

# EXHIBIT

A

1 FENNEMORE CRAIG, P.C.  
Cathy L. Reece (005932)  
2 Keith L. Hendricks (012750)  
3003 N. Central Ave., Suite 2600  
3 Phoenix, Arizona 85012  
Telephone: (602) 916-5343  
4 Facsimile: (602) 916-5543  
Email: creece@fclaw.com

5 Attorneys for ML Manager LLC  
6  
7

8 IN THE UNITED STATES BANKRUPTCY COURT  
9 FOR THE DISTRICT OF ARIZONA

10 In re

11 MORTGAGES LTD.,

12 Debtor.

13 ML MANAGER LLC, an Arizona  
limited liability company,

14 Plaintiff,

15 v.

16 WILLIAM L. HAWKINS as Trustee of  
17 the CORNERSTONE REALTY AND  
DEVELOPMENT, INC. DEFINED  
18 BENEFIT PLAN AND TRUST, et al.;

19 Defendants.

20 WILLIAM L. HAWKINS as Trustee of  
21 the CORNERSTONE REALTY AND  
DEVELOPMENT, INC. DEFINED  
BENEFIT PLAN AND TRUST, *et al.*

22 Counterclaimants,

23 v.

24 ML MANAGER LLC, an Arizona  
limited liability company,

25 Counterdefendant.

Chapter 11

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

Adv. Pro. No. 2:10-ap-00430-RJH

Consolidated with Adv. No. 2:10-ap-00717

**DECLARATION OF JOSHUA T. GREER  
IN SUPPORT OF ML MANAGER'S  
APPLICATION FOR DEFAULT  
AGAINST DEFENDANT MELVIN  
DUNSWORTH AS TRUSTEE OF THE  
REVOCABLE LIVING TRUST OF  
MELVIN L. DUNSWORTH, JR.**

26 I, Joshua T. Greer declare and state as follows:

27 1. I am an associate at the law firm of Fennemore Craig, P.C. and make this  
28 declaration based upon my personal knowledge and/or inquiry. This declaration is made

1 upon personal knowledge and my familiarity with the documents and court filings related  
2 to this case and, if called to testify, I would and could competently testify to them. I am  
3 licensed to practice law in Arizona.

4 2. I have been engaged by ML Manager, LLC (“ML Manager”) in the above-  
5 entitled action and make this declaration upon my personal knowledge.

6 3. On March 18, 2010, ML Manager filed a verified complaint against, among  
7 others, defendant Melvin Dunsworth as Trustee of the Revocable Living Trust of Melvin  
8 L. Dunsworth Jr. (“Dunsworth”) [Docket 1]

9 4. Dunsworth was served a copy of the summons and complaint on March 18,  
10 2010, via first class mail pursuant to Rule 7004(a)(b), Federal Rules of Bankruptcy  
11 Procedure, as shown on the Affidavit of Service. [Docket 4]

12 5. Pursuant to Rule 7012, Federal Rules of Bankruptcy Procedure, Dunsworth  
13 was to file an answer or other responsive pleading on or before April 8, 2010, twenty-one  
14 days after being served with the summons and complaint.

15 6. Dunsworth, as of the date hereof, has failed to answer or otherwise defend  
16 as to ML Manager’s verified complaint, and the time within which Dunsworth may  
17 answer or otherwise move as to the complaint has expired.

18 7. Dunsworth is not an infant, incompetent or in the military.

19 8. This declaration is executed by affiant in accordance with Rule 7055(a),  
20 Federal Rules of Bankruptcy Procedure, for the purposes of enabling plaintiff to obtain an  
21 entry of default against Dunsworth for his failure to answer or otherwise defend as to  
22 plaintiff’s complaint.

23 Pursuant to 28 U.S.C. § 1746, I declare that the foregoing is true and correct.

24 DATED this 13<sup>th</sup> day of July, 2010.

25

26

27

28

By /s/ Joshua T. Greer  
Joshua T Greer