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Attorneys for Defendant Otis Elevator Company

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

In re:

MORTGAGES LTD.,

Debtor.

JEFFREY C. STONE, INC., an Arizona
corporation, dba SUMMIT BUILDERS,

Plaintiff,

v.

CENTRAL AND MONROE, LLC, an
Arizona limited liability company;
et al,

Defendant.

No. 2:08-bk-07465-RJH

Chapter 11

Adversary Case No. 2:09-
ap-00424-RJH

Consolidated Case:
Adversary No. 2:09-ap-
00056-RJH

**MOTION FOR AWARD OF
ATTORNEYS' FEES AND
RELATED NON-TAXABLE
EXPENSES OF DEFENDANT
OTIS ELEVATOR COMPANY**

(Hon. Randolph J. Haines)

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SUMMERS GROUP, INC., d/b/a/
REXEL PHOENIX ELECTRIC, a
corporation,

Cross-Claimant/
Counter-Claimant,

v.

CENTRAL AND MONROE, L.L.C., an
Arizona limited liability company;

Cross-Defendants;
And

JEFFREY C. STONE, INC., d/b/a
SUMMIT BUILDERS, an Arizona
Corporation,

Counter-Defendant.

And related counterclaims and
cross-claims

Defendant, Otis Elevator Company ("OTIS"), by and through undersigned counsel, submits its Motion for Award of Attorneys' Fees and Related Non-Taxable Expenses pursuant to F.R.C.P. 54(d)(2) and LRCiv 54.2.

The basis for the request for an award of fees is the Order entered by the Court on September 27, 2012, in which the Court determined that Otis and others are entitled to a mechanics' lien priority superior to Mortgages' and remanded the case to Maricopa County Superior Court. The statutory authority is A.R.S. §33-995(E) and §33-998(B).

The amount of attorneys' fees and related non-taxable

1 expenses sought are estimated to be \$27,449.00.

2 Otis' memorandum in support of its Motion for Award of
3 Attorneys' Fees and Related Non-Taxable Expenses and the
4 supporting documentation required in LRCiv 54.2(d) will be
5 filed within the time frames set forth in LRCiv 54.2(b)(2).

6

7 DATED this 11th day of October. 2012.

8

Swenson, Storer, Andrews
& Frazelle, P.C.

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By /s/John W. Storer, III
John W. Storer, III, Esq.
Attorney for Defendant
Otis Elevator Company

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SSAF
SWENSON STORER ANDREWS & FRAZELLE P.C.
ATTORNEYS

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 11, 2012, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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Mechanical Solutions, Inc.

1 I HEREBY CERTIFY that on October 11, 2012, I also served
2 the attached document by email to:

3 HONORABLE RANDOLPH J. HAINES
4 United States Bankruptcy Court for the District of Arizona
230 N. First Avenue, Courtroom #603
Phoenix, Arizona 85003

5 Email address: randy haines@azb.uscourts.gov

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7 /s/Kim Monk

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