

SMILEY WANG-EKVALL, LLP

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**SMILEY WANG-EKVALL, LLP**

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Counsel for Jeffrey Brandlin, Receiver

**UNITED STATES DISTRICT COURT**

**CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

JUSTIN ROBERT KING; AND  
ELEVATE INVESTMENTS LLC,

Defendants,

SHANNON LEIGH KING,

Relief Defendant.

Case No. SACV20-02398-  
JVS(DFMx)

**NOTICE OF HEARING ON FIRST  
INTERIM APPLICATION FOR  
APPROVAL OF FEES AND  
COSTS OF:**

(1) **JEFFREY BRANDLIN AND  
BRANDLIN & ASSOCIATES,  
RECEIVER, AND**

(2) **SMILEY WANG-EKVALL, LLP,  
GENERAL COUNSEL TO THE  
RECEIVER**

**DATE: March 7, 2022<sup>1</sup>**

**TIME: 1:30 p.m.**

**CTRM: 10C**

**JUDGE: James V. Selna**

**TO THE PARTIES TO THIS ACTION AND ALL CREDITORS AND  
INVESTORS:**

**PLEASE TAKE NOTICE** that Jeffrey Brandlin and Brandlin &  
Associates, the permanent receiver ("Receiver") appointed over Elevate

<sup>1</sup> As set forth in this Notice, the Court is not conducting in-person hearings. If appearances at the hearing are required, they are likely to be telephonic or video appearances only.

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Investments LLC and its subsidiaries and affiliates ("Elevate") and Smiley Wang-Ekvall, LLP, general counsel to the Receiver (the "Firm"), have filed their *First Interim Application for Approval of Fees and Costs of (1) Jeffrey Brandlin and Brandlin & Associates, Receiver, and (2) Smiley Wang-Ekvall, LLP, General Counsel to the Receiver* for the period of December 28, 2020, through October 31, 2021 (the "Application"). Through the application, the Receiver is seeking approval of \$70,837.50 in fees and \$110.29 in expenses, and the Firm is seeking approval of \$45,179.00 in fees and \$3,600.50 in expenses. The Receiver and the Firm are requesting an order authorizing the Receiver to pay, on an interim basis, 80% of the fees and 100% of the expenses incurred. The Application is available on the website established by the Receiver to provide information to parties in interest, and which is located at <https://www.donlinrecano.com/Clients/ei/Index>.

**PLEASE TAKE FURTHER NOTICE** that the hearing is nominally scheduled for March 7, 2022, at 1:30 p.m. Because of the pandemic, parties will be notified three court days in advance if there is to be a hearing. If there is a hearing, the hearings are being staggered to minimize the number of people in the courtroom. If a hearing is not set, then the parties may request a hearing by filing a brief of no more than five pages by 5:00 p.m. the day following the date for which the hearing was nominally set. The Court will then determine if a hearing is necessary. If no request is submitted, the matter will be submitted on the papers and the tentative ruling will become the order of the Court. If the request is granted, the Court will advise the parties when and how the hearing will be conducted.

**PLEASE TAKE FURTHER NOTICE** that pursuant to Local Rule 7-9, each opposing party shall, not later than twenty-one (21) days before the date scheduled for the hearing, serve upon all other parties and file with the Clerk either (a) the evidence upon which the opposing party will rely in

1 opposition to the Motion and a brief but complete memorandum which  
2 contains a statement of all the reasons in opposition thereto and the points  
3 and authorities upon which the opposing party will rely, or (b) a written  
4 statement that the party will not oppose the Motion. Evidence presented in  
5 all opposing papers shall comply with the requirements of Local Rules 7-6,  
6 7-7 and 7-8. If you fail to file and serve a written opposition by the above  
7 date, the Court may grant the requested relief without further notice.

8  
9 DATED: February 4, 2022

Respectfully submitted,

SMILEY WANG-EKVALL, LLP

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14 By: /s/ Kyra E. Andrassy  
15 KYRA E. ANDRASSY  
16 Counsel for Jeffrey Brandlin,  
17 Permanent Receiver  
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**PROOF OF SERVICE****STATE OF CALIFORNIA, COUNTY OF ORANGE**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is 3200 Park Center Drive, Suite 250, Costa Mesa, CA 92626.

On 2/4/2022, I served true copies of the following document(s) described as

**NOTICE OF HEARING ON FIRST INTERIM APPLICATION FOR APPROVAL OF FEES AND COSTS OF: (1) JEFFREY BRANDLIN AND BRANDLIN & ASSOCIATES, RECEIVER, AND (2) SMILEY WANG-EKVALL, LLP, GENERAL COUNSEL TO THE RECEIVER**

on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

**(X) (BY COURT VIA NOTICE OF ELECTRONIC FILING ("NEF"))**. Pursuant to United States District Court, Central District of California, Local Civil Rule 5-3, the foregoing document will be served by the court via NEF and hyperlinked to the document. On 2/4/2022, I checked the CM/ECF docket for this case and determined that the aforementioned person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated.

**(X) (BY MAIL)**. I enclosed the document(s) in a sealed envelope or package and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with the practice of Smiley Wang-Ekvall, LLP for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am a resident or employed in the county where the mailing occurred. The envelope was placed in the mail at Costa Mesa, California.

**( ) (BY E-MAIL)**. By scanning the document(s) and then e-mailing the resultant pdf to the e-mail address indicated above per agreement. Attached to this declaration is a copy of the e-mail transmission.

**( ) (BY FACSIMILE)**. I caused the above-referenced documents to be transmitted to the noted addressee(s) at the fax number as stated. Attached to this declaration is a "TX Confirmation Report" confirming the status of transmission. Executed on \_\_\_\_\_, at Costa Mesa, California.

**( ) STATE** I declare under the penalty of perjury under the laws of the State of California that the above is true and correct.

**(X) FEDERAL** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on February 4, 2022, at Costa Mesa, California.

/s/ Lynnette Garrett

Lynnette Garrett

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**SERVICE LIST**

**BY COURT VIA NOTICE OF ELECTRONIC FILING ("NEF"):**

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**BY MAIL:**

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