UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

ASCEND CAPVENTURES INC., also doing business as Ascend Ecom LLC; Ascend Ecomm LLC; ACV; ACV Partners; Accelerated Ecommerce Ventures; Ascend Distribution LLC; Ethix Capital; and ACV Nexus, a Wyoming close corporation profit corporation;
ASCEND ECOMMERCE INC., also doing business as Ascend Ecom LLC, a Wyoming close corporation profit corporation;
ASCEND ADMINISTRATION INC., a California general stock corporation;
ASCEND ECOM LLC, a Wyoming limited liability company;
ASCEND DISTRIBUTION LLC, a Texas limited liability company;
WILLIAM MICHAEL BASTA, individually and as officer and/or owner of Ascend Ecom LLC, Ascend Capventures Inc., Ascend Ecommerce Inc., Ascend Administration Inc., Ascend Distribution LLC;

Case No. 2:24-CV-07660-SPG-JPR

ORDER GRANTING AMENDED FIRST INTERIM APPLICATION FOR PAYMENT OF FEES OF RECEIVER, STEPHEN J. DONELL, AND HIS PROFESSIONALS [ECF NO. 93]

JEREMY KENNETH LEUNG, individually and as officer and/or owner of Ascend Ecom LLC, Ascend Capventures Inc., Ascend Ecommerce Inc., Ascend Administration Inc., and Ascend Distribution LLC,

Defendants.

Before the Court is the Amended First Interim Application for the Payment of Fees (ECF No. 93 ("Amended Fee Application")) of Stephen J. Donell ("Receiver"), the Court-appointed receiver in the above-captioned action, along with the general receivership counsel, Allen Matkins Leck Gamble Mallory & Natsis LLP ("Allen Matkins"); the forensic accounting firm, SL Biggs; and local counsel Ross, Smith & Binford, PC ("RSB") and Markowitz Ringel Trusty & Hartog, P.A. ("MRTH") (collectively, "Professionals").

The Amended Fee Application covers the fees incurred by the Receiver and his Professionals during the period from September 13, 2024, through October 31, 2024 ("Application Period"). The Court's prior Order, *see* (ECF No. 89 ("Order")), discussed the Professionals' original First Interim Application for the Payment of Fees. The Order requested that the Professionals submit supplemental declarations discussing the reasonableness of the requested fees based on the hourly rate within the Professionals' respective professions. Pursuant to that Order, the Professionals have submitted declarations outlining their credentials, professional experiences, and comparable fees within their professions. *See* (ECF Nos. 93-3, 93-4, 93-5, 93-6, and 93-7). The Federal Trade Commission has also filed a notice of non-opposition to this Amended Fee Application. *See* (ECF No. 94).

In this Amended Fee Application, the Receiver requests approval and payment, on an interim basis, of fees in the amount of $69,897.15 that were incurred during the Application Period. Allen Matkins requests approval and payment, on an interim basis, of fees in the amount of $145,013.85 that were incurred during the Application

Period. MRTH requests approval and payment, on an interim basis, of fees in the amount of $3,000.00 that were incurred during the Application Period. RSB requests approval and payment, on an interim basis, of fees in the amount of $20,317.50 that were incurred during the Application Period. Finally, SL Biggs requests approval and payment, on an interim basis, of fees in the amount of $70,337.00 that were incurred during the Application Period.

The Court, having considered the Amended Fee Application along with the declarations and exhibits and finding good cause thereof, hereby ORDERS the following:

1. The Amended Fee Application is granted in its entirety;

2. The Receiver's fees in the amount of $69,897.15, incurred during the Application Period, are approved;

3. Allen Matkins' fees in the amount of $145,013.85, incurred during the Application Period, are approved;

4. MRTH's fees in the amount of $3,000.00, incurred during the Application Period, are approved;

5. RSB's fees in the amount of $20,317.50, incurred during the Application Period, are approved;

6. SL Biggs' fees in the amount of $70,337.00, incurred during the Application Period, are approved; and

7. The Receiver is authorized to compensate himself and his Professionals the above-approved fees, in full, from the funds of the receivership estate established in this action.

IT IS SO ORDERED.

DATED: July 22, 2025

HON. SHERILYN PEACE GARNETT
UNITED STATES DISTRICT JUDGE