

**COPY FOR  
CERTIFICATION**

FILED  
*August 6, 2010 - 11 am*  
MICHAEL K. JEANES, Clerk  
By *L. Ferris*  
Deputy

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5 Attorneys for the Receiver

6 IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA  
7 IN AND FOR THE COUNTY OF MARICOPA

8 STATE OF ARIZONA ex rel. LAUREN )  
KINGRY, Superintendent of the Arizona )  
9 Department of Financial Institutions, )  
10 Plaintiff, )  
v. )  
11 LANDMARC CAPITAL & )  
INVESTMENT COMPANY, )  
12 Defendant. )

Cause No. CV2009-020595

ORDER RE: PETITION NO. 25

(Assigned to Judge Sam Myers)

15  
16 The Receiver having filed Petition No. 25, and the Court having considered same, and  
17 it appearing to the Court that the matters requested by Petition No. 25 are reasonable, just and  
18 appropriate:

19 NOW, THEREFORE, IT IS HEREBY ORDERED:

- 20 1. Authorizing the Receiver to: (a) reimburse Landmarc Capital & Investment  
21 Company ("Landmarc") for the Loan Charges from the Pay-Off Proceeds on the Garcia Loan  
and distribute the remaining funds to the Custodian of the Greenberg IRA in accordance with

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1 the procedures set forth in this Court's *Order No. 8*, and (b) record a release of the Garcia  
2 DOT on behalf of Landmarc and the beneficiaries.

3       2. Authorizing the Receiver to: (a) record the Assignment of Deed of Trust from  
4 the Dillon Family Trust ("Dillon") reassigning back to Landmarc all beneficial interest in the  
5 Camacho Loan and Camacho DOT, and then (b) upon reimbursement to Landmarc for all of  
6 the Loan Charges, execute in the name of Landmarc and record an assignment from  
7 Landmarc to Landmarc Capital Partners, LLC ("Partners") all of the beneficial interest under  
8 the Camacho Loan and DOT.

9       3. Authorizing the Receiver to: (a) execute in the name of Partners and record an  
10 assignment from Partners to Landmarc of 40.53% beneficial interest in the Granados DOT  
11 and Loan, (b) record the Assignment of Deed of Trust from Dillon reassigning back to  
12 Landmarc all beneficial interest of Dillon in the Granados Loan and DOT, and then (c) upon  
13 reimbursement to Landmarc for Partner's pro-rata share of the unpaid Loan Charges, execute  
14 in the name of Landmarc and record an assignment from Landmarc to Partners of 40.54% of  
15 the beneficial interest under the Granados Loan and DOT.

16       4. Authorizing the Receiver to record an assignment to Partners from TBM  
17 Associates, LLC of all of its beneficial interest under the Minnis DOT.

18       5. Authorizing the Receiver to: (a) execute and record on behalf of Landmarc as  
19 the Manager of Partners acting on Partner's behalf, an assignment to Landmarc of all of  
20 Partners' beneficial interest under the Martos Loan and DOT, (b) upon reimbursement to  
21 Landmarc for all of the Loan Charges, execute in the name of Landmarc and record an

1 assignment from Landmarc to Spaulding all of the beneficial interest under the Martos Loan  
2 and DOT; and (c) transfer the Martos Loan to a New Servicing Agent pursuant to the  
3 procedures set forth in this Court's *Order No. 4*.

4 6. Authorizing the Receiver to: (a) in the name of Landmarc as attorney in fact for  
5 the Andersens, execute and record an Assignment of Deed of Trust reassigning back to  
6 Landmarc all beneficial interest in the Aaron Loan and DOT, and then (b) upon  
7 reimbursement to Landmarc for all of the Loan Charges, execute in the name of Landmarc  
8 and record an assignment from Landmarc to Partners of 100% of the beneficial interest under  
9 the Aaron Loan and DOT, and (c) transfer the Aaron Loan to a New Servicing Agent  
10 pursuant to the procedures set forth in this Court's *Order No. 4*.

11 7. Authorizing Thomas Giallanza, as Deputy Receiver, to execute all necessary  
12 documents to effectuate this order.

13 Dated this 6 day of Aug, 2010.

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15 \_\_\_\_\_  
16 Judge of the Superior Court

HONORABLE SAM J. MYERS

1157-001(97042)

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