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8 By: Adam B. Decker, Bar No. 021461

9 **IN THE UNITED STATES BANKRUPTCY COURT**
10 **FOR THE DISTRICT OF ARIZONA**

11 **In re:**

12 **MORTGAGES LTD., an Arizona**
13 **corporation,**

14 **Debtor.**

Involuntary Proceedings Under
Chapter 11

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

**RESPONSE OF FARNSWORTH
WHOLESALE COMPANY TO ML
LIQUIDATING TRUST'S OMNIBUS
OBJECTION TO CLAIM AND
MOTION TO EXPUNGE, REDUCE OR
RECLASIFY CLAIMS**

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17
18
19 Creditor Farnsworth Wholesale Company ("Farnsworth") hereby respectfully responds
20 to ML Liquidating Trust's Omnibus Objection to its Claims:

21 Farnsworth provided plumbing materials to the Debtor's Chateau on Central Property
22 as a material provider to Gold Creek, Inc., the general contractor for the Chateau on Central
23 Project. Farnsworth is the ultimate equitable holder of all creditor's rights arising from the
24 materials it provided on the Chateau Project.

25 Farnsworth has no information as to whether or not its Claim, No. 189-1, is duplicated
26 in whole or in part by Claim No. 113 of Gold Creek, Inc. The Trust has provided no
27 information whatsoever to support its Objection. Nor has the Trust specified a substantive
28 defense to Farnsworth's Claim that justifies placing it on **Exhibit J** to the Omnibus Objection.

1 The facts and documentation on which Farnsworth relies are included in Farnsworth's
2 Proof of Claim and in its Notice of Perfection of Materialman's Lien Pursuant to 11 U.S.C. §
3 546(b), filed January 20, 2009 (Docket 1276). Should the Liquidating Trust prove that
4 Farnsworth's Claim is duplicated in whole or in part by Gold Creek's, Farnsworth's Claim
5 should be approved and Gold Creek's reduced.

6 Farnsworth therefore requests that the Liquidating Trust's Objection be overruled, or
7 alternatively, requests a hearing.

8 DATED this 8th day of December, 2009.

9 JACKSON WHITE, P.C.

10
11 By: /s/ Adam B. Decker

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16 ORIGINAL of the foregoing
17 Filed electronically this 8th day
18 of December, 2009.

19 COPY of the foregoing emailed this
20 8th day of December, 2009, to the
21 attached parties on the attached service list.

22 By: /s/ Pam Brimhall

23 *18198-016\\nt3\data\DEF\Farnsworth Wholesale\Chateau\BK Pldgs\Response of FWC to ML Liquidating Trust's Omnibus Objection to*
24 *Claim 120309.doc*

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