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9
10 **UNITED STATES BANKRUPTCY COURT**
DISTRICT OF ARIZONA

11 In re

12 MORTGAGES LTD.,
13 an Arizona corporation,

14 Debtor.

Chapter 11

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

NOTICE OF LODGING ORDER

15
16 Pursuant to Rule 9022-1(b) of the Local Rules of Bankruptcy Procedure for the
17 District of Arizona, DLA Piper LLP (US) (“DLA”), by and through its undersigned counsel,
18 hereby gives notice of the lodging of the attached agreed form of Order Allowing Fees and
19 Costs of DLA Piper LLP (US) and Authorizing and Directing Payment Thereof pursuant to
20 the *First and Final Application for Allowance and Payment of Fees for Services Rendered*
21 *and Expenses Incurred by DLA Piper LLP (US), as Special Real Estate and Litigation*
22 *Counsel for Debtor* (Docket No. 1873) and *Supplement to First and Final Application for*
23 *Allowance and Payment of Fees for Services Rendered and Expenses Incurred by DLA Piper*
24 *LLP (US), as Special Real Estate and Litigation Counsel for Debtor* (Docket No. 2023).
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Dated this 25th day of November, 2009.

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

WN/4239

By: _____

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William Novotny
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Phoenix, AZ 85012
Attorneys for DLA Piper LLP (US)

Copy of the foregoing sent by electronic
mail on November 25, 2009, to:

Cathy Reece, Keith Hendricks and Gerald Shelley, Attorneys for ML Manager, LLC
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khendric@fclaw.com
gshelley@fclaw.com

Michael O'Mara and Mark Dorval, Attorneys for Kevin T. O'Halloran, Trustee of the
Liquidating Trust of Mortgages Ltd.
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Shelton L. Freeman, Attorney for G. Grant Lyon, Chapter 11 Trustee for Radical Bunny,
L.L.C.
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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

In re:
MORTGAGES LTD., an Arizona
corporation,

Debtor.

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

**ORDER ALLOWING FEES AND COSTS OF
DLA PIPER LLP (US) AND
AUTHORIZING AND DIRECTING
PAYMENT THEREOF**

The Court having considered the First and Final Application for Allowance and Payment of Fees for Services Rendered and Expenses Incurred by DLA Piper LLP (US), as Special Real Estate and Litigation Counsel for Debtor (Dkt. 1873), and the supplement thereto (Dkt. 2033) (collectively, the “Application”), the various objections to the Application, including those filed by ML Manager LLC (Dkt. 1998), G. Grant Lyon, Chapter 11 Trustee for Radical Bunny, L.L.C. (Dkt. 2000) and Kevin T. O’Halloran, Trustee of the Liquidating Trust of Mortgages, Ltd. (Dkt. 1997) (collectively, “Objections” and the parties filing the Objections collectively referred to as the “Objecting Parties”), and all of the submissions relating to the Application and the Objections, and, as a result of lengthy negotiations, DLA Piper LLP (US) (“DLA”) and the Objecting Parties having reached a negotiated resolution of the Objections as indicated by the signatures below approving this Order; and good cause appearing,

1 IT IS HEREBY ORDERED that the Application is granted and the fees and costs of DLA are
2 allowed in the total amount of \$1,000,000 (“Total Award”).

3 IT IS FURTHER ORDERED that the Liquidating Trustee is authorized and directed to pay to
4 DLA the Total Award as follows:

- 5 a. \$400,000 on or before December 24, 2009;
- 6 b. \$300,000 on or before October 1, 2010; and
- 7 c. \$300,000 on or before June 1, 2011.

8 IT IS FURTHER ORDERED that no further amounts shall be payable to DLA (for fees,
9 expenses, or any other costs) arising out of DLA’s representation of the estate in this matter except for
10 the Total Award.

11 IT IS FURTHER ORDERED that this Order will have no preclusive effect under theories of
12 res judicata, collateral estoppel or any similar doctrine upon any claim that may be brought against
13 DLA arising out its representation of the estate in this matter.

14 IT IS FURTHER ORDERED that any potential disgorgement of any portion of the Total
15 Award that is paid to DLA shall be under the same terms and conditions as applicable to the potential
16 disgorgement of fees and costs paid to other professionals employed and paid in the case.

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18 DATED AND SIGNED ABOVE.
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APPROVED AS TO FORM AND CONTENT:

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

By /s/ Gary L. Birnbaum
Gary L. Birnbaum
Attorneys for DLA Piper LLP (US)

FENNEMORE CRAIG, P.C.

By /s/ Cathy L. Reece
Cathy L. Reece
Attorneys for ML Manager LLC

STRADLEY RONON STEVENS & YOUNG, LLP

By /s/ Michael D. O'Mara
Michael D. O'Mara
Attorneys for Kevin T. O'Halloran,
Trustee for the Liquidating Trust of Mortgages Ltd.

DECONCINI MCDONALD YETWIN & LACY, P.C.

By /s/ Shelton L. Freeman
Shelton L. Freeman
Attorneys for G. Grant Lyons, Chapter 11 Trustee for Radical Bunny, LLC