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7 Counsel for the Rev Op Investors

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

10 In re:

11 MORTGAGES LTD.,

12 Debtor.

Chapter 11

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

**MOTION FOR (I) EXPEDITED
HEARING ON MOTION FOR STAY
PENDING APPEAL OF ORDERS
APPROVING SALE OF REAL
PROPERTY; AND (II) CONSOLIDATION
OF HEARING WITH EXPEDITED
HEARING ON MOTION FOR STAY
PENDING APPEAL IN THE
ADVERSARY PROCEEDING**

Hearing Date: Not Yet Set

Hearing Time: Not Yet Set

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19 This *Motion for (I) Expedited Hearing on Motion for Stay Pending Appeal of Orders*
20 *Approving Sale of Real Property; and (II) Consolidation of Hearing with Expedited Hearing on*
21 *Motion for Stay Pending Appeal in the Adversary Proceeding* (“**Motion**”) is filed by the
22 following parties (collectively, the “**Rev Op Investors**”): (i) Bear Tooth Mountain Holdings,
23 LLP (“**Bear Tooth**”), Queen Creek XVIII, L.L.C. (“**Queen Creek**”), and Morley Rosenfield,
24 M.D. P.C. Restated Profit Sharing Plan (“**MR Plan**”) with respect to the *Order Approving*
25 *Motion to Sell Real Property Free and Clear of Liens, Claims, Encumbrances, and Interests* [DE
26 #2887] (the “**CITLO Order**”); and (ii) Queen Creek and Pueblo Sereno Mobile Home Park
27 L.L.C. (“**Pueblo Sereno**”) with respect to the *Order Approving Motion to Sell Real Property*
28 *Free and Clear of Liens, Claims, Encumbrances, and Interests* [DE #2892] (the “**ZDC Order**”).

1 Having appealed from the CITLO Order and the ZDC Order (collectively, the “**Sale**
2 **Orders**”), the Rev Op Investors, pursuant to Local Rule of Bankruptcy Procedure 9013-1,
3 hereby file this Motion requesting that the Court enter an order setting a hearing, on an expedited
4 basis, on the *Motion for Stay Pending Appeal of Orders Approving Sale of Real Property*
5 (“**Motion for Stay**”), filed concurrently herewith.

6 Because the Sale Orders depended largely on the judgment entered in Adversary
7 Proceeding No. 2:10-ap-00430-RJH (“**Adversary Proceeding**”) declaring ML Manager LLC
8 (“**ML Manager**”) to have authority to act on behalf of and bind the Rev Op Investors, the Rev
9 Op Investors seek to consolidate the hearing on this Motion (if granted) with the hearing on the
10 stay motion filed in the Adversary Proceeding.

11 In support of this Motion, the Rev Op Investors submit as follows:

12 1. The Rev Op Investors have filed their Motion for Stay concurrently with the filing
13 of this Motion.

14 2. As more fully discussed in the Motion for Stay, the Rev Op Investors face
15 irreparable injury with respect to their valuable ownership interests in the real estate assets which
16 are the subject of the Sale Orders, absent a stay pending appeal.

17 3. The Rev Op Investors therefore request that the Court consider the Motion for
18 Stay on an expedited basis, at a date and time convenient to the Court.

19 4. The Rev Op Investors also request that the Court consolidate this hearing (should
20 this Motion be granted) with the hearing on the motion for expedited hearing on the motion for
21 stay filed in the Adversary Proceeding.

22 5. Pursuant to Local Rule 9013-1(h), the Rev Op Investors advise as follows:

23 A. The email and office addresses for the attorneys for opposing and/or
24 interested parties are set forth on the certificate of service hereto.

25 B. The facts showing the existence and nature of the emergency are outlined
26 above and in the Motion for Stay.

27 C. The relevant parties will be served with the Motion for Stay and this
28 Motion via email immediately after such motions are filed with the Court.

1 D. Concurrently with the filing of this Motion, the Rev Op Investors are
2 lodging and uploading a form of order consistent with the relief requested in this Motion.
3 Immediately after receiving a copy of a signed order from the Court, the Rev Op Investors will
4 serve such signed order on all parties entitled to notice.

5 WHEREFORE, the Rev Op Investors request that the Court enter an order: (i) setting a
6 hearing on the Motion for Stay on an expedited basis, at a date and time convenient to the Court;
7 (ii) consolidating this hearing (should this Motion be granted) with the hearing on the motion for
8 expedited hearing on the motion for stay filed in the Adversary Proceeding (should it be granted)
9 and (iii) granting the Rev Op Investors such other and further relief as it deems just and proper
10 under the circumstances presented herein.

11 RESPECTFULLY SUBMITTED this 31st day of August, 2010.

12 **BRYAN CAVE LLP**

13
14 By /s/ BAS, #022721
15 Robert J. Miller
16 Bryce A. Suzuki
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19 Counsel for the Rev Op Investors

20 COPY of the foregoing served via e-mail
21 this 31st day of August, 2010, upon:

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