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1 Robert G. Furst
2 4201 North 57th Way
3 Phoenix, Arizona 85018
4 (602) 377-3702
5 Pro Per

FILED
2012 MAY -7 PM 12:39
CLERK
U.S. BANKRUPTCY
DISTRICT OF ARIZONA

6 **IN THE UNITED STATES BANKRUPTCY COURT**
7 **FOR THE DISTRICT OF ARIZONA**

8 In re:
9 MORTGAGES LTD.,
10 an Arizona corporation,
11 Debtor.

) In Proceedings Under Chapter 11
) Case No. 2:08-bk-07465-RJH
) **MOTION FOR ORDER DIRECTING THE**
) **EXAMINATION OF KEVIN**
) **O'HALLORAN AND COMPELLING THE**
) **PRODUCTION OF DOCUMENTS, AND**
) **NOTICE OF LODGING [PROPOSED]**
) **ORDER**

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15 This Motion is filed by Robert G. Furst, a party-in-interest in the above-captioned Chapter 11
16 proceeding. Pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure, Mr. Furst moves
17 this Court for an Order directing Kevin O'Halloran, the former Liquidating Trustee of the ML
18 Liquidating Trust, to appear and be examined concerning the administration of the ML Liquidating
19 Trust, the conflict of interest policies adopted by the ML Liquidating Trust Board, the
20 communications between the ML Liquidating Trust and the attorneys for the class action and mass
21 action investor groups regarding litigation against Greenberg Traurig and other potential defendants,
22 and the reasons for Mr. O'Halloran's resignation.

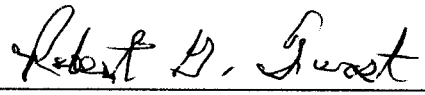
23
24 Mr. Furst also seeks an Order requiring Kevin O'Halloran to produce the documents
25 described in Exhibit A attached hereto. The examination is to be held at the offices of Keller
26 Rohrback, 3101 North Central Avenue, Suite 1400, Phoenix, Arizona 85012, on May 24, 2012 at
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10:00 A.M., or on such other date and time mutually agreed upon by the parties. Mr. Furst requests that the Court order the production of documents by Mr. O'Halloran by May 22, 2012.

A proposed form of "Order Granting the Motion Directing the Examination of Kevin O'Halloran and Compelling the Production of Documents" is attached hereto as Exhibit B and was lodged concurrently herewith for the Court's consideration.

RESPECTFULLY SUBMITTED this 7th day of May, 2012.



Robert G. Furst
Pro Per

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EXHIBIT A

Robert Furst requests that Kevin O'Halloran produce the following described documents for the period from December 1, 2009 through July 31, 2010:

1. All documents relating to communications between Kevin O'Halloran and members of the ML Liquidating Trust Board.
2. All documents relating to existing or prospective litigation involving the ML Liquidating Trust.
3. All minutes of the ML Liquidating Trust Board.
4. All documents relating to communications between the ML Liquidating Trust (including Kevin O'Halloran) and counsel for the class action and mass action investor groups, including without limitation Richard Himelrick, Andy Friedman, Rick Thomas and Rickman Brown.
5. All documents related to work sharing, fee sharing or recovery sharing in relation to litigation against Greenberg Traurig or any other potential defendant.
6. All documents relating to the ML Liquidating Trust Board's conflict of interest policy, and any changes to such policy.
7. All documents relating to the resignation of Kevin O'Halloran as Trustee of the ML Liquidating Trust.

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8 In re:) In Proceedings Under Chapter 11
9 MORTGAGES LTD.,) Case No. 2:08-bk-07465-RJH
10 an Arizona corporation,) **ORDER GRANTING MOTION FOR**
11 Debtor.) **ORDER DIRECTING THE**
12) **EXAMINATION OF KEVIN**
13) **O'HALLORAN AND COMPELLING THE**
14) **PRODUCTION OF DOCUMENTS**

15 This matter comes before the Court pursuant to the "Motion Directing the Examination of
16 Kevin O'Halloran and Compelling the Production of Documents" (the "2004 Motion") filed by
17 Robert G. Furst, a party-in-interest in the above-captioned chapter 11 proceeding. Pursuant to Rule
18 2004 of the Federal Rules of Bankruptcy Procedure, Mr. Furst moves this Court for an Order
19 directing Kevin O'Halloran, the former Liquidating Trustee of the ML Liquidating Trust, to appear
20 and be examined concerning the administration of the ML Liquidating Trust and the reasons for his
21 resignation. Mr. Furst also seeks an Order requiring Kevin O'Halloran to produce the documents
22 described in Exhibit A attached hereto. Based on all of the foregoing, and good cause appearing
23 therefor,
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1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED, as follows:

- 2 1. On or before May 23, 2012, Kevin O'Halloran shall produce for inspection and copying at
3 the offices of Keller Rohrback, 3101 North Central Avenue, Suite 1400, Phoenix, Arizona
4 85012, the documents described in Exhibit A hereto.
- 5 2. Thereafter, Kevin O'Halloran shall appear at the offices of Keller Rohrback, 3101 North
6 Central Avenue, Suite 1400, Phoenix, Arizona 85012, on May 24, 2012 at 10:00 A.M., or
7 on such other date and time mutually agreed upon by the parties, to be examined
8 regarding the matters outlined in the 2004 Motion.
- 9 3. Within two (2) days after receiving notice of this Order, Mr. Furst shall serve a copy of
10 this Order on Mr. O'Halloran.

11 DATED: _____, 2012.

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16 _____
17 Hon. Randolph J. Haines
18 United States Bankruptcy Judge
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13 DATED: _____, 2012.

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16 _____
17 Hon. Randolph J. Haines
18 United States Bankruptcy Judge
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