

1 Larry S. Lazarus, Esq. (003271)
2 LAZARUS & ASSOCIATES, P.C.
3 420 West Roosevelt Street
4 Phoenix, Arizona 85003
5 (602) 340-0900
6 Attorney for Lazarus & Associates, P.C.

7 **IN THE UNITED STATES BANKRUPTCY COURT**
8 **FOR THE DISTRICT OF ARIZONA**

9 In re:) Chapter 11 Proceedings
10 Mortgages Ltd.)
11 Debtor) NO. 2:08-BK-07465-PHS-RJH
12) **RESPONSE TO ML LIQUIDATING TRUST'S**
13) **OMNIBUS OBJECTION TO CLAIMS AND**
14) **MOTION TO EXPUNGE, REDUCE OR**
15) **RECLASSIFY SUCH CLAIMS**
16)
17)

18 COME NOW Lazarus & Associates, P.C. ("Lazarus"), by and through its undersigned attorney,
19 and hereby responds and objects to ML Liquidating Trust's Omnibus Object to Claims and Motion to
20 Expunge, Reduce or Reclassify such Claims ("Objection"). Claimant Lazarus requests a trial or
21 evidentiary hearing upon ML Liquidating Trust's Objections.

22 Apparently, ML Liquidating Trust has failed to account for contractual interest of 18% per annum
23 as provided for in attached Exhibit "A", a contract between Mr. Scott Coles, former President of
24 Mortgages, Ltd. on behalf of Mortgages, Ltd. and Lazarus. Exhibit "B" is a true and accurate account
25 statement for this Mortgage Ltd. matter.

26 Wherefore, Lazarus & Associates, P.C., requests that the Court, after an evidentiary hearing or
trial, deny the relief sought by ML Liquidating Trust.

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DATED this 18th day of November, 2009.

LAZARUS & ASSOCIATES, P.C.

By /s/ Larry S. Lazarus
Larry S. Lazarus, Esq.
420 West Roosevelt Street
Phoenix, Arizona 85003
Attorney for Lazarus & Associates,
P.C.

COPY of the foregoing emailed this
18th day of November, 2009 to the parties
On the attached Service List

Exhibit "A"

LAW OFFICES OF
Lazarus & Associates, P.C.
A PROFESSIONAL CORPORATION



July 5, 2007

Mr. Scott Coles
C/O Mortgages, Ltd.
55 East Thomas Road
Phoenix, Arizona 85012

Re: Agreement for Legal Services – 44th Street and Camelback

Dear Mr. Coles:

This is to confirm our representation of you, an individual, as well as the fee arrangement with respect to this representation.

SCOPE OF ENGAGEMENT: The scope of our engagement will consist of opposition to rezoning of property south of the southeast corner of 44th Street and Camelback Road in Phoenix, Arizona, as well as and any other matters you request of this firm.

It is specifically understood that we have not made any guaranty as to the results regarding this matter and that our fees are not contingent or conditioned upon obtaining any particular result.

RESPONSIBLE ATTORNEY AND LAND USE PLANNER: The Attorney presently assigned to this representation is Larry S. Lazarus. George A. Pasquel, III is the Land Use Planner assigned to your matter.

FEES: The normal internal hourly billing rate assigned to Mr. Lazarus, who will be rendering legal services, is \$450.00. Mr. Pasquel's hourly billing rate is \$175.00. If adjustments are made in personnel assignments or hourly billing rates, we will advise you.

The firm's fees for the type of work envisioned are significantly influenced, but not entirely based upon, the above hourly billing rates assigned to the attorney or land use planner performing the services. Of necessity, due consideration is also given to other factors that the American Bar Association Code of Professional Responsibility states must be taken into account including the novelty and difficulty of the issues involved, the fees customarily charged in this community for similar services, the economic values of the matters involved and the results obtained, the time constraints imposed upon us, and the experience and ability of the attorneys, land use planners, consultants and legal

assistants who will be performing the service. Overall, after consideration of the foregoing we must, of course, satisfy ourselves that the fee is reasonable.

It is understood that it is not possible to estimate or guaranty the fees in connection with this matter; however, we agree that ultimately our fee, in connection with this matter, will be reasonable after giving effect to all of the foregoing factors.

BILLING PROCEDURE: We will render statements on a monthly basis for professional services provided. Unless otherwise requested, our billings contain a brief summary of the nature of the work, the fees and the costs advanced.

In addition to the fees specified above, you will be billed monthly for all costs and expenses incurred on your behalf, including filing fees, court costs, publication fees, printing and photocopying charges, telecommunications charges, transportation expenses, transcript and / or deposition costs, postage and delivery charges, on-line database retrieval (i.e. Lexis, Westlaw, CompuServe, Dialogue, etc.), extraordinary secretarial service charges, expert and witness fees, and other usual and customary costs, if necessary.

ADVANCED FEES: In consideration of our relationship with you and your firm, we will not be requesting the standard advanced fee usually required to proceed on any matter.

TERMS OF PAYMENT: All payments due pursuant to this agreement are due and payable upon receipt and considered to be past due if not paid by the 10th of the following month. Because of the added bookkeeping and financing costs inherent in delayed payment, a service charge of one and one-half percent per month (18% per annum) will be imposed on all past-due balances. Past due amounts may be turned over to a third party for collection. If such a circumstance does occur, you agree that in addition to the proposed amount due and owing, you will pay any reasonable collection fees incurred by the attorney.

COOPERATION BY CLIENT: You agree to cooperate with us in our representation by reasonably appearing at any and all administrative appearances, and complying on a timely basis with all reasonable requests for information and assistance in connection with our representation. We shall have the right to withdraw if you do not make payment of our fees as set forth herein, misrepresent or fail to disclose material facts to us or fail to follow our advice. In any of these events, you agree to execute a substitution of counsel, if requested.

DISPOSITION OF DOCUMENTS: Any documents, materials or other things you provide to us shall become our property unless we receive written notice to the contrary; we shall use reasonable efforts to preserve such documents. We shall have no obligation to retain any documents or files pertaining to your affairs for more than five years following the completion of the work on that matter. We shall have no obligation to turn over to you

Exhibit "B"

LAZARUS & ASSOCIATES, P.C.

Lazarus Professional Building
420 West Roosevelt Street
Phoenix, AZ 85003-1325

Telephone: 602-340-0900 Fax: 602-340-8955

Scott Coles

4455 E Camelback Rd, Bldg. B
Phoenix, AZ 85018

As at

Nov 18, 2009

Interest Charge To

Nov 18, 2009

REMINDER NOTICE

RE: Central & Highland

Bill Date	Matter #	Inv #	Billed	Interest	Paid	Due	Rate	Aging
Jun -10-08	715-003	5261	6,531.00	852.28	866.39	7,383.28	18.00%	> 120 days
Jul -10-08	715-003	5372	4,070.70	509.23	638.95	4,403.73	18.00%	> 120 days
Sep -10-08	715-003	5520	2,550.00	201.56	1,220.86	1,753.28	18.00%	> 120 days
Totals			\$13,151.70	\$1,563.07	\$2,726.20	\$13,540.29		

Balance Due and Owing

\$13,540.29

ACTIVITY

Date	Matter #	Inv #	Details	Amount
Nov-10-07	715-003	4733	Billing on Invoice 4733 FEES 1525.00 DISBS 0.30	1,525.30
Nov-27-07	715-003		S.M. Coles, L.L.C. Check #6385 Payment, Thank You	0.30
Nov-27-07	715-003		S.M. Coles, L.L.C. Check #6385 Payment, Thank You	1,525.00

Dec-10-07	715-003	4807	Billing on Invoice 4807	755.03
			FEES 750.00 DISBS 5.03	
Jan-07-08	715-003		Mortgages, LTD.	5.03
			Check #16314 Payment, Thank You	
Jan-07-08	715-003		Mortgages, LTD.	750.00
			Check #16314 Payment, Thank You	
Jan-10-08	715-003	4884	Billing on Invoice 4884	3,200.00
			FEES 3200.00	
Feb-10-08	715-003	4959	Billing on Invoice 4959	2,341.91
			FEES 2340.00 DISBS 1.91	
Feb-12-08	715-003		Mortgages, LTD.	3,200.00
			Check # 16612 Payment, Thank You	
Mar-10-08	715-003	5030	Billing on Invoice 5030	7,111.78
			FEES 7080.00 DISBS 31.78	
Mar-24-08	715-003		Mortgages, LTD.	1.91
			Check # 17035 Payment, Thank You	
Mar-24-08	715-003		Mortgages, LTD.	2,340.00
			Check # 17035 Payment, Thank You	
Apr-08-08	715-003		Mortgages, LTD.	31.78
			Check # 017150 Payment, Thank You	
Apr-08-08	715-003		Mortgages, LTD.	7,080.00
			Check # 017150 Payment, Thank You	
Apr-10-08	715-003	5116	Billing on Invoice 5116	3,144.20
			FEES 3140.00 DISBS 4.20	
May-10-08	715-003	5203	Billing on Invoice 5203	7,324.41
			FEES 7307.50 DISBS 16.91	
May-12-08	715-003		Mortgages, LTD.	4.20
			Check # 017465 Payment, Thank You	
May-12-08	715-003		Mortgages, LTD.	3,140.00
			Check # 017465 Payment, Thank You	
Jun-02-08	715-003		Mortgages, LTD.	16.91
			Check # 17631 Payment, Thank You	
Jun-02-08	715-003		Mortgages, LTD.	7,307.50
			Check # 17631 Payment, Thank You	
Jun-10-08	715-003	5261	Billing on Invoice 5261	6,531.00
			FEES 6515.00 DISBS 16.00	
Jul-10-08	715-003	5372	Billing on Invoice 5372	4,070.70
			FEES 4069.50 DISBS 1.20	

Aug-10-08	715-003	5441	Billing on Invoice 5441 FEES 2775.00	2,775.00
Aug-22-08	715-003		Mortgages, LTD. Check #10067 Payment, Thank You	1.20
Aug-22-08	715-003		Mortgages, LTD. Check #10067 Payment, Thank You	175.00
Sep-10-08	715-003	5520	Billing on Invoice 5520 FEES 2550.00	2,550.00
Sep-30-08	715-003		Mortgages, LTD. Check # 10141 Payment, Thank You	2,775.00
Oct-10-08	715-003	5578	Billing on Invoice 5578	0.00
Nov-10-08	715-003	5634	Billing on Invoice 5634	0.00
Dec-10-08	715-003	5709	Billing on Invoice 5709	0.00
Jan-10-09	715-003	5767	Billing on Invoice 5767	0.00
Feb-10-09	715-003	5803	Billing on Invoice 5803	0.00
Mar-06-09	715-003		Mortgages, LTD. Check #10461 Payment, Thank You	998.28
Mar-06-09	715-003		Mortgages, LTD. Check #10461 Payment, Thank You Interest payment of: 1551.72	1,551.72
Mar-10-09	715-003	5854	Billing on Invoice 5854	0.00

Service List

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KA-JASSA INVESTMENT FUND, LLC

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for Radical Bunny, LLC
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JOEL E. SANNES on behalf of Creditor IES Commercial, Inc. [formerly known
as Hatfield Reynolds Electric company (IES)]
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DALE C. SCHIAN on behalf of Creditor AD HOC COMMITTEE OF
INVESTORS IN THE VALUE-TO-LOAN OPPORTUNITY FUND I L.L.C.
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