

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: October 31, 2012



Randolph J. Haines

Randolph J. Haines, Bankruptcy Judge

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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

In re:
MORTGAGES LTD.,
Debtor.

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

**ORDER APPROVING STIPULATION TO
VACATE EVIDENTIARY HEARING ON
SECOND AND FOURTH DISTRIBUTION
MOTIONS**

**Hearing Date: November 5, 2012
Hearing Time: 8:30 a.m.**

This matter came before the Court pursuant to the *Stipulation to Vacate Evidentiary Hearing on Second and Fourth Distribution Motions* (the "Stipulation") by and between (i) the parties known collectively as the Rev Op Investors, and (ii) ML Manager LLC ("ML Manager"). Based on the Stipulation and the entire record before the Court, and good cause appearing therefor, the Court finds and orders as follows:

1. The Stipulation is hereby approved.
2. Pending before the Court is an evidentiary hearing this Court set with regard to the Second and Fourth Distribution Motions¹ in this matter. See Docket Entry 3578.

¹ Capitalized terms not otherwise defined herein shall have the meanings set forth in the Stipulation.

1 3. The Rev Op Investors and ML Manager are the only parties who preserved issues
2 to be raised in the evidentiary hearing.

3 4. The Rev Op Investors have withdrawn their request for an evidentiary hearing on
4 the Second and Fourth Distribution Motions.

5 5. The hearing currently scheduled for November 5, 2012 is hereby vacated.

6 6. The Rev Op Investors continue to object to the Second Distribution for the
7 reasons stated in (i) their prior objections to the Allocation Model and the First Distribution,
8 which matters are currently on appeal (“Prior Objections”), and (ii) their non-evidentiary
9 objections to the Second Distribution (“Legal Objections”). All evidentiary objections, however,
10 have been withdrawn. The Rev Op Investors reserve all rights with respect to all Prior
11 Objections and Legal Objections, and do not withdraw or waive such objections or any legal
12 arguments with respect to the Second Distribution, including their rights to appeal any order
13 approving the Second Distribution.

14 7. With respect to the Fourth Distribution, the Rev Op Investors hereby withdraw
15 their request for an evidentiary hearing on such issues, with the exception of the specific issue of
16 whether the adjustments made to prior distributions have resulted or will result in a
17 disproportional allocation of expenses (the “Adjustment Objections”). To the extent that a
18 subsequent hearing is scheduled as described below, or in connection with any future motion to
19 authorize distributions, the Rev Op Investors reserve the right to raise a legal argument and any
20 evidentiary issues with respect to the Adjustment Objections.

21 8. The Rev Op Investors continue to object to the Fourth Distribution for the reasons
22 stated above, including their Prior Objections and their Legal Objections to the Fourth
23 Distribution. The Rev Op Investors reserve all rights with respect to their Prior Objections and
24 their Legal Objections and do not withdraw or waive such objections or any legal arguments
25 with respect to the Fourth Distribution, including their rights to appeal any order approving the
26 Fourth Distribution.

27 9. The Court shall rule on the Second and Fourth Distributions Motions based on the
28 previously submitted briefing.

