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10 Trustee of ML Liquidating Trust

11 **IN THE UNITED STATES BANKRUPTCY COURT**
12 **FOR THE DISTRICT OF ARIZONA**

13 In re:

14 MORTGAGES LTD., an Arizona
15 corporation,
16 Debtor.

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

19 **APPELLANTS' DESIGNATION OF
20 RECORD AND STATEMENT OF
21 ISSUES TO BE PRESENTED ON
22 APPEAL**

23 **(Re Docket Nos. 2514 & 2521)**

24 Kevin T. O'Halloran, Trustee of the Liquidating Trust of Mortgages, Ltd. ("Liquidating Trust" or
25 "Appellant"), pursuant to Federal Rule of Bankruptcy Procedure 8006, hereby submits its designation of
26 items to be included in the record on appeal and its statement of issues to be presented on appeal.

27 **I. STATEMENT OF ISSUES PRESENTED ON APPEAL**

28 Appellants present the following issues on appeal:

29 1. Whether the Bankruptcy Court committed an error of law or an abuse of discretion in
30 granting the Application Pursuant to 11 U.S.C. § 503(b)(3)(D) and (b)(4) for Allowance and Payment of
31 Administrative Claim of Radical Bunny, L.L.C [Docket No. 1888] and awarding counsel for Radical
32 Bunny, L.L.C. fees and expenses in the amount of \$595,798.25, including, without limitation:

1 a. Whether the Bankruptcy Court committed an error of law or an abuse of
2 discretion in expanding the Ninth Circuit's holding in *Cellular 101, Inc. v. Channel Communications,*
3 *Inc.*, 377 F.3d 1092 (9th Cir. 2004).

4 b. Whether the Bankruptcy Court committed an error of law or an abuse of
5 discretion in finding that claimant's actions conveyed a benefit to the estate that outweighed the benefit
6 to the substantial contribution claimant without evidence of the value of any benefit to the estate or the
7 associated costs of claimant's actions.

8 c. Whether the Bankruptcy Court committed an error of law or an abuse of
9 discretion in failing to require evidence that the work of the substantial contribution claimant was not
10 duplicative of the work of multiple estate professionals engaged in the same activities.

11 d. Whether the Bankruptcy Court committed an error of law or an abuse of
12 discretion in relying upon contested facts in awarding substantial contribution claim.

13 2. Whether the Bankruptcy Court committed an error of law or an abuse of discretion in
14 granting the Application Pursuant to 11 U.S.C. § 503(b)(3)(D) and (b)(4) for Allowance and Payment of
15 Administrative Claim of Radical Bunny, L.L.C [Docket No. 1888] without reducing the award to reflect
16 the costs to the estate incurred as a result of Radical Bunny, L.L.C., as well as funds already paid to
17 Radical Bunny, L.L.C., including, without limitation:

18 a. Whether the Bankruptcy Court committed an error of law or an abuse of
19 discretion in granting a substantial contribution award of \$118,810.00 for claimant's work on drafting a
20 plan without any evidence of the cost associated with the claimant's change of position and objection to
21 confirmation of the same plan.

22 b. Whether the Bankruptcy Court committed an error of law or an abuse of
23 discretion in granting a substantial contribution award without considering that the claimant received
24 improved treatment in the plan of reorganization as a reward for its efforts in the bankruptcy.

25 c. Whether the Bankruptcy Court committed an error of law or an abuse of
26 discretion in granting the full amount of a substantial contribution claim to a claimant that had already
received partial payment from its client.

1 **II. DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD**

2 Appellant designates the following items for inclusion in the record on appeal. Such designation
 3 of pleadings and matters of record includes all exhibits attached or referred to in the pleadings or matters
 4 of record.

DOCKET NO.	DATE ENTERED	DOCUMENT DESCRIPTION
--	--	Copy of the Bankruptcy Court Docket for Case No. 2:08-07465-RJH
1297	1/21/09	Chapter 11 Plan The Official Committee of Investors' Plan of Reorganization Dated January 21, 2009 filed by Official Committee of Investors
1298	1/21/09	Disclosure Statement in Support of The Official Committee of Investors' Plan of Reorganization Dated January 21, 2009 filed by Official Committee of Investors
1468	3/13/09	First Amended Chapter 11 Plan The Official Committee of Investors' First Amended Plan of Reorganization dated March 12, 2009 filed by Official Committee of Investors (related document(s) <u>1297</u> Chapter 11 Plan)
1471	3/13/09	Amended Disclosure Statement in Support of the Official Committee of Investors' First Amended Plan of Reorganization Dated March 12, 2009 Without Exhibits filed by Official Committee of Investors (related document(s) <u>1468</u> Amended Chapter 11 Plan)
1474	3/13/09	Notice of Filing Exhibit 1 to Investors Committee's First Amended Plan of Reorganization and Exhibit E to Investors Committee's Amended Disclosure Statement filed by Official Committee of Investors (related document(s) <u>1468</u> Amended Chapter 11 Plan, <u>1471</u> Amended Disclosure Statement)
1531	4/6/09	Amended Disclosure Statement In Support of The Official Committee of Investors' First Amended Plan of Reorganization Dated March 12, 2009 filed by Official Committee of Investors
1532	4/6/09	First Amended Chapter 11 Plan of Reorganization Dated March 12, 2009 filed by Official Committee of Investors

1	1556	4/14/09	Motion to Determine Motion Under Bankruptcy Rule 3013 To Determine If Classification And
2			Treatment Of Claims In Classes 9, 11C, 11D And 11E Is Appropriate In The Official Committee
3			Of Investors First Amended Plan Of Reorganization filed by G. Grant Lyon, Chapter 11 Trustee
4			for Radical Bunny, LLC
5	1558	4/14/2009	Exhibit Appendix Of Exhibits In Support Of Motion Under Bankruptcy Rule 3013 To Determine
6			If Classification And Treatment Of Claims In Classes 9, 11C, 11D And 11E Is Appropriate In The
7			Official Committee Of Investors First Amended Plan Of Reorganization filed by G. Grant Lyon,
8			Chapter 11 Trustee for Radical Bunny, LLC (related document(s) <u>1556</u> Motion to Determine)
9	1576	4/16/09	Motion to Join Radical Bunny's: (I) Joinder In Objection And Motion Filed By The Grace Entities
10			At Docket No. 1562; (II) Objection To Proof Of Claim No. 1817 Filed By The VTL Fund; And
11			(III) Motion For Temporary Allowance Of Claims In Class 9 And Class 11D At \$0 For Purposes
12			Of Voting To Accept Or Reject The Official Committee Of Investors First Amended Plan Of
13			Reorganization filed by G. Grant Lyon, Chapter 11 Trustee for Radical Bunny, LLC (related
14			document(s) <u>1562</u> Objection to Claim).
15	1610	4/29/09	Motion to Determine Proper Classification and Treatment of "Radical Bunny LLC" Claims in the
16			Official Committee of Investors' First Amended Plan filed by Robert G. Furst.
17	1624	5/4/09	Response to Motion/Application Investors Committee's Response to Radical Bunny's Motion
18			Under Bankruptcy Rule 3013 to Determine if Classification and Treatment of Claims in Classes 9,
19			11C, 11D and 11E is Appropriate in the Official Committee of Investors' First Amended Plan of
20			Reorganization (related to motions(s) <u>1556</u>) filed by Official Committee of Investors (related
21			document(s) <u>1556</u> Motion to Determine)
22	1625	5/4/09	Response to Motion/Application to Determine if Classification and Treatment of Claims is
23			Appropriate (related to motions(s) <u>1556</u>) filed by Official Committee Of Investors In The Value-
24			To-Loan Opportunity Fund I L.L.C. (related document(s) <u>1556</u> Motion to Determine).
25	1637	5/5/09	Notice of Errata Regarding Investors Committee's Response to Radical Bunny's Motion Under
26			Bankruptcy Rule 3013 to Determine if Classification and Treatment of Claims in Classes 9, 11C,
			11D and 11E is Appropriate in the Official Committee of Investors' First Amended Plan of
			Reorganization filed by Official Committee of Investors (related document(s) <u>1624</u> Response)

1	1643	5/5/09	Objection Radical Bunny's Objections to Confirmation of the Official Committee of Investors' First Amended Plan of Reorganization filed by G. Grant Lyon, Chapter 11 Trustee for Radical Bunny, LLC (related document(s) <u>1532</u> Amended Chapter 11 Plan).
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3	1663	5/6/09	Response to Radical Bunny's: (I) Joinder in Objection and Motion filed by the Grace Entities at Docket 1562, (II) Objection to Proof of Claim No. 1817 filed by the VTL Fund, and (III) Motion for Temporary Allowance of Claims in Class 9 and Class 11D at \$0 for Purposes of Voting to Accept or Reject the Official Committee of Investors' First Amended Plan of Reorganization filed by Official Committee of Investors (related document(s) <u>1576</u> Motion to Join)
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8	1670	5/7/09	Objection to Motion/Application of Radical Bunny, LLC's Rule 3013 Motion to Determine Property Classification and Treatment of Rev-Op Investor Claims (related to motions(s) <u>1582</u>) filed by Mortgages Ltd. (related document(s) <u>1582</u> Motion to Determine)
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11	1671	5/7/09	Joint Objection to Motion/Application Radical Bunny's Bankruptcy Rule 3013 Motion (related to motions(s) <u>1556</u>) filed by Rev Op Group (related document(s) <u>1556</u> Motion to Determine)
12			
13	1673	5/7/09	Response to Radical Bunny, LLC's Motion under Bankruptcy Rule 3013 to Determine Proper Classification and Treatment of "Rev Op Investor" Claims in the Official Committee of Investors' First Amended Plan of Reorganization filed by Official Committee of Investors (related document(s) <u>1582</u> Motion to Determine)
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16	1674	5/7/09	Joinder WMS Fund Management, LLC and WMS Fixed Income Fund I LLC's Joinder in Objections to Radical Bunny's Bankruptcy Rule 3013 Motion filed by WMS Fixed Income Fund I LLC, WMS Fund Management, LLC.
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19	1701	5/11/09	Objection to Proofs of Claim Numbers 33-1, as Amended by Number 33-2, Filed by Radical Bunny, L.L.C. filed by Official Committee of Investors
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21	1711	5/12/09	Objection Radical Bunny's Objection to Motion to Determine Classification and Treatment of Radical Bunny's Claim filed by G. Grant Lyon, Chapter 11 Trustee for Radical Bunny, LLC (related document(s) <u>1610</u> Motion to Determine)
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1721	5/13/09	<p>Minutes of Hearing held on: 05/13/2009</p> <p>Subject: Evidentiary hearing on confirmation of Investors Committee's Plan and Radical Bunny's Motion Under BK Rule 3013 To Determine If Classification & Treatment of Claims in Classes 9, 11C, 11D And 11E Is Appropriate In The Official Committee of Investors' First Amended Plan and Expedited Hearing on Grace Entities 1) Omnibus Objection To Proofs Of Claims Filed By Mortgages Ltd On Behalf Of MP Funds; and 2) Motion to Temporarily Allow Such Claims & All Claims Filed by Similarly Situated Investors at \$0 For The Purpose of Accepting or Rejecting The Investors Committee's First Amended Plan and Radical Bunny's 1) Joinder In Objection & Motion Of Grace Entities (DKT 1562; 2) Objection to Proof of Claim No 1817 Filed by the VTL Fund and 3) Motion For Temporary Allowance of Claims in Class 9 & Class 11D AT \$0 For Purposes of Voting to Accept or Reject the Investors Comm First Amended Plan and Motion to Determine Proper Classification & Treatment of Rev OP Investor Claims in the Investors Committee's First Amended Plan Filed Radical Bunny and Hearing on Debtor's Disclosure Statement and Debtor's Motion for Approval of Insurance Premium Finance Agreements (related document(s) 1532 , 1556 , 1560 , 1562 , 1582 , 1584)</p>
1725	5/14/09	<p>Notice of Filing Radical Bunny's List Of Witnesses And Exhibits In Opposition To Confirmation Of The Official Committee Of Investors First Amended Plan Of Reorganization filed by G. Grant Lyon, Chapter 11 Trustee for Radical Bunny, LLC (related document(s) 1722 Order Continuing/Rescheduling).</p>

1	1727	5/14/09	Minutes of Hearing held on: 05/14/2009
2			Subject: Radical Bunny's Motion Under BK Rule 3013 To Determine if Classification &
3			Treatment of Claims in Classes 9, 11C, 11D AND 11E Is Appropriate in the Official Committee
4			of Investors' First Amended Plan and Evidentiary Hearing Re: Motion To Approve Settlement
5			Between Mortgages Ltd., S.M. Coles LLC And Secured Capital Management Co., LLC Filed By
6			Debtor and Evidentiary Hearing Re: Motion to Approve Settlement Between Mortgages Ltd. and
7			S.M. Coles, LLC Filed By Debtor and Hearing on Debtor's Disclosure Statement And Radical
8			Bunny's 1) Joinder in Objection & Motion of Grace Entities (DKT 1562; 2) Objection to Proof of
9			Claim No 1817 Filed by the VTL Fund and 3) Motion For Temporary Allowance of Claims in
10			Class 9 & Class 11D at \$0 For Purposes of Voting to Accept or Reject the Investors Committees
11			Amended Plan and Motion to Determine Proper Classification & Treatment of Rev OP Investor
12			Claims in the Investors Committee's First Amended Plan Filed Radical Bunny.
13			(related document(s) 1556 , 1582 , 1584 , 1631 , 1634)
14	1732	5/15/09	Objection Radical Bunny's Objection To Emergency Motion To Authorize The Sale Of Certain
15			Real Property Outside The Ordinary Course Of Business Pursuant To 11 U.S.C. § 363(b)(f) filed
16			by G. Grant Lyon, Chapter 11 Trustee for Radical Bunny, LLC (related document(s) 1626 Motion
17			to Approve Sale))
18	1755	5/20/09	ORDER Confirming Investors Committee's First Amended Plan of Reorganization dated March
19			12, 2009 signed on 5/20/2009 (related document(s) 1532 Amended Chapter 11 Plan)
20	1888	7/6/09	Application for Administrative Expenses Pursuant to 11 U.S.C. Section 503(b)(3)(D) and (4) for
21			Allowance and Payment of Administrative Claim of Creditor Radical Bunny filed by G. Grant
22			Lyon, Chapter 11 Trustee for Radical Bunny, LLC
23	1995	7/21/09	Objection to Application for Attorney or Other Professional Fees Omnibus Objection to Fee
24			Applications of Fennemore Craig, Alvarez and Marsal, and Radical Bunny, LLC (related to
25			motions(s) 1879) filed Jennings, Strouss & Salmon.
26	2014	7/27/09	Omnibus Objection to Motion/Application Pursuant to 11 U.S.C. Section 503(B)(3)(D) and (4) for
			Allowance and Payment of Administrative Claims of Creditors Radical Bunny, The Lewis Trust
			and The Rev Op Group by Liquidating Trust (related to motions(s) 1888) filed by Kevin T.
			O'Halloran

1	2027	7/28/09	Reply Radical Bunny, L.L.C.'s Reply to Omnibus Objection of Liquidating Trust to Applications
2			Pursuant to 11 U.S.C. § 503(b)(3)(D) and (4) For Allowance and Payment of Administrative
3			Claims, filed by G. Grant Lyon, Chapter 11 Trustee for Radical Bunny, LLC (related document(s)
4			<u>1888</u> Application for Administrative Expenses, <u>2014</u> Objection)
5	2028	7/28/09	Reply Radical Bunny, L.L.C.'s Reply To Omnibus Objection To Fee Applications Filed by
6			Jennings Strouss & Salmon filed by G. Grant Lyon, Chapter 11 Trustee for Radical Bunny, LLC
7			(related document(s) <u>1888</u> Application for Administrative Expenses, <u>1995</u> Objection to
8			Application for Attorney or Other Professional Fees)
9	2049	8/6/09	Notice of Filing Supplement to Objection of G. Grant Lyon, Chapter 11 Trustee for Radical
10			Bunny, L.L.C. To Application for Administrative Expenses for Attorneys Fees and Costs Filed By
11			Douglas F. Behm Of Douglas F. Behm, PLLC On Behalf Of Douglas Frederick Behm, & To
12			Application for Allowance of Administrative Claim Filed by Feder Law Office, P.A., & To
13			Request for Payment of Allowed Administrative Claim of Roshka DeWulf, & To Application for
14			Allowance of Administrative Claim Filed by Law Offices of Thomas J. Marlowe, & To
15			Application for Allowance and Payment of Administrative Expense Filed By Mariscal, Weeks,
16			McIntyre & Friedlander, P.A., & To Application For Allowance And Payment of Administrative
17			Expense Filed by Gallagher & Kennedy, P.A., & To Notice of Administrative Claim Filed by
18			Jaburg & Wilk, P.C., & To the Second Notice of James J. Belanger's Statement of Fees and Costs
19			Incurred by Counsel for Christopher Olson, Veronica Sas, Michelle [SIC] Wemmer, and Richard
20			Feldheim, and Request for Payment, Filed by Coppersmith Schermer & Brockelman, PLC filed by
21			G. Grant Lyon, Chapter 11 Trustee for Radical Bunny, LLC (related document(s) <u>2001</u> Objection
22			to Application for Attorney or Other Professional Fees)
23	2088	8/14/09	Supplemental Memorandum of Radical Bunny, L.L.C. Regarding Effect of Change of
24			Management and Counsel on Application Pursuant to 11 U.S.C. Section 503(b)(3)(D) and (4) for
25			Allowance and Payment of Administrative Claim filed by G. Grant Lyon, Chapter 11 Trustee for
26			Radical Bunny, LLC. (related document(s) <u>1888</u> Application for Administrative Expenses)

<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14</p> <p>2112</p>	<p>8/19/09</p>	<p>Minutes of Hearing held on: 08/19/2009</p> <p>Subject: Motion to Set Aside Default Filed by ML Manager and Plaintiffs’ Motion for Remand and Mortgages Investors’ Amended Motion for Attorneys Fees and Mortgages Investors’ Amended Motion for Attorneys Fees and First & Final Application for Allowance & Payment of Fees & Expenses Incurred by Fennemore Craig as Counsel for the Investors Committee and First & Final Application for Allowance & Payment of Fees & Expenses Incurred by Alvarez & Marsal Dispute Analysis & Forensic Services and Application for Allowance & Payment o Administrative Expense of Fennemore Craig for Representation of the Unofficial Investors Committee and Application for Allowance & Payment of Administrative Expense of Alvarez & Marsal for Professional Services Rendered to the Unofficial Investors Committee and Application for Allowance & Payment of Administrative Claim a& Expenses of Creditor Radical Bunny and Final Application for Approval, Allowance & Payment of Fees & Expenses Incurred by the Paul G. Johnson Company for Services on Behalf of the debtor and Douglas Behm’s Application for Allowance of Administrative Claim for Attorneys Fees & Costs and Final Fee Application of MC Financial Group Ltd. As Financial Advisor to Debtor.</p> <p>(related document(s) 1814 , 1879 , 1880 , 1881 , 1882 , 1888 , 1889 , 1953)</p>
<p>15 16 17 18 19 20 21 22 23 24 25</p> <p>2191</p>	<p>9/17/09</p>	<p>Minutes of Hearing held on: 09/17/2009</p> <p>Subject: Debtor’s Objection to Defendant’s Motion to Dismiss Complaint for Breach of Guaranty and Debtor’s Objection to 70th Street Property’s Motion to Dismiss Complaint for Objection To proof of Claim and Debtor’s Objection to Defendant’s Motion to Dismiss Complaint for Breach of Guaranty and Debtor’s Objection to Portales Place Property’s Motion to Dismiss Complaint for Objection to Proof of Claim and the Lewis Trust’s Application for Allowance & Payment of Administrative Expense Claim & Objection Thereto and Application for Administrative Expense Claim of the Rev OP Group and Application for Compensation of FTI Consulting as Financial Advisors to the Debtor and Motion to Ratify 401(k) Plan Appointments & Define the Liquidating Trustee’s Role and Application for Allowance & Payment of Administrative Claim & Expenses of Creditor Radical Bunny.</p> <p>(related document(s) 1885 , 1886 , 1888 , 1896 , 2115)</p>
<p>26</p> <p>2229</p>		<p>Transcript of Hearing held on 5/13/09</p>

1	2377	11/7/09	Notice of Lodging Proposed Order Stipulated Order Extending Briefing Deadline filed by G.
2			Grant Lyon, Chapter 11 Trustee for Radical Bunny, LLC (related document(s) <u>1888</u> Application
3			for Administrative Expenses)
4	2395	11/12/09	Statement of Facts Joint Statement of Material Facts of Radical Bunny and Liquidating Trust For
5			Application Pursuant to 11 U.S.C. § 503(b)(3)(D) and (4) For Allowance and Payment of
6			Administrative Claim of Creditor Radical Bunny filed by G. Grant Lyon, Chapter 11 Trustee for
7			Radical Bunny, LLC (related document(s) <u>1888</u> Application for Administrative Expenses, <u>2014</u>
8			Objection, <u>2027</u> Reply, <u>2088</u> Memorandum)
9	2396	11/12/09	Brief In Further Support of the ML Liquidating Trust Objection to the Application for Allowance
10			and Payment of Administrative Claims of Creditor Radical Bunny, LLC filed by Kevin T.
11			O'Halloran. (related document(s) <u>2014</u> Objection, <u>2027</u> Reply)
12	2397	11/12/09	Notice of Withdrawal of Application for Administrative Expense Claim of the Rev Op filed by
13			Rev Op Group (related document(s) <u>1885</u> Application for Administrative Expenses)
14	2398	11/12/09	Memorandum Radical Bunny's Prehearing Memorandum in Support of Application Pursuant to 11
15			U.S.C. Section 503(b)(3)(D) and (4) for Allowance and Payment of Administrative Claim of
16			Creditor Radical Bunny filed by G. Grant Lyon, Chapter 11 Trustee for Radical Bunny, LLC.
17			(related document(s) <u>1888</u> Application for Administrative Expenses)
18	2400	11/13/09	Notice of Withdrawal of The Lewis Trust's Application for Allowance and Payment of
19			Administrative Expense Claim Pursuant to Section 503(b) of the Bankruptcy Code filed by The
20			Lewis Trust (related document(s) <u>1886</u> Application for Administrative Expenses).
21	2407	11/16/09	Supplemental Statement of Facts of Radical Bunny and Liquidating Trust for Application
22			Pursuant to 11 U.S.C. Section 503(b)(3)(D) and (4) for Allowance and Payment of Administrative
23			Claim of Creditor Radical Bunny filed by G. Grant Lyon, Chapter 11 Trustee for Radical Bunny,
24			LLC. (related document(s) <u>2395</u> Statement of Facts)

1	2418	11/18/09	Minutes of Hearing held on: 11/18/2009
2			Subject: Oral Argument on Application for Allowance & Payment of Administrative Claim &
3			Expenses of Creditor Radical Bunny and Robert Furst's Motion for Entry of Order Requiring
4			Immediate Distribution of Five Monthly Interest Payments Received from the Borrower of 300
5			East Camel Back Rd Loan 17.5% Interest on All Withheld Amounts & Determination of Amount
6			of Interest Rate Spread Owed to ML Manager & Determination that ML Manager is a Fiduciary
7			and Motion for Allowance & Payment of Administrative Expense Claim Filed by Cooley
8			Enterprises LLC.
			(related document(s) <u>1888</u> , <u>2200</u> , <u>2303</u>)
9	2514	12/17/09	ORDER Granting Application for Administrative Claim for Substantial Contribution (Related Doc
10			# <u>1888</u>) signed on 12/17/2009
11	2521	12/21/09	ORDER Approving Allowance & Payment of Substantial Contribution Claim Pursuant to 11 USC
12			Section 503(b)(3)(D) and (4) (Administrative Claim of Creditor Radical Bunny) (Related Doc #
13			<u>1888</u>) signed on 12/21/2009
14	2529	12/28/09	Notice of Appeal (255.00 fee) filed by Kevin T. O'Halloran (related document(s) <u>2514</u> Order on
15			Application for Administrative Expenses, <u>2521</u> Order on Application for Administrative
16			Expenses)
17			Transcript of Hearing held on 5/14/09
18			Transcript of Hearing held on 8/19/09
19			Transcript of Hearing held on 9/17/09
20			Transcript of Hearing held on 11/18/09

21
22 RESPECTFULLY SUBMITTED this 11th day of January, 2010.

23 STRADLEY RONON STEVENS & YOUNG, LLP

24 By: /s/ Mark J. Dorval
 25 Mark J. Dorval, Esquire
 26 Julie Murphy, Esquire
 Lead Counsel for Kevin T. O'Halloran,
 Trustee for the Liquidating Trust

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