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6 Attorneys for James C. Sell, Receiver

7 SUPERIOR COURT OF ARIZONA

8 MARICOPA COUNTY

9 ARIZONA CORPORATION  
10 COMMISSION,

11 Plaintiff,

12 v.

13 AMERICAN NATIONAL MORTGAGE  
14 PARTNERS, L.L.C., et al.

15 Defendants.

Case No: CV2003-005724

**THIRD APPLICATION FOR INTERIM  
COMPENSATION BY JABURG &  
WILK, P.C. AS ATTORNEYS FOR  
RECEIVER**

16 Jaburg & Wilk, P.C., a professional corporation engaged in the practice of law  
17 (“Applicant”), by Lawrence E. Wilk, Esq., hereby submits its Third Application for  
18 Interim Compensation in the above-captioned case and shows the Court the following:

19 1. Applicant serves as Counsel to the Receiver pursuant to Order of this  
20 Court, entered June 5, 2003.

21 2. By Order dated June 5, 2003, this Court authorized the payment of  
22 attorneys’ fees and other administrative expenses, as well as the fees generated in the  
23 normal course of Receivership business. This is Applicant’s Third Application for Interim  
24 Compensation. This Application is for services rendered to the Receiver from October  
25 26 Compensation. This Application is for services rendered to the Receiver from October  
27 22, 2003 through January 23, 2004 (the “Application Period”).  
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1           3.       During the Application Period, Attorneys and Legal Assistants employed by  
2 Applicant have devoted substantial time to the rendition of services for the Receiver. The  
3 actual hours expended, services performed, rates charged and fees incurred are detailed on  
4 Exhibit "A" attached hereto and incorporated by reference herein.  
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6           4.       All professional services, for which interim compensation is requested were  
7 performed by Applicant for and on behalf of the Receiver herein and not behalf of any  
8 committee, creditor, party-in-interest or any other person.  
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10          5.       The rates charged by Applicant are in accord  
11 ance with the Court Order authorizing employment of counsel.  
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13          6.       The following is a listing of the various sub-files maintained by Applicant  
14 and a total summary of the disbursements and fees through the Application Period.  
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**SUMMARY**

| <b>Matter No.</b> | <b>Matter Name</b>                         | <b>Summary</b>   | <b>Fees</b>      | <b>Disbursements</b> |
|-------------------|--|--|------------------|----------------------|
| <b>9997-001</b>   | <b>ANMP RECEIVERSHIP</b>                   | <i>Jaburg &amp; Wilk, P.C. represents James C. Sell, Receiver in the general administration of the estate, Investor inquiries.</i> | <b>18,144.00</b> | <b>3.286.26</b>      |
| <b>9997-002</b>   | <b>GUCCIONE/PENTHOUSE</b>                  | <i>Litigation against Penthouse and Guccione</i>   | <b>15,823.00</b> | <b>2.775.76</b>      |
| <b>9997-003</b>   | <b>DEXTER DISTRIBUTING CASTLE BOUTIQUE</b> | <i>ANMP, is a Bankruptcy creditor.</i>   | <b>27,310.00</b> | <b>185.25</b>        |
| <b>9997-004</b>   | <b>ANMP BANKRUPTCY</b>                     | <i>American National Mortgage Partners and ANMP 74<sup>th</sup> Street</i>   | <b>225.00</b>    | <b>19.55</b>         |

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|---------------|-----------------------------|--|------------------|-----------------|
| 9997-005      | 36 <sup>TH</sup> STREET LLP | Herb Fisher (investor) litigation to clear title           | 2,470.00         | 26.49           |
| 9997-006      | TAYLOR COLEMAN              | Personal Bankruptcy of principal of Castle                 | 300.00           | -0-             |
| 9997-007      | SECLUDED LANE               | Foreclosure and Bankruptcy of Ken Magill, sale of property | 5,154.50         | 41.30           |
| 9997-008      | BED BOAT & BREAKFAST        | Foreclosure issues   | 75.00            | -0-             |
| 9997-009      | M & M & M                   | Lender issues  | 1,000.00         | -0-             |
| 9997-010      | SULTAN AL SHAIE             | Foreclosure issues   | 1,300.00         | 5.54            |
| 9997-011      | 998 E. INDIAN SCHOOL        | Foreclosure issues   | 4,041.00         | 41.19           |
| 9997-012      | WANEK                       |  | 725.00           | .44             |
| 9997-103      | FLYNN JACKSON               |  | 6,020.00         | 91.41           |
| 9997-014      | COLLECTIONS                 |  | 15,319.50        | 231.06          |
| 9997-015      | FIRST INTERNATIONAL BANK    |  | 120.00           | -0-             |
| 9997-016      | NATIONAL BANK               |  | 235.00           | -0-             |
| <b>TOTALS</b> |                             |  | <b>98,262.00</b> | <b>6,704.25</b> |

Applicant makes this Application for payment of professional services rendered and for reimbursement of actual out of pocket expenses incurred on behalf of the Receiver. In support of this Application, Applicant has attached detailed statements itemizing the legal services and reimbursable disbursements for which Applicant is entitled to compensation.

Applicant maintains that the services rendered, for which compensation is sought, were actual and necessary, and for the benefit of the Receiver.

The following is a summary of the hourly rate charged by all timekeepers for Applicant who were involved in the handling of this case:

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| <b>Fee Summary</b>       |                 |              |             |                  |
|--------------------------|-----------------|--------------|-------------|------------------|
| <b>Attorneys</b>         | <b>Admitted</b> | <b>Hours</b> | <b>Rate</b> | <b>Fees</b>      |
| Lawrence E. Wilk         | 1980            | 3.1          | -0-         | -0-              |
| Lawrence E. Wilk         | 1980            | 237.9        | 250.00      | 59,475.00        |
| Lawrence E. Wilk         | 1980            | .3           | 275.00      | 82.50            |
| Gary J. Jaburg           | 1981            | .7           | 250.00      | 175.00           |
| Roger L. Cohen           | 1976            | 47.3         | 250.00      | 11,825.00        |
| Kraig J. Marton          |                 | .5           | 250.00      | 125.00           |
| Lauren L. Garner         | 1999            | 69.7         | 200.00      | 13,940.00        |
| Jennifer S. Lee          | 1997            | .8           | 190.00      | 152.00           |
| Gregory S. Fisher        | 2002            | 12.0         | 140.00      | 1,680.00         |
| Mark D. Bogard           |                 | 1.6          | 175.00      | 280.00           |
| Kathi M. Sandweiss       |                 | 1.3          | 215.00      | 279.50           |
| Valerie Marciano         |                 | .6           | 200.00      | 120.00           |
| <b>PARAPROFESSIONALS</b> |                 |              |             |                  |
| Jonine K. Kaufman        | -----           | 36           | 115.00      | 4,209.00         |
| Maribeth Kascht          | -----           | 51.2         | 115.00      | 5,888.00         |
| Kim Kline                | -----           | 1.2          | 70.00       | 84.00            |
| <b>TOTALS</b>            |                 | <b>464.2</b> |             | <b>98,262.00</b> |

Where possible, Applicant utilized the services of paralegals. The results obtained by the firm within the time frames of the Application illustrate that Applicant: (1) used the skill required to perform the legal services properly; (2) provided services necessary to the successful administration of the case; and (3) performed the services within a reasonable amount of time commensurate with the complexity, importance and nature of each task. Applicant believes that the services provided and the disbursements incurred were actual, necessary and benefited the Receiver.

The total fees plus disbursements incurred during the Application Period payable from the Receivership Estate are \$104,966.25. Pursuant to the previous Order of the Court which allowed Applicant to be paid eighty percent (80%) of its fees and one hundred percent (100%) of disbursements, Applicant was not paid fees and disbursements from the Receivership Estate for

1 the Application Period, leaving a balance due for fees and disbursements to Applicant in an  
2 amount of \$104,966.25.

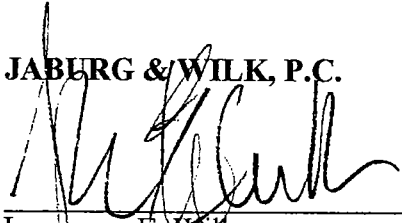
3 **WHEREFORE**, Applicant, Jaburg & Wilk, P.C., requests the Court enter an Order as  
4 follows:  
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6 1. Approving the Third Application for Interim Compensation to Applicant for  
7 services performed for the general Receivership Estate in the amount of \$104,966.25.

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9 2. Authorizing and directing the Receiver to pay Jaburg & Wilk, P.C., the unpaid  
10 balance of fees and disbursements in the amount of \$104,966.25, at such time as there are  
11 sufficient funds in the Receivership Estate, subject to offset for fees received from the Dexter  
12 Bankruptcy Estate, to make such payment.

13 DATED this 12 day of <sup>April</sup>~~March~~, 2004.

**JABURG & WILK, P.C.**

  
\_\_\_\_\_  
Lawrence E. Wilk  
Attorneys for Receiver

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