

**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 July 1, 2016 Through December 31, 2016;
and**
- (2) Granting Relief from Local Rule 66-5 Pertaining to Notice to Creditors**

Filed March 23, 2017

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

14 **UNITED STATES DISTRICT COURT**
15 **DISTRICT OF NEVADA**
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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.
23

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 JULY 1,
2016 THROUGH DECEMBER 31, 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 July 1, 2016 Through

1 December 31, 2016; and (2) Granting Relief from Local Rule 66-5 Pertaining to Notice to
2 Creditors ("Fee Motion"). Pursuant to the Fee Motion, the Receiver moves the Court for an order
3 for the following relief:

4 1. An order approving and authorizing payment of receivership fees and expenses
5 incurred for the six-month period from July 1, 2016 through December 31, 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 \$136,240.13. The fees of the Receiver, his deputies, agents and staff total \$47,231.99. The
9 Receiver's expenses total \$9,329.72. The Receiver's legal fees and expenses total \$79,678.42
10 during the Expense Period, including (a) fees of \$71,101.00 and expenses of \$2,843.81 incurred to
11 the Receiver's lead counsel Diamond McCarthy LLP,¹ (b) expenses of \$194.92 and no fees for the
12 services of the Receiver's local counsel in Nevada, Kolesar & Leatham, Chtd., (c) fees in the
13 amount of \$3,633.75 and expenses in the amount of \$161.44 for services of the Receiver's special
14 real estate foreclosure counsel in Utah, Hatch, James & Dodge, A Professional Corporation, and
15 (d) fees in the amount of \$1,743.50 for the services of the Receiver's special real estate title
16 counsel in Utah, Nelson Christensen Hollingworth & Williams, P.C.; and

17 2. An order deeming notice of the Fee Motion to be sufficient under Local Civil Rule
18 66-5 based on the service of this notice of the filing of the Fee Motion and the Fee Motion on all
19 parties and service of this notice of the filing of the Fee Motion on all known non-consumer
20 creditors of the estate concurrent with the filing of the Fee Motion with the Court, but not the tens
21 of thousands of potential consumer creditors of the estate.

22 The Fee Motion is made pursuant to Local Civil Rules 7-2 and 66-5 and is based upon this
23 separate notice of filing of the Fee Motion, the Fee Motion, memorandum of points and authorities
24 and the Declarations of Brick Kane and Gary Owen Caris in support thereof, the separate

25 ¹ In June 2016, Gary Owen Caris and Lesley Anne Hawes, who have represented the Receiver
26 throughout the receivership, moved their practice from Dentons US LLP ("Dentons") to Diamond
27 McCarthy LLP ("Diamond McCarthy"). Dentons was formally substituted out of the case as
28 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 Appendix of Exhibits filed concurrently therewith in support thereof, the proposed order on the
2 Fee Motion submitted concurrently herewith, upon the pleadings, files and records of the Court in
3 this case of which the Receiver requests the Court take judicial notice, including without limitation
4 the Report of Temporary Receiver's Activities filed February 8, 2011 (Doc. No. 127) and the
5 Report of Receiver's Financial Reconstruction dated January 31, 2012 and four volumes of
6 supporting Appendices filed on February 3, 2012 (Doc. Nos. 464, 465-468), the Order Granting
7 Motion for Order Clarifying Preliminary Injunction Order and for Further Instructions Regarding
8 Scope of Receivership Defendants under Preliminary Injunction Order and Report of Receiver's
9 Financial Reconstruction and Granting Relief from Local Rule 66-5 Pertaining to Notice to
10 Creditors After Hearing ("Clarifying Order") entered March 25, 2013 and upon all other pleadings
11 and documentary evidence as may be presented to the Court by the Receiver. A copy of
12 the Fee Motion, without the voluminous Appendix of Exhibits, will be posted on the Receiver's
13 website for the case at www.robbevans.com.

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DATED: March 23, 2017

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**