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10 **UNITED STATES BANKRUPTCY COURT**  
11 **DISTRICT OF ARIZONA**

12 In re

13 MORTGAGES LTD.,  
14 an Arizona corporation,

15 Debtor.

Chapter 11

Case No. 2:08-bk-07465-RJH

**STIPULATION TO CONTINUE  
EVIDENTIARY HEARING ON  
DLA PIPER LLP (US)'S FIRST  
AND FINAL FEE APPLICATION  
FOR ALLOWANCE AND  
PAYMENT OF FEES**

(Relates to Docket No. 1873)

**Current Hearing Date**

Date: October 29, 2009

Time: 10:30 a.m.

Place: Courtroom 603  
230 N. First Avenue  
Phoenix, AZ 85003

**Requested Hearing Date**

Date: November \_\_, 2009

Time: \_\_: \_\_ .m.

Place: Courtroom 603  
230 N. First Avenue  
Phoenix, AZ 85003

(The Honorable Randolph J. Haines)

1 **TO THE HONORABLE RANDOLPH J. HAINES, UNITED STATES BANKRUPTCY**  
2 **JUDGE:**

3 This Stipulation (the “Stipulation”) is entered into by and among DLA Piper LLP (US)  
4 (“DLA”), ML Manager, LLC (“ML Manager”), ML Liquidating Trust (the “Liquidating  
5 Trust”), and G. Grant Lyon, in his capacity as the duly appointer chapter 11 trustee (the  
6 “RBLLC Trustee”) for Radical Bunny, L.L.C. (ML Manager, the Liquidating Trust and  
7 RBLLC shall be collectively referred to as the “Objectors”). DLA is authorized to submit the  
8 Stipulation on behalf of itself and the Objectors (the “Parties”).

9 **RECITALS**

10 1. Pursuant to this Court’s Order [Docket No. 2146], the Court set an evidentiary  
11 hearing on DLA Piper LLP (US)’s First and Final Fee Application for Allowance And  
12 Payment Of Fees (the “Evidentiary Hearing”) for October 29, 2009 at 10:30 a.m.

13 2. The Parties have agreed that a continuance of the Evidentiary Hearing is  
14 appropriate so that the Parties can engage in a private mediation to seek a consensual  
15 resolution to the issues raised by the Objectors. The Parties have had meetings to discuss a  
16 consensual resolution which have resulted in the agreement to a private mediation.

17 3. The Parties seek to conduct the mediation on October 29, 2009, the date  
18 previously set for the Evidentiary Hearing or a date as close to that date that accommodates  
19 the Parties’ schedules and the schedule of the mediator. The Parties have agreed that the  
20 Court should continue the Evidentiary Hearing for two (2) weeks to the soonest date  
21 thereafter that is acceptable to the Court and set the deadline for the filing of the joint pretrial  
22 statement for one (1) week prior to the continued Evidentiary Hearing date.

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**STIPULATION**

Based on the foregoing, and with this Court's approval, the Parties have agreed that this Court should continue the Evidentiary Hearing for a period of two (2) weeks, to the soonest date that is acceptable to the Court and reset the deadline for the filing of the joint pretrial statement until one (1) week prior to the continued Evidentiary Hearing date.

A proposed form of Order was lodged concurrently herewith for the Court's consideration.

Respectfully submitted this 22<sup>nd</sup> day of October, 2009.

**MARISCAL, WEEKS, McINTYRE  
& FRIEDLANDER, P.A.**

WN/4239  
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