

1 **Guttilla & Murphy, PC**
Firm No. 00133300
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3 Phoenix, Arizona 85051
(623) 937-2795

4 Attorneys for the Receiver

5 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
6 IN AND FOR MARICOPA COUNTY

7 Arizona Corporation Commission,)
Plaintiff,)

8 v.)

9 One Vision Children's Foundation, Inc.,)
an Arizona non-profit corporation;)
10 Hollister M. Marx, an individual; Wealth)
Management Resources, Inc., an Arizona)
11 corporation; Michael B. and Betty)
Maksudian, husband and wife; Michael)
A. and Lorrina Diaz, husband and wife,)

12 Defendants.)
13)
14)

Cause No. CV 2002-020878

PETITION NO. 16

PETITION FOR ORDER APPROVING
FEES AND COSTS INCURRED BY THE
RECEIVER AND GUTTILLA &
MURPHY, PC

(Assigned to Judge Kenneth L. Fields)

14 Lawrence J. Warfield, as the court appointed Receiver, respectfully petitions the Court
15 as follows:

- 16 1. On October 28, 2002, this Court entered its *Order Appointing Receiver*, which
17 appointed Lawrence J. Warfield as Receiver of all of the assets of One Vision Children's
18 Foundation, Inc. and Wealth Management Resources, Inc. ("Receivership Order").
- 19 2. Pursuant to *Order Re: Petition No. 1* the Court approved the Receiver's
20 compensation at the rate of \$150.00 per hour together with all reasonable costs and expenses
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1 incurred relating to these services as Receiver. These services are billed by and paid to the
2 Receiver's firm, Warfield & Company.

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, PC, of Phoenix, Arizona, and the Receiver has
5 agreed to pay the law firm compensation at agreed hourly rates for the services of the firm
6 together with all reasonable costs and expenses incurred on behalf of the Receiver.

7 4. Pursuant to the Court's *Order Re: Petition No. 2* the Court authorized the
8 Receiver and the Law Firm of Guttilla & Murphy, P.C. to file pay petitions without including
9 as exhibits the itemized statements of services rendered to, and costs incurred or expended on
10 behalf of, the Receivership, provided that the pay petition includes a statement that anyone
11 desiring additional information concerning the services and costs to be paid under the pay
12 petition may obtain such information from the Receiver by delivering to the Receiver and the
13 Receiver's counsel, Guttilla & Murphy, a written request specifying the additional
14 information requested at least three days prior to the date set for hearing on the pay petition.
15 Upon request of the Court, the Receiver shall make available for 'in camera' review by the
16 Court, the itemized statements and supporting documentation for the services and costs to be
17 paid under the pay petition.

18 5. The Receiver has submitted an itemized statement for services rendered to this
19 Receivership and for reimbursable costs incurred or paid during the period from November 1,
20 2003 through November 30, 2003. The total amount requested for payment by the Receiver
21

1 is \$14,541.18. The Receiver believes that this amount is reasonable and should be paid from
2 the Receivership Assets.

3 6. The law firm of Guttilla & Murphy, PC, has submitted an itemized statement
4 for services rendered to this Receivership and for reimbursable costs incurred or paid during
5 the period from November 1, 2003 through November 30, 2003. The total amount requested
6 for payment by the law firm of Guttilla & Murphy, PC is \$7,323.06. The Receiver believes
7 that this amount is reasonable and should be paid from the Receivership Assets and has
8 therefore approved this statement for payment.

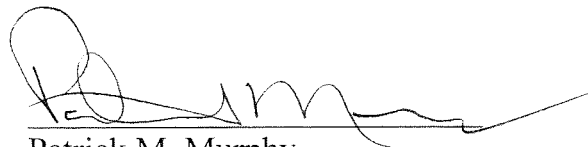
9 WHEREFORE, the Receiver respectfully requests that the Court enter an order
10 authorizing the Receiver to pay from Receivership Assets:

11 1. The amount of \$14,541.18 to Warfield & Company for services rendered and
12 costs incurred or paid during the period November 1, 2003 through November 30, 2003; and

13 2. The amount of \$7,323.06 to Guttilla & Murphy, PC, for services rendered and
14 costs incurred or paid during the period November 1, 2003 through November 30, 2003.

15 Respectfully submitted this 10th day of February, 2004.

16 GUTTILLA & MURPHY, PC

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Attorneys for Receiver