

1 DAVID R. ZARO (BAR NO. 124334)
YALE K. KIM (BAR NO. 188895)
2 ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP
3 515 South Figueroa Street, Ninth Floor
Los Angeles, California 90071-3309
4 Phone: (213) 622-5555
Fax: (213) 620-8816
5 Email: dzaro@allenmatkins.com
ykim@allenmatkins.com

6 Attorneys for Michael A. Grassmueck, Monitor

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO

11 SECURITIES AND EXCHANGE
COMMISSION,

12 Plaintiff,

13 vs.

14 ALEXANDER JAMES TRABULSE,

15 Defendant.

16 and

17 FAHEY FUND, L.P., FAHEY FINANCIAL
18 GROUP, INC., INTERNATIONAL TRADE &
DATA, and ITD TRADING,

19 Relief Defendants.
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Case No. C 07-4975 (WHA)

**[PROPOSED] ORDER ON FOURTH
INTERIM FEE APPLICATION OF (1)
MONITOR, MICHAEL A. GRASSMUECK;
(2) MONITOR'S COUNSEL, ALLEN
MATKINS; AND (3) MONITOR'S
FORENSIC ACCOUNTANTS, FINANCIAL
FORENSICS, FOR INTERIM FEES AND
EXPENSES FOR THE PERIOD JANUARY
1, 2009 THROUGH FEBRUARY 28, 2010**

Date: June 17, 2010

Time: 8:00 a.m.

Place: Courtroom 9, 19th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

21 In accordance with the Order Granting Appointing Monitor And Other Ancillary Relief
22 dated December 17, 2007 (the "Monitor Order"), Michael A. Grassmueck (the "Monitor"), the
23 Monitor's counsel, Allen Matkins Leck Gamble Mallory & Natsis LLP ("Allen Matkins"), and the
24 Monitor's forensic accountants, Financial Forensics, submitted an application seeking
25 reimbursement for fees and costs rendered for the fourth interim period commencing January 1,
26 2009 and ending February 28, 2010 ("Fee Application"). Adequate notice was provided to all
27 parties.
28

1 The Monitor sought approval of an award of \$74,198.50 in fees and \$893.74 in costs
2 incurred for the Fourth Interim Period.

3 Allen Matkins sought approval of an award of \$78,693.50 in fees and \$1,875.24 in costs
4 incurred for the Fourth Interim Period.

5 Financial Forensics sought approval of an award of \$8,792 in fees and \$4.95 in costs
6 incurred for the Fourth Interim Period.

7 This Court, without oral argument, took the Fee Application under submission. The Court,
8 having considered the Fee Application and any oppositions thereto, and good cause appearing
9 therefore,

10 **HEREBY ORDERS:**

11 1. In accordance with the Monitor Order, payments shall be made from the escrow
12 established pursuant to the Monitor Order as follows:

13 a. The Monitor's request for \$78,693.50 in fees and \$1,875.24 in costs
14 incurred for the Fourth Interim Period is granted in full. The Monitor is authorized to pay himself
15 this amount from the bank account identified in the Monitor Order, or such other funds as
16 available to the Monitor for payment of the fees and costs;

17 b. Allen Matkins' request for \$78,693.50 in fees and \$1,875.24 in costs
18 incurred for the Fourth Interim Period is granted in full. The Monitor is authorized to pay Allen
19 Matkins this amount from the bank account identified in the Monitor Order, or such other funds as
20 available to the Monitor for payment of the fees and costs;

21 c. Financial Forensics' request for \$8,792 in fees and \$4.95 in costs incurred
22 for the Fourth Interim Period is granted in full. The Monitor is authorized to pay Financial
23 Forensics this amount from the bank account identified in the Monitor Order, or such other funds
24 as available to the Monitor for payment of the fees and costs.

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2. The fees and costs applied for in the Fee Application are approved as final.

IT IS SO ORDERED.

Dated: _____

United States District Court Judge
WILLIAM ALSUP

Presented by:

David R. Zaro, Esq.
Allen Matkins Leck Gamble Mallory
& Natsis LLP
515 S. Figueroa Street, 9th Floor
Los Angeles, CA 90071-3309

/s/ David R. Zaro, Esq.

David R. Zaro, Attorneys for
Court Appointed Corporate Monitor
MICHAEL A. GRASSMUECK