

1 Robert J. Miller, Esq. (#013334)
Bryce A. Suzuki, Esq. (#022721)
2 **BRYAN CAVE LLP**
3 Two North Central Avenue, Suite 2200
Phoenix, Arizona 85004-4406
4 Telephone: (602) 364-7000
Facsimile: (602) 364-7070
5 Internet: rjmiller@bryancave.com
bryce.suzuki@bryancave.com

6
7 Counsel for the Rev Op Group

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

10 In re:

Chapter 11

11 MORTGAGES LTD.,

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

12 Debtor.

NOTICE OF APPEAL

13
14 AJ Chandler 25 Acres, LLC; Bear Tooth Mountain Holdings, LLP; Cornerstone Realty &
15 Development, Inc.; Cornerstone Realty & Development, Inc. Defined Benefit Plan and Trust;
16 Evertson Oil Company, Inc.; Brett M. McFadden; LLJ Investments, L.L.C.; Michael Johnson
17 Investments II, L.L.C.; Pueblo Sereno Mobile Home Park L.L.C.; Queen Creek XVIII, L.L.C.;
18 Morley Rosenfield, M.D. P.C. Restated Profit Sharing Plan; William L. Hawkins Family L.L.P.;
19 and/or their successors and assigns (collectively, the “Rev Op Investors”) hereby appeal,
20 pursuant to 28 U.S.C. § 158(a) and (b), from the Bankruptcy Court’s *Order Regarding*
21 *Distribution of Proceeds* [Docket #2887] (the “Distribution Order”) entered in the above-
22 captioned bankruptcy case and in adversary proceeding 2:10-ap-00430-RJH.¹ A true and correct
23 copy of the Distribution Order is attached hereto as Exhibit “A” and incorporated by reference
24 herein.

25 The parties to the matter being appealed and the names, addresses and telephone numbers

26
27 ¹ The Rev Op Investors believe the Distribution Order was entered in the adversary
28 proceeding in error, as the underlying motion was filed and heard in the main case and was never
part of the adversary proceeding. Out of an abundance of caution, this Notice of Appeal is being
filed in both the adversary proceeding and the main case.

1 of their respective attorneys are as follows:

2 **ML Manager, LLC**

3 Cathy Reece, Esq.
4 Keith Hendricks, Esq.
5 FENNEMORE CRAIG, P.C.
6 3003 North Central Avenue, Suite 2600
7 Phoenix, Arizona 85012-2913
8 Telephone: (602) 916-5000
9 creece@fclaw.com
10 khendric@fclaw.com

The Rev Op Investors

Robert J. Miller, Esq.
Bryce A. Suzuki, Esq.
BRYAN CAVE LLP
Two North Central Avenue, Suite 2200
Phoenix, Arizona 85004-4406
Telephone: (602) 364-7000
rjmiller@bryancave.com
bryce.suzuki@bryancave.com

11 If a Bankruptcy Appellate Panel Service is authorized to hear this appeal, each party has a
12 right to have the appeal heard by the district court. The appellant may exercise this right only by
13 filing a separate statement of election at the time of the filing of this notice of appeal. Any other
14 party may elect, within the time provided in 28 U.S.C. § 158(c), to have the appeal heard by the
15 district court.

16 RESPECTFULLY SUBMITTED this 24th day of January, 2011.

17 BRYAN CAVE LLP

18 By: /s/ BAS, #022721

19 Robert J. Miller
20 Bryce A. Suzuki
21 Two North Central Avenue, Suite 2200
22 Phoenix, AZ 85004-4406
23 Counsel for the Rev Op Group

24 COPY of the foregoing served via email
25 this 24th day of January, 2011, upon:

26 Cathy Reece, Esq.
27 Keith Hendricks, Esq.
28 FENNEMORE CRAIG, P.C.
3003 North Central Avenue, Suite 2600
Phoenix, Arizona 85012-2913
creece@fclaw.com
khendric@fclaw.com
Counsel for ML Manager, LLC

/s/ Sally Erwin