

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF ARIZONA**

**MEMORANDUM**

TO: Bankruptcy Appellate Panel of the Ninth Circuit  
125 S. Grand Avenue  
Pasadena, California 91105

FROM: Division / District/Office No.:

DATE:

SUBJECT: Transmittal

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Case Name:

Bankruptcy No.:

Adversary No.:

Bankruptcy Judge:

Date Notice of Appeal Filed:

Date Motion for Leave to Appeal Filed:

Date of Entry of Order Appealed:

Date Bankruptcy Filed:

Date Notice of Appeal and Notice of  
Objection Period Mailed to Parties:

Appeal Fee Paid:

Date of Transmittal:

Clerk of Court

By: \_\_\_\_\_  
Deputy Clerk

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF ARIZONA

In Re	Chapter
	Case No.
Debtor(s)	Adv.
Appellant(s)	
v.	
Appellee(s)	

**NOTICE OF FILING OF APPEAL AND NOTICE  
OF REFERRAL OF APPEAL TO THE  
BANKRUPTCY APPELLATE PANEL**

YOU ARE HEREBY NOTIFIED that a Notice of Appeal has been filed on \_\_\_\_\_ with the Clerk of the U.S. Bankruptcy Court. By virtue of Orders of the Judicial Council of the Ninth Circuit, the above appeal has been referred to the United States Bankruptcy Appellate Panel of the Ninth Circuit (BAP).

Any party desiring to object to such referral must do so in conformity with the foregoing orders and their provisions for reference to the BAP, a copy thereof being hereto attached.

For further information, you may contact the Clerk of the Bankruptcy Appellate Panel at 125 S. Grand Avenue, Pasadena, California 91105, telephone (626) 229-7225.

NOTICE IS GIVEN TO THE APPELLANT that the Appellant shall, within 14 days of the filing of the Notice of Appeal, (see above), file with the Clerk of the U.S. Bankruptcy Court, 230 N. First Avenue, #101, Phoenix, AZ 85003, the following:

1. A designation of the items to be included in the record on appeal and serve a copy upon the appellee;
2. A statement of the issues to be presented and serve a copy upon the appellee; and
3. A written request for the transcript and deliver a copy to the court reporter where the record designated includes a transcript of any proceeding or a part thereof.

Dated:

CLERK OF COURT

By: \_\_\_\_\_  
Deputy Clerk

Copies to be mailed to attorneys for parties and pro se parties to the appeal by the BNC

Enclosures: Copy of Notice of Appeal  
Amended Order Establishing and Continuing the BAP

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF ARIZONA**

**NOTICE TO PARTIES TO APPEAL**

1. Appeal is to the Bankruptcy Appellate Panel for the Ninth Circuit:
  - a. Appeals from judgments or orders entered by bankruptcy judges are referred to the BAP unless the appellant has filed a separate written election to have the appeal transferred to the District Court at the time of the filing of the Notice of Appeal. See the November 18, 1988, as amended May 9, 2002, Order Establishing and Continuing the Bankruptcy Appellate Panel of the Ninth Circuit.
  - b. Designation of items to be included in the record on appeal and a statement of issues are to be filed with the bankruptcy clerk within 14 days of the filing of the Notice of Appeal.
  - c. Do not attach copies of the items designated. Copies of the items designated are not needed when the appeal is before the BAP. If the appeal is sent to the District Court, copies of the record are to be provided as set forth in Section 4 below.
  
2. Procedure When Appeal Remains at the BAP:
  - a. Procedures for the processing of the appeal at the BAP are contained in the Rules of the United States Bankruptcy Appellate Panel of the Ninth Circuit. Copies of those rules are available online at [www.ce9.uscourts.gov/bap](http://www.ce9.uscourts.gov/bap) or the Clerk of the BAP:

Clerk of Court  
U.S. Bankruptcy Appellate Panel  
125 S. Grand Avenue  
Pasadena, CA 91105  
626-229-7225
  
3. Withdrawing consent to the BAP hearing and deciding the appeal:
  - a. Appellant must have filed a separate written election to transfer the appeal to the District Court at the time the Notice of Appeal is filed with the Clerk of the Bankruptcy Court. The Clerk of the Bankruptcy Court will send the appeal directly to the District Court.
  - b. All other parties to the appeal have 30 days from service of the Notice of Appeal to file with the Clerk of the BAP a written election to transfer the appeal to the District Court. The Clerk of the BAP, upon the filing of the election, will transmit the appeal to the District Court.

4. Procedure when an appeal is transmitted or transferred to District Court:
  - a. Upon receipt of an appeal from the Clerk of the Bankruptcy Court or from the Clerk of the Bankruptcy Appellate Panel, the appeal is assigned a civil case number in the District Court. The District Court then sends a “Notice of Receipt of Appeal” to the parties to the appeal advising them of the civil case number assigned in the District Court.
  - b. The bankruptcy appeal in the District Court is governed by the District Court Local Rules of Bankruptcy Appeal Procedure, as adopted on 12/1/2007. Please refer to those rules which are available at [www.azd.uscourts.gov](http://www.azd.uscourts.gov).
  - c. When the statement of issues, designation of record and any designated transcripts are filed with the Bankruptcy Court, the Bankruptcy Court Clerk will transmit to the District Court a certificate that the record is complete. The date of transmittal to the District Court constitutes the date of the entry of the appeal on the docket in District Court.
  - d. The record is retained in the Bankruptcy Court. Copies of the record are no longer required to be filed with the District Court. Instead, the parties include copies from the record in their Excerpts of Record filed as appendix to their briefs. See Local District Court Rule 8009-2.

**UNITED STATES BANKRUPTCY  
APPELLATE PANEL OF  
THE NINTH CIRCUIT**

Effective November 18, 1988; as amended through May 9, 2002

**AMENDED ORDER CONTINUING  
THE BANKRUPTCY APPELLATE PANEL  
OF THE NINTH CIRCUIT**

**JUDICIAL COUNCIL OF THE NINTH CIRCUIT AMENDED ORDER CONTINUING THE  
BANKRUPTCY APPELLATE PANEL OF THE NINTH CIRCUIT**

**1. Continuing the Bankruptcy Appellate Panel Service.**

(a) Pursuant to 28 U.S.C. § 158(b)(1) as amended by the Bankruptcy Reform Act of 1994, the judicial council hereby reaffirms and continues a bankruptcy appellate panel service which shall provide panels to hear and determine appeals from judgments, orders and decrees entered by bankruptcy judges from districts within the Ninth Circuit.

(b) Panels of the bankruptcy appellate panel service may hear and determine appeals originating from districts that have authorized such appeals to be decided by the bankruptcy appellate panel service pursuant to 28 U.S.C. § 158(b)(6).

(c) All appeals originating from those districts shall be referred to bankruptcy appellate panels unless a party elects to have the appeal heard by the district court in the time and manner and form set forth in 28 U.S.C. § 158(c)(1) and in paragraph 3 below.

(d) Bankruptcy appellate panels may hear and determine appeals from final judgments, orders and decrees entered by bankruptcy judges and, with leave of bankruptcy appellate panels, appeals from interlocutory orders and decrees entered by bankruptcy judges.

(e) Bankruptcy appellate panels may hear and determine appeals from final judgments, orders, and decrees entered after the district court from which the appeal originates has issued an order referring bankruptcy cases and proceedings to bankruptcy judges pursuant to 28 U.S.C. § 157(a).

## **2. Immediate Reference to Bankruptcy Appellate Panels.**

Upon filing of the notice of appeal, all appeals are immediately referred to the bankruptcy appellate panel service.

## **3. Election to District Court - Separate Written Statement Required.**

A party desiring to transfer the hearing of an appeal from the bankruptcy appellate panel service to the district court pursuant to 28 U.S.C. § 158(c)(1) shall timely file a separate written statement of election expressly stating that the party elects to have the appeal transferred from the bankruptcy appellate panel service to the district court.

(a) **Appellant:** If the appellant wishes to make such an election, appellant must file a separate written statement of election with the clerk of the bankruptcy court at the time of filing the notice of appeal. Appellant shall submit the same number of copies of the statement of election as copies of the notice of appeal. See Bankruptcy Rule 8001(a). When such an election is made, the clerk of the bankruptcy court shall forthwith transfer the case to the district court. The clerk of the bankruptcy court shall give notice to all parties and the clerk of the bankruptcy appellate panels of the transfer at the same time and in the same manner as set forth for serving notice of the appeal in Bankruptcy Rule 8004.

(b) **All Other Parties:** In all appeals where appellant does not file an election, the clerk of the bankruptcy court shall forthwith transmit a copy of the notice of appeal to the clerk of the bankruptcy appellate panels. If any other party wishes to have the appeal heard by the district court, that party must, within thirty (30) days after service of the notice of appeal, file with the clerk of the bankruptcy appellate panels a written statement of election to transfer the appeal to the district court. Upon receipt of a timely statement of election filed under this section, the clerk of the bankruptcy appellate panels shall forthwith transfer the appeal to the appropriate district court and shall give notice of the transfer to the parties and the clerk of the bankruptcy court. Any question as to the timeliness of an election shall be referred by the clerk of the bankruptcy appellate panels to a bankruptcy appellate panel motions panel for determination.

## **4. MOTIONS DURING ELECTION PERIOD**

All motions relating to an appeal shall be filed with the bankruptcy appellate panel service unless the case has been transferred to a district court. The bankruptcy appellate panels may not dismiss or render a final disposition of an appeal within thirty (30) days from the date of service of the notice of appeal, but may otherwise fully consider and dispose of all motions.

## **5. PANELS**

Each appeal shall be heard and determined by a panel of three judges from among those appointed pursuant to paragraph 6, provided however that a bankruptcy judge shall not participate in an appeal originating in a district for which the judge is appointed or designated under 28 U.S.C. § 152.

## **6. MEMBERSHIP OF BANKRUPTCY APPELLATE PANELS**

The bankruptcy appellate panel shall consist of seven members serving seven-year terms (subject to reappointment to one additional three-year term). The judicial council shall periodically examine the caseload of the bankruptcy appellate panel service to assess whether the number of bankruptcy judges serving should change. Appointment of regular and pro tem bankruptcy judges to service on the bankruptcy appellate panel shall be governed by regulations promulgated by the Judicial Council.

(a) When a three-judge panel cannot be formed from the judges designated under subparagraph (a) to hear a case because judges have recused themselves, are disqualified from hearing the case because it arises from their district, or are otherwise unable to participate, the Chief Judge of the Ninth Circuit may designate one or more other bankruptcy judge(s) from the circuit to hear the case.

(b) In order to provide assistance with the caseload or calendar relief, or otherwise to assist the judges serving, or to afford other bankruptcy judges with the opportunity to serve on the bankruptcy appellate panels, the Chief Judge of the Ninth Circuit may designate from time to time one or more other bankruptcy judge(s) from the circuit to participate in one or more panel sittings.

## **7. CHIEF JUDGE**

The members of the bankruptcy appellate panel service by majority vote shall select one of their number to serve as chief judge.

## **8. RULES OF PROCEDURE**

(a) Practice before the bankruptcy appellate panels shall be governed by Part VIII of the Federal Rules of Bankruptcy Procedure, except as provided in this order or by rule of the bankruptcy appellate panel service adopted under subparagraph (b).

(b) The bankruptcy appellate panel service may establish rules governing practice and procedure before bankruptcy appellate panels not inconsistent with the Federal Rules of Bankruptcy Procedure. Such rules shall be submitted to, and approved by, the Judicial Council of the Ninth Circuit.

**9. PLACES OF HOLDING COURT.**

Bankruptcy appellate panels may conduct hearings at such times and places within the Ninth Circuit as it determines to be appropriate.

**10. CLERK AND OTHER EMPLOYEES.**

(a) Clerk's Office. The members of the bankruptcy appellate panel service shall select and hire the clerk of the bankruptcy appellate panel. The clerk of the bankruptcy appellate panel may select and hire staff attorneys and other necessary staff. The chief judge shall have appointment authority for the clerk, staff attorneys and other necessary staff. The members of the bankruptcy appellate panel shall determine the location of the principal office of the clerk.

(b) Law Clerks. Each judge on the bankruptcy appellate panel service shall have appointment authority to hire an additional law clerk.

**11. EFFECTIVE DATE**

This Order shall be effective as to all appeals originating in those bankruptcy cases that are filed after the effective date of this Order. For all appeals originating in those bankruptcy cases that were filed before October 22, 1994, the Judicial Council's prior Amended Order, as revised October 15, 1992, shall apply. This Order, insofar as just and practicable, shall apply to all appeals originating in those bankruptcy cases that were filed after the effective date of the Bankruptcy Reform Act of 1994, October 22, 1994, but before the date of this Order.

**IT IS SO ORDERED.**

**DATE: April 28, 1995; amended May 9, 2002.**



**United States Bankruptcy Court  
District of Arizona**

**APPEALS**

**ORDERING AN OFFICIAL TRANSCRIPT**

An official transcript is a transcript that has been prepared by a designee of the Bankruptcy Court. (For appeal purposes, a tape cassette is not acceptable as a part of the Designation of Record.)

If you have designated a transcript of a Court proceeding in your Appeal documents, **it is your responsibility to order it** from the Bankruptcy Court ECR Operator (see list below). The order should be placed at the time you file your Statement of Issues and Designation of Record.

If you have filed an appeal and need a transcript of a hearing, please follow the steps below to obtain an "OFFICIAL" transcript:

1. Determine the date of the hearing.
2. Determine what portion of the hearing is needed. Do you need the entire hearing or only a specific portion of the hearing, (i.e., the judge's ruling).
3. Determine if the transcript is already on file with the Court. Any ECR Operator can advise you of this. If the transcript is already on file, the Court will determine if your check should be made payable to the Bankruptcy Court. If it is not on file, the ECR Operator can tell you who to contact to obtain one.
4. Each transcript ordered requires a deposit. This deposit varies and is dependent upon the estimated length of the transcript. If the transcript needs to be ordered, the ECR Operator will advise you of the correct way to issue your check and where to make payment.
5. Place your request for the transcript. File a "Notice of Request for Transcript" with the Bankruptcy Court. Be sure to indicate if the transcript was requested from the Court or the Court Reporting Agency.
6. When you receive the transcript, retain it to be included as part of your Designation of Record. Follow the procedures listed in the "Notice To Parties to Appeal" included in this packet. Because a courtesy copy of every transcript ordered is sent to the Court, it is not necessary for you to file the transcript with the Court.

## Ordering Transcripts

### **PHOENIX OFFICE CASES**

Judge Baum (RTB)	Team Line	(602) 682-4200
Judge Case (CGC)	Kayla Morgan	(602) 682-4200
Judge Curley (SSC)	Andamo Purvis	(602) 682-4200
Judge Haines (RJH)	Sheri Fletcher	(602) 682-4200
Judge Hollowell (EWH)	Annette Aguilar	(602) 682-4200
Judge Marlar (JMM)	Annette Aguilar	(602) 682-4200
Judge Nielsen (GBN)	Jo-Ann Stawarski	(602) 682-4200

### **TUCSON OFFICE CASES**

Judge Marlar (JMM)	Bev Granillo	(520) 202-7990
Judge Hollowell (EWH)	Alicia Johns	(520) 202-7556

### **YUMA OFFICE CASES**

Judge Hollowell (EWH)	Aida Urbalejo	(928) 783-2288
Judge Marlar (JMM)	Aida Urbalejo	(928) 783-2288
Judge Haines (RJH)	Sheri Fletcher	(602) 682-4200

1 Mark J. Dorval, Esquire  
2 Stradley Ronon Stevens & Young, LLP  
3 2600 One Commerce Square  
4 Philadelphia, PA 19103  
5 Telephone: 215.564.8000  
6 mdorval@stradley.com  
7 Counsel for the ML Liquidating Trust

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

12 In re:

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

16 Proceedings Under Chapter 11

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

18 **NOTICE OF APPEAL**

19 **(Re Docket No. 3058)**

20  
21 The ML Liquidating Trust (“Liquidating Trust”), by and through its counsel, hereby appeal,  
22 pursuant to 28 U.S.C. § 158(a) and (b), to the Bankruptcy Appellate Panel for the Ninth Circuit from the  
23 Bankruptcy Court’s Order Granting the Supplemental Application of Radical Bunny LLC Pursuant to 11  
24 U.S.C. § 503 (b)(3)(D) and (4) for Allowance and Payment of Administrative Claim of Creditor Radical  
25 Bunny, LLC [Docket # 3058] entered on January 26, 2011 (the “Order”). Pursuant to the Order  
26 Rescheduling Hearing and Extend[ing] Response Deadlines re: Matters Concerning Application of  
Radical Bunny, LLC [D.E. 3077] (the “Rescheduling Order”) and the Stipulated Order Rescheduling  
Hearing and Extending Response Deadlines re: Matters Concerning Application of Radical Bunny, LLC  
[D.E. 3096] entered on February 22, 2011 (the “Stipulated Order,” together with the Rescheduling  
Order, the “Stipulated Orders”) and Fed. R. Bankr. P. 8002(c), the deadline for filing a notice of appeal  
with respect to the Order was extended to March 2, 2011.

1 A true and accurate copy of the Order is attached hereto as Exhibit A and incorporated by  
2 reference herein. True and accurate copies of the Stipulated Orders are attached hereto as Exhibit B and  
3 incorporated by reference herein.

4 The parties to the Order appealed from and the names, addresses and telephone numbers of their  
5 attorneys, are as follows:

6 **The ML Liquidating Trust**

7 Mark J. Dorval, Esquire  
8 Stradley Ronon Stevens & Young, LLP  
9 2600 One Commerce Square  
10 Philadelphia, PA 19103  
11 [mdorval@stradley.com](mailto:mdorval@stradley.com)  
12 Tel. 215-564-8161

11 **Radical Bunny, LLC**

12 Shelton L. Freeman, Esquire  
13 DeConcini McDonald Yetwin & Lacy, P.C  
14 6909 E. Main Street  
15 Scottsdale, AZ 85251  
16 [tfreeman@lawdmyl.com](mailto:tfreeman@lawdmyl.com)  
17 Tel. 480-398-3100

16 Larry L. Watson, Esq.  
17 U.S. Trustee's Office  
18 230 North Central Avenue, #204  
19 Phoenix, Arizona 85003-1706  
20 Fax: 602-514-7270  
21 [larry.watson@usdoj.gov](mailto:larry.watson@usdoj.gov)

19 RESPECTFULLY SUBMITTED this 2nd day of March 2011.

20 STRADLEY RONON STEVENS & YOUNG, LLP

21 By: /s/ Mark J. Dorval  
22 Mark J. Dorval, Esquire  
23 Julie Murphy, Esquire  
24 Counsel for the ML Liquidating Trust

24 If a Bankruptcy Appellate Panel Service is authorized to hear this appeal, each party has a right  
25 to have the appeal heard by the district court. The appellant may exercise this right only by filing a  
26 separate statement of election at the time of the filing of this notice of appeal. Any other party may  
elect, within the time provided in 28 U.S.C. § 158(c), to have the appeal heard by the district court.

1 COPY of the foregoing  
2 sent by facsimile or e-mail  
3 this 5th day of January to:

4 Shelton L. Freeman, Esq.  
5 DeConcini McDonald Yetwin & Lacy, P.C.  
6 [tfreeman@lawdmyl.com](mailto:tfreeman@lawdmyl.com)  
7 Fax: 480-398-3101  
8 Attorneys for Radical Bunny

9 Larry L. Watson, Esq.  
10 U.S. Trustee's Office  
11 230 North Central Avenue, #204  
12 Phoenix, Arizona 85003-1706  
13 Fax: 602-514-7270  
14 [larry.watson@usdoj.gov](mailto:larry.watson@usdoj.gov)  
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**EXHIBIT "A"**

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SIGNED.

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA  
Dated: January 25, 2011



Minute Entry Of

Hearing Information:

Debtor: MORTGAGES LTD.  
Case Number: 2:08-bk-07465-RJH Chapter: 11  
Date / Time / Room: THURSDAY, JANUARY 20, 2011 03:00 PM 6TH FLOOR #603  
Bankruptcy Judge: RANDOLPH J. HAINES  
Courtroom Clerk: JANET SMITH  
Reporter / ECR: SHERI FLETCHER

*Randolph J. Haines*

RANDOLPH J. HAINES  
U.S. Bankruptcy Judge

Matters:

- 1) LIQUIDATING TRUST'S MOTION FOR STAY PENDING APPEAL AND FOR STAY OF SUPPLEMENTAL APPLICATION PURSUANT TO 11 USC 503(b)(3)(D) & (4) FOR ALLOWANCE & PAYMENT OF ADMINISTRATIVE CLAIM OF RADICAL BUNNY  
R / M #: 3,018 / 0
- 2) EXPEDITED HEARING ON RADICAL BUNNY'S SUPPLEMENTAL APPLICATION FOR ALLOWANCE & PAYMENT OF ADMINISTRATIVE CLAIM  
R / M #: 3,041 / 0

Appearances:

MARK J. DORVAL, ATTORNEY FOR ML LIQUIDATING TRUST  
SHELTON L. FREEMAN, ATTORNEY FOR RADICAL BUNNY

**UNITED STATES BANKRUPTCY COURT**  
**FOR THE DISTRICT OF ARIZONA**  
**Minute Entry Order**

(continue)... 2:08-bk-07465-RJH

THURSDAY, JANUARY 20, 2011 03:00 PM

**Proceedings:**

ITEM #2

Mr. Freeman urged the Court to grant his application for fees citing case law supporting his position.

Mr. Dorval opposed the motion for fees arguing this should await the outcome of the appeal that is pending.

COURT: FINDINGS OF FACT AND CONCLUSIONS OF LAW WERE STATED ON THE RECORD. IT IS ORDERED GRANTING THE SUPPLEMENTAL APPLICATION FOR FEES IN THE AMOUNT SOUGHT.

ITEM #1

Mr. Dorval urged motion for stay pending appeal.

Mr. Freeman responded.

COURT: IT IS ORDERED GRANTING A STAY PENDING APPEAL TO THE EXTENT OF THE ORIGINAL AWARD BASED UPON THE AMOUNT THAT IS IN THE ESCROW. THE ENTITLEMENT TO INTEREST WOULD BE THE FEDERAL RATE.

IT IS ORDERED CONTINUING THIS HEARING TO FEBRUARY 15, 2011 AT 3:00 PM AS TO A STAY PENDING APPEAL SOUGHT FOR THE SUPPLEMENTAL FEE AWARD.

IT IS ORDERED GRANTING AN INTERIM STAY PENDING CONTINUANCE OF THE HEARING. THE LIQUIDATING TRUST WILL HAVE UNTIL FEBRUARY 8TH TO FILE A SUPPLEMENTAL MOTION FOR DISCRETIONARY STAY AND ANY RESPONSE WILL BE DUE BY FEBRUARY 11, 2011.

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RANDOLPH J. HAINES  
U.S. BANKRUPTCY JUDGE



**EXHIBIT "B"**

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IT IS HEREBY ADJUDGED  
and DECREED this is SO  
ORDERED.

The party obtaining this order is responsible for  
noticing it pursuant to Local Rule 9022-1.

Dated: February 03, 2011



*Randolph J. Haines*

RANDOLPH J. HAINES  
U.S. Bankruptcy Judge

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 RESCHEDULING HEARING  
AND EXTEND RESPONSE DEADLINES  
RE: MATTERS CONCERNING  
APPLICATION OF RADICAL BUNNY,  
LLC.**

(Related to Docket Nos. 3021, 3025, 3058)

**Current Hearing Date**

**Date: February 15, 2011  
Time: 3:00 p.m.  
Location: Courtroom 603**

**Requested Hearing Date**

**Date: March 1, 2011  
Time: 3:30 p.m.  
Location: Courtroom 603**

THIS MATTER COMES BEFORE THE COURT pursuant to the *Stipulated Motion to Reschedule Hearing and Extend Response Deadlines re: Matters Concerning Fee Application of Radical Bunny, LLC* (the "Stipulation") filed by Mark Dorval of Stradley Ronon Stevens & Young, LLP, on behalf of the ML Liquidating Trust (the "Liquidating Trust"), and Shelton L Freeman, on behalf of DeConcini McDonald Yetwin & Lacy, P.C. ("DMYL"), attorneys for Radical Bunny, L.L.C. ("RBLLC"). Based on the Stipulation, and good cause appearing,

IT IS HEREBY ORDERED that the 3:00 p.m. February 15, 2011 hearing on

734835

1 the Liquidating Trust's *Motion for Stay Pending Appeal and Motion for Stay of the*  
2 *Supplemental Application of Radical Bunny, LLC Pursuant to 11 U.S.C. § 503(b)(3)(D)*  
3 *and (4) and for Allowance and Payment of Administrative Claim of Creditor Radical*  
4 *Bunny* (the "Motion for Stay") [D.E. No. 3025] is vacated and rescheduled for **March 1,**  
5 **2011 commencing at 3:30 p.m.;**

6 IT IS HEREBY FURTHER ORDERED that the interim stay pending appeal  
7 shall remain in effect until the matters described herein are resolved by entry of an order  
8 thereon;

9 IT IS HEREBY FURTHER ORDERED that the following deadlines shall  
10 apply:

11 (1) The Liquidating Trust shall file its Supplemental Motion for Discretionary  
12 Stay (the "Supplemental Motion") on or before **February 22, 2011;**

13 (2) RBLLC/DMYL shall file its Response to the Supplemental Motion on or  
14 before **February 25, 2011;** and

15 (3) Pursuant to Rule 8002(c), the Liquidating Trust shall file any Notice of  
16 Appeal with respect to this Court's Order Granting the *Supplemental Application of*  
17 *Radical Bunny LLC Pursuant to 11 U.S.C. § 503(b)(3)(D) and (4) for Allowance and*  
18 *Payment of Administrative Claim of Creditor Radical Bunny, LLC [D.E. 3021]* entered on  
19 January 26, 2011 [D.E. 3058], on or before **February 23, 2011.**

20  
21 **SIGNED AND DATED ABOVE**  
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734835



**IT IS HEREBY ADJUDGED  
and DECREED this is SO  
ORDERED.**

The party obtaining this order is responsible for  
noticing it pursuant to Local Rule 9022-1.



**Dated: February 22, 2011**

1 Mark J. Dorval  
2 Stradley Ronon Stevens & Young, LLP  
3 2600 One Commerce Square  
4 Philadelphia, PA 19103  
5 Telephone: 215.564.8000  
6 mdorval@stradley.com

7 Attorneys for the ML Liquidating Trust

8 Shelton L. Freeman  
9 DeConcini McDonald Yetwin & Lacy, P.C.  
10 6909 East Main Street  
11 Scottsdale, AZ 85251  
12 Telephone: 480.398.3100  
13 tfreeman@lawdmyl.com

14 Attorneys for Radical Bunny, LLC

*Randolph J. Haines*

**RANDOLPH J. HAINES  
U.S. Bankruptcy Judge**

**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

**STIPULATED ORDER  
RESCHEDULING HEARING AND  
EXTENDING RESPONSE DEADLINES  
RE: MATTERS CONCERNING  
APPLICATION OF RADICAL BUNNY,  
LLC.**

(Related to Docket Nos. 3021, 3025, 3058,  
3077)

**Current Hearing Date**

**Date: March 1, 2011**

**Time: 3:30 p.m.**

**Location: Courtroom 603**

**Requested Hearing Date**

**Date: April 11, 2011**

**Time: 2:30 pm**

**Location: Courtroom 603**

26 THIS MATTER COMES BEFORE THE COURT pursuant to the *Stipulated Motion*  
27 *to Reschedule Hearing and Extend Response Deadlines re: Matters Concerning Fee*  
28 *Application of Radical Bunny, LLC* (the "Stipulation") filed by Mark Dorval of Stradley

U:\SLF\280685\Mortgages, Ltd BK Docs\Radical Bunny Pleadings\Stip.Ord.2.Resched.Hrg.&Ext.Ddlns.03.doc

1 Ronon Stevens & Young, LLP, on behalf of the ML Liquidating Trust (the "Liquidating  
2 Trust"), and Shelton L Freeman, on behalf of DeConcini McDonald Yetwin & Lacy, P.C.  
3 ("DMYL"), attorneys for Radical Bunny, L.L.C. ("RBLLC"). Based on the Stipulation, and  
4 good cause appearing,

5 IT IS HEREBY ORDERED that the 3:30 p.m. March 1, 2011 hearing on the  
6 Liquidating Trust's *Motion for Stay Pending Appeal and Motion for Stay of the*  
7 *Supplemental Application of Radical Bunny, LLC Pursuant to 11 U.S.C. § 503(b)(3)(D)*  
8 *and (4) and for Allowance and Payment of Administrative Claim of Creditor Radical*  
9 *Bunny* (the "Motion for Stay") [D.E. No. 3025] is vacated and rescheduled for  
10 **April 11, 2011 commencing at 2:30 p.m.;**

11 IT IS HEREBY FURTHER ORDERED that the interim stay pending appeal shall  
12 remain in effect until the matters described herein are resolved by entry of an order thereon;

13 IT IS HEREBY FURTHER ORDERED that the following deadlines shall apply:

14 (1) The Liquidating Trust shall file its Supplemental Motion for Discretionary Stay  
15 (the "Supplemental Motion") on or before **March 11, 2011;**

16 (2) RBLLC/DMYL shall file its Response to the Supplemental Motion on or before  
17 **March 25, 2011;** and

18 (3) Pursuant to Rule 8002(c), the Liquidating Trust shall file any Notice of Appeal  
19 with respect to this Court's Order Granting the *Supplemental Application of Radical Bunny*  
20 *LLC Pursuant to 11 U.S.C. § 503(b)(3)(D) and (4) for Allowance and Payment of*  
21 *Administrative Claim of Creditor Radical Bunny, LLC [D.E. 3021]* entered on January 26,  
22 2011 [D.E. 3058], on or before **March 2, 2011.**

23 **SIGNED AND DATED ABOVE**

24 AGREED AS TO FORM:

25 STRADLEY RONON  
26 STEVENS & YOUNG, LLP

DECONCINI MCDONALD YETWIN &  
LACY, P.C.

27 By /s/ Mark J. Dorval  
Mark J. Dorval  
28 Counsel for ML Liquidating Trust,

By /s/ Shelton L. Freeman  
Shelton L. Freeman  
Counsel for Radical Bunny, LLC

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1 **COPY** served electronically  
2 via ECF automatic noticing this  
3 22nd day of February, 2011.

4 CERTIFICATE OF SERVICE

5 I hereby certify that on February 22, 2011, I electronically transmitted the attached  
6 document to the Clerk's Office using the CM/ECF System for filing and transmittal of a  
7 Notice of Electronic Filing to the parties in interest via the Court's ECF System

8 By: Shelton L. Freeman

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