

1 **GUTTILLA MURPHY ANDERSON**

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6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

7 IN AND FOR MARICOPA COUNTY

8 ARIZONA CORPORATION)
COMMISSION,)

9 Plaintiff,)

10 v.)

11 DENSCO INVESTMENT)
CORPORATION, an Arizona)
corporation,)

12 Defendant.)

Cause No. CV2016-014142

PETITION NO. 18

PETITION FOR ORDER APPROVING
FEES AND COSTS INCURRED BY THE
RECEIVER, GUTTILLA MURPHY
ANDERSON, P.C., FRAZER RYAN
GOLDBERG & ARNOLD, LLP AND
SNELL & WILMER, LLP FROM
DECEMBER 1, 2016 THROUGH
DECEMBER 31, 2016

(Assigned to Judge Lori Horn Bustamante)

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
13 the services of the law firm of Snell & Wilmer of Phoenix, Arizona and the Receiver has
14 agreed to pay the law firm compensation at agreed hourly rates for the services of the firm
15 together with all reasonable costs and expenses incurred on behalf of the Receiver.

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

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

6 7. The Receiver has submitted an itemized statement for services rendered to this
7 Receivership by the Receiver and his firm, Simon Consulting, LLC, and for reimbursable
8 costs incurred or paid during the period December 1, 2016 through December 31, 2016. The
9 total amount requested for payment by the Receiver is \$54,969.29. The Receiver believes
10 that this amount is reasonable and should be paid from the Receivership Assets.

11 8. The law firm of Guttilla Murphy Anderson, P.C., has submitted an itemized
12 statement for services rendered to this Receivership and for reimbursable costs incurred or
13 paid during the period December 1, 2016 through December 31, 2016. The total amount
14 requested for payment by the law firm of Guttilla Murphy Anderson, P.C. is \$58,566.05. The
15 Receiver believes that this amount is reasonable and should be paid from the Receivership
16 Assets and has therefore approved this statement for payment.

17 9. The law firm of Frazer Ryan Goldberg & Arnold, LLP, has submitted an
18 itemized statement for services rendered to this Receivership incurred or paid during the
19 period December 1, 2016 through December 31, 2016. The total amount requested for
20 payment by the law firm of Frazer Ryan Goldberg & Arnold, LLP is \$4,012.00. The
21

1 Receiver believes that this amount is reasonable and should be paid from the Receivership
2 Assets and has therefore approved this statement for payment.

3 10. The law firm of Snell & Wilmer, LLP has submitted an itemized statement for
4 services rendered to this Receivership during the period December 1, 2016 through December
5 31, 2016. The total amount requested for payment by the law firm of Snell & Wilmer, LLP,
6 is \$5,119.00. The Receiver believes that this amount is reasonable and should be paid from
7 the Receivership Assets and has therefore approved this statement for payment.

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

10 1. The amount of \$54,969.29 to Simon Consulting, LLC, for services rendered
11 and costs incurred or paid during the period December 1, 2016 through December 31, 2016;

12 2. The amount of \$58,566.05 to Guttilla Murphy Anderson, P.C., for services
13 rendered and costs incurred or paid during the period from December 1, 2016 through
14 December, 31, 2016;

15 3. The amount of \$4,012.00 to Frazer Ryan Goldberg & Arnold, LLP, for services
16 rendered during the period from December 1, 2016 through December 31, 2016; and

17 4. The amount of \$5,119.00 to Snell & Wilmer, LLP, for services rendered during
18 the period from December 1, 2016 through December 31, 2016.

19 Respectfully submitted this 6th day of February, 2017.

20 /s/Ryan W. Anderson
21 Ryan W. Anderson
Attorneys for Receiver