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7 IN THE UNITED STATES BANKRUPTCY COURT
8 DISTRICT OF ARIZONA

9 **In re:**

10 **MORTGAGES LTD.**

11 **Debtor.**

No. 2:08-bk-07465-RJH

Chapter 11

**RESPONSE OF SIERRA PACIFIC
INDUSTRIES, INC. TO ML
LIQUIDATING TRUST'S OMNIBUS
OBJECTION TO CLAIMS AND
MOTION TO EXPUNGE, REDUCE OR
RECLASSIFY CLAIMS**

15 Creditor Sierra Pacific Industries, Inc. ("SPI") hereby respectfully responds to ML
16 Liquidating Trust's Omnibus Objection to its claims:

17 SPI made improvements to the debtor's Chateaux on Central property as a
18 subcontractor to Gold Creek, Inc. SPI is the ultimate equitable holder of all creditor's rights
19 arising from the materials and services SPI provided on the Chateaux project.

20 SPI has no information as to whether or not its claim, No. 919, is duplicated in whole
21 or in part by Claim No. 113 of Gold Creek, Inc. The Trust has provided no information
22 whatsoever to support its objection. Nor has the Trust specified a substantive defense to SPI's
23 claim that justifies placing it on Exhibit J to the Omnibus Objection.

24 The facts and documentation on which SPI shall rely are included in SPI's Proof of
25 Claim and in its Notice of Perfection of Materialman's Lien Pursuant to 11 U.S.C. § 546(b)
26 filed November 18, 2008 (Docket 1015). SPI's Proof of Claim was signed by its Regional
27 Manager, who has personal knowledge of the facts on which the claim is based. Should the
28

1 Liquidating Trust prove the SPI's claim is duplicated in whole or in part by Gold Creek's,
2 SPI's claim should be approved and Gold Creek's reduced.

3 SPI therefore requests that the Liquidating Trust's objection be overruled or,
4 alternatively, requests a hearing.

5 Dated this 25th day of November, 2009.

6 LANG BAKER & KLAIN, PLC

7
8 By: /s/ Elaine E. Blunck

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14 Original of the foregoing filed
15 this 25th day of November, 2009.

16 Copy of the foregoing emailed
17 this 25th day of November, 2009
18 to the parties on the attached
19 service list.

20 By: /s/ Melissa S. Helvie

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