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6 Attorneys for Permanent Receiver ROBB  
7 EVANS and ROBB EVANS &  
ASSOCIATES LLC  
8

9 **UNITED STATES DISTRICT COURT**  
10 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**  
11

12 FEDERAL TRADE COMMISSION,

13 Plaintiff,

14 v.

15 APPLIED MARKETING SCIENCES,  
16 LLC, etc., et al.

17 Defendants.  
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CASE NO. CV13-06794 CAS (CWx)

[Honorable Christina A. Snyder]

**NOTICE OF APPLICATION AND  
APPLICATION FOR ORDER  
APPROVING AND AUTHORIZING  
PAYMENT OF RECEIVER'S AND  
PROFESSIONAL'S FEES AND  
EXPENSES FOR THE PERIOD  
FROM INCEPTION OF  
RECEIVERSHIP ESTATE  
THROUGH OCTOBER 31, 2013;  
MEMORANDUM OF POINTS AND  
AUTHORITIES**

[Local Rule 66-7(f)]

[Filed concurrently with Declarations of  
Brick Kane and Hal D. Goldflam]

DATE: December 30, 2013  
TIME: 10:00 a.m.  
PLACE: Courtroom 5

FRANZEL ROBINS BLOOM & CSATO, L.C.  
6500 WILSHIRE BOULEVARD, 17TH FLOOR  
LOS ANGELES, CALIFORNIA 90048-4920  
(323) 852-1000

1 TO: THE HONORABLE CHRISTINA A. SNYDER, UNITED STATES  
2 DISTRICT JUDGE, THE PARTIES TO THIS ACTION AND THEIR  
3 ATTORNEYS OF RECORD, AND TO ALL KNOWN CREDITORS AND  
4 OTHER PARTIES IN INTEREST:

5 PLEASE TAKE NOTICE that on December 30, 2013, commencing at  
6 10:00 a.m., or as soon thereafter as the parties may be heard in Courtroom 5 of the  
7 above-entitled court located at 312 North Spring Street, Los Angeles, California  
8 90012-4701, Robb Evans and Robb Evans & Associates LLC (collectively, the  
9 "Receiver"), as Receiver for Applied Marketing Sciences, Standard Registration  
10 Corp., also d/b/a Consolidated Research Authority and CRA, and Worldwide  
11 Information Systems, Inc., also d/b/a Specific Monitoring Service, SMS, Specific  
12 Reporting Service, SRS, Universal Information Services, UIS, Compendium  
13 Sampler Services, and CSS; and their successors and assigns, as well as any  
14 subsidiaries, affiliates, divisions, or sales or customer service operations, and any  
15 fictitious business entities or business names created or used by these entities,  
16 including, but not limited to, Compendium Media Works, LLC, a Nevada limited  
17 liability company, also d/b/a Kaizen Revenue Resources and KRR and Research  
18 Production Publishing Inc., also d/b/a SRI (collectively, the "Receivership  
19 Defendants"), will and hereby does apply to the Court for an order approving the  
20 payment of the fees and expenses of the Receiver, the Receiver's staff, and the  
21 Receiver's outside counsel, Frandzel Robins Bloom & Csato, L.C. ("FRBC"), for the  
22 period from inception of the receivership estate (September 16, 2013) through  
23 October 31, 2013 ("Application"). During this period the fees and costs of (a) the  
24 Receiver and its staff totaled \$39,009.80 (consisting of \$38,157.25 in fees and  
25 \$852.55 in costs), and (b) the fees and costs of FRBC totaled \$2,304.54 (consisting  
26 of \$1,936.50 in fees and \$368.04 in costs), for a total of \$41,314.34.

27 PLEASE TAKE FURTHER NOTICE that this Application is made pursuant  
28 to Local Rule 66-7(f), and in accordance with the Court's Order Stipulating to

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1 Preliminary Injunction with Asset Freeze, Appointment of a Receiver, and Other  
2 Equitable Relief, entered on September 30, 2013 [Dkt. No. 18], which requires the  
3 Receiver to file with the Court and serve on the parties periodic requests for the  
4 payment of reasonable compensation for the Receiver's and the Receiver's hired  
5 personnel, including counsel to the Receiver, and for actual out-of-pocket expenses  
6 incurred by them.

7 The Application is based upon this notice and the attached Memorandum of  
8 Points and Authorities, the concurrently filed Declarations of Brick Kane and Hal D.  
9 Goldflam and exhibits thereto, the concurrently filed Notice of Hearing on  
10 Application, etc., upon the pleadings, records and files of this case of which the  
11 Receiver requests the Court take judicial notice, and upon all other further  
12 pleadings, oral and documentary evidence and argument of counsel as may be  
13 presented by the Receiver at or before the time of the hearing on this Application.

14 PLEASE TAKE FURTHER NOTICE that a copy of this Application and  
15 supporting documents is posted on the Receiver's website at  
16 <http://www.robbevans.com> where they may be reviewed in their entirety. This  
17 Application and attached Memorandum of Points and Authorities are being served  
18 on all parties herein. Creditors or any other interested party may obtain copies of  
19 the supporting declarations by accessing the Receiver's website as or by sending a  
20 written request to: Robb Evans & Associates LLC, 11450 Sheldon Street, Sun  
21 Valley, CA 91352-1121; Telephone (818) 768-8100; Facsimile: (818) 768-8802.

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DATED: November 26, 2013      FRANDZEL ROBINS BLOOM & CSATO, L.C.  
CRAIG A. WELIN  
HAL D. GOLDFLAM

By: /s/ Hal D. Goldflam  
HAL D. GOLDFLAM  
Attorneys for Permanent Receiver ROBB  
EVANS and ROBB EVANS &  
ASSOCIATES LLC

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**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. CHRONOLOGICAL FACTS**

1. On December 11, 2006, the Federal Trade Commission ("FTC") initiated this case against Applied Marketing Sciences, Standard Registration Corporation, Worldwide Information Systems Incorporated, and Liam O. Moran for violations of the FTC Act, 15 U.S.C. § 45(a).

2. On September 16, 2013, the Court signed its *Ex Parte* Temporary Restraining Order with Asset Freeze, Appointment of a Receiver, and Other Equitable Relief, and Order to Show Cause Why a Preliminary Injunction Should Not Issue ("Temporary Restraining Order"), whereby the Court appointed Robb Evans and Robb Evans & Associates LLC as the Temporary Equity Receiver for Applied Marketing Sciences, Standard Registration Corp., also d/b/a Consolidated Research Authority and CRA, and Worldwide Information Systems, Inc., also d/b/a Specific Monitoring Service, SMS, Specific Reporting Service, SRS, Universal Information Services, UIS, Compendium Sampler Services, and CSS; and their successors and assigns, as well as any subsidiaries. [Dkt. No. 9, entered on September 17, 2013.]

3. On September 20, 2013, the Court entered its Order Extending Temporary Restraining Order with an Asset Freeze, Appointment of a Receiver, and Other Equitable Relief, and Order to Show Cause Why a Preliminary Injunction Should Not issue. [Dkt. No. 15.]

4. On September 30, 2013, the Court entered its Order Stipulating to Preliminary Injunction with Asset Freeze, Appointment of a Receiver, and Other Equitable Relief ("Preliminary Injunction"), whereby the Court Robb Evans and Robb Evans & Associates LLC (collectively, the "Receiver"), as Receiver for Applied Marketing Sciences, Standard Registration Corp., also d/b/a Consolidated Research Authority and CRA, and Worldwide Information Systems, Inc., also d/b/a Specific Monitoring Service, SMS, Specific Reporting Service, SRS, Universal

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1 Information Services, UIS, Compendium Sampler Services, and CSS; and their  
2 successors and assigns, as well as any subsidiaries, affiliates, divisions, or sales or  
3 customer service operations, and any fictitious business entities or business names  
4 created or used by these entities, including, but not limited to, Compendium Media  
5 Works, LLC, a Nevada limited liability company, also d/b/a Kaizen Revenue  
6 Resources and KRR and Research Production Publishing Inc., also d/b/a SRI. [Dkt  
7 No. 18 ]

8 5. On October 14, 2013, the Receiver filed its Report of Temporary  
9 Receiver's Activities for the Period from September 17, 2013 through October 7,  
10 2013 ("First Report of Activities"). [Dkt. No. 23.]

11 6. Pursuant to Section VII.G. of the Preliminary Injunction, the Court  
12 ordered that that:

13 "the Receiver and all personnel hired by the Receiver as  
14 herein authorized, including counsel to the Receiver and  
15 accountants, are entitled to reasonable compensation for  
16 the performance of duties pursuant to this Order and for  
17 the cost of actual out-of-pocket expenses incurred by  
18 them, from the assets now held by, or in the possession or  
19 control of, or which may be received by the Receivership  
20 Defendants. The Receiver shall file with the Court and  
21 serve on the parties periodic requests for the payment of  
22 such reasonable compensation, with the first such request  
23 filed no more than sixty (60) days after the date of this  
24 Order."

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1 **II. THE RECEIVER'S AND RECEIVER'S COUNSEL'S FEES,**  
2 **EXPENSES, AND ACTIVITIES DURING THE FIRST REPORTING**  
3 **PERIOD**

4 During the First Reporting Period (September 16, 2013 through October 31,  
5 2013), the fees and costs of the Receiver and its staff totaled \$39,009.80, consisting  
6 of \$38,157.25 in fees and \$852.55 in costs. The legal fees and costs of the  
7 Receiver's counsel, Frandzel Robins Bloom & Csato, L.C. ("FRBC"), which the  
8 Receiver hired pursuant to the authority given to the Receiver in the Court's  
9 Temporary Restraining Order at § VII.B.8., and the Preliminary Injunction at §  
10 VII.B.8., totaled \$2,304.54, consisting of \$1,936.50 in fees and \$368.04 in costs.  
11 Accordingly, the total of receivership fees and expenses incurred during the First  
12 Reporting Period which the Receiver seeks an order authorizing payment is  
13 \$41,314.34. (*See* concurrently filed Declaration of Brick Kane.)

14 The activities undertaken by the Receiver's members and staff from inception  
15 of the receivership estate through October 7, 2013 are described in the First Report  
16 of Activities. (*Id.*, Exh. 1.) For the sake of brevity and efficiency, the Receiver does  
17 not repeat the description of its activities here. The activities described in the First  
18 Report of Activities generally have continued through the First Reporting Period in  
19 the context of the Receiver's efforts to identify, obtain, safeguard and preserve assets  
20 of the receivership estate and otherwise to perform its duties and responsibilities  
21 under the authority granted by the Temporary Restraining Order and Preliminary  
22 Injunction. (*Id.*) FRBC assisted the Receiver during the First Reporting Period in  
23 the manner described in the concurrently filed Declaration of Hal D. Goldflam.

24 The Receiver respectfully submits that in light of the work performed during  
25 the First Reporting Period, the fees and costs of the Receiver and its professionals  
26 are reasonable and should be approved and authorized for payment in their entirety.

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1 **III. CONCLUSION**

2 Based on the foregoing and the concurrently filed Declarations of Brick Kane  
3 and Hal D. Goldflam (and Exhibits thereto), the Receiver respectfully requests that  
4 this Court grant the Application and that it issue an order deeming that, in light of  
5 the work performed during the First Reporting Period, the fees and costs of the  
6 Receiver and its professionals are reasonable and should be approved and authorized  
7 for payment in their entirety.

8  
9 Dated: November 26, 2013

FRANDZEL ROBINS BLOOM & CSATO, L.C.  
CRAIG A. WELIN  
HAL D. GOLDFLAM

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12 By: /S/ Hal D. Goldflam  
13 HAL D. GOLDFLAM  
14 Attorneys for Permanent Receiver ROBB  
15 EVANS and ROBB EVANS &  
16 ASSOCIATES LLC  
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 2 Hal D. Goldflam (State Bar No. 179689)  
 hgoldflam@frandzel.com  
 3 FRANDZEL ROBINS BLOOM & CSATO, L.C.  
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 Los Angeles, California 90048-4920  
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 7 Attorneys for Permanent Receiver ROBB  
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9 **UNITED STATES DISTRICT COURT**  
 10 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**  
 11

12 FEDERAL TRADE COMMISSION,  
 13 Plaintiff,

14 v.  
 15 APPLIED MARKETING SCIENCES,  
 LLC, etc., et al.  
 16 Defendants.  
 17

CASE NO. CV13-06794 CAS (CWx)  
 [Honorable Christina A. Snyder]

**DECLARATIONS OF BRICK  
 KANE AND HAL D. GOLDFLAM  
 IN SUPPORT OF APPLICATION  
 FOR ORDER APPROVING AND  
 AUTHORIZING PAYMENT OF  
 RECEIVER'S AND  
 PROFESSIONAL'S FEES AND  
 EXPENSES FOR THE PERIOD  
 FROM INCEPTION OF  
 RECEIVERSHIP ESTATE  
 THROUGH OCTOBER 31, 2013**

[Local Rule 66-7(f)]

[Filed concurrently with Notice of  
 Application and Application]

DATE: December 30, 2013  
 TIME: 10:00 a.m.  
 PLACE: Courtroom 5

FRANZEL ROBINS BLOOM & CSATO, L.C.  
6500 WILSHIRE BOULEVARD, 17TH FLOOR  
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**DECLARATION OF BRICK KANE**

I, Brick Kane, declare as follows:

1. I am the President & Chief Operating of Robb Evans & Associates LLC ("REA"), which, along with Robb Evans, were initially jointly appointed by the Court as the Temporary Receiver, and subsequently as the Permanent Receiver in this matter. I have personal knowledge of the matters set forth in this declaration and, if I were called upon to testify as to those matters, I could and would competently testify thereto based upon my personal knowledge.

2. I am one of the individuals with REA that has primary responsibility for the day-to-day supervision and management of the receivership estate in this case since REA first began to act as the Temporary Receiver on September 16, 2013, pursuant the *Ex Parte* Temporary Restraining Order with Asset Freeze, Appointment of a Receiver, and Other Equitable Relief, and Order to Show Cause Why a Preliminary Injunction Should Not Issue entered on September 16, 2013 ("Temporary Restraining Order"). On September 30, 2013, the Court entered its Order Stipulating to Preliminary Injunction with Asset Freeze, Appointment of a Receiver, and Other Equitable Relief ("Preliminary Injunction"), whereby the Court Robb Evans and Robb Evans & Associates LLC (collectively, the "Receiver"), as Receiver for Applied Marketing Sciences, Standard Registration Corp., also d/b/a Consolidated Research Authority and CRA, and Worldwide Information Systems, Inc., also d/b/a Specific Monitoring Service, SMS, Specific Reporting Service, SRS, Universal Information Services, UIS, Compendium Sampler Services, and CSS; and their successors and assigns, as well as any subsidiaries, affiliates, divisions, or sales or customer service operations, and any fictitious business entities or business names created or used by these entities, including, but not limited to, Compendium Media Works, LLC, a Nevada limited liability company, also d/b/a Kaizen Revenue Resources and KRR and Research Production Publishing Inc., also d/b/a SRI.

3. The activities undertaken by the Receiver's members and staff from

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1 inception of the receivership estate through October 7, 2013 are described in the  
2 Report of Temporary Receiver's Activities for the Period from September 18, 2013  
3 through October 7, 2013, which was filed on October 14, 2013 ("First Report of  
4 Activities"). [Dkt. No. 23.] I attach hereto as Exhibit 1 a true and correct copy of  
5 First Report of Activities and incorporate its contents herein by reference. The  
6 activities described in First Report of Activities generally have continued through  
7 the First Reporting Period (September 16, 2013 through October 31, 2013) in the  
8 context of the Receiver's efforts to identify, obtain, safeguard and preserve assets of  
9 the receivership estate and otherwise to perform its duties and responsibilities under  
10 the authority granted by the Temporary Restraining Order and Preliminary  
11 Injunction.

12 4. During the First Reporting Period, the fees and costs of the Receiver  
13 and its staff totaled \$39,009.80, consisting of \$38,157.25 in fees and \$852.55 in  
14 costs. The legal fees and costs of the Receiver's counsel, Frandzel Robins Bloom &  
15 Csato, L.C. ("FRBC"), which the Receiver hired pursuant to the authority given to  
16 the Receiver in the Court's Temporary Restraining Order at § VII.B.8., and the  
17 Preliminary Injunction at § VII.B.8., totaled \$2,304.54, consisting of \$1,936.50 in  
18 fees and \$368.04 in costs. Accordingly, the total of receivership fees and expenses  
19 incurred during the First Reporting Period which the Receiver seeks an order  
20 authorizing payment is \$41,314.34.

21 5. The Receiver's fees and costs for which approval is requested are  
22 identified in the summary which the Receiver's office has prepared and is titled as  
23 "Receivership Administrative Expenses & Fund Balance From Inception  
24 (September 16, 2013) to October 31, 2013," a true and correct copy of which I  
25 attach hereto as Exhibit 2. The fees are further detailed in the attached Exhibit 3.  
26 Specifically, Exhibit 3 is comprised of monthly billing summaries reflecting the  
27 services rendered and time spent by REA's members, staff, accounting and  
28 reconstruction staff, and IT staff.

1           6.       During the First Reporting Period, FRBC performed certain work for  
2 the Receiver. That work is summarized in the accompanying Declaration of Hal D.  
3 Goldflam, and Exhibit 4 thereto.

4           7.       I believe that in light of the work performed during the First Reporting  
5 Period, the fees and costs of the Receiver and its professionals are reasonable and  
6 should be approved and authorized for payment in their entirety.

7           8.       In connection with the Application, the Receiver will comply with the  
8 notice requirements of Local Rule 66-7(f) concerning applications for approval of a  
9 receiver's administrative fees and expenses by serving a copy of the Notice of  
10 Application and Application, the supporting Memorandum of Points and  
11 Authorities, and the declarations and all exhibits on counsel of record for Plaintiff  
12 Federal Trade Commission and Defendant Liam O. Moran, and by serving a copy of  
13 the Notice of Hearing on Application, etc., on all known creditors of the  
14 receivership estate. (*See* Proofs of Service; based on my review of the Court's  
15 docket via PACER on November 22, 2013, I am not aware of any defendant other  
16 than Mr. Moran having appeared in this action.) In addition, the Receiver will  
17 provide an entire copy of the Application, including the declarations (minus  
18 exhibits) to anyone who requests a copy of the Application in writing directed to  
19 Robb Evans & Associates LLC, 11450 Sheldon Street, Sun Valley, California  
20 91352-1121. The Receiver will post a copy of the entire Application and supporting  
21 declarations (without exhibits) on the Receiver's website for this case at  
22 <http://www.robbevans.com>

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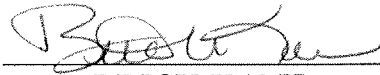
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9. Accordingly, the Receiver has complied with Local Rule 66-7 regarding notice to creditors of this type of application.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed on November 26, 2013, at Sun Valley, California.



BRICK KANE

FRANZEL ROBINS BLOOM & CSATO, L.C.  
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LOS ANGELES, CALIFORNIA 90048-4920  
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**DECLARATION OF HAL D. GOLDFLAM**

1  
2 1. I am an attorney at law duly admitted to practice before the courts of  
3 the State of California, the federal courts of the State of California, including the  
4 United States District Court for the Central District of California, and the Ninth  
5 Circuit Court of Appeals, and am partner of Frandzel Robins Bloom & Csato, L.C.  
6 ("FRBC"), attorneys for the Receiver in this matter, Robb Evans and Robb &  
7 Associates LLC.

8 2. I am one of the attorneys primarily responsible for the representation of  
9 the Receiver in this case, along with Craig A. Welin, who is a shareholder of FRBC.

10 3. During the First Reporting Period (September 16, 2013 through  
11 October 31, 2013), FRBC's fees totaled \$1,936.50 and its costs totaled \$368.04.

12 4. I attach hereto as Exhibit 4 a monthly billing summary reflecting the  
13 services rendered, time spent and costs incurred by FRBC pertaining to this matter  
14 during October, 2013 (FRBC did not incur and fees or costs in September, 2013).

15 5. I am familiar with the methods and procedures used to create, record  
16 and maintain billing records for FRBC's clients. The billing summary attached  
17 hereto as Exhibit 4 is prepared from computerized time records prepared  
18 contemporaneously with the services rendered by each attorney and paralegal billing  
19 time to this matter. These computerized records are prepared in the ordinary course  
20 of business by the attorneys and paralegals employed by FRBC who have a business  
21 duty to accurately record their time spent and services rendered on the matters on  
22 which they perform work. The time records are transferred into a computerized  
23 billing program which generates monthly invoices under the supervision of the  
24 firm's accounting department. Based upon my experience with FRBC, I believe the  
25 firm's methods and procedures for recording and accounting for time and services  
26 for its clients is reliable and accurate.

27 6. Legal services rendered by FRBC during the First Reporting Period,  
28 either at the direction of the Receiver or responsible attorneys with this firm,



1 included, (a) analysis of the Court's receivership orders and, (b) finalizing the  
2 Report of Temporary Receiver's Activities for the Period from September 18, 2013  
3 through October 7, 2013, and handling the filing and service of same.

4 I declare under penalty of perjury under the laws of the United States of  
5 America that the foregoing is true and correct and that this declaration was executed  
6 on November 26, 2013, at Los Angeles, California.

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8   
9 HAL D. GOLDFLAM

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