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 Charles M. Riharb
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8 UNITED STATES DISTRICT COURT
 9 SOUTHERN DISTRICT OF CALIFORNIA

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 11 SECURITIES AND EXCHANGE
 COMMISSION,

12 Plaintiff,

13 vs.

14 GINA CHAMPION-CAIN and ANI
 15 DEVELOPMENT, LLC,

16 Defendants,

17 AMERICAN NATIONAL
 INVESTMENTS, INC.,

18 Relief Defendant.
 19
 20

Case No. 3:19-cv-01628-LAB-AHG

**REQUEST FOR JUDICIAL NOTICE
 RE: CHARLES M. RIHARB'S
 LIMITED OPPOSITION TO
 RECEIVER'S MOTION TO AMEND
 ORDER FOR SALE OF 737
 WINDEMERE COURT PROPERTY
 FREE AND CLEAR OF HIS
 RECORDED DEED OF TRUST**

Date: September 18, 2020
 Time: 2:00 p.m.
 Courtroom TBD
 Mag. Judge: Hon. Allison H. Goddard

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 22 Pursuant to Federal Rules of Evidence 201, third-party creditor Charles M.
 23 Riharb respectfully requests that the Court take judicial notice of the following
 24 exhibits to pleadings filed by the Receiver in this action in support of his limited
 25 opposition to the Motion by the Receiver for an Amended Order for Sale of 737
 26 Windemere Court (the "Windemere Property") free and clear of Mr. Riharb's
 27 recorded deed of trust securing his investment.

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DATED: September 11, 2020

By: /s/ Mark T. Cramer
 MARK T. CRAMER
 RUSSELL L. ALLYN
 Attorneys for third party creditor
 CHARLES M. RIHARB

EXHIBIT “A”

Excerpts Receiver and Counsel's Billing Entries in Fee Applications

10/09/19	7983589	Communications with ANI outside corporate counsel regarding information on surety bond (.3); communications with counsel for Champion-Cain regarding issues relating to Riharb deed of trust (.2); analyze information from ANI in-house counsel regarding Windemere	Fates, Edward (Ted)	2.7	1,603.80
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Dkt. 261-1, p. 58

10/10/19	7985684	Discuss revisions to reply to objections to report and recommendation with Receiver (.6); work on same (1.7); advise Receiver on issues relating to Cultivate assets (.4); Call with ANI in-house counsel and insurance broker regarding ANI insurance claims and coverage issues (.4); call with Champion-Cain, counsel for Champion-Cain, and Receiver regarding note/deed of trust in favor of C. Riharb (.5); initial work on demand letters to Surf Rider MB contractor and tenant J. Hanson (.6); call with counsel for CalPrivate Bank regarding information on potential company assets and money transfers (.4); analyze correspondence from counsel for Chicago Title and issues	Fates, Edward (Ted)	5.8	3,445.20
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Dkt. 261-1, p. 59

Date	Description of Services	Hours	Personnel	Per Hour	Total Fee
10/10/2019	Reviewed updates to agreement on Andrea's Truffles. (.3) Attended conf. call with L. Finch re: audit status and tax return status. (.5) Reviewed and revised updated reply brief; conferred with Atty Fates and G. Rodriguez re: same. (2.0) Conferred with Att Fates re: C. Riharb post filing issue. (.4) Reviewed details of winterization revised quote and materials; approved same. (1.2) Researched lender data. (.8) Reviewed second amendment to lease draft. (.5) Conferred with liquor license counsel and team re: request to transfer inter entity; reviewed sales updates and various operations correspondence (e.g., menus). (.5) Coordinated and reviewed updates sales figures for all closures for insurance. (1.0) Conferred with L. Pimentel re: Tourmaline payment. (.1) Reviewed Keller correspondence. (.1) Reviewed LuvSurf historical financials. (.6) Reviewed Himmelberg documents (Valle Vista). (.6) Worked on updating cash flow projection. (1.8)	10.4	K. Freitag	\$ 315.00	\$ 3,276.00

Dkt. 260-1, p. 28

Excerpts Receiver and Counsel's Billing Entries in Fee Applications

10/14/19	7988466	Analyze issues with C. Riharb note and deed of trust, discuss same with Receiver (.8); communications with C. Riharb (.2); analyze information regarding transfers to or for benefit of Champion-Cain immediate family members (.4); communications with counsel for Champion-Cain regarding same (.4); follow up communications with ANI outside corporate counsel	Fates, Edward (Ted)	4.4	2,613.60
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Dkt. 261-1, p. 60

10/21/2019	Finalized Flores transfer of funds at Wells and Chase; complete other transition documentation for Flores. (.5) Attended call with Goldfinch landlord. (.6) Attended call with AXOS bank representatives. (.8) Coordinated closing plan for and met team re: Aventine. (1.0) Reviewed various correspondence (Riharb, Talley, investor counsel, etc.) (.5) Reviewed original subpoena and prior case against CT. (.8) Addressed numerous operational items, including vehicle documents, POS billings, payables, vendors, HR matters, landlords, cash balances, flash reports, etc. (4.0) Worked on cash flow projection. (1.9)	10.1	K. Freitag	\$ 315.00	\$ 3,181.50	\$
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Dkt. 260-1, p. 34

10/16/19	7990824	Advise Receiver on strategy concerning lease with J. Hanson and letter to same (.3); communications with counsel for J. Hanson regarding same (.1); advise Receiver on next steps regarding analysis of interest in Trek Partners (.2); communications with counsel for T. Dobron (.1); follow up communications to C. Riharb (.1); work on letter to same (.4); analyze documents and communications relating to attorney William Adams (.6); communications with counsel for P. Boormeester estate (.2); work on letters relating to ANI investments and loans (.2).	Fates, Edward (Ted)	2.2	1,306.80
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Dkt. 261-1, pp. 62-63

Excerpts Receiver and Counsel's Billing Entries in Fee Applications

10/23/19	7997701	Discuss issues/strategy regarding C. Riharb with Receiver (.2); communications with C. Riharb regarding same (.1); call with Receiver and counsel for Trek Partners regarding Texas litigation and prospects regarding same (.8); analyze documents produced by surety company (.3).	Fates, Edward (Ted)	1.4	831.60
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Dkt. 261-1, p. 65

11/01/19	8010525	Analyze issues and advise Receiver on strategy related to 4014 Bandini property (.7); discuss same with Receiver (.2); communications with counsel for SEC regarding same (.1); discuss issues relating to SFG loans with Receiver (.3); communications with L. Ryan regarding CD at City National Bank (.2); communications with C. Riharb (.2).	Fates, Edward (Ted)	1.7	1,009.80
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Dkt. 261-1, p. 71

11/08/19	8016438	Advise regarding analysis of document production by Attorney W. Adams (.4); call with C. Riharb and counsel regarding investments and note/deed of trust on receivership properties (.7); work on subpoena to be issued to C. Riharb (.3); finalize supplemental document subpoena to Chicago Title, discuss same with Receiver (.4).	Fates, Edward (Ted)	1.8	1,069.20
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Dkt. 261-1, p. 74

11/12/19	8020800	Revise and finalize document subpoena to C. Riharb (.3); communications with counsel for C. Riharb regarding same (.2); finalize correspondence to D. Champion regarding mortgage and gift from ANI (.2); advise on contents for letters to ANI investments (.2); analyze and advise Receiver on issues relating to insurance claims (.4).	Fates, Edward (Ted)	1.3	772.20
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Dkt. 261-1, p. 75

Excerpts Receiver and Counsel's Billing Entries in Fee Applications

12/11/19	8050113	Address issues regarding C. Riharb failure to produce documents in response to subpoena.	Fates, Edward (Ted)	0.2	118.80
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Dkt. 261-1, p. 81

12/19/19	8070778	Review proposed protective order regarding Chicago Title documents and correspondence from Chicago Title regarding informal discovery conference and confer with counsel regarding the same (.8); confer with counsel for A. Taylor regarding interview and deposition (.3); confer with counsel for Charles Riharb regarding subpoena response (.3); finalize letters to two recipients for transmittal (.2).	Aspis, Norman	1.6	648.00
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Dkt. 261-1, p. 85

12/23/19	8070411	Review productions from Charles Riharb and JP Morgan Chase; upload and transmit the same (.8); review correspondence from Western Alliance Bank regarding subpoena and correspondence from R. Kuhn regarding M. Spicer claim (.2).	Aspis, Norman	1.0	405.00
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Dkt. 261-1, p. 87

12/26/19	8070171	Review and transmit productions from Charles Riharb and Well Fargo (.6).	Aspis, Norman	0.6	243.00
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Dkt. 261-1, p. 88