

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: October 19, 2011



1 Myers & Jenkins, P.C.

2 One East Camelback Road  
3 Suite 500  
4 Phoenix, Arizona 85012

5 (602) 200-7900

*Randolph J. Haines*

Randolph J. Haines, Bankruptcy Judge

6 William Scott Jenkins (#005896)  
7 [wsj@mjlegal.com](mailto:wsj@mjlegal.com)  
8 Jill M. Hulsizer (#023282)  
9 [jmh@mjlegal.com](mailto:jmh@mjlegal.com)  
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.

Chapter 11

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

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

17  
18 Having reviewed and considered the "*ML Liquidating Trust's Omnibus Objection To Claims*  
19 *And Motion To Expunge, Reduce or Reclassify Such Claims*" filed on October 13, 2009 ("**Omnibus**  
20 **Objection**") [Docket No. 2306], as amended by the "*First Amendment To The ML Liquidating*  
21 *Trust's Omnibus Objection To Claims And Motion To Expunge, Reduce or Reclassify Such Claims*"  
22 filed on November 6, 2009 ("**First Amendment**") [Docket No. 2375]; and having further reviewed  
23 and considered the "*Notice To Claimants Listed On Exhibit H To ML Liquidating Trust's Omnibus*  
24 *Objection To Claims And Motion To Expunge, Reduce Or Reclassify Such Claims And Notice Of Bar*  
25 *Date To Respond To Omnibus Objection*", ("**Notice of Bar Date**"), filed with the Court and served by  
26 U.S. Mail upon all Claimants listed on Exhibit H to the Omnibus Objection and electronically served  
27 upon all parties in interest listed on the Court's ECF System on November 3, 2009 [Docket No.

1 2363]; and having further reviewed and considered the “*Certificate Of Service And Summary of*  
2 *Responses Received As To Claimants Listed On Exhibit H To ML Liquidating Trust’s Omnibus*  
3 *Objection To Claims And Motion To Expunge, Reduce Or Reclassify Such Claims*” filed on October  
4 19, 2011; and having found that proper notice of the Omnibus Objection was given; and having found  
5 that the only Response that was timely filed and served is now rendered moot by virtue of the  
6 Liquidating Trust’s withdrawal of its objection to such claim; and having found that no other  
7 Responses to the Omnibus Objection were timely filed and served by any of the other Claimants  
8 listed on Exhibit H 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 H to the Omnibus Objection (Exhibit “1” hereto), subject  
12 to the terms set forth herein.

13 **IT IS FURTHER ORDERED** that the ML Liquidating Trust’s objection to the amount of  
14 Claim #664 filed by Lazarus & Associates, PC shall be withdrawn and such Claim allowed in the  
15 amount of \$13,759.35 as listed on its Proof of Claim filed in this matter.

16 **IT IS FURTHER ORDERED** that the Response filed on November 18, 2009 by Lazarus &  
17 Associates, PC [Docket No. 2411] is hereby denied as moot.

18 **IT IS FURTHER ORDERED** that the ML Liquidating Trust’s objection to the amount of  
19 Claim #185 filed by Gust Rosenfeld PLC shall be withdrawn and such Claim allowed in the amount  
20 of \$85,798.42 as listed on its Proof of Claim filed in this matter.

21 **IT IS FURTHER ORDERED** that the ML Liquidating Trust’s objection to the amount of  
22 Claim #58 filed by Abacus Project Management shall be withdrawn and such Claim allowed in the  
23 amount of \$10,656.12 as listed on its Proof of Claim filed in this matter.

24 **IT IS FURTHER ORDERED** that Claim #136 filed by Abacus Project Management is  
25 hereby disallowed in its entirety and for all purposes expunged, due to Claimant’s confirmation that  
26 Claim #136 is a duplicate of Claim #58.

27

1           **IT IS FURTHER ORDERED**, as to Claim #97 filed by Arizona Bank & Trust, that Arizona  
2 Bank & Trust's Secured Claim in Class 5, as provided for in Paragraph O of the *Order Confirming*  
3 *Investors Committee's First Amended Plan of Reorganization Dated March 12, 2009* [DE 1755],  
4 ("**Plan Confirmation Order**"), has been satisfied in full pursuant to that certain Deed in Lieu of  
5 Foreclosure Agreement dated April 23, 2010 between Arizona Bank & Trust and ML Servicing Co.,  
6 Inc. Further, this Order does not modify Arizona Bank & Trust's Unsecured Claim in Class 11A in  
7 the amount of \$2,010,652.78, as specifically provided for in Paragraph O of the Plan Confirmation  
8 Order; and, therefore, Arizona Bank & Trust has an Unsecured Claim in Class 11A in the amount of  
9 \$2,010,652.78.

10           **IT IS FURTHER ORDERED** reducing the amount of each Claim listed on Exhibit H to the  
11 Omnibus Objection (Exhibit "1" hereto), other than those Claims specifically provided for in the  
12 preceding paragraphs, to the amount reflected in the column entitled "Mtg Ltd Balance" on Exhibit H  
13 to the Omnibus Objection (Exhibit "1" hereto) for each respective Claim.

14  
15           SIGNED AND DATED ABOVE.

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

# **EXHIBIT “I”**

**(Exhibit “H” to Omnibus Objection)**

**EXHIBIT "H"**

Non Investor Claim - Object to Amount of Claim

Claim No.	Claimant Name	As Claimed	Total Claim	Mtg. Ltd. Balance	Reason for Objection
51	Business Real Estate Weekly	Unsecured	8,400.00	2,950.00	Object to Amount of Claim
52	EA Compliance Inc.	Unsecured	1,150.00	-	Object to Amount of Claim
58	Abacus Project Management	Unsecured	10,656.12	8,906.12	Object to Amount of Claim
62	Protection One	Unsecured	6,803.34	8,275.46	Object to Amount of Claim
68	Levy Restaurants	Secured	11,038.96	5,103.44	Object to Amount of Claim
81	Landgon Wilson	Unsecured	20,593.42	14,309.45	Object to Amount of Claim
94	@ AT-Tech	Unsecured	11,106.29	6,072.87	Object to Amount of Claim
95	Denise Resnik & Associates	Unsecured	52,762.50	35,306.25	Object to Amount of Claim
97	Arizona Bank and Trust c/o Kutak Rock LLP	Secured	8,493,249.05	6,475,799.96	Object to Amount of Claim
136	Abacus Project Management	Unsecured	10,656.12	8,906.12	Object to Amount of Claim
664	Lazarus & Associates, P.C.	Unsecured	13,759.35	9,197.00	Object to Amount of Claim
185	Gust Rosenfeld PLC	Unsecured	85,798.42	38,171.88	Object to Claim Mortgages Ltd. settled with Gust Rosenfeld and paid their invoices