

1 **GUTTILLA MURPHY ANDERSON**

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4 Attorneys for the Receiver

5 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

6 IN AND FOR MARICOPA COUNTY

7 ARIZONA CORPORATION
8 COMMISSION,

Plaintiff,

9 v.

10 DENSCO INVESTMENT
CORPORATION, an Arizona
11 corporation,

Defendant.

Cause No. CV2016-014142

PETITION NO. 44

PETITION FOR ORDER APPROVING
FEES AND COSTS INCURRED BY THE
RECEIVER, GUTTILLA MURPHY
ANDERSON, P.C., AND FRAZER
RYAN GOLDBERG & ARNOLD, LLP
AND SNELL & WILMER, L.L.P FROM
OCTOBER 1, 2017 THROUGH
OCTOBER 31, 2017

(Assigned to the Honorable Teresa
Sanders)

15 Peter S. Davis, as the court appointed Receiver, respectfully petitions the Court as
16 follows:

17 1. On August 18, 2016, this Court entered its *Order Appointing Receiver*, which
18 appointed Peter S. Davis as Receiver of DenSco Investment Corporation ("Receivership
19 Order").

20 2. Pursuant to *Order Re: Petition No. 1* the Court approved the Receiver's
21 compensation at the rate of \$250.00 per hour together with all reasonable costs and expenses

1 incurred relating to these services as Receiver. These services are billed by and paid to the
2 Receiver's firm, Simon Consulting, LLC.

3 3. Pursuant to this Court's *Order Re: Petition No. 1*, the Receiver has engaged the
4 services of the law firm of Guttilla Murphy Anderson, P.C., of Phoenix, Arizona, and the
5 Receiver has agreed to pay the law firm compensation at agreed hourly rates for the services
6 of the firm together with all reasonable costs and expenses incurred on behalf of the Receiver.

7 4. Pursuant to this Court's *Order Re: Petition No. 10*, the Receiver has engaged
8 the services of the law firm of Frazer Ryan Goldberg & Arnold, LLP of Phoenix, Arizona and
9 the Receiver has agreed to pay the law firm compensation at agreed hourly rates for the
10 service of the firm together with all reasonable costs and expenses incurred on behalf of the
11 Receiver.

12 5. Pursuant to this Court's *Order Re Petition No. 13*, the Receiver has engaged the
13 services of Special Counsel Marvin "Bucky" Swift of Snell & Wilmer, L.L.P., of Phoenix,
14 Arizona and the Receiver has agreed to pay the law firm compensation at agreed hourly rates
15 for the service of the firm together with all reasonable costs and expenses incurred on behalf
16 of the Receiver.

17 6. Pursuant to the Court's *Order Re: Petition No. 2* the Receiver is authorized to
18 file this fee petition without including as exhibits the itemization of services rendered to, and
19 costs incurred or expended on behalf of, the Receivership, provided that the fee petition
20 includes a statement that anyone desiring additional information concerning the services and
21 costs to be paid under the fee petition may obtain redacted information from the Receiver by

1 delivering to the Receiver and the Receiver's counsel, Guttilla Murphy Anderson, P.C., a
2 written request specifying the additional information requested at least three (3) days prior to
3 the date set for any hearing on the fee petition. The Court's *Order Re: Petition No. 2* further
4 provides that upon request of the Court, the Receiver shall make available for in camera
5 review by the Court the itemized statements and supporting documentation for the services
6 and costs to be paid under the fee petition.

7 7. The Receiver has submitted an itemized statement for services rendered to this
8 Receivership by the Receiver and his firm, Simon Consulting, LLC, and for reimbursable
9 costs incurred or paid during the period October 1, 2017 through October 31, 2017. The total
10 amount requested for payment by the Receiver is \$17,352.17. The Receiver believes that the
11 professional fees and expenses of \$17,352.17 are reasonable and should be paid from the
12 Receivership Assets.

13 8. The law firm of Guttilla Murphy Anderson, P.C., has submitted an itemized
14 statement for services rendered to this Receivership during the period October 1, 2017
15 through October 31, 2017. The total amount requested for payment by the law firm of
16 Guttilla Murphy Anderson, P.C. is \$36,124.79. The Receiver believes that this amount is
17 reasonable and should be paid from the Receivership Assets and has therefore approved this
18 statement for payment.

19 9. The law firm of Frazer Ryan Goldberg & Arnold, LLP, has submitted an
20 itemized statement for services rendered to this Receivership during the period October 1,
21 2017 through October 31, 2017. The total amount requested for payment by the law firm of

1 Frazer Ryan Goldberg & Arnold, LLP is \$3,511.25. The Receiver believes that this amount
2 is reasonable and should be paid from the Receivership Assets and has therefore approved
3 this statement for payment.

4 10. The law firm of Snell & Wilmer, L.L.P., has submitted an itemized statement
5 for services rendered to this Receivership during the period October 1, 2017 through October
6 31, 2017. The total amount requested for payment by the law firm of Snell & Wilmer, L.L.P.
7 is \$3,717.00. The Receiver believes that this amount is reasonable and should be paid from
8 the Receivership Assets and has therefore approved this statement for payment.

9 WHEREFORE, the Receiver respectfully requests that the Court enter an order
10 authorizing the Receiver to pay from Receivership Assets:

11 1. The amount of \$17,352.17 to Simon Consulting, LLC, for services rendered to
12 the Receivership and costs incurred or paid during the period October 1, 2017 through
13 October 31, 2017;

14 2. The amount of \$36,124.79 to Guttilla Murphy Anderson, P.C., for services
15 rendered to the Receivership during the period from October 1, 2017 through October 31,
16 2017;

17 3. The amount of \$3,511.25 to Frazer Ryan Goldberg & Arnold, LLP, for services
18 rendered to the Receivership during the period from October 1, 2017 through October 31,
19 2017; and

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21 ///

4. The amount of \$3,717.00 to Snell & Wilmer, L.L.P. for services rendered to the Receivership for the period October 1, 2017 through October 31, 2017.

Respectfully submitted this 22nd day of November, 2017.

GUTTILLA MURPHY ANDERSON, P.C.

s/ Ryan W. Anderson
Ryan W. Anderson
Attorneys for the Receiver

2359-001(306834)