

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: April 14, 2011



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11 Trustee of the ML Liquidating Trust

Randolph J. Haines

RANDOLPH J. HAINES
U.S. Bankruptcy Judge

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

14 In re:

15 MORTGAGES, Ltd.,

16 Debtor.

Chapter 11

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

**ORDER GRANTING ML LIQUIDATING
TRUST'S OMNIBUS OBJECTION TO
CLAIMS AS IT RELATES TO EXHIBIT
B AND RECLASSIFYING AND
REDUCING CERTAIN CLAIMS OF
CLAIMANTS LISTED ON EXHIBIT B
TO OMNIBUS OBJECTION**

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18
19 Having reviewed and considered the "*ML Liquidating Trust's Omnibus Objection To Claims
20 And Motion To Expunge, Reduce or Reclassify Such Claims*" filed on October 13, 2009 ("**Omnibus
21 Objection**") [Docket No. 2306], as amended by the "*First Amendment To The ML Liquidating
22 Trust's Omnibus Objection To Claims And Motion To Expunge, Reduce or Reclassify Such Claims*"
23 filed on November 6, 2009 ("**First Amendment**") [Docket No. 2375]; and having further reviewed
24 and considered the "*Notice To Claimants Listed On Exhibit B To ML Liquidating Trust's Omnibus
25 Objection To Claims And Motion To Expunge, Reduce Or Reclassify Such Claims And Notice Of Bar
26 Date To Respond To Omnibus Objection*", ("**Notice of Bar Date**"), filed with the Court and served by
27 U.S. Mail upon all Claimants listed on Exhibit B to the Omnibus Objection and electronically served

1 upon all parties in interest listed on the Court's ECF System on October 30, 2009 [Docket No. 2351];
2 and having further reviewed and considered the "*Certificate Of Service And Summary of Responses*
3 *As To Claimants Listed On Exhibit B To ML Liquidating Trust's Omnibus Objection To Claims And*
4 *Motion To Expunge, Reduce Or Reclassify Such Claims*" filed on April 11, 2011; and having found
5 that proper notice of the Omnibus Objection was given; and having found that the only Response that
6 was timely filed and served has been mutually resolved; and having further found that no other
7 Responses to the Omnibus Objection were timely filed and served by any of the Claimants listed on
8 Exhibit B to the Omnibus Objection (Exhibit "1" attached hereto); and good cause appearing
9 therefore:

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

12 **IT IS FURTHER ORDERED** that the Response filed on November 9, 2009 by Brien H.
13 Butler, Trustee of the Brien H. Butler Living Trust challenging the objection to Claim #135 [Docket
14 No. 2380] is hereby deemed withdrawn by mutual agreement of the Claimant and Liquidating
15 Trustee.

16 **IT IS FURTHER ORDERED** that the Claims listed on Exhibit B to the Omnibus Objection
17 (Exhibit "1" hereto) shall be reclassified as "Unsecured," as such term is defined in the confirmed
18 Plan of Reorganization in this matter.

19 **IT IS FURTHER ORDERED** that Claim #1095 shall be reclassified as "Unsecured," as such
20 term is defined in the confirmed Plan of Reorganization in this matter, by mutual agreement of the
21 Claimant and Liquidating Trustee.

22 **IT IS FURTHER ORDERED** that the ML Liquidating Trust's objection to the amount of the
23 following Claims shall be withdrawn and such Claims allowed in the amount listed on their respective
24 Proofs of Claim filed in this matter:

- 25 a. Claim #1094 – Deborah Ann Greiff
- 26 b. Claim #167 – Penny Hardaway Investments, LLC
- 27 c. Claim #1026 – Scott and Palma Horsely

- 1 d. Claim #821 – Shawn Marion
- 2 e. Claim #1284 – Donna J. McGregor
- 3 f. Claim #43 – Robert V. Russo and Kathleen A. Russo, Trustees of the Robert V. Russo
- 4 and Kathleen A. Russo Living Trust
- 5 g. Claim #135 – Brien H. Butler, Trustee of the Brien H. Butler Living Trust
- 6 h. Claim #850 – Robert M. Adams, Custodian FBO Justin M. Adams UGMA
- 7 i. Claim 1243 – John B. Fox, husband of Joyce A. Fox, as his sole and separate property
- 8 j. Claim # 1340 – John B. Fox, Trustee of the Jon B. Fox, M.D., P.C. Profit Sharing Plan
- 9 & Trust
- 10 k. Claim #122 - Jeffrey G. Gierhahn and Alice Gierhahn, husband and wife, as joint
- 11 tenants with right of survivorship
- 12 l. Claim #65 – Glen Hait, M. D., Trustee of the Glen Hait, M. D., Ltd. Defined Benefit
- 13 Pension Plan
- 14 m. Claim #133 – Kenneth P. Johnson, Trustee of The Kenneth P. Johnson Family Trust
- 15 n. Claim #280 – Jon F. Keller and Lanora A. Keller, Trutsees of the Keller Living Trust
- 16 o. Claim #660 – Aaron D. Levine, Trustee of the Aaron D. Levine Revocable Trust
- 17 p. Claim #1665 – Eric L. Meurer
- 18 q. Claim #778 – Ben C. Pearson, Trustee of The Rittenhouse Family Trust Agreement
- 19 r. Claim #1324 - Litchfield Road Associates Ltd.

20 **IT IS FURTHER ORDERED**, reducing the amount of each Claim listed on Exhibit B to the
21 Omnibus Objection (Exhibit “1” hereto), other than those Claims specifically provided for in the
22 preceding paragraph, to the amount reflected in the column titled “Allowed Total” on Exhibit B to the
23 Omnibus Objection (Exhibit “1” hereto) for each such respective Claim.

24 **IT IS FURTHER ORDERED** that the reclassification and/or reduction of such Claims is
25 without prejudice to such Claimants rights and legal arguments with respect to their ownership
26 interests acquired from Debtor.

27 SIGNED AND DATED ABOVE.

EXHIBIT “1”

(Exhibit “B” to Omnibus Objection)

EXHIBIT “B”

Claims Needing Correction of Amount Claimed and Reclassification to Unsecured

Claim No.	Inv Code	Total Claim	Allowed Total	As Claimed	Investor Vesting	Full Name	Salutation	First Name	Last Name	Street	City	State	ZIP
850.AD09		67,440.00	34,940.00	Unknown	Robert M. Adams, Custodian FBO Justin M. Adams, under the Uniform Gift to Minors Act	Robert M. Adams, Custodian FBO Justin M. Adams UGMA	Mr.	Robert	Adams	181 Paramour	Sedona	AZ	86336
503.AN03		1,771,835.00	1,718,467.51	Secured	Ronald M. Anatole, Trustee of The Ronald M. Anatole Retirement Plan	Ronald M. Anatole, TTEE of the Ronald M. Anatole Retirement Plan	Mr.	Ronald	Anatole	316 W. Marshall Ave.	Phoenix	AZ	85013
502.AN04		3,241,661.00	3,235,916.97	Secured	Ronald M. Anatole, Trustee of The Ronald M. Anatole Family Trust Agreement dated September 25, 1979	Ronald M. Anatole, TTEE of the Ronald M. Anatole Family Trust	Mr.	Ronald	Anatole	316 W. Marshall Ave.	Phoenix	AZ	85013
1769.BA22		663,478.89	591,450.48	Secured	Sun America as Custodian FBO Alan Bandler IRA Rollover Acct. #7FF8XXXX	Sun America as Custodian FBO Alan Bandler IRA	Mr.	Alan	Bandler	P. O. Box 47268	Phoenix	AZ	85068
1535.BA23		336,908.65	331,420.61	Secured	Sun America as Custodian FBO Terri L. Bandler IRA Rollover Acct. #7FF8XXXX	Sun America as Custodian FBO Terri L. Bandler IRA	Mrs.	Terri	Bandler	P. O. Box 47268	Phoenix	AZ	85068
607.BL08		5,770,789.00	5,762,842.93	Secured	Jon Bliven and Lynda Bliven, Trustees of the Bliven Living Trust dated June 11, 2007 and any amendments thereto	Jon Bliven and Lynda Bliven, Trustees of the Bliven Living Trust dated June 11, 2007 and any amendments thereto	Mr.	Jon	Bliven	9515 E. Julep Circle	Mesa	AZ	85207
5721.BR05		1,318,569.02	1,309,324.24	Secured	Kyle B. Hellingger, Trustee of The Brown & Bain, P.A. Retirement Savings Plan and Trust Agreement effective January 1, 1996	Brown & Bain, P.A. Retirement Savings Plan & Trust	Mr.	Kyle	Hellingger	P. O. Box 400	Phoenix	AZ	85001-0400

Claims Analysis
 Incorrect amount and Category 10-13-2009
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Claim No.	Inv Code	Total Claim	Allowed Total	As Claimed	Investor Vesting	FullName	Salutation	First Name	Last Name	Street	City	State	Zip
847 BR31		468,383.17	219,356.48	Unknown	Dyanne E. Brown, a widowed woman Brien H. Butler, Trustee of The Brien H. Butler Living Trust, dated February 28, 2001, and any amendments thereto Thomas A. Bush and Joanne M. Bush, husband and wife, as joint tenants with rights of survivorship	Dyanne E. Brown Brien H. Butler, Tr. of The Brien H. Butler Living Trust	Ms.	Dyanne	Brown	2623 S. Camino Real	Palm Springs	CA	92264
135 BU04		208,617.61	158,918.19	Secured		Brien Butler Living Trust	Mr.	Brien	Butler	P. O. Box 15446 1615 Meadowla rk Lane	Phoenix	AZ	85060- 5446
1756 BU25		262,617.00	249,610.42	Secured		Thomas A. Bush and Joanne M. Bush Wells Fargo Bank, N.A. FBO James G. Creceilius-Non- Managed IRA	Mr. & Mrs.	Thomas	Bush		Sherdan	WY	82801
424 CRE6		310,000.00	299,284.62	Secured	Wells Fargo Bank, N.A. FBO James G. Creceilius-Non-Managed IRA #7149530	Managed IRA	Mr.	James	Creceilius	5043 N. Montpeller 12115	Denair	CA	95316
1243 FO02		149,392.65	124,194.73	Secured	John B. Fox, husband of Joyce A. Fox, as his sole and separate property	John B. Fox	Dr.	John	Fox	Madeleine Cir 12115	Dallas	TX	75230
1340 FO30		529,810.00	429,810.48	Secured	John B. Fox, Trustee of the John B. Fox, M.D., P.C. Profit Sharing Plan & Trust	John B. Fox, Tr. of the John B. Fox, MD PC	Dr.	John	Fox	Madeleine Cir.	Dallas	TX	75230
122 GI29		500,000.00	0.00	Secured	Jeffrey G. Gierhahn and Alice Gierhahn, husband and wife, as joint tenants with right of survivorship	Jeffrey G. Gierhahn and Alice Gierhahn, husband and wife, as joint tenants with right of survivorship	Mr. & Mrs.	Jeffrey	Gierhahn	2438 N. Forest Circle	Mesa	AZ	85203
1094 GR24		334,110.38	274,967.92	Secured	Deborah Ann Greiff, a single woman Gale L. Greer and Patricia A. Greer, Trustees of The Greer Living Trust u/a dated May 13, 1982, and any amendments thereto	Deborah Ann Greiff Gale L. Greer and Patricia A. Greer, Trustees of The Greer Living Trust	Ms.	Deborah	Greiff	1425 Spruce St.	Berkeley	CA	94709- 1436
1130I GR47		166,920.14	153,060.15	Secured		Greer Living Trust	Mr. and Mrs.	Gale	Greer	3014 E. Malapai Dr.	Phoenix	AZ	85028

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Claim No.	Inv Code	Total Claim	Allowed Total	AS Claimed	Investor/Vesting	Full Name	Salutation	First Name	Last Name	Street	City	State	Zip
65	HA20	87,224.79	0.00	Secured	Glen Hait, M.D., Trustee of the Glen Hait, M.D., Ltd. Defined Benefit Pension Plan dated April 16, 1981, and any amendments thereto	Glen Hait, M.D., Tr. of the Glen Hait, M.D., Ltd. Def Ben Pen Pl	Dr.	Glen	Hait	3301 N. Miller Rd., #120 P.O. Box 82	Scottsdale	AZ	85251-6437
167	HA30	4,829,190.59	4,429,190.59	Secured	Penny Hardaway Investments, L.L.C., an Arizona limited liability company Roscena M. Mckee, Trustee (deceased) Under Declaration of Trust dated November 4, 1994, and any amendments thereto	Penny Hardaway Investments, L.L.C.	Mr.	Terry	Starks	723 Southmeadow Circle	Cincinnati	OH	45231-6096
731	HE16	606,316.71	601,063.97	Secured	H-M Investments, L.L.C., an Arizona limited liability company	Roscena M. Mckee, Trustee	Mr.	Earl	Herzog	210 W Myrtle	Phoenix	AZ	85021
1338	HM01	13,664,704.01	13,638,579.61	Secured	Jim H. Homan, Custodian FBO Michael J. Homan, under the Uniform Gift to Minors Act	H-M Investments, L.L.C., an Arizona limited liability company Bank One FBO Jim H. Homan, Custodian FBO Michael J. Homan, under the Uniform Gift to Minors Act	Mr.	Morris	Reznik	2822 N. 43rd St. 210 W. Myrtle	Phoenix	AZ	85008-1438
1026	HO21	111,308.89	20,000.00	Secured	Jewel Box Loan Co., Inc., an Arizona Corporation	Jewel Box Loan Co., Inc.	Mr. & Mrs.	Morris	Reznik	7302 W. Thunderbi rd Rd.	Peoria	AZ	85021
1337	JEO7	12,058,615.02	12,035,825.37	Secured	Kenneth P. Johnson, Trustee of The Kenneth P. Johnson Family Trust, U/TA dated January 16, 1995, and any amendments thereto	Kenneth P. Johnson, Tr. of The Kenneth P. Johnson Family Trust	Mr.	Jim	Homan	2930 N. 7th Street	Phoenix	AZ	85014
133	JO05	78,792.02	48,792.02	Secured	Morris A. Kaplan, Trustee of Goldman and Kaplan Ltd., Defined Benefit Plan under Agreement dated December 31, 2001	Morris A. Kaplan, TTEE Goldman and Kaplan Ltd., Def. Ben. Plan	Mr.	Kenneth	Johnson	P. O. Box 4633	Scottsdale	AZ	85261
427	KA15	68,011.84	49,264.87	Secured	Jon F. Keller and Lanora A. Keller, Trustees of the Keller Living Trust dated September 28, 1984, and any amendments thereto	Jon F. Keller and Lanora A. Keller, Trs. of the Keller Living Tr	Mr. & Mrs.	Jon	Keller				
280	KE06	1,120,831.71	1,068,660.52	Unknown									

Claims Analysis
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Claim No.	InvCode	Total Claim	Allowed Total	As Claimed	Investor Vesting	FullName	Salutation	First Name	Last Name	Street	City	State	ZIP
817	K112	67,167.30	61,071.98	Secured	David M. Kingston and Charlene R. Kingston, as joint tenants with right of survivorship	David M. Kingston and Charlene R. Kingston, as joint tenants with right of survivorship	Mr. & Mrs.	David	Kingston	504 W. McJellan Blvd 17300 N. 88th Ave.	Phoenix	AZ	85013
625	LA07	256,543.44	244,793.74	Secured	Kenneth R. Lakin, Trustee of the Edna M. Lakin Decedent's Trust - The Lakin Revocable Trust dated January 22, 1988 and any amendments thereto	Kenneth R. Lakin, Trustee of the Edna M. Lakin Decedent's Trust	Mr.	Kenneth	Lakin	17300 N. 88th Ave. Apt. 236	Peoria	AZ	85382
628	LA26	458,206.30	437,210.69	Secured	Kenneth R. Lakin, Trustee of the Lakin Family Revocable Trust	Kenneth R. Lakin, Trustee of the Lakin Family Revocable Trust	Mr.	Kenneth	Lakin	17300 N. 88th Ave. Apt. 236 17300 N. 88th Ave.	Peoria	AZ	85382
629	LA31	181,305.42	173,197.25	Secured	Darline T. Lakin, wife of Kenneth R. Lakin, as her sole and separate property	Darline T. Lakin	Mrs.	Darline	Lakin	Apt. 236 88th Ave.	Peoria	AZ	85382
660	LE10	1,112,884.70	1,012,241.55	Secured	Aaron D. Levine, Trustee of The Aaron D. Levine Revocable Trust dated February 21, 1992	Aaron D. Levine, Trustee of The Aaron D. Levine Revocable Trust	Dr.	Aaron	Levine	1610 Baker St. 600 California Street	San Francisco	CA	94115
821	MA61	2,080,511.27	2,085,316.55	Unknown	Shawn Marion, a single man	Shawn Marion	Mr.	Shawn	Marion	1240 18th Floor Kelley Lane	San Francisco	CA	94108
1284	MC01	909,164.94	901,205.20	Secured	Donna J. McGregor, an unmarried woman	Donna J. McGregor	Ms.	Donna	McGregor	Lebanon Lane	Lebanon	TN	37087
71	MC19	100,000,000.00	99,962.72	Secured	Susan Harris Good, an unmarried woman	Susan Harris Good, an unmarried woman	Ms.	Susan	Good	3808 N.O. 15th	Tacoma	WA	98406

Claims Analysis
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Claim No.	InvCode	Total Claim	Allowed Total	As Claimed	Investor/Vesting	Full Name	Salutation	First Name	Last Name	Street	City	State	ZIP
14	MC21	544,522.02	539,226.75	Secured	L. Allen McCoy & Georgia McCoy, Trustees of the McCoy Family Trust dated September 29, 1995, and any amendments thereto	L. Allen McCoy & Georgia McCoy, Trustees of the McCoy Family Trust dated September 29, 1995	Mr. & Mrs.	L. Allen	McCoy	4513 West Orchid Ln, Glendale 517	Glendale	AZ	85302
1665	ME23	1,135,000.00	748,420.75	Secured	Eric L. Meurer, an unmarried man	Eric L. Meurer Food Financial Management Services, Inc., Joseph M. Neri, President	Mr.	Eric	Meurer	Lakelair Place N, 517	Keizer	OR	97303
127	NE12	1,239,039.80	1,198,383.86	Secured	Food Financial Management Services, Inc., a California corporation	Joseph M. Neri, Trustee of the Essop Distribution Trust, dated September 29, 2006, and any amendments thereto	Mr.	Joseph	Neri	225 Bush St., Ste. #1600	San Francisco	CA	94104
125	NE17	159,882.07	154,758.46	Secured	Joseph M. Neri, Trustee of the Essop Distribution Trust, dated September 29, 2006, and any amendments thereto	Joseph M. Neri, Trustee of the Essop Distribution Trust, dated September 29, 2006, and any amendments thereto	Mr.	Joseph	Neri	210 W. Myrtle #1600	San Francisco	CA	94104
1238	RE03	13,762,912.55	13,736,180.71	Secured	Morris Reznik and Honeylou C. Reznik	The Morris Reznik and Honeylou C. Reznik Trust Dated January 20, 1965	Mr. & Mrs.	Morris	Reznik	3033 N. Myrtle Central	Phoenix	AZ	85021
778	RI04	820,301.58	751,512.25	Secured	Ben C. Pearson, Trustee of The Rittenhouse Family Trust Agreement dated July 9, 1982, and any amendments thereto	The Rittenhouse Family Trust	Mr.	Lee	Reznik	Rittenhouse Ave. Ste #645A	Phoenix	AZ	85012

Claims Analysis
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Claim No.	InvCode	Total Claim	Allowed Total	As Claimed	Investor/Vesting	Full Name	Salutation	First Name	Last Name	Street	City	State	ZIP
43RU10		315,364.82	171,244.35	Secured	Robert V. Russo and Kathleen A. Russo, Trustees of the Robert V. Russo and Kathleen A. Russo Living Trust dated February 28, 1997, and any amendments thereto	Robert V. Russo and Kathleen A. Russo Living Trust dated February 28, 1997, and any amendments thereto	Mr. & Mrs.	Robert	Russo	1859 E. Oasis Dr.	Tempe	AZ	85283
299SH31		154,916.32	149,766.25	Secured	Lawrence L. Shelp, Trustee and Josephine M. Shelp, Trustee of The Lawrence L. Shelp and Josephine M. Shelp Family Trust dated October 2, 1996	Lawrence L. Shelp & Josephine M. Shelp, Trs. of The Shelp Fam. Tr.	Mr. & Mrs.	Lawrence	Shelp	19830 N. 84th Ave.	Peoria	AZ	85382
18SH62		374,764.00	313,941.79	Secured	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
148SH79		525,301.68	493,107.46	Secured	DB Securities, Inc. Custodian FBO Ronald M. Sharrow, IRA # 5XF8XXXXXX	DB Securities, Inc. Custodian FBO Ronald M. Sharrow, IRA # 5XF8XXXXXX	Mr.	Ronald	Sharrow	111 Desert Holly Drive	Palm Desert	CA	92211
1324SP11		3,718,788.78	3,493,788.78	Secured	Litchfield Road Associates Ltd., an Arizona limited partnership	Litchfield Road Associates Ltd., an Arizona Limited Partnership	Mrs.	Eva	Sperber-Porter	8698 E. San Alberto Dr.	Scottsdale	AZ	85258
179ST31		230,153.24	206,689.99	Secured	Robert Eugene Steinmeyer and Barbara Jane Steinmeyer, Trustees of the Robert Eugene Steinmeyer and Barbara Jane Steinmeyer Revocable Trust of March 2000, and any amendments thereto	Robert E. Steinmeyer & Barbara J. Steinmeyer, Trustees of the Robert E. Steinmeyer & Barbara J. Steinmeyer Revocable Trust	Mr. & Mrs.	Robert	Steinmeyer	8338 E. Cheery Lynn Rd.	Scottsdale	AZ	85251

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