

FILED

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2006 MAY 22 PM 2:12
U.S. DISTRICT COURT
CENTRAL DISTRICT
LOS ANGELES

6 Attorneys for Permanent Receiver,
ROBB EVANS

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

11 FEDERAL TRADE COMMISSION,
12 Plaintiff,
13 v.
14 TREK ALLIANCE, INC., et al.,
15 Defendants.

CASE NO. CV 02-9270 DSF (AJWx)

NOTICE OF HEARING ON MOTION FOR ORDER: (1) APPROVING AND AUTHORIZING RECEIVER'S FEES AND COSTS FROM NOVEMBER 1, 2003 THROUGH TERMINATION OF RECEIVERSHIP; (2) AUTHORIZING PAYMENT TO CLOSE AND SETTLE AFFAIRS OF ESTATE; AND (3) GRANTING RELIEF FROM LOCAL RULE 66-7 PERTAINING TO NOTICE TO CERTAIN CREDITORS

DATE: June 12, 2006
TIME: 1:30 p.m.
PLACE: Courtroom 840
Roybal Federal Building

21 PLEASE TAKE NOTICE that on June 12, 2006, at 1:30 p.m., or as soon
22 thereafter as counsel may be heard in Courtroom 840 of the above-referenced Court
23 located at 255 East Temple Street, Los Angeles, California, permanent receiver
24 Robb Evans ("Receiver") will move this Court for an order: (1) approving and
25 authorizing payment of receivership expenses incurred for the period from
26 November 1, 2003 through the close and termination of the receivership ("Expense
27 Period"), including payment of the fees of the Receiver, the Receiver's deputies,
28 agents, staff and professionals, and reimbursement of costs incurred during the

MCKENNA LONG &
ALDRIDGE LLP
ATTORNEYS AT LAW
LOS ANGELES

NOTICE OF HEARING ON MOTION FOR ORDER
APPROVING RECEIVER'S FEES AND COSTS

1 Expense Period in the total sum of \$63,406.84; (2) authorizing a payment of
2 \$15,844 to close and settle the affairs of the Estate, including fees and expenses
3 incurred for the period from April 1, 2006; and (3) granting relief from Local Rule
4 66-7 pertaining to the giving of notice to certain creditors of the receivership estate,
5 whereby written notice to potential consumer claimants need not be given. The
6 fees and expenses of the Receiver and his staff total \$23,561.57 during the Expense
7 Period and his legal fees and expenses, including both his in-house and outside
8 counsel, total \$39,845.27 during the Expense Period.

9 The Motion is made pursuant to Local Civil Rule L.R. 66-7 of the United
10 States District Court for the Central District of California. It is based on the notice
11 of motion, memorandum of points and authorities, and declarations of Kenton
12 Johnson and Gary Owen Caris, which are being filed concurrently with the Motion,
13 and upon all documents, records and files in this action, and such oral and
14 documentary evidence as may be presented at or before the time of the hearing on
15 the Motion.

16 PLEASE TAKE FURTHER NOTICE that a copy of the Motion is posted on
17 the Receiver's website at www.robbevans.com/html/trekalliance.html, where it may
18 be reviewed in its entirety. Copies of the Motion will be provided to any interested
19 party upon receipt of a written request which may be sent to: Robb Evans &
20 Associates LLC, Attn: Cherrie Eustaquio, 11450 Sheldon Street, Sun Valley, CA
21 91352-1121; Telephone (818) 768-8100; Facsimile: (818) 768-8802.

22
23 Dated: May 18, 2006

Respectfully submitted,

MCKENNA LONG & ALDRIDGE LLP

25
26 By: 
Gary Owen Caris

27 Attorneys for Permanent Receiver,
28 **ROBB EVANS**

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PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the aforesaid county, State of California; I am over the age of 18 years and not a party to the within action; my business address is **444 South Flower Street, Los Angeles, California 90071.**

On May 19, 2006, I served the **NOTICE OF HEARING ON MOTION FOR ORDER: (1) APPROVING AND AUTHORIZING RECEIVER'S FEES AND COSTS FROM NOVEMBER 1, 2003 THROUGH TERMINATION OF RECEIVERSHIP; (2) AUTHORIZING PAYMENT TO CLOSE AND SETTLE AFFAIRS OF ESTATE; AND (3) GRANTING RELIEF FROM LOCAL RULE 66-7 PERTAINING TO NOTICE TO CERTAIN CREDITORS** on the interested parties in this action by placing the **true copy/original** thereof, enclosed in a sealed envelope, postage prepaid, addressed as follows:

SEE ATTACHED SERVICE LIST.

I am readily familiar with the business practice of my place of employment in respect to the collection and processing of correspondence, pleadings and notices for mailing with United States Postal Service.

The foregoing sealed envelope was placed for collection and mailing this date consistent with the ordinary business practice of my place of employment, so that it will be picked up this date with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of such business.

(STATE) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(FEDERAL) I declare under penalty of perjury that the foregoing is true and correct, and that I am employed at the office of a member of the bar of this Court at whose direction the service was made.

Executed on May 19, 2006 at Los Angeles, California.



Signature

Pamela A. Coates

Print Name

SERVICE LIST

Robb Evans & Associates LLC – Trek Alliance, Inc., et al.

R.M. Owens
Operations Manager. Collections
INTERNAL REVENUE SERVICE
ACS Support - Stop 8130
P.O. Box 145566
Cincinnati, OH 45250-5566

City of Boulder Sales Tax Division
P.O. Box 791
Boulder, CO 80306-0791

ABC Distributing, Inc.
P. O. Box 619000
North Miami, FL 33261-9000

Accessline Communications
11201 SE 8th Street
Suite 200
Bellevue, WA 98004

Adam's Mark
Fourth & Chestnut
St. Louis, MO 63102

Advanta Leasing Services
P. O. Box 41598
Philadelphia, PA 19101-1598

American Express
P. O. Box 27057
Greensboro, NC 27425-7057

AT&T Wireless
P. O. Box 78110
Phoenix, AZ 85062-8110

Authorize.Net
915 South 500 East
Suite 200
American Fork, UT 84003

Boise Cascade Office Products
File 42256
Los Angeles, CA 90074-2256

Buchalter, Nemer, Fields & Younger
601 South Figueroa Street
Suite 2400
Los Angeles, CA 90017-5704

Burton, Bartlett & Glogovac
50 West Liberty Street
Suite 650
Reno, NV 89501

Calvey Nevada Packaging
4999 Aircenter Circle
Reno, NV 89502

Caselle Label Company
1147 Gator Way
Sparks, NV 89431

CCH Incorporated
P. O. Box 4307
Carol Stream, IL 60197-4307

CDI Media
2323 South 3600 West
Salt Lake City, UT 84119

CP Industries
560 North 500 West
Salt Lake City, UT 84116

Deluxe Business Checks
P. O. Box 742572
Cincinnati, OH 45274-2572

Department of the Treasury
Internal Revenue Service
Ogden, UT 84201-0039

DynaGraphic Printing
2001 Timber Way
Reno, NV 89512

Eschelon Telecom. Inc.
36397 Treasury Center
Chicago, IL 60694-6300

Expanets Inc.
Dept #1261
Denver, CO 80271-1261

1 **SERVICE LIST (cont'd)**

2 *Robb Evans & Associates LLC – Trek Alliance, Inc., et al.*

3 FedEx
4 P. O. Box 1140
5 Memphis, TN 38101-1140

FedEx Freight West
Dept CH
P. O. Box 10306
Palatine, IL 60055-0306

6 Floralstuff.com
7 10660 Kinghurst Drive
8 Houston, TX 77099

Foxhollow Herb Farm
180 Harbern Way
Hollister, CA 95023

9 FranklinCovey Co.
10 2200 West Parkway Blvd.
11 Salt Lake City, UT 84119-2099

G. Neil Direct Mail, Inc.
P. O Box 451179
Sunrise, FL 33345-1179

12 Giclee Limited Editions, LLC
13 907 West Moana Lane
14 Reno, NV 89509

Grimes & Reese
1270 South Woodruff Avenue
Idaho Falls, ID 83404-5544

15 HealthTech International, Inc.
16 1198 W. 1130 N.
17 St. George, UT 84770

Henry's Cleaning Service
P. O. Box 9056
Incline Village, NV 89452

18 Ikon Office Solutions
19 P. O. Box 7420
20 Pasadena, CA 91109-7420

Industrial Container & Supply Company
P. O. Box 26668
Salt Lake City, UT 84126-0668

21 Kinko's Inc.
22 P. O. Box 8033
23 Ventura, CA 93002-8033

Kinko's Inc.
P. O. Box 8033
Ventura, CA 93002-8033

24 Labelsmith, Inc.
25 1147 Gator Way
26 Sparks, NV 89431

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Suite 2200
Los Angeles, CA 90067-2523

27 Moore North America
28 135 South LaSalle
Dept. 4904
Chicago, IL 60674-4904

Motor Cargo
P. O. Box 2351
Salt Lake City, UT 84110

Michael David Myers, Esq.
Myers & Parker, P.L.L.C.
1809 7th Ave, Suite 700
Seattle, WA 98101

Nevada Association of Employers
P. O. Box 7515
Reno, NV 89510

Nevada Bell
P. O. Box 989045
West Sacramento, CA 95798-9045

North Shore Agency, Inc.
751 Summa Avenue
Westbury, NY 11590

OSI Collection Services, Inc.
P. O. Box 965
Brookfield, WI 53008

Panda Inc.
2695 Mill Street
Reno, NV 89502-2102

1 **SERVICE LIST (cont'd)**

2 *Robb Evans & Associates LLC – Trek Alliance, Inc., et al.*

3 Paper Direct
4 P. O. Box 2933
Colorado Springs, CO 80901-2933

Paul Brown Hawaii
9200 Mason Avenue
Chatsworth, CA 91311

5 Pechiney Plastic Packagin, Inc.
6 23069 Network Place
Chicago, IL 60673-1069

Pitney Bowes
P. O. Box 856390
Louisville, KY 40285-6390

7 Pitney Bowes Credit Corporation
8 P. O. Box 856460
Louisville, KY 40285-6460

Qwest
P. O. Box 856169
Louisville, KY 40285-6169

9 Rainbow Printing & Office Supply
10 33159 Camino Capistrano
Suite E
San Juan Capistrano, CA 92675

Rizzoli Inc. Trash Hauling
250 Arletta Street
Reno, NV 89503-5107

11 Ross Delivery Service, Inc.
12 9600 Comanche Moon Dr.
Reno, NV 89521

Sierra Spring Water Company
Dept 262
Denver, CO 80271-0262

13 Sitkoff/O'Neil Accountancy Corp.
14 P. O. Box 6299
Tahoe City, CA 96145

Southwest Gas Corporation
P. O. Box 98890
Las Vegas, NV 89150-0101

15 Sprint
16 P. O. Box 930331
Atlanta, GA 31193-0331

Taste of Home Books
P. O. Box 5226
Clifton, NJ 07015-5226

17 Terminex International
18 5655 Riggins Court
Suite 1
19 Reno, NV 89502

Terry's Village
P. O. Box 2049
Omaha, NE 68103

20 Thor Incorporated
21 12820 West 2550 South
Ogden, UT 84401

Transpay, Inc. d/b/a TransPay Processing
74900 Highway 111
Suite 121
Indian Wells, CA 92210

22 Ultima Networks
23 P. O. Box 10549
Salinas, CA 93912-7549

United Parcel Service
P. O. Box 894820
Los Angeles, CA 90189-4820

24 Valley Insurance Company
25 P. O. Box 1119
Albany, OR 97321-0421

Venus Laboratories
P. O. Box 607
Wood Dale, IL 60191

26 Voice Text.Com
27 702 Colorado Street
Suite 2600
28 Austin, TX 78701

Woodburn & Wedge
6100 Neil Road
Suite 500
Reno, NV 89511

1 **SERVICE LIST (cont'd)**

2 **Robb Evans & Associates LLC – Trek Alliance, Inc., et al.**

3 Alabama Department of Revenue
4 Sales, Use & Business Tax Division
5 P. O. Box 327900
6 Montgomery, AL 36132-7900

Alatax
Sales Tax Division
P. O. Box 830725
Birmingham, AL 35283-0725

7 Arizona Department of Revenue
8 P. O. Box 29010
9 Phoenix, AZ 85038-9010

Board of Equalization
P. O. Box 942879
Sacramento, CA 94279-8022

10 City & County of Broomfield
11 Sales Tax Administration
12 P. O. Box 407
13 Broomfield, CO 80038-0407

City and County of Denver
Department of Revenue
P. O. Box 17430
Denver, CO 80217-0430

14 City of Arvada
15 Sales Tax Division
16 P. O. Box 8101
17 Arvada, CO 80001-8101

City of Aurora
Dept. 800
Denver, CO 80291-0800

18 City of Avondale
19 Sales Tax Department
20 114 E. Western Avenue
21 Avondale, AZ 85323-2316

City of Boulder
Department of Finance
P. O. Box 1316
Boulder, CO 80306-1316

22 City of Bremerton
23 Tax and License Division
24 239 Fourth Street
25 Bremerton, WA 98337

City of Brighton
Sales Tax Return
22 So. 4th Avenue
Brighton, CO 80601

26 City of Chandler
27 Sales Tax - Mail Stop 701
28 P. O. Box 15001
Chandler, AZ 85244-5001

City of Colorado Springs
P. O. Box 2408
Colorado Springs, CO 80901

City of Commerce City
Department of Finance
5291 East 60th Avenue
Commerce City, CO 80022-3203

City of Durango
Finance Department
949 E 2nd Avenue
Durango, CO 813.01

City of Englewood Sales Tax
P. O. Box 2900
Englewood, CO 80150-2900

City of Federal Heights
Sales Tax Return
2380 W. 90th Avenue
Federal Heights, CO 80260

City of Fort Collins
Department of Finance
P. O. Box 580
Fort Collins, CO 80522

City of Glendale
P. O. Box 800
Glendale, AZ 85311-0800

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SERVICE LIST (cont'd)

Robb Evans & Associates LLC - Trek Alliance, Inc., et al.

City of Golden
911 10th Street
Golden, CO 80401

City of Lafayette
1290 S. Public Road
Lafayette, CO 80026

City of Louisville
Sales Tax Division
749 Main Street
Louisville, CO 80027

City of Loveland
Sales Tax Administration
P. O. Box 0845
Loveland, CO 80539-0845

City of Mesa
P. O. Box 16350
Mesa, AZ 85211-6350

City of Phoenix, Arizona
Attn: Privilege License Tax
P. O. Box 29690
Phoenix, AZ 85038-9690

City of Prescott
Sales Tax Department
P. O. Box 2077
Prescott, AZ 86302-2077

City of Pueblo
Pueblo-Finance Dept/Sales Tax
P. O. Box 1427
Pueblo, CO 81002

City of Reno
Business License Renewals
P. O. Box 7
Reno, NV 89501

City of Rifle
P. O. Box 1908
Rifle, CO 81650

City of Scottsdale
P. O. Box 1949
Scottsdale, AZ 85252-1949

City of Tacoma
Department of Finance
P. O. Box 11640
Tacoma, WA 98411-6640

City of Tempe
Tax and License Office
P. O. Box 29618
Phoenix, AZ 85038-9618

City of Thornton
Sales Tax Division
Dept. 222
Denver, CO 80291-0222

City of Tucson
Finance Department
255 W. Alameda
Tucson, AZ 85701

City of Woodland Park
Revenue Department
P. O. Box 9045
Woodland Park, CO 80866-9045

Commonwealth of Kentucky
Revenue Cabinet
P. O. Box 491
Frankfort, KY 40602

Commonwealth of Massachusetts
P. O. Box 7072
Boston, MA 2204

Commonwealth of Pennsylvania
Bureau of Compliance
Dept. 280946
Harrisburg, PA 17128-0946

Commonwealth of Virginia
Department of Taxation
Richmond, VA 23282

1 **SERVICE LIST (cont'd)**

2 **Robb Evans & Associates LLC – Trek Alliance, Inc., et al.**

3 Comptroller of Maryland
4 110 Carroll Street
4 Annapolis, MD 21411-0001

Comptroller of Public Accounts
111 E. 17th Street
Austin, TX 78774-0100

5 Department of Revenue Services
6 State of Connecticut
6 P. O. Box 5030
7 Hartford, CT 06102-5030

Employment Department
P. O. Box 2170
Oregon City, OR 97045-5070

8 Florida Department of Revenue
8 5050 West Tennessee Street
9 Tallahassee, FL 32399-0128

Franchise Tax Board
P. O. Box 942840
Sacramento, CA 94240-0040

10 Georgia Department of Revenue
10 Sales and Use Tax Division
11 P. O. Box 105296
11 Atlanta, GA 30348-5296

Idaho State Tax Commission
P. O. Box 36
Boise, ID 83722-0410

12 Illinois Department of Corrections
12 P. O. Box 518
13 Kewanee, IL 61443-0518

Illinois Department of Revenue
Retailers Occupation Tax
Springfield, IL 62796-0001

14 Indiana Department of Revenue
14 P. O. Box 7218
15 Indianapolis, IN 46207-7218

Internal Revenue Service
Ogden, UT 84201

16 Kansas Department of Revenue
16 Sales & Excise Tax
17 915 SW Harrison Street
18 Topeka, KS 66625-5000

Kentucky Revenue Cabinet
Sales and Use Tax Section
P. O. Box 181, Section 53
Frankfort, KY 40602-0181

19 Louisiana Department of Revenue
19 P. O. Box 201
20 Baton Rouge, LA 70821-0201

Maine Revenue Services
Sales/Excise Tax Division
P. O. Box 1065
Augusta, ME 04332-1065

21 Michigan Department of Treasury
21 Dept. 77003
22 Detroit, MI 48277-0003

Minnesota Department of Revenue
P. O. Box 64447 - REO
Saint Paul, MN 55164-0447

23 Missouri Department of Revenue
23 Division of Taxation and Collection
24 P. O. Box 840
25 Jefferson City, MO 65105-0840

Nevada Department of Taxation
P. O. Box 98560
Las Vegas, NV 89193-8560

26 New York State Department
26 JAF Building
27 P. O. Box 1207
27 New York, NY 10116-1207

North Carolina Department of Revenue
P. O. Box 25000
Raleigh, NC 27640-0700

1 **SERVICE LIST (cont'd)**

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4 Ronald R. Del Vento
5 P. O. Box 12548
6 Austin, TX 78711-2548

Office of State Tax Commissioner
State Capitol
600 E. Boulevard Ave. Dept. 127
Bismarck, ND 58505-0553

7 Ohio Department of Taxation
8 P. O. Box 2678
9 Columbus, OH 43216-2678

Oklahoma Tax Division
P. O. Box 26850
Oklahoma City, OK 73126-0850

10 Patricia Berger-County Clerk
11 Lake County
12 P. O. Box 917
13 Leadville, CO 80416

Pennsylvania Department of Revenue
Dept 280420
Harrisburg, PA 17128-0420

14 Pennsylvania Department of Revenue
15 Dept 280406
16 Harrisburg, PA 17128-0406

Rhode Island Division of Taxation
One Capitol Hill
Providence, RI 02908-5812

17 South Dakota State Treasurer
18 Department of Revenue-Remittance Center
19 P. O. Box 5055
20 Sioux Falls, SD 57117-5055

State of Alabama
Department of Revenue
P. O. Box 327710
Montgomery, AL 36132-7710

21 State of Arkansas
22 Revenue Division
23 P. O. Box 1272
24 Little Rock, AR 72203-1272

State of California
Employment Development Dept.
P. O. Box 19009
San Bernardino, CA 92423-9009

25 State of California
26 Franchise Tax Board
27 P. O. Box 419001
28 Rancho Cordova, CA 95741-9001

State of Colorado
Department of Revenue
Denver, CO 80261-0013

State of Hawaii
Department of Taxation
P. O. Box 1425
Honolulu, HI 96806-1425

State of Maine
Maine Revenue Services
P. O. Box 1065
Augusta, ME 04332-1065

State of Missouri
Department of Revenue
P. O. Box 3380
Jefferson City, MO 65105-3380

State of Nevada
Department of Employment Security
500 East Third Street
Carson City, NV 89713-0030

State of Nevada
Secretary of State
202 N. Carson Street
Carson City, NV 89701-4201

State of Ohio
Office of the Attorney General
30 E. Broad Street
Columbus, OH 43215-3400

1 **SERVICE LIST (cont'd)**

2 **Robb Evans & Associates LLC – Trek Alliance, Inc., et al.**

3 State of South Carolina
4 SC Department of Revenue
5 P. O. Box 125
6 Columbia, SC 29214

State of Washington
Department of Revenue
P. O. Box 34052
Seattle, WA 98124-1052

7 State of Wyoming
8 Department of Revenue
9 Herschler Building
10 Cheyenne, KY 82002-0110

Tennessee Department of Revenue
Andrew Jackson State Office Bldg.
500 Deaderick Street
Nashville, TN 37242

11 The Town of Erie
12 P. O. Box 750
13 Erie, CO 80516

Town of Breckenridge
Department of Finance
P. O. Box 1237
Breckenridge, CO 80424

14 Treasurer-State of Iowa
15 Iowa Dept. of Revenue and Finance
16 P. O. Box 10412
17 Des Moines, IA 50306-0412

Utah State Tax Commission
Sales Tax
210 N. 1950 W
Salt Lake City, UT 84134-0400

18 Vermont Department of Taxes
19 P. O. Box 588
20 Montpelier, VT 05601-0588

Washoe County Treasurer
P. O. Box 30039
Reno, NV 89520-3039

21 Wisconsin Department of Revenue
22 Box 93389
23 Milwaukee, WI 52393-0389

Wyoming Department of Revenue
Herschler Bldg.
122 West 25th Street
Cheyenne, WY 82002-0110

24 John D. Jacobs, Esq.
25 Federal Trade Commission
26 10877 Wilshire Boulevard, Suite 700
27 Los Angeles, CA 90024

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Federal Trade Commission
Division of Marketing Practices
600 Pennsylvania Ave., N.W. – H-238
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28 Marilyn E. Kerst, Esq.
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