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6 Attorneys for ML Manager LLC

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

9 In re  
10 MORTGAGES LTD.,  
11 Debtor.

Chapter 11  
Case No. 2:08-bk-07465-RJH

**NOTICE OF LODGING ORDER  
GRANTING ML MANAGER'S MOTION  
FOR ORDER ENFORCING SECTION 10.5  
OF THE PLAN AND PARAGRAPH D OF  
THE CONFIRMATION ORDER**

14 NOTICE IS HEREBY GIVEN that ML Manager LLC has lodged a proposed  
15 *Order Granting ML Manager's Motion for Order Enforcing Section 10.5 of The Plan and*  
16 *Paragraph D of the Confirmation Order*, which Order is attached as **Exhibit A**. Sharon  
17 Shively who filed a "Statement of Position" for her clients has approved the Order. No  
18 other response or objection was filed and served.

19 DATED: March 21, 2012

FENNEMORE CRAIG, P.C.

20 By /s/ Cathy L. Reece

Cathy L. Reece  
Attorneys for ML Manager LLC

21  
22 Copy of the foregoing e-mailed this  
21<sup>st</sup> day of March, 2012 to:

23 Sharon B. Shively  
SACKS TIERNEY P.A.  
24 4250 North Drinkwater Blvd., 4th Floor  
Scottsdale, Arizona 85251  
25 [Sharon.Shively@SacksTierney.com](mailto:Sharon.Shively@SacksTierney.com)

26 /s/ Gidget Kelsey-Bacon

# EXHIBIT

# A

1 FENNEMORE CRAIG, P.C.  
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13 **ORDER GRANTING ML MANAGER'S**  
14 **MOTION FOR ORDER ENFORCING**  
15 **SECTION 10.5 OF THE PLAN AND**  
16 **PARAGRAPH D OF THE CONFIRMATION**  
17 **ORDER**

18 The Court having considered ML Manager LLC's Motion to Enforce Section 10.5  
19 of the Plan and Paragraph D of the Confirmation Order ("Motion")(Docket No. 3405),  
20 and the Motion and Notice of date for objection having been served on creditors and  
21 interested parties, no objection having been filed, but the Guarantors of the Tempe Land  
22 Company LLC loan having filed a "Statement of Position" (Docket No. 3412), such  
23 Statement of Position being addressed below, and good cause appearing,

24 IT IS HEREBY ORDERED granting the Motion.

25 IT IS FURTHER ORDERED that the tax exemptions provided in Section 10.5 of  
26 the Official Committee of Investors First Amended Plan of Reorganization dated March  
12, 2009 (the "Plan") and Paragraph D of the Order Confirming Investors Committee's  
First Amended Plan of Reorganization dated March 12, 2009 (the "Confirmation Order")

1 apply to the sale (the "Sale") by ML Manager LLC, as manager of Centerpoint I Loan  
2 LLC and Centerpoint II Loan LLC and as agent for numerous individual investors, of that  
3 certain real property located in Tempe, Arizona, conveyed pursuant to that Special  
4 Warranty Deed recorded in the Official Records of Maricopa County at Recording  
5 Number 20110152133, and that, therefore, the Sale, and the parties thereto, are exempt  
6 from any speculative builder or transaction privilege taxes that would otherwise arise out  
7 of the Sale.

8 IT IS FURTHER ORDERED, regarding the Statement of Position, that nothing in  
9 this Order shall resolve, decide or prejudice issues, arguments and defenses raised by any  
10 parties in the State Court Litigation between ML Manager LLC and the Guarantors and all  
11 such parties reserve their rights therein.

12 SIGNED AND DATED ABOVE

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