

**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-MMD-GWF**

Notice of Filing of Motion for Order:

- (1) Approving and Authorizing Payment of Receiver's and Professionals' Fees and Expenses from January 1, 2016 Through June 30, 2016; and**
- (2) Granting Relief from Local Rule 66-5 Pertaining to Notice to Creditors**

Filed September 14, 2016

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ROBB EVANS OF ROBB EVANS &
13 **ASSOCIATES LLC**

14
15 **UNITED STATES DISTRICT COURT**
16 **DISTRICT OF NEVADA**

17 FEDERAL TRADE COMMISSION,

18 Plaintiff,

19 v.

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

22 Defendants.

Case No. 2:10-CV-02203-MMD-GWF

**NOTICE OF FILING OF MOTION FOR
ORDER (1) APPROVING AND
AUTHORIZING PAYMENT OF
RECEIVER'S AND PROFESSIONALS'
FEES AND EXPENSES FROM JANUARY
1, 2016 THROUGH JUNE 30, 2016;
AND (2) GRANTING RELIEF FROM
LOCAL RULE 66-5 PERTAINING TO
NOTICE TO CREDITORS**

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25 PLEASE TAKE NOTICE that Robb Evans of Robb Evans & Associates LLC
26 (“Receiver”), the Receiver pursuant to the Court’s Preliminary Injunction Order issued February
27 10, 2011, has filed his Notice of Motion and Motion for Order (1) Approving and Authorizing
28 Payment of Receiver's and Professionals' Fees and Expenses from January 1, 2016 Through June

1 30, 2016; and (2) Granting Relief from Local Rule 66-5 Pertaining to Notice to Creditors ("Fee
2 Motion"). Pursuant to the Fee Motion, the Receiver moves the Court for an order for the
3 following relief:

4 1. An order approving and authorizing payment of receivership fees and expenses
5 incurred for the six-month period from January 1, 2016 through June 30, 2016 ("Expense
6 Period"), including payment of the fees of the Receiver, the Receiver's deputies, agents, staff and
7 professionals, and reimbursement of costs incurred during the Expense Period in the total sum of
8 \$206,858.06. The fees of the Receiver, his deputies, agents and staff total \$52,956.06. The
9 Receiver's expenses total \$13,585.59, including accountants' fees and expenses for the preparation
10 of tax returns in the sum of \$5,895.19 during the Expense Period. The Receiver's legal fees and
11 expenses total \$140,316.41 during the Expense Period, including (a) fees of \$128,268.90 and
12 expenses of \$5,805.87 incurred to the Receiver's former lead counsel Dentons US LLP¹ for a total
13 of \$134,074.77, (b) fees in the amount of \$3,322.80 and no expenses incurred to the Receiver's
14 present lead counsel Diamond McCarthy LLP,² (c) expenses of \$196.49 and no fees for the
15 services of the Receiver's local counsel in Nevada, Kolesar & Leatham, Chtd., (d) fees in the
16 amount of \$2,075.00 and no expenses for services of the Receiver's special real estate/title counsel
17 in Utah, Nelson Christensen Hollingworth & Williams, and (e) fees in the amount of \$572.50 and
18 expenses in the amount of \$74.85 for services of the Receiver's special real estate foreclosure
19 counsel in Utah, Hatch, James & Dodge, A Professional Corporation; and

20 2. An order deeming notice of the Fee Motion to be sufficient under Local Civil Rule
21 66-5 based on the service of this notice of the filing of the Fee Motion and the Fee Motion on all
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23 ¹ On July 1, 2015, McKenna Long & Aldridge LLP, which had been lead counsel for the Receiver
24 since the inception of the receivership, changed its name to Dentons US LLP ("Dentons"). *See*
25 Notice of Change of Firm Name filed July 8, 2015 as Document No. 1626.

26 ² In June 2016, Gary Owen Caris and Lesley Anne Hawes, who have represented the Receiver
27 throughout the receivership, moved their practice from Dentons to Diamond McCarthy LLP
28 ("Diamond McCarthy"). Dentons was formally substituted out of the case as counsel for the
Receiver and replaced by Diamond McCarthy as the Receiver's lead counsel by Order entered
June 20, 2016. *See* Order Approving Substitution of Attorney (Doc. No. 1927).

1 parties and service of this notice of the filing of the Fee Motion on all known non-consumer
2 creditors of the estate concurrent with the filing of the Fee Motion with the Court, but not the tens
3 of thousands of potential consumer creditors of the estate.

4 The Fee Motion is made pursuant to Local Civil Rules 7-2 and 66-5 and is based upon this
5 separate notice of filing of the Fee Motion, the Fee Motion, memorandum of points and authorities
6 and the Declarations of Brick Kane and Gary Owen Caris in support thereof, the separate
7 Appendix of Exhibits filed concurrently therewith in support thereof, the proposed order on the
8 Fee Motion submitted concurrently herewith, +any reply, upon the pleadings, files and records of
9 the Court in this case of which the Receiver requests the Court take judicial notice, including
10 without limitation the Report of Temporary Receiver's Activities filed February 8, 2011 (Doc. No.
11 127) and the Report of Receiver's Financial Reconstruction dated January 31, 2012 and four
12 volumes of supporting Appendices filed on February 3, 2012 (Doc. Nos. 464, 465-468), the Order
13 Granting Motion for Order Clarifying Preliminary Injunction Order and for Further Instructions
14 Regarding Scope of Receivership Defendants under Preliminary Injunction Order and Report of
15 Receiver's Financial Reconstruction and Granting Relief from Local Rule 66-5 Pertaining to
16 Notice to Creditors After Hearing ("Clarifying Order") entered March 25, 2013 and upon all other
17 pleadings and documentary evidence as may be presented to the Court by the Receiver. A copy of

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1 the Fee Motion, without the voluminous Appendix of Exhibits, will be posted on the Receiver's
2 website for the case at www.robbevans.com.

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DATED: September 14, 2016

Respectfully submitted,

BART K. LARSEN
SHLOMO S. SHERMAN
KOLESAR & LEATHAM, CHTD.

GARY OWEN CARIS
LESLEY ANNE HAWES
DIAMOND McCARTHY LLP

By: /s/ Gary Owen Caris

Gary Owen Caris
Lesley Anne Hawes

Attorneys for Receiver
**ROBB EVANS OF ROBB EVANS &
ASSOCIATES LLC**