

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

ALEXANDER JAMES TRABULSE,

Defendant.

and

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

Relief Defendants.

Case No. C 07-4975 (WHA)

~~PROPOSED~~ ORDER ON THIRD 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 JUNE 1, 2008 THROUGH
DECEMBER 31, 2008 ; ORDER VACATING
HEARING

Date: April 16, 2009

Time: 2:00 p.m.

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

In accordance with the Order Granting Appointing Monitor And Other Ancillary Relief dated December 17, 2007 (the "Order"), Michael A. Grassmueck (the "Monitor"), the Monitor's counsel, Allen Matkins Leck Gamble Mallory & Natsis LLP ("Allen Matkins"), and the Monitor's forensic accountants, Financial Forensics, submitted applications seeking reimbursement for fees and costs rendered for the third interim period commencing June 1, 2008 and ending December 31, 2008 ("Third Interim Fee Applications" or "Fee Applications"). Adequate notice was provided to all parties, in accordance with the Order.

1 The Monitor sought approval of an award of \$39,875.99 in fees incurred for the Third
2 Interim Period.

3 Allen Matkins sought approval of an award of \$54,811.97 in fees and costs incurred for the
4 Third Interim Period.

5 Financial Forensics sought approval of an award of \$63,669.90 in fees and costs for the
6 Third 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 Order, payments shall be made from the escrow established
12 pursuant to the Order as follows:

13 a. The Monitor's request for \$39,875.99 in fees incurred for the Third Interim
14 Period is granted in full. The Monitor is authorized to pay himself this amount out of the bank
15 account identified in the Fee Application and the Order Appointing Monitor;

16 b. Allen Matkins' request for \$54,811.97 in fees and costs incurred for the
17 Third Interim Period is granted in full. The Monitor is authorized to pay Allen Matkins this
18 amount out of the bank account identified in the Fee Application and the Order Appointing
19 Monitor;

20 c. Financial Forensics' request for \$63,669.90 in fees and costs incurred for the
21 Third Interim Period is granted in full. The Monitor is authorized to pay Financial Forensics this
22 amount out of the bank account identified in the Fee Application and the Order Appointing
23 Monitor.

24 \\\
25 \\\
26 \\\
27 \\\
28 \\\

