 OF RECEIVER'S AND
 PROFESSIONALS' FEES AND
 EXPENSES FROM INCEPTION
 OF RECEIVERSHIP THROUGH
 MARCH 31, 2011; (2) APPROVING
 STIPULATION AND
 SETTLEMENT WITH PIVOTAL
 PAYMENTS, INC. AND CD
 LIQUIDATION TRUST; AND (3)
 GRANTING RELIEF FROM
 LOCAL RULE 66-5 PERTAINING
 TO NOTICE TO CREDITORS**

1 PLEASE TAKE NOTICE that Robb Evans of Robb Evans & Associates
2 LLC (“Receiver”), the Receiver pursuant to the Court’s Preliminary Injunction
3 Order issued February 10, 2011, has filed concurrently herewith the Receiver’s
4 Notice of Motion and Motion for Order (1) Approving and Authorizing Payment of
5 Receiver’s and Professionals’ Fees and Expenses from Inception of Receivership
6 Through March 31, 2011; (2) Approving Stipulation and Settlement with Pivotal
7 Payments, Inc. and CD Liquidation Trust; and (3) Granting Relief from Local Rule
8 66-5 Pertaining to Notice to Creditors (“First Fee Motion”) seeking an order for the
9 following relief:

10 1. An order approving and authorizing payment of receivership fees and
11 expenses incurred for the period from the inception of the receivership through
12 March 31, 2011 (“Expense Period”), including payment of the fees of the Receiver,
13 the Receiver’s deputies, agents, staff and professionals, and reimbursement of costs
14 incurred during the Expense Period in the total sum of \$509,620.20. The fees of the
15 Receiver, his deputies, agents and staff total \$311,775.96 and the Receiver’s
16 expenses total \$36,224.11 during the Expense Period. The Receiver’s legal fees
17 and expenses total \$161,620.13 during the Expense Period, including fees and
18 expenses incurred to the Receiver’s lead counsel McKenna Long & Aldridge LLP
19 in the sum of \$155,027.12, fees and expenses of the Receiver’s local counsel in
20 Nevada, Kolesar & Leatham, Chtd., in the sum of \$2,180.50, and fees and expenses
21 of the Receiver’s special litigation counsel in Utah, Law Offices of Hatch, James &
22 Dodge, A Professional Corporation, in the sum of \$4,412.51;

23 2. An order approving a proposed Stipulation and Settlement by the
24 Receiver with Pivotal Payments, Inc. and CD Liquidation Trust pursuant to which
25 the Receiver is to be paid the sum of at least \$1,305,897.48 constituting reserve
26 funds held on behalf of Receivership Defendant Diamond J. Media, Inc. (“DJM”)
27 from processing revenues, and to recover additional reserve funds of Receivership
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1 Defendant JRB Media, Inc. as detailed in the Stipulation and Settlement attached as
2 Exhibit 4 to the Declaration of Gary Owen Caris filed concurrently herewith; and

3 3. An order deeming notice of the First Fee Motion to be sufficient under
4 Local Civil Rule 66-5 based on the service of the notice of the filing of the First Fee
5 Motion and the First Fee Motion on all parties and service of this notice of the
6 filing of the First Fee Motion on all known non-consumer creditors of the estate
7 concurrent with the filing of the First Fee Motion with the Court.

8 The First Fee Motion is made pursuant to Local Civil Rules 7-2 and 66-5 and
9 is based upon this Notice of Filing of the First Fee Motion, the notice of motion and
10 motion, the supporting memorandum of points and authorities and the Declarations
11 of Brick Kane and Gary Owen Caris in support of the First Fee Motion filed
12 concurrently herewith, any reply, and upon all other pleadings and documentary
13 evidence as may be presented to the Court by the Receiver.

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15 Dated: June 10, 2011

Respectfully submitted,

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17 RANDOLPH L. HOWARD
KOLESAR & LEATHAM, CHTD.

18 MCKENNA LONG & ALDRIDGE LLP
19 GARY OWEN CARIS
LESLEY ANNE HAWES

20
21 By: /s/ Gary Owen Caris

Gary Owen Caris
Lesley Anne Hawes

22
23 Attorneys for Receiver
24 **ROBB EVANS OF ROBB EVANS &
ASSOCIATES LLC**