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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 H TO ML**  
23 **LIQUIDATING TRUST'S**  
24 **OMNIBUS OBJECTION TO**  
25 **CLAIMS AND MOTION TO**  
26 **EXPUNGE, REDUCE OR**  
27 **RECLASSIFY SUCH CLAIMS**

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

2 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]<sup>1</sup>. The Omnibus Objection, as it relates to the Claims of Claimants listed on Exhibit H, requests that the Court reduce the amount of certain Claims.<sup>2</sup>

3 <sup>1</sup> All capitalized terms not defined herein shall have the meaning ascribed to them in the Omnibus Objection.

4 <sup>2</sup> On November 6, 2009, the Liquidating Trustee filed the "*First Amendment To The ML Liquidating Trust's Omnibus Objection To Claims And Motion To Expunge, Reduce or Reclassify Such Claims*" ("**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 H, notice of the First Amendment was not mailed to the individual Claimants listed on Exhibit H.

1           2.       On November 3, 2009, the Liquidating Trustee filed that certain "*Notice To Claimants*  
2 *Listed On Exhibit H To ML Liquidating Trust's Omnibus Objection To Claims and Motion To*  
3 *Expunge, Reduce Or Reclassify Such Claims and Notice Of Bar Date To Respond To Omnibus*  
4 *Objection*" ("**Notice of Bar Date**") [Docket No. 2363], and served copies of the Notice of Bar Date  
5 and the Omnibus Objection by US Mail, in accordance with applicable Bankruptcy Rules, to all  
6 Claimants listed on Exhibit H to the Omnibus Objection and electronically upon all parties in interest  
7 listed on the Court's ECF system. That certain "*Affidavit Of Service Of Notice To Claimants Listed*  
8 *on Exhibit H To ML Liquidating Trust's Omnibus Objection To Claims And Motion To Expunge,*  
9 *Reduce or Reclassify Such Claims and Notice Of Bar Date To Respond To Omnibus Objection*" was  
10 filed with the Court on November 20, 2009 [Docket No. 2427].

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

18           4.       Based on the November 3, 2009 service date of the Notice of Bar Date, Responses to  
19 the Omnibus Objection were required to be filed and served by November 19, 2009.

20           5.       Only one (1) Response was filed and served on or before November 19, 2009 in  
21 connection with the Claims listed on Exhibit H to the Omnibus Objection. Such Response was filed  
22 by Lazarus & Associates, PC on November 18, 2009 [De 2411] requesting an evidentiary hearing on  
23 the objection to its Claim #664. As a result of further review and analysis of Debtor's books and  
24 records, and supplementary documentation provided by Lazarus & Associates, PC in support of its  
25 proof of claim filed in these proceedings, the Liquidating Trust hereby withdraws its objection to the  
26 amount of Claim #664 filed by Lazarus & Associates, PC.

1           6.       As of the date of filing this Certificate, with the exception of the one (1) Response  
2 described in Paragraph 5 above, no other Responses as to Claims listed on Exhibit H to the Omnibus  
3 Objection have been received by the Liquidating Trustee, or its counsel, or filed with the Court based  
4 on the undersigned's review of the docket in the above-captioned case.

5           7.       In addition, as a result of further review and analysis of Debtor's books and records  
6 and proofs of claims filed in these proceedings, the Liquidating Trust hereby withdraws its objection  
7 to the amount of Claim #185 filed by Gust Rosenfeld PLC.

8           8.       Also as a result of further review and analysis of Debtor's books and records, and  
9 additional documentation provided by Abacus Project Management in support of its proofs of claims  
10 filed in these proceedings, the Liquidating Trust hereby withdraws its objection to the amount of  
11 Claim #58 filed by Abacus Project Management. Further, by email dated November 24, 2009, a copy  
12 of which is attached hereto as Exhibit 1, Abacus Project Management has confirmed that Claim #136  
13 is a duplicate filing of Claim #58. Consequently, Claim #136 will be disallowed in its entirety and  
14 expunged.

15           9.       Additionally, Arizona Bank & Trust filed Claim #97, which, for all intents and  
16 purposes, combined both a secured and unsecured claim held by Arizona Bank & Trust, both of  
17 which claims were specifically provided for in the Confirmed Plan of Reorganization. Subsequent to  
18 filing the Omnibus Objection, Arizona Bank & Trust accepted a Deed in Lieu of Foreclosure from the  
19 Liquidating Trust in full satisfaction of the secured claim held by Arizona Bank & Trust. As a result,  
20 Arizona Bank & Trust's allowed Secured Claim in Class 5 as provided for in Paragraph O of the  
21 *Order Confirming Investors Committee's First Amended Plan of Reorganization Dated March 12,*  
22 *2009 [DE 1755], ("Plan Confirmation Order")*, has been satisfied in full, and the only remaining  
23 claim held by Arizona Bank & Trust is its Unsecured Class 11A Claim, in the amount of  
24 \$2,010,652.78, as specifically provided for in Paragraph O of the Plan Confirmation Order.  
25 Consequently, Arizona Bank & Trust has authorized the Liquidating Trust to amend Claim #97 to  
26 reflect only the amount of the allowed Unsecured Class 11A Claim in the amount of \$2,010,652.78 as  
27 set forth in Paragraph O of the Plan Confirmation Order.

1 10. The Liquidating Trustee is lodging contemporaneously herewith an *“Order Granting*  
 2 *ML Liquidating Trust’s Omnibus Objection To Claims As It Relates To Exhibit H and Reducing*  
 3 *Certain Claims Listed On Exhibit H To Omnibus Objection.”*  
 4

5 DATED: October 19, 2011.

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

7 By /s/ William Scott Jenkins  
 8 William Scott Jenkins  
 9 Jill M. Hulsizer  
 10 Attorneys for Matt Hartley,  
 11 Trustee of the ML Liquidating Trust

12 COPY of the foregoing transmitted  
 13 electronically using the Court’s ECF system  
 14 this 19th day of October 2011 and mailed or  
 15 emailed this same date to the following  
 16 recipients.

15 Sean P. O’Brien  
 16 Gust Rosenfeld PLC  
 17 One E. Washington, Suite 1600  
 18 Phoenix, AZ 85004  
 19 Spobrien@gustlaw.com

18 Larry Lazarus  
 19 Lazarus & Associates, P.C.  
 20 420 W Roosevelt St  
 21 Phoenix, AZ 85003  
 22 lslazarus@lazaruslaw.com

21 Ethan Minkin  
 22 Ballard Spahr  
 23 One E. Washington, Suite 2300  
 24 Phoenix, AZ 85004  
 25 MinkinE@ballardspahr.com

24 Abacus Project Management, Inc.  
 25 3030 N. Central Ave., #1207  
 26 Phoenix, AZ 85012

27 /s/ Mary Ann Everett

# **EXHIBIT “1”**

**Jill Hulsizer**

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**From:** Veronica Sas [vsas@mtgltd.com]  
**Sent:** Tuesday, November 24, 2009 12:13 PM  
**To:** Jill M. Hulsizer  
**Subject:** FW: Claims

Here is the email from Abacus confirming that the two claims are duplicates. Is this sufficient?

Thanks!

**Veronica Sas**  
*Controller*

[vsas@mtgltd.com](mailto:vsas@mtgltd.com)  
P: 623.234.9563  
F: 623.234.9575

**ML Servicing Co**  
14050 N 83rd Ave. Suite 180  
Peoria, Arizona 85381

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**From:** Judy Inman [mailto:jinman@abacuspm.com]  
**Sent:** Tuesday, November 24, 2009 11:08 AM  
**To:** Veronica Sas  
**Subject:** RE: Claims

Hi Veronica,

Per our conversation, these two proof of claims represent the same invoices and are duplicate filings.

Please let me know if you need any additional information.

Thanks and have a nice holiday,

Judy

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**From:** Veronica Sas [mailto:vsas@mtgltd.com]  
**Sent:** Tuesday, November 24, 2009 8:48 AM  
**To:** Judy Inman  
**Subject:** Claims

Hi Judy,

Per our conversation, here are the two claims filed with the court.

Regards,

**Veronica Sas**  
*Controller*

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