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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:

15 MORTGAGES, Ltd.,

16 Debtor.

17 Chapter 11

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

19 **NOTICE OF LODGING ORDER**

20 NOTICE IS HEREBY GIVEN that the undersigned has lodged with the Court this date an
21 “Order Granting ML Liquidating Trust’s Omnibus Objection to Claims As It Relates to Exhibit D and
22 Disallowing and Expunging Duplicate Claims and Reclassifying Certain Claims Listed on Exhibit D
23 to Omnibus Objection” in the form attached hereto as Exhibit “1”.

24 DATED: April 12th, 2011.

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

26 By /s/ William Scott Jenkins

27 William Scott Jenkins

Jill M. Hulsizer

Attorneys for Matt Hartley, Trustee
of the ML Liquidating Trust

COPY of the foregoing transmitted
electronically using the Court’s ECF System
this 12th day of April, 2011.

By /s/ Rima L. Rhodey

EXHIBIT “1”

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

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14 In re:

15 MORTGAGES, Ltd.,

16 Debtor.

17 Chapter 11

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

19 **ORDER GRANTING ML LIQUIDATING**
20 **TRUST'S OMNIBUS OBJECTION TO**
21 **CLAIMS AS IT RELATES TO EXHIBIT**
22 **D AND DISALLOWING AND**
23 **EXPUNGING DUPLICATE CLAIMS**
24 **AND RECLASSIFYING CERTAIN**
25 **CLAIMS LISTED ON EXHIBIT D TO**
26 **OMNIBUS OBJECTION**

27 Having reviewed and considered the "*ML Liquidating Trust's Omnibus Objection To Claims And Motion To Expunge, Reduce or Reclassify Such Claims*" filed on October 13, 2009 ("**Omnibus Objection**") [Docket No. 2306], as amended by the "*First Amendment To The ML Liquidating Trust's Omnibus Objection To Claims And Motion To Expunge, Reduce or Reclassify Such Claims*" filed on November 6, 2009 ("**First Amendment**") [Docket No. 2375]; and having further reviewed and considered the "*Notice To Claimants Listed On Exhibit D To ML Liquidating Trust's Omnibus Objection To Claims And Motion To Expunge, Reduce Or Reclassify Such Claims And Notice Of Bar Date To Respond To Omnibus Objection*", ("**Notice of Bar Date**"), filed with the Court and served by U.S. Mail upon all Claimants listed on Exhibit D to the Omnibus Objection and electronically served

1 upon all parties in interest listed on the Court's ECF System on November 2, 2009 [Docket No.
2 2358]; and having further reviewed and considered the "*Certificate Of Service And Summary of*
3 *Responses As To Claimants Listed On Exhibit D To ML Liquidating Trust's Omnibus Objection To*
4 *Claims And Motion To Expunge, Reduce Or Reclassify Such Claims*" filed on April 12, 2011; and
5 having found that proper notice of the Omnibus Objection was given; and having found that the only
6 Response that was timely filed and served was mutually resolved by the Claimant and ML
7 Liquidating Trustee and, such Response was authorized by the Claimant to be withdrawn; and having
8 further found that no other Responses to the Omnibus Objection were timely filed and served by any
9 of the other Claimants listed on Exhibit D to the Omnibus Objection (Exhibit "1" attached hereto);
10 and good cause appearing therefore:

11 **IT IS HEREBY ORDERED** granting ML Liquidating Trust's Omnibus Objection to Claims
12 as it relates to the Claims listed on Exhibit D to the Omnibus Objection (Exhibit "1" hereto).

13 **IT IS FURTHER ORDERED** that the Response filed on November 12, 2009 by Earl Geller,
14 as Trustee of the Martin Hershman Living Trust, and on behalf of the Hershman Family L.L.C., Earl
15 Geller and Joyce Tobe Rocamora Geller, Trustees of the Geller Family Revocable Trust, and First
16 Trust Company of Onaga, Custodian FBO Earl Geller IRA [Docket No. 2402] is hereby deemed
17 withdrawn by mutual agreement of the Claimant and Liquidating Trustee.

18 **IT IS FURTHER ORDERED** that the Claims listed in the column entitled "Non Surviving
19 Claim No" on Exhibit D to the Omnibus Objection (Exhibit "1" hereto) are hereby disallowed in their
20 entirety for all purposes and expunged.

21 **IT IS FURTHER ORDERED** that the Claims listed in the column entitled "Surviving
22 Claim" on Exhibit D to the Omnibus Objection (Exhibit "1" hereto) shall be classified as
23 "Unsecured" as such term is defined in the confirmed Plan of Reorganization in this matter.

24 SIGNED AND DATED ABOVE.
25
26
27

EXHIBIT “1”

(Exhibit “D” to Omnibus Objection)

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EXHIBIT "D"

Duplicate Claims that need to be removed and Surviving Claim to be Reclassified

Non-Surviving Claim No.	Surviving Claim	Invoice	Total Claim	Allowed Claim	Investing	Full Name	Situation	First Name	Last Name	Street	City	State	ZIP	As Claimed	Objection Issues
1771	1413	DO03	121,517.88	121,517.88	Ann Flaherty, Trustee of The Marshall C. Donaldson Testamentary Trust dated May 28, 1986	The Marshall C. Donaldson Testamentary Trust	Ms.	Ann	Flaherty	908 Keim Dr.	Phoenix	AZ	85014	Secured	1771 - Not filed as amended. Need to clarify that this is the surviving claim and reclassify as unsecured
232	1761	GE12	68,117.13	68,117.13	Earl Geller and Joyce Tohe Rocamora Geller, Trustees of the Geller Family Revocable Trust Agreement dated July 31, 2003, and any amendments thereto	Earl Geller and Joyce Geller, Trs. of the Geller Family Trust	Mr. & Mrs.	Earl	Geller	4531 N. 16th St. Ste #103	Phoenix	AZ	85016	Secured	1761 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured
142	1763	GE13	88,198.48	88,198.48	First Trust Company of Omega, Custodian FBO Earl Geller IRA	First Trust Company of Omega, Cust. FBO Earl Geller IRA	Mr. & Mrs.	Earl	Geller	4531 N. 16th St., #103	Phoenix	AZ	85016	Secured	1763 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured
995	1029	HA12	9,342.70	8,954.66	Tyler David Harcus By Barry J. Harcus, Custodian UGMA	Tyler David Harcus, by Barry J. Harcus, Custodian	Mr.	Barry	Harcus	9086 E. Janice Way	Scottsdale	AZ	85260	Secured	1029 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured
997	1028	HA19	11,977.89	11,700.00	Stacey Ann Harcus, By Barry J. Harcus, Custodian UGMA	Stacey Ann Harcus, by Barry J. Harcus, Custodian	Mrs.	Stacey	Harcus	9086 E. Janice Way	Scottsdale	AZ	85260	Secured	1028 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured

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Non-Surviving Claim No.	Surviving Claim	InvCode	Total Claim	Allowed Claim	Inv/Vesting	Fullname	Salutation	First Name	Last Name	Street	City	State	ZIP	As Claimed	Objection/Issues
1291762	HE14		50,000.00	50,000.00	Earl Geller, Trustee of The Martin Hershman Living Trust, dated October 17, 1986, and any amendments thereto	Earl Geller, Tr. of The Martin Hershman Trust dated 10/17/96	Mr. & Mrs.	Earl	Geller	4531 N. 16th St., #103	Phoenix	AZ	85016	Secured	1762 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured
1301764	HE24		31,964.80	31,964.80	The Hershman Family L.L.C., an Arizona limited liability company Sidney Hollander and/or Renee Hollander, Trustees of the Sidney and Renee Hollander Family Revocable Trust dated April 28, 1999, and any amendments thereto	The Hershman Family L.L.C. c/o Earl Geller	Mr. & Mrs.	Earl	Geller	4531 N. 16th St., #103	Phoenix	AZ	85016	Secured	1764 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured
921110	HO17		50,000.00	49,876.38	Beth Lynn Hoffman, Trustee of The Sanford and Beth Hoffman Family Trust dated April 1, 2005, and any amendments thereto	Sidney and Renee Hollander Family Revocable Trust	Mr. and Mrs.	Sidney	Hollander	11635 E. Appaloosa Pl	Scottsdale	AZ	85259	Secured	1110 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured
293818	HO19		235,970.57	235,492.15	Beth Lynn Hoffman, Trustee of The Sanford and Beth Hoffman Family Trust dated April 1, 2005, and any amendments thereto	Beth Lynn Hoffman, Trustee of The Sanford and Beth Hoffman Family Trust	Mrs.	Beth	Hoffman	10328 E. Sierra Pinta Dr.	Scottsdale	AZ	85255	Secured	818 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured
45 & 1371767	HU13		500,000.00	493,692.00	Jui-Hsiung Huang, a single man	Jui-Hsiung Huang	Mr.	Jui-Hsiung	Huang	1761 E. McNaair Dr. #101	Tempe	AZ	85283	Secured	1767 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured
22 & 23	276J009		75,000.00	75,000.00	Kenneth P. Johnson, Trustee of the Johnson Decedent's Trust u/a dated January 16, 1995, and any amendments thereto	Kenneth P. Johnson, Tr. of The Johnson Decedent's Trust	Mr.	Kenneth	Johnson	7302 W. Thunderbird Rd.	Peoria	AZ	85381-5035	Secured	276 - Not filed as amended need to clarify that this is the surviving claim and reclassify as unsecured

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Surviving Claim No.	Surviving Claim	Inv Code	Total Claim	Allowed Claim	Investing	Full Name	Suffix	First Name	Last Name	Street	City	State	ZIP	As Claimed	Objection Issues
263	274 J028		280,220.40	279,783.73	Gerry Jones and Leslie Jones, Trustees of The Gerry Jones and Leslie Jones Family Trust dated May 24, 2004, and any amendments thereto	Gerry Jones and Leslie Jones, Trustees of The Gerry Jones and Leslie Jones Family Trust	Mr. & Mrs.	Gerry	Jones	P.O. Box 1255	Candler	AZ	85377	Secured	274 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured
770	774 KE09		200,000.00	199,844.17	E & L Enterprises, L.L.C., an Arizona limited liability company	E & L Enterprises, L.L.C., an Arizona limited liability company	Mr.	Marc	Kelman	10645 N. Talum Blvd., Ste. #250-258	Phoenix	AZ	85028	Secured	774 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured
775 769	KE12		450,000.00	450,000.00	MAV Investments, L.L.C., an Arizona limited liability company	MAV Investments, L.L.C., an Arizona limited liability company	Mr.	Marc	Kelman	10645 N. Talum, Ste. #200-258	Phoenix	AZ	85028	Secured	769 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured
67 763	KR05		292,000.00	291,544.96	Eduard R. Kress, a widower	Eduard R. Kress	Mr.	Eduard	Kress	32353 San Juan Creek Rd, Unit #315	San Juan Capistrano	CA	92675	Secured	763 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured
713	714 LE49		87,615.32	87,398.66	First Trust Company of Onaga, Custodian FBO Ohlyn D. Levy IRA #41021XXXXX	First Trust Company of Onaga, Custodian FBO Ohlyn D. Levy IRA #41021XXXXX	Ms.	Ohlyn	Levy	727 E. Rose Marie Lane	Phoenix	AZ	85022	Secured	714 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured
44 & 1766 161	L123		706,653.18	705,263.76	Mills Enterprise, LLC, an Arizona limited liability company	Mills Enterprise, LLC, an Arizona limited liability company	Ms.	Ching	Lin	PO Box 11373	Tempe	AZ	85284	Secured	161 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured

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Surviving Claim No.	Surviving Claim	InvCode	Total Claim	Allowed Claim	Ind. Addressing	Full Name	Suffix	First Name	Last Name	Street	City	State	ZIP	As Claimed	Objection Issues
66235		LU01	150,211.11	149,977.04	Maxine M. Lucas-Moorefield, Trustee of The Maxine M. Lucas-Moorefield Revocable Living Trust originally dated May 1, 1991, and any amendments thereto	The Maxine M. Lucas-Moorefield Revocable Living Trust	Mrs.	Maxine	Lucas-Moorefield	1331 N. Dixie Downs Rd. #135	St. George	UT	84770	Secured	235 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured
1526	1714	MCO9	325,000.00	324,419.71	Gloria McFadden, Trustee of the Gloria McFadden Revocable Living Trust Agreement dated April 1, 1999, and any amendments thereto	Gloria McFadden, Tr. of the Gloria McFadden Rev. Living Trust	Ms.	Gloria	McFadden	5223 W. Lone Cactus Dr.	Glendale	AZ	85308	Secured	1714 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured
38267		OV01	100,000.00	99,821.53	Joy O'Veill and Li Xiao, as joint tenants with right of survivorship	Joy O'Veill and Li Xiao, as joint tenants with right of survivorship	Mr.	Joy	O'Veill	4229 E. Linda Ln.	Gilbert	AZ	85234	Secured	267 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured
205183		RO11	197,825.41	197,472.39	David Neal Rosen, Trustee of the David Neal Rosen, Ltd. Retirement Plan and Trust Agreement dated January 1, 2003, and any amendments thereto	David N. Rosen, Tr. of the David Neal Rosen, Ltd. Ret. Plan & Tr	Mr.	David	Rosen	111 W. Monroe Suite #1400	Phoenix	AZ	85003	Secured	205 is duplicate of 183 - need to clarify that 183 is surviving claim and reclassify as unsecured
2	153	RO19	161,322.00	161,070.61	Samuel A. Robbins, husband of Elaine F. Robbins, as his sole and separate property	Samuel A. Robbins	Mr.	Samuel	Robbins	7330 E. Palo Verde Dr. #5	Scottsdale	AZ	85250	Secured	153 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured

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Not Surviving Claim No	Surviving Claim	In Code	Total Claim	Allowed Claim	Investing	Full Name	Salutation	First Name	Last Name	Street	City	State	ZIP	As Claimed	Objection Issues
27 & 83653		RO37	235,887.80	235,520.21	Gary G. Robinson and Karen E. Robinson, husband and wife, as joint tenants with right of survivorship	Gary G. Robinson and Karen E. Robinson	Mr.	Gary	Robinson	10835 Furlong Dr.	Hanford	CA	93230	Secured	53 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured
499481		SC07	218,557.12	218,245.16	Steven M. Scheiner and Lois L. Scheiner, Trustees of The Steven M. and Lois L. Scheiner Revocable Trust U/A dated July 14, 1988, and any amendments thereto	Steven M. Scheiner and Lois L. Scheiner, Trs.	Mr. & Mrs.	Steven	Scheiner	7621 E. Tuckey Lane	Scottsdale	AZ	85250-4617	Secured	499 is duplicate of 481. Need to clarify that 481 is the surviving claim and reclassify as unsecured
494480		SC24	221,286.00	220,896.79	Steven M. Scheiner, Trustee of the Steven M. Scheiner, C.P.A., P.C. Profit Sharing Plan	Steven M. Scheiner, Tr. of the Scheiner CPA PC Prof Sharing Plan	Mr.	Steven	Scheiner	7621 E. Tuckey Lane	Scottsdale	AZ	85250-4617	Secured	494 is duplicate of 480. Need to clarify that 480 is the surviving claim and reclassify as unsecured
11571447		SC40	990,000.00	988,053.48	Sunco Holdings, Inc., an Arizona corporation, Robert Arnold Seligman, Trustee and Linda Carol Ann Seligman, Trustee of The Seligman Family Trust, a Revocable Living Trust Agreement dated June 28, 1998, and any amendments thereto	Sunco Holdings, Inc.	Mr.	Bart	Schnader	7457 E. Millon Drive	Scottsdale	AZ	85262	Secured	1447 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured
1818160		SE09	98,403.55	98,259.86	Robert Arnold Seligman and Linda Carol Ann Seligman, Trs.	Robert Arnold Seligman and Linda Carol Ann Seligman, Trs.	Mr. & Mrs.	Robert	Seligman	3330 E. Kachina	Phoenix	AZ	85044	Secured	1818 is duplicate of 160. Need to clarify that 160 is the surviving claim and reclassify as unsecured

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Non-Surviving Claim No.	Surviving Claim	Inv Code	Total Claim	Allowed Claim	Investing	Full Name	Salutation	First Name	Last Name	Street	City	State	ZIP	As Claimed	Objection/Issues
773771	SE18		127,837.16	127,532.32	Howard M. Segel, a single man	Howard M. Segel	Mr.	Howard	Segel	449 Santa Fe, #220	Encinitas	CA	92024	Secured	773 is duplicate of 771. Need to clarify that 771 is the surviving claim and reclassify as unsecured
42	119 SH62		314,562.41	313,941.79	James W. Shires, Trustee of Shires Defined Benefit & 401(k) Plans Trust	James W. Shires, Trustee of Shires Defined Benefit & 401(k) Plans Trust	Mr.	James	Shires	0217 SW Seymour Ct.	Portland	OR	97239	Secured	119 - Not filed as amended. Need to clarify that this is the surviving claim and reclassify as unsecured
154 1821	ST20		1,199,469.00	1,197,110.70	Michael D. Stewart and Mary Jude Stewart, Trustees of the Michael D. Stewart and Mary Jude Stewart Living Trust dated January 15, 1998, and any amendments thereto	Michael D. Stewart, Tr. of the Stewart Living Trust	Mr. & Mrs.	Michael	Stewart	294 E. Davie St.	Raleigh	NC	27601	Secured	1821 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify as unsecured
9 585	WE01		500,000.00	499,016.90	Barry Weiss and Karen Weiss, husband and wife as joint tenants with right of survivorship	Barry Weiss and Karen Weiss	Dr.	Barry	Weiss	7467 E. Ponteabella Dr.	Scottsdale	AZ	85262	Secured	585 - Surviving Claim not marked as amended and need to reclassify as Unsecured
17 & 18 972	ZA06		105,165.05	104,977.36	Leland J. Zacharias and Emily W. Zacharias, husband and wife, as joint tenants with right of survivorship	Leland J. Zacharias and Emily W. Zacharias	Mr. & Mrs.	Leland	Zacharias	2716 S. Paseo Loma	Mesa	AZ	85202	Secured	972 - Not filed as amended claim. Need to clarify that this is the surviving claim and reclassify and unsecured
414	415 HO15		35,000.00	35,000.00	Jim Horman, Trustee of the Jim Horman Appraisal Co., Inc. Profit Sharing Plan effective June 1, 1997, and any amendments thereto	Jim Horman, Tr of the Homan Appraisal Co., Inc. Prof Sharing Plan	Mr.	Jim	Homan	2822 N. 43rd St.	Phoenix	AZ	85008-1438	Secured	415 - Not filed as amended. Need to clarify that this is the surviving claim

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Surviving Claim No.	Surviving Claim	InvCode	Total Claim	Allowed Claim	Inv/Vesting	Full Name	Suffix on Name	First Name	Last Name	Street	City	State	ZIP	As Claimed	Objection/Issues
208	750	MC19	100,000.00	88,819.60	Morr Sharp, Inc., an Illinois corporation Robert V. Russo and Kathleen A. Russo, Trustees of the Robert V. Russo Living Trust dated February 28, 1997, and any amendments thereto	Morr Sharp, Inc., Rich Robert V. Russo and Kathleen A. Russo Living Trust dated February 28, 1997, and any amendments thereto	Mr.	Richard	Sharp	11371 E. Cochise	Scottsdale	AZ	85259	Secured	750 - Not filed as amended. Need to clarify that this is the surviving claim
80, 753, 819, 1832 & 1833	43	RU10, RU11, RU12	315,364.82	314899.28	First Regional Bank, Custodian FBO Robert V. Russo IRA Account #05XXXX	First Regional Bank, Custodian FBO Robert V. Russo IRA Account #05XXXX	Mr.	Robert	Russo	1859 E. Oasis Dr.	Tempe	AZ	85283	Secured	Many Duplicate Claims filed. Need to clarify that the original claim No. 43 was correct and is the surviving claim
					First Regional Bank, Custodian FBO Kathleen A. Russo IRA	First Regional Bank, Custodian FBO Kathleen A. Russo IRA	Mrs.	Kathleen	Russo	1859 E. Oasis Dr.	Tempe	AZ	85283		

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