

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: March 21, 2012



*Randolph J. Haines*

Randolph J. Haines, Bankruptcy Judge

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7  
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

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

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

22 IT IS HEREBY ORDERED granting the Motion.

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