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

12 **IN THE UNITED STATES BANKRUPTCY COURT**

13 **FOR THE DISTRICT OF ARIZONA**

14 In re:

15 MORTGAGES, Ltd.,

16 Debtor.

17 Chapter 11

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

19 **CERTIFICATE OF SERVICE AND
20 SUMMARY OF RESPONSES
21 RECEIVED AS TO CLAIMANTS
22 LISTED ON EXHIBIT D TO ML
23 LIQUIDATING TRUST'S
24 OMNIBUS OBJECTION TO
25 CLAIMS AND MOTION TO
26 EXPUNGE, REDUCE OR
27 RECLASSIFY SUCH CLAIMS**

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

29 1. On October 13, 2009, the Liquidating Trustee filed the "*ML Liquidating Trust's Omnibus Objection To Claims And Motion To Expunge, Reduce Or Reclassify Such Claims*" ("**Omnibus Objection**") [Docket No. 2306]¹. The Omnibus Objection, as it relates to the Claims of

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

1 Claimants listed on Exhibit D, requests that the Court disallow in their entirety for all purposes and
2 expunge those Claims believed to be duplicative of other filed Claims and reclassify as “unsecured”
3 such claims which were improperly classified as either secured or unknown.²

4 2. On November 2, 2009, the Liquidating Trustee filed that certain “*Notice To Claimants*
5 *Listed On Exhibit D To ML Liquidating Trust’s Omnibus Objection To Claims and Motion To*
6 *Expunge, Reduce Or Reclassify Such Claims and Notice Of Bar Date To Respond To Omnibus*
7 *Objection*” (“**Notice of Bar Date**”) [Docket No. 2358], and served copies of the Notice of Bar Date
8 and the Omnibus Objection by US Mail, in accordance with applicable Bankruptcy Rules, to all
9 Claimants listed on Exhibit D to the Omnibus Objection and electronically upon all parties in interest
10 listed on the Court’s ECF system. That certain “*Affidavit Of Service Of Notice To Claimants Listed*
11 *on Exhibit D To ML Liquidating Trust’s Omnibus Objection To Claims And Motion To Expunge,*
12 *Reduce or Reclassify Such Claims and Notice Of Bar Date To Respond To Omnibus Objection*” was
13 filed with the Court on November 19, 2009 [Docket No. 2422].

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

21 4. Based on the November 2, 2009 service date of the Notice of Bar Date, Responses to
22 the Omnibus Objection were required to be filed and served by November 18, 2009.

23 5. Only one (1) Response was filed and served on or before November 18, 2009 in
24 connection with the Claims listed on Exhibit D to the Omnibus Objection. Such Response was filed

25 ² On November 6, 2009, the Liquidating Trustee filed the “*First Amendment To The ML Liquidating*
26 *Trust’s Omnibus Objection To Claims And Motion To Expunge, Reduce or Reclassify Such Claims*”
27 (“**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 D, notice of the First
Amendment was not mailed to the individual Claimants listed on Exhibit D.

1 on November 12, 2009 by Earl Geller, as Trustee of the Martin Hershman Living Trust, and on behalf
2 of the Hershman Family L.L.C., Earl Geller and Joyce Tobe Rocamora Geller, Trustees of the Geller
3 Family Revocable Trust, and First Trust Company of Onaga, Custodian FBO Earl Geller IRA
4 [Docket No. 2402]. Pursuant to his written approval affixed to a letter from Myers & Jenkins, P.C.,
5 and returned by facsimile dated December 28, 2009, a copy of which is attached hereto as Exhibit 1,
6 Mr. Geller authorized the withdrawal of such Response and allow the Liquidating Trustee to expunge
7 Claim Nos. 232, 142, 129 and 130, and, further, reclassify the surviving Claim Nos. 1761, 1762, 1763
8 and 1764 as Unsecured.

9 6. As of the date of filing this Certificate, with the exception of the one (1) Response
10 described in Paragraph 5 above, which the Liquidating Trustee was authorized by the Claimant to
11 withdraw, no other Responses as to Claims listed on Exhibit D to the Omnibus Objection have been
12 received by the Liquidating Trustee, or its counsel, or filed with the Court based on the undersigned's
13 review of the docket in the above-captioned case.

14 7. The Liquidating Trustee is lodging contemporaneously herewith an "*Order Granting*
15 *ML Liquidating Trust's Omnibus Objection To Claims As It Relates To Exhibit D and Disallowing*
16 *and Expunging Duplicate Claims and Reclassifying Certain Claims Listed On Exhibit D To Omnibus*
17 *Objection.*"

18 DATED: April 12th, 2011.

19 **MYERS & JENKINS, P.C.**

20 By /s/ William Scott Jenkins
21 William Scott Jenkins
22 Jill M. Hulsizer
23 Attorneys for Matt Hartley,
Trustee of the ML Liquidating Trust

24
25 COPY of the foregoing transmitted
26 electronically using the Court's ECF system
this 12th day of April 2011.

27 /s/ Rima L. Rhodery

EXHIBIT "1"

LAW OFFICES

Myers & Jenkins

A PROFESSIONAL CORPORATION

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December 21, 2009

VIA FAX: 602-263-9100

Earl Geller
4531 N. 16th street, #103
Phoenix, AZ 85016

RE: ML Liquidating Trust Omnibus Objection

Dear Mr. Geller,

Thank you for speaking with me this morning regarding the Response you filed with the Court responding to the Omnibus Objection filed by the ML Liquidating Trust. As I mentioned, our firm represents the ML Liquidating Trust and we are attempting to resolve the challenges to the Omnibus Objection directly with those claimants who filed Responses to the Omnibus Objection instead requesting the Court set a hearing to resolve the matters.

The ML Liquidating Trust objected to the claims listed below because 1) the claims are believed to be duplicates and 2) the claims should be reclassified as "Unsecured". As I mentioned during our phone call, many of the investors likely filed their proof of claims as "Secured" due to the confusion of the distinction between being secured as to the borrowers under the loans but unsecured as to the claims against Mortgages Ltd, who managed the loans.

<u>Claimant</u>	<u>Proof of Claim Nos.</u>
The Geller Family Revocable Trust	232 / 1761
Earl Geller IRA	142 / 1763
The Martin Hershman Living Trust	129 / 1762
The Hershman Family L.L.C.	130 / 1764

I have attached the proofs of claims listed above for your review. The ML Liquidating Trust is requesting the Court enter an Order expunging claims 232,142,129 and 130, leaving as the surviving claims 1761, 1762, 1763 and 1764. The ML Liquidating Trust is further requesting the Court to allow the surviving claims to be reclassified as Unsecured.

After you have had an opportunity to review your proofs of claims, please contact me to let me know if you agree with our evaluation of your claims. If so, please let me know if you are willing to authorize us to withdraw your Response challenging the Omnibus Objection and

approved - Earl Geller