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10 Attorneys for Matt Hartley, Trustee
11 of the ML Liquidating Trust

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

14 In re:

Chapter 11

15 MORTGAGES, Ltd.,

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

16 Debtor.

17 **CERTIFICATE OF SERVICE AND NO**
18 **RESPONSE AS TO CLAIMANTS**
19 **LISTED ON EXHIBIT E TO ML**
20 **LIQUIDATING TRUST'S OMNIBUS**
21 **OBJECTION TO CLAIMS AND**
22 **MOTION TO EXPUNGE, REDUCE OR**
23 **RECLASSIFY SUCH CLAIMS**

24 **AND**

25 **NOTICE OF LODGING ORDER TO**
26 **DISALLOW AND EXPUNGE**
27 **DUPLICATE CLAIMS AND**
RECLASSIFY AND REDUCE
CERTAIN CLAIMS OF CLAIMANTS
LISTED ON EXHIBIT E TO OMNIBUS
OBJECTION

28 Matt Hartley, as the Liquidating Trustee of the ML Liquidating Trust, ("ML Liquidating
29 Trust"), by and through undersigned counsel, certifies the following:

30 1. On October 13, 2009, the Liquidating Trustee filed the "ML Liquidating Trust's
31 Omnibus Objection To Claims And Motion To Expunge, Reduce Or Reclassify Such Claims"

1 (“Omnibus Objection”), [Docket No. 2306]¹. The Omnibus Objection, as it relates to the Claims of
2 Claimants listed on Exhibit E, requests that the Court disallowed in their entirety for all purposes and
3 expunge those Claims believed to be duplicative of other Claims, reclassify as “unsecured” such
4 claims which were improperly classified as either secured or unknown, and reduce the amount of
5 certain Claims.²

6 2. On November 2, 2009, the Liquidating Trustee filed that certain “*Notice To Claimants*
7 *Listed On Exhibit E To ML Liquidating Trust’s Omnibus Objection To Claims and Motion To*
8 *Expunge, Reduce Or Reclassify Such Claims and Notice Of Bar Date To Respond To Omnibus*
9 *Objection*” (“**Notice of Bar Date**”), [Docket No. 2359], and served copies of the Notice of Bar Date
10 and the Omnibus Objection, in accordance with applicable Bankruptcy Rules, by US Mail to all
11 Claimants listed on Exhibit E to the Omnibus Objection and electronically upon all parties in interest
12 listed on the Court’s ECF system. That certain “*Affidavit Of Service Of Notice To Claimants Listed*
13 *on Exhibit E To ML Liquidating Trust’s Omnibus Objection To Claims And Motion To Expunge,*
14 *Reduce Or Reclassify Such Claims And Notice Of Bar Date To Respond To Omnibus Objection*” was
15 filed with the Court on November 20, 2009. [Docket No. 2424].

16 3. As set forth in the Notice of Bar Date, any Claimant wishing to object to the Omnibus
17 Objection was advised that it was required to file a Response, in writing, with the United States
18 Bankruptcy Court for the District of Arizona, 230 N. First Avenue, Phoenix, Arizona 85003, and
19 serve a copy of the Response on counsel for the ML Liquidating Trust, within 15 days from the date
20 of service of the Notice of Bar Date. Claimants were further advised in the Notice of Bar Date that if
21 they failed to file and serve a Response within the response deadline, that the Court may grant the
22 relief requested in the Omnibus Objection without further notice or hearing.

23
24 ¹ All capitalized terms not defined herein shall have the meaning ascribed to them in the Omnibus
25 Objection.

26 ² On November 6, 2009, the Liquidating Trustee filed the “*First Amendment To The ML Liquidating*
27 *Trust’s Omnibus Objection To Claims And Motion To Expunge, Reduce or Reclassify Such Claims*”
28 (“**First Amendment**”) [Docket No. 2375] to correct nine (9) Claims relating to Exhibits I and J.
Because the First Amendment did not affect the Claims listed on Exhibit E, notice of the First
Amendment was not mailed to the individual Claimants listed on Exhibit E.

EXHIBIT 1

1 **Myers & Jenkins, P.C.**

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7 Jill M. Hulsizer (#023282)
8 Attorneys for Kevin T. O'Halloran,
9 Trustee of the ML Liquidating Trust

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

12 In re:

13 MORTGAGES, Ltd.,
14 Debtor.

In Proceedings Under Chapter 11

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

15 **ORDER GRANTING, IN PART,**
16 **ML LIQUIDATING TRUST'S**
17 **OMNIBUS OBJECTION TO**
18 **CLAIMS AND DISALLOWING**
19 **AND EXPUNGING DUPLICATE**
20 **CLAIMS AND RECLASSIFYING**
21 **AND REDUCING CERTAIN**
22 **CLAIMS OF CLAIMANTS**
23 **LISTED ON EXHIBIT E TO**
24 **OMNIBUS OBJECTION**

25 Having reviewed and considered the "*ML Liquidating Trust's Omnibus Objection To Claims*
26 *And Motion To Expunge, Reduce or Reclassify Such Claims*" filed on October 13, 2009 (the
27 "Omnibus Objection") [Docket No. 2306], as amended by the "*First Amendment To The ML*
28 *Liquidating Trust's Omnibus Objection To Claims And Motion To Expunge, Reduce or Reclassify*
29 *Such Claims*" fled on November 6, 2009 (the "First Amendment") [Docket No. 2375]; and having
30 further reviewed and considered the "*Notice To Claimants Listed On Exhibit E To ML Liquidating*
31 *Trust's Omnibus Objection To Claims And Motion To Expunge, Reduce Or Reclassify Such Claims*
32 *And Notice Of Bar Date To Respond To Omnibus Objection*", (the "Notice of Bar Date"), filed with

1 the Court and served by U.S. Mail upon all Claimants listed on Exhibit E to the Omnibus Objection
2 and parties in interest on November 2, 2009 [Docket No. 2359]; and having further reviewed and
3 considered the "*Certificate Of Service And No Response As To Claimants Listed On Exhibit E To ML*
4 *Liquidating Trust's Omnibus Objection To Claims And Motion To Expunge, Reduce Or Reclassify*
5 *Such Claims And Notice of Lodging Order To Disallow and Expunge Duplicate Claims And*
6 *Reclassify And Reduce Certain Claims of Claimants Listed On Exhibit E To Omnibus Objection*"; and
7 having found that proper notice of the Omnibus Objection was given; and having further found that
8 no objections to the Omnibus Objection were timely filed by Claimants listed on Exhibit E to the
9 Omnibus Objection and listed on Exhibit "1" hereto; and good cause appearing therefore:

10 IT IS HEREBY ORDERED granting, in part, ML Liquidating Trust's Omnibus Objection to
11 Claims as it relates to the Claims of those Claimants listed on Exhibit E to the Omnibus Objection
12 and Exhibit "1" hereto, and it is further ordered disallowing in their entirety for all purposes and
13 expunging those Claims listed in the column titled "Non Surviving Claim No" on Exhibit E to the
14 Omnibus Objection and Exhibit "1" hereto, and it is further ordered reclassifying said Claimants'
15 Claims listed on Exhibit E to the Omnibus Objection and Exhibit "1" hereto as "Unsecured Claims",
16 as such term is defined in the confirmed Plan of Reorganization in this matter, and it is further
17 ordered reducing the amount of each said Claim to the amount reflected in the column titled
18 "Allowed Claim" on Exhibit E to the Omnibus Objection and listed on Exhibit "1" hereto, for each
19 such respective Claim.

20
21 SIGNED AND DATED ABOVE.
22
23
24
25
26
27

EXHIBIT 1

(Exhibit “E” to Omnibus Objection)

Duplicate Claims to Consolidate, Amend Dollar Amount, and Reclassify

| No. | Surviving Claim No. | Surviving Claim | InvCode | Total Claim | Allowed Claim | Investing | Full Name | InvMail Salutation | InvMail First Name | InvMail Last Name | InvMail Street | InvMail City | InvMail State | InvMail ZIP | As Claimed | Objection Issues |
|------|---------------------|-----------------|---------|--------------|---------------|---|---|--------------------|--------------------|-------------------|------------------------------|--------------|---------------|-------------|------------|---|
| 977 | 1218 | CRI4 | | 680,088.41 | 674,205.37 | Tommy D. Crimmins, Trustee or Judith Crimmins, Trustee of The Crimmins Family Revocable Trust dated December 21, 1993 | Tommy D. Crimmins or Judith Crimmins Family Revocable Trust | Mr. & Mrs. | Thomas | Crimmins | 1021 Sheriffs Posse Tr. | Prescott | AZ | 86303 | Unsecured | 1218 - Not filed as amended claim need to clarify that this is the surviving claim and correct amount of claim |
| 408 | 1805 | GA24 | | 2,908,507.20 | 2,903,246.79 | Gardner Capital Partners, L.P., a Delaware limited partnership | Gardner Capital Partners, L.P. | Mr. | Douglas | Gardner | 550 S. 79th St. | Chandler | AZ | 85226 | Unsecured | 1805 - Properly filed as amended, but need to correct amount of claim |
| 1779 | 1784 | LA34 | | 916,901.78 | 879,811.27 | First Trust Company of Onaga, Custodian FBO Evalina Layne IRA #A10213XXXX | First Trust Company of Onaga, Custodian FBO Evalina Layne IRA | Ms. | Evalina | Layne | 2626 E. AZ Billmore Cir. #44 | Phoenix | AZ | 85016 | Unsecured | 1784 - Not filed as amended claim. Need to clarify that this is the surviving claim and correct the amount of the claim |
| 1383 | 1382 | TA04 | | 530,046.44 | 480,503.70 | Gerald Gross, Trustee of The Gerald Gross Family Trust dated June 28, 1979 | Gerald Gross Family Trust | Mr. & Mrs. | Gerald | Gross | P.O. Box 32818 | Phoenix | AZ | 85064-2818 | Unsecured | 1383 is duplicate of 1382. Need to clarify that 1382 is surviving claim and amend amount |

Claims Analysis
Duplicate Claims to Consolidate Correct Reclassify 10-13-2009
1 of 1

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