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10 *Attorneys for the ML Liquidating Trust*

11 **IN THE UNITED STATES BANKRUPTCY COURT**
12 **FOR THE DISTRICT OF ARIZONA**
13

14 In re:
15 MORTGAGES LTD.,
16 Debtor.

In Proceedings Under Chapter 11
Case No. 2:08-bk-07465-RJH

**APPLICATION FOR ORDER REQUIRING
IRWIN UNION BANK TO PRODUCE
DOCUMENTS PURSUANT TO FEDERAL
RULE OF BANKRUPTCY PROCEDURE
2004**

19
20 Pursuant to Federal Rule of Bankruptcy Procedure 2004, the Mortgages Ltd. Liquidating
21 Trust (“**ML Trust**”) hereby moves this Court for an order requiring Irwin Union Bank:

22 To produce the documents requested in the attached Exhibit “A” for inspection
23 and copying by the Movant on a date and time agreeable to the parties or, if
upon notice, after not less than ten (10) days’ notice.

24 This Application is further explained in the following Memorandum.

25 ///
26 ///
27

NUSSBAUM & GILLIS, P.C.
ATTORNEYS AT LAW
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480-609-0011

1 Memorandum

2 The ML Trust is the successor to Mortgages Ltd. (“ML”) under the confirmed plan of
3 reorganization in this case. The ML Trust seeks information concerning ML held by Irwin Union
4 Bank. The ML Trust seeks this information to assist in the collection and investigation of ML’s
5 assets and liabilities.

6 The requested discovery from Irwin Union Bank is well within the scope of examination
7 permitted under Bankruptcy Rule 2004, which includes:

8 [t]he acts, conduct, or property or . . . the liabilities and financial condition of the
9 debtor, or . . . any matter which may affect the administration of the debtor’s estate,
10 or to the debtor’s right to a discharge. In a . . . reorganization case under chapter
11 11 of the Code, . . . the examination may also relate to the operation of any
12 business and the desirability of its continuance, the source of any money or
property acquired or to be acquired by the debtor for purposes of consummating a
plan and the consideration given or offered therefore, and any other matter relevant
to the case or to the formulation of a plan.¹

13 Conclusion

14 Accordingly, the ML Trust requests that this Court enter the form of order submitted with
15 this Application.

16 Dated: October 9, 2009.

17 **DIAMOND MCCARTHY LLP**

18 /s/ Craig Boneau

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Eric D. Madden (pro hac vice pending)
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19 -and-

20 **NUSSBAUM & GILLIS P.C.**

21 /s/ Dean Dinner

22 Dean Dinner (# 010216)
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24 Scottsdale, AZ 85260-3659
25 *Special Litigation Counsel for the*
26 *ML Liquidating Trust*

27
28 ¹ FED. R. BANKR. P. 2004(b).

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480-609-0011

1 ORIGINAL of the foregoing electronically
2 filed this 9th day of October 2009, with:

3 Clerk, United States Bankruptcy Court
4 District of Arizona
5 230 North First Avenue, Suite 101
6 Phoenix, AZ 85003-1706
7 <https://ecf.azb.uscourts.gov>

8 COPY of the foregoing e-mailed
9 this 9th day of October 2009, to the
10 parties on the attached Service List

11 /s/ Samanta Rivera

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EXHIBIT A

I. INSTRUCTIONS

1. The following document requests are to be responded to fully, by furnishing all information in your possession, custody, or control. Your having possession, custody, or control of a document includes your having a right, superior to other parties, to compel the production of such document from a third party, such as your agent, employee, representative, or, unless privileged, attorney.

2. If any document requested herein has been lost, discarded, or destroyed, the document so lost, discarded or destroyed should be identified as completely as possible, including without limitation, the date the document was lost, discarded, or destroyed, the manner in which the document was lost, discarded, or destroyed, the reason(s) the document was lost, discarded, or destroyed, the person who authorized that the document be destroyed or discarded, and the person who lost, discarded, or destroyed the document.

3. If you cannot produce a document because it no longer exists or is no longer in your possession, custody, or control, please identify that document by: (a) its title; (b) its nature (for example, a "letter" or "e-mail"); (c) the date it was created or sent; (d) its author(s) and signator(y/ies); (e) any of its recipient(s); (f) the last place it was known to have been located; (g) the circumstances under which it ceased to exist or passed from your possession, custody, or control; and (h) the identity and last known residence and business address of any person who had knowledge of its existence and location.

4. Produce the original, as well as all non-identical duplicates or copies and/or drafts, of all requested documents in your possession, in the possession of your agents, attorneys, accountants or employees, or which are otherwise within your custody, control, or access,

wherever located. A document with handwritten notes, editing marks, etc., is not identical to one without such notes or marks and therefore must be produced if within the scope of documents requested.

5. Produce each requested document in its entirety, including all attachments and enclosures, even if only a portion of the document is responsive to the request.

6. If you withhold from production any document (or portion of any document) that is otherwise responsive to a request on the basis of a claim of privilege, work product, or other ground, you must provide sufficient information regarding the withheld document to permit the Court and the parties to evaluate the propriety of your objection. Specifically, you must identify: (a) the name and title of the author(s) of the document; (b) the name and title of each person to whom the document was addressed; (c) the name and title of each person to whom the document was distributed; (d) the name and title of each person to whom the document was disclosed, in whole or in part; (e) the type of document (e.g., “memorandum” or “report”); (f) the subject matter of the document; (g) the purpose(s) of the document; (g) the date on the document and, if different, the date on which the document was created and/or sent; (h) the number of pages of the document; (i) the specific request herein to which the document is responsive; (j) the nature of the privilege(s) asserted as to the document; and (k) a detailed, specific explanation as to why the document is privileged or otherwise immune from discovery, including a presentation of all factual grounds and legal analyses.

7. If any requested document cannot be produced in full, produce it to the extent possible, indicating what is being withheld and the reason it is being withheld.

8. Please produce each specified document either (a) in the original file or organizational system in which it is regularly maintained or organized or (b) designate which

9. Identify each document produced by the paragraph number of this schedule to which it is responsive. If a document is produced in response to more than one request, it is sufficient to identify only the first request to which the document is responsive.

10. All electronically stored information must be produced in the same form or forms in which it is ordinarily maintained. Specifically, all electronically stored information must be produced in its native format, so that the metadata can be accessed.

11. Unless otherwise specified, the relevant time period for this request is from January 1, 2002 through and including the present.

12. This request is a continuing one that calls for the supplemental or additional production of documents if any defendant or its counsel obtains supplemental or additional documents.

13. In responding to the requests below: (a) the disjunctive shall also be read to include the conjunctive and vice versa; (b) “including” shall be read to mean “including without limitation;” (c) the singular shall also be read to include the plural and vice versa; (d) the present shall also be read as if the past tense and vice versa; (e) “any” shall be read to include “all” and vice versa; and (f) “and” shall be read to include “or” and vice versa.

II. DEFINITIONS

As used herein, unless otherwise indicated:

1. “Irwin Union Bank” shall refer to Irwin Union Bank and its predecessors and successors, past and present subsidiaries, affiliates, divisions, branches, agents, officers,

directors, employees, attorneys, agents, brokers, representatives, servants, and any and all other persons or entities acting or purporting to act directly or indirectly on behalf of or under the control of Irwin Union Bank, including any attorneys, advisors, or consultants.

2. "Accounts" shall refer to Irwin Union Bank account numbers 83046656, 72024995, 54016530, 54017892, 54019617, 83024679, 83035857, 83044933, 54002027, 83024679, 83022027, 83022376, 83015651, 83056648, 83015503, 72010028, 83015511, 83015529, 72010044, 83015537, 72010051, 83015545, 72010069, 830227599, 72021694, 83040071, 72024136, 83052456, 72026743, 83052464, 72026750, 83052472, 72026768, 83059592, 72028640, 83064956, 72030695, 83065193, 72031040, 83066688, 72031529, 83031781, 83048967, 83059931, 72015761, 83047530, 83050450, 72026081, 54011630, 54004817, 54011606, 54006754, 54006747, 54006911, 54006762, 54006994, 54007356, 54008230, 54007612, 54008149, 54008222, 54008461, 54008370, 54008685, 54008529, 54008834, 54008958, 54009436, 54008859, 54011663, 54009337, 54011572, 54009857, 54010459, 54010053, 54011655, 54010657, 54011069, 54011119, 54011333, 54011879, 54011747, 54012174, 54011804, 54011192, 54012331, 54012224, 54011465, 54012646, 54012323, 54011986, 54011986, 54012216, 54011929, 54012554, 54012786, 54012570, 54012653, 54013081, 54012950, 54013701, 54013719, 54013768, 54013776, 54014360, 54013883, 54013917, 54013982, 54014816, 54014055, 54014121, 54014113, 54014352, 54014329, 54014774, 54014873, 54014824, 54015474, 54015391, 54015532, 54015706, 54015730, 54015540, 54015573, 54015953, 54016266, 54016126, 54016662, 54015920, 54016571, 54016209, 54016183, 54016415, 54016357, 54016837, 54016969, 54017967, 54017108, 54017322, 54017207, 54017694, 54017728, 54018809, 54018254, 54018130, 54018122, 54018114, 54018155, 54018106, 54018437, 54018908, 54019708, 54022967,

54023312, 54014410, 54012778, 54012109, 54018213, 54020110, 54019690, 54015409, 54016977, 54012445, 54015664, 54015656, 54013735, 54017918, 54014154, 54016407, 54018882, 54015581, 54016712, 54018262, 54018205, 54016937, 54018577, 54012661, 54018163, 54012687, 54018890, 54019591, 54016563, 54015896, 54015904, 54013304, 54017538, 54015557, 54015946, 54016274, 54018874, 54015755, 54016043, 54020303.

3. “Communication” means any transmittal of information, of any kind, without regard to whether such information was transmitted orally, in writing, electronically, visually, or by any other means.

4. “Debtor” shall mean Mortgages Ltd. and its predecessors and successors, past and present subsidiaries, affiliates, divisions, branches, agents, officers, directors, employees, attorneys, agents, brokers, representatives, servants, and any and all other persons or entities acting or purporting to act directly or indirectly on behalf of or under the control of the Debtor, including any attorneys, advisors, or consultants.

5. “Document” means all originals, drafts and modifications of originals, as well as copies, duplicates, and counterparts of originals, of written, printed, typed, graphic, recorded, and visually or orally reproduced material of any kind, whether or not privileged, and includes, but is not limited to, correspondence, business records, telephone records and notations, diaries, calendars, minutes, contracts, agreements, orders, receipts, invoices, bills, pictures, drawings or sketches, blueprints, designs, notebooks, advertising and commercial literature, promotional literature of any kind, cables, telexes, telegrams, recordings, patents, lists, charts, pamphlets, appendices, exhibits, summaries, outlines, logs, journals, agreements, work papers, statements, records of inventory, financial and/or accounting records, catalogues, trade journals, and any other documented or recorded information. The term “document” also includes every other

manner by which information is recorded or transmitted, including but not limited to, microfilms, punch cards, disks, tapes, computer programs, printouts, all recordings made through data processing techniques, and instructions and directions for use of the data processing equipment to obtain the information recorded by that method. The term “document” refers to copies, duplicates, and/or counterparts only where (i) the copy, duplicate, or counterpart is not exactly identical to the original or (ii) your records only contain a copy, duplicate, or counterpart of the original and not the original itself.

6. “Entity” or “Entities” shall mean the following entities, their predecessors and successors, past and present subsidiaries, affiliates, divisions, branches, agents, officers, directors, employees, attorneys, agents, brokers, representatives, servants, and any and all other persons or entities acting or purporting to act directly or indirectly on behalf of or under the control of any of the Entities, including any attorneys, advisors, or consultants:

- Mortgages Ltd. Commercial Capital, LLC
- Mortgages Ltd. Insurance, LLC
- Mortgages Ltd. Investments, LLC
- Mortgages Ltd. Securities, LLC
- Mortgages Ltd. Title Agency, LLC
- Mortgages Ltd. 401K Plan
- Realty Ltd.
- SM Revocable Trust
- SM Coles LLC
- Mortgages Ltd. Opportunity Fund MP11, LLC, f/k/a MP122030 L.L.C., f/k/a MP052008 L.L.C.
- Mortgages Ltd. Opportunity Fund MP12, LLC
- Mortgages Ltd. Opportunity Fund MP13, LLC
- Mortgages Ltd. Opportunity Fund MP14, LLC
- Mortgages Ltd. Opportunity Fund MP15, LLC
- Mortgages Ltd. Opportunity Fund MP16, LLC
- Mortgages Ltd. Opportunity Fund MP17, LLC
- Value-to-Loan Opportunity Fund 1, LLC
- MP022000 LLC
- MP102000 LLC
- MP052001 LLC

- MP012002 LLC
- MP092004 LLC
- MP062003 LLC
- MP032004 LLC
- MP052005 LLC
- Radical Bunny, LLC

7. “Evidencing” means constituting, mentioning, describing, concerning, referring to, relating to, supplementing, amending, superseding, replacing, modifying, or pertaining to, in whole or in part, the subject matter of the particular requests.

8. “Identify” or “identity” with respect to a natural person requires that the following information be provided for each such person:

- (a) the name of the person;
- (b) the last known home address, business address, and/or telephone number of each person.

9. “Identify” or “identity” with respect to a person other than a natural person (e.g., corporation, partnership, unincorporated joint venture, sole proprietorship, subchapter S corporation) requires that the following information be provided for each such person:

- (a) the name of the person;
- (b) the last known address and telephone number of that person's headquarters or principal place of business.

10. “Identify” or “identity” with respect to a document means to state the date and author of the document, the type of document (e.g., letter, memorandum, telegram, chart), the addressee or intended recipient, a summary of its contents or other means of identifying the document, and the present location and custodian of the document. Alternatively, in lieu of the foregoing identification, the document may be produced along with an identification of the

interrogatory to which it is responsive. If any such document was, but is no longer, in the possession, custody, or control of Irwin Union Bank or Irwin Union Bank's attorneys or agents, state what disposition was made of it and the date of such disposition. With respect to document identification, documents prepared subsequent to or prior to the time period specified in these interrogatories but which relate or refer to such time or period are to be included in your response.

11. "Identify" or "identity" with respect to a communication, written or oral conversation, conference or meeting, means to identify all persons participating in or in attendance at the communication, conversation, conference or meeting, and to identify all documents recording, summarizing or otherwise arising from the communication, conversation, conference or meeting in accordance with the definitions stated above. In addition, "identify" or "identity" with respect to a communication, conversation, conference or meeting means to state in detail its purpose, all subjects discussed, the method(s) of communication.

12. "Individual" or "Individuals" shall mean the following individuals:

- Scott Coles
- Chris Olsen
- Michael Denning
- Tom Hirsch
- Bob Furst
- Jeff Brandon
- Mitch Adler
- Manny Alemany
- Eva Yang
- Kim Roberts
- Bobby Barnes
- DiEsta Kiesling
- George Everette
- Wendy Levin
- Ryan Walter
- Phil Sollomi
- Laura Martini

- Harish Shah
- Howard Walder
- Berta Walder

13. “Person” means an individual, firm, partnership, corporation, incorporated or unincorporated association, and any other legal, commercial, corporate, or natural entity. “Person” means the plural as well as the singular.

14. “Relating or referring” and/or “relate or refer” means in whole or in part constituting, containing, concerning, embodying, evaluating, reflecting, describing, discussing, demonstrating, evidencing, supporting, analyzing, identifying, stating, referring to or dealing with, or in any way pertaining to including without limitation documents that relate to the preparation of another document, or documents that are attached to or enclosed with another document.

15. “You” or “your” refers to Irwin Union Bank (as defined above) and its employees, officers, agents, subsidiaries, affiliates and all other persons acting, understood to act, or purporting to act on its behalf or under its direction or control.

III. DOCUMENTS TO BE PRODUCED

1. Any and all documents evidencing any and all Accounts.
2. Any and all documents evidencing any and all accounts at Irwin Union Bank held in the name of or for the benefit of the Debtor, Entities, or Individuals.
3. Any and all documents evidencing the type and purpose of the Accounts.
4. Any and all documents evidencing the type and purpose of any and all accounts at Irwin Union Bank held in the name of or for the benefit of the Debtor, Entities, or Individuals.
5. Any and all documents evidencing the transactions and/or activity in the Accounts.

6. Any and all documents evidencing the transactions and/or activity in the accounts at Irwin Union Bank held in the name of or for the benefit of the Debtor, Entities, or Individuals.

7. Any and all documents evidencing the history of the relationship between the account holders of the Accounts and Irwin Union Bank.

8. Any and all documents evidencing the history of the relationship between any of the Debtor, Entities, or Individuals and Irwin Union Bank.

9. Any and all documents evidencing the identification and status of all individuals responsible or authorized to handle transactions or make changes for of any of the Accounts.

10. Any and all documents evidencing the identification and status of all individuals responsible or authorized to handle transactions or accounts of the Debtor, Entities or Individuals at Irwin Union Bank over the course of Irwin Union Bank's relationship with the Debtor, Entities or Individuals.

11. Any and all documents evidencing actual, apparent, and/or purported authorization of any and all individuals to act on the Accounts, including but limited to signature cards and authorization letters.

12. Any and all documents evidencing actual, apparent, and/or purported authorization of any and all individuals to act on behalf of the Debtor, Entities, or Individuals, including but limited to signature cards and authorization letters.

13. Any and all documents evidencing the application, opening, acceptance, management, ongoing review, and oversight of the Accounts, and any Irwin Union Bank policies and procedures applicable to these activities.

14. Any and all documents evidencing the application, opening, acceptance, management, ongoing review, and oversight of the accounts at Irwin Union Bank held in the

name of or for the benefit of the Debtor, Entities or Individuals, and any Irwin Union Bank policies and procedures applicable to these activities.

15. Any and all correspondence files, account officer files, customer call records and credit files with respect to any Accounts.

16. Any and all correspondence files, account officer files, customer call records and credit files with respect to any accounts at Irwin Union Bank held in the name of or for the benefit of the Debtor, Entities, or Individuals.

17. Any and all documents pertaining to the Accounts for internal audit and regulatory compliance purposes.

18. Any and all documents pertaining to the accounts of the Debtor, Entities, or Individuals for internal audit and regulatory compliance purposes.

19. Any and all documents evidencing handling of overdrafts on any Accounts.

20. Any and all documents evidencing handling of overdrafts on any accounts at Irwin Union Bank held in the name of or for the benefit of the Debtor, Entities, or Individuals.

21. Any and all documents evidencing Irwin Union Bank's training of employees with respect to opening of accounts, due diligence to be performed on account applicants, maintenance of client correspondence files, maintenance of the account officer files, maintenance of customer call records, maintenance of credit files, extension of credit, determination and monitoring of credit worthiness, monitoring of accounts for internal audit and regulatory compliance purposes, handling of overdrafts on accounts and waivers of limitations on accounts and wire transfers.

22. Any and all documents evidencing any site visits or reviews of any of the holders of the Accounts.

23. Any and all documents evidencing any site visits or reviews of the Debtor or Entities conducted by Irwin Union Bank.

24. Any and all documents evidencing Irwin Union Bank's actions, systems, policies and procedures to assure regulatory and internal audit compliance with respect to the accounts and the transactions and activity in the Accounts.

25. Any and all documents evidencing Irwin Union Bank's actions, systems, policies and procedures to assure regulatory and internal audit compliance with respect to the accounts and the transactions and activity in the accounts of the Debtor, Entities, or Individuals.

26.

27. Any and all documents evidencing Irwin Union Bank's policies and procedures applicable to monitoring, review, and/or investigation of transactions and activity in the Accounts.

28. Any and all documents evidencing Irwin Union Bank's policies and procedures applicable to monitoring, review, and/or investigation of transactions and activity in the accounts of the Debtor, Entities, or Individuals.

29. Any and all documents evidencing actions taken by Irwin Union Bank to comply with "know your customer" policies with respect to any person or company affiliated with the Accounts.

30. Any and all documents evidencing actions taken by Irwin Union Bank to comply with "know your customer" policies with respect to any person or company affiliated with the Debtor, Entities, or Individuals that held an account at Irwin Union Bank.

31. Any and all documents evidencing Irwin Union Bank's detection of any suspicious activity in any Accounts and actions taken in response thereto.

32. Any and all documents evidencing Irwin Union Bank's detection of any suspicious activity in any accounts of the Debtor, Entities, or Individuals and actions taken in response thereto.

33. Any and all documents evidencing Irwin Union Bank's detection of circular transactions in any Accounts and actions taken in response thereto.

34. Any and all documents evidencing Irwin Union Bank's detection of circular transactions in the accounts of Debtor, Entities, or Individuals and actions taken in response thereto.

35. Any and all documents evidencing Irwin Union Bank's policies and procedures with respect to the filing of suspicious activity reports.

36. Any and all documents evidencing Irwin Union Bank's policies and procedures with respect to any other computer program provided by Irwin Union Bank to its customers for the processing of wire transfers.

37. Any and all documents evidencing loans or other forms of credit extended to any person or company affiliated with Accounts by Irwin Union Bank and the terms thereof.

38. Any and all documents evidencing loans or other forms of credit extended to any person or company affiliated with the Debtor, Entities, and/or Individuals by Irwin Union Bank and the terms thereof.

39. Any and all documents evidencing actions taken by Irwin Union Bank to determine and monitor the credit worthiness of any person or company affiliated with the Accounts to whom Irwin Union Bank made loans or extended other forms of credit.

40. Any and all documents evidencing actions taken by Irwin Union Bank to determine and monitor the credit worthiness of any person or company affiliated with the

Debtor, Entities, and/or Individuals to whom Irwin Union Bank made loans or extended other forms of credit.

41. Any and all documents evidencing correspondence and communications related to the Accounts.

42. Any and all documents evidencing correspondence and communications between the Debtor and Irwin Union Bank.

43. Any and all documents evidencing correspondence and communications between any of the Entities and Irwin Union Bank.

44. Any and all documents evidencing correspondence and communications between any of the Individuals and Irwin Union Bank.

45. Any and all documents evidencing correspondence and communications between Irwin Union Bank and the auditors of any of the Debtors, including, but not limited to, Mayer Hoffman McCann P.C.

46. Any and all documents evidencing meetings between Irwin Union Bank and the Debtor, Entities, or Individuals.

47. Any and all documents evidencing meetings related to any of the Accounts.

48. Any and all documents evidencing wire transfers received or sent by Irwin Union Bank with reference to any Accounts.

49. Any and all documents evidencing wire transfers received or sent by Irwin Union Bank with reference to any accounts at Irwin Union Bank held in the name of or for the benefit of any of the Debtor, Entities, or Individuals.

50. Any and all documents evidencing Irwin Union Bank's policies and procedures applicable to wire transfers to or from the Accounts.

51. Any and all documents evidencing Irwin Union Bank's policies and procedures applicable to wire transfers to or from the accounts of the Debtor, Entities, and/or Individuals.

52. Any and all documents evidencing wire transfers to or from accounts of the Debtor, Entities, or Individuals that were circular in nature or unusually large in dollar amount.

53. Any and all documents evidencing wire transfers to or from any of the Accounts that were circular in nature or unusually large in dollar amount.

54. Any and all documents evidencing Irwin Union Bank's policies and procedures applicable to wire transfers to or from and of the Accounts that were circular in nature or unusually large in dollar amount

55. Any and all documents evidencing Irwin Union Bank's policies and procedures applicable to wire transfers to or from accounts of the Debtor, Entities, or Individuals that were circular in nature or unusually large in dollar amount.

56. Any and all documents evidencing wire transfers to or from any of the Accounts where the name of the recipient or transferor is not identified.

57. Any and all documents evidencing wire transfers to or from accounts of the Debtor, Entities, or Individuals where the name of the recipient or transferor is not identified.

58. Any and all documents evidencing Irwin Union Bank's policies and procedures with respect to wire transfers to or from any of the Accounts where the name of the transferor or recipient is not identified

59. Any and all documents evidencing Irwin Union Bank's policies and procedures with respect to wire transfers to or from accounts of the Debtor, Entities, and/or Individuals where the name of the transferor or recipient is not identified.

60. Any and all documents evidencing Irwin Union Bank's knowledge of the sources and uses of funds deposited into any of the Accounts.

61. Any and all documents evidencing Irwin Union Bank's knowledge of the sources and uses of funds deposited into any accounts at Irwin Union Bank held in the name of or for the benefit of the Debtor, Entities, or Individuals.

62. Any and all documents evidencing Irwin Union Bank's knowledge of the business activities of the holders of any of the Accounts.

63. Any and all documents evidencing Irwin Union Bank's knowledge of the business activities of the Debtor, Entities, or Individuals.

64. Any and all documents evidencing Irwin Union Bank's knowledge of any illegal activity by any of the holders of any of the Accounts or any activity of holders of any of the Accounts considered by Irwin Union Bank to be suspicious.

65. Any and all documents evidencing Irwin Union Bank's knowledge of any illegal activity by the Debtor, Entities, or Individuals or any activity of the Debtor, Entities, and Individuals considered by Irwin Union Bank to be suspicious.

66. Any and all documents evidencing any concerns or problems that arose, including but not limited to regulatory or internal audit compliance concerns, with respect to any of the Accounts or any activity or transactions therein, and the actions taken by Irwin Union Bank to remedy those concerns or problems.

67. Any and all documents evidencing any concerns or problems that arose, including but not limited to regulatory or internal audit compliance concerns, with respect to any of the accounts of the Debtor, Entities, or Individuals at Irwin Union Bank or any activity or

transactions therein, and the actions taken by Irwin Union Bank to remedy those concerns or problems.

68. Any and all documents evidencing overdrafts in any of the Accounts and actions taken by Irwin Union Bank with respect to such overdrafts.

69. Any and all documents evidencing overdrafts on accounts of the Debtor, Entities, or Individuals and actions taken by Irwin Union Bank with respect to such overdrafts.

70. Any and all documents evidencing Irwin Union Bank's policies and procedures applicable to overdrafts on any of the Accounts.

71. Any and all documents evidencing Irwin Union Bank's policies and procedures applicable to overdrafts on any accounts held by the Debtor, Entities, and/or Individuals.

72. Any and all documents evidencing any participation by Irwin Union Bank in any loans extended by the Debtor, Entities, or the Individuals to a third party.

73. Any and all documents evidencing any reports or filings made to any regulatory agency or group relating to any of the Accounts.

74. Any and all documents evidencing any reports or filings made to any regulatory agency or group relating to the Debtor, Entities, or Individuals.

75. Any and all documents evidencing fees earned by Irwin Union Bank and its employees for the handling of the Accounts.

76. Any and all documents evidencing fees earned by Irwin Union Bank and its employees for the handling of the accounts of the Debtor, Entities, and Individuals and wire transfers to or from those accounts.

77. Any and all documents evidencing correspondence and communications between Irwin Union Bank and any attorneys related to the Accounts, including but not limited to

Greenberg Traurig LLP, Zwillinger & Greek P.C., Zwillinger & Georgelos P.C., Stinson Morrison Hecker LLP, Jaburg & Wilk, Jennings Strouss, or the Chess Law Firm

78. Any and all documents evidencing correspondence and communications between Irwin Union Bank and any attorneys for any of the Debtor, Entities, or Individuals, including but not limited to Greenberg Traurig LLP, Zwillinger & Greek P.C., Zwillinger & Georgelos P.C., Stinson Morrison Hecker LLP, Jaburg & Wilk, Jennings Strouss, or the Chess Law Firm.

79. Any and all documents evidencing any transactions, including wire transfers, between the Debtor and any of the Entities.

80. Any and all documents evidencing any transactions, including wire transfers, between the Debtor and any of the Individuals.

81. Any and all documents evidencing any transactions, including wire transfers, between any of the Entities and any of the Individuals.

82. Any and all documents evidencing any transactions, including wire transfers, between the Accounts.

83. Any and all documents evidencing any transactions, including wire transfers, between the Debtor, Entities, or Individuals and any of the Accounts.

84. Any and all balance fluctuation reports for any of the Accounts.

85. Any and all balance fluctuation reports for any account of the Debtor, Entities, or Individuals.

86. Any and all daylight overdraft reports for any of the Accounts.

87. Any and all daylight overdraft reports for any account of the Debtor, Entities, or Individuals.

88. Any and all non-sufficient funds reports for any of the Accounts.

89. Any and all non-sufficient funds reports for any accounts of the Debtor, Entities, or Individuals.

90. Any and all uncollected funds reports for any of the Accounts.

91. Any and all uncollected funds reports for any accounts of the Debtor, Entities, or Individuals.

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