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IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

STATE OF ARIZONA ex rel. Keith A. Schraad, Superintendent of the Arizona Department of Financial Institutions,

Plaintiff,

v.

LANDMARC CAPITAL & INVESTMENT COMPANY,

Defendant.

Cause No. CV2009-020595

ORDER RE: PETITION NO. 110

(Assigned to Judge Daniel Martin)

The Receiver having filed Petition No. 110, *Petition for Final Order Adjudicating Claims, Declaring Priority of DFI Claim, Authorizing Abandonment of Certain Interests, and Authorizing the Transfer of Remaining Assets to DFI*, and the Court having considered same, and it appearing to the Court that the matters requested by Petition No. 110 are reasonable, just and appropriate:

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Denying as moot the Tax Claims set forth in **Exhibit A-1** attached to Petition No. 110;

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1 2. Denying as moot the HOA Claims set forth in **Exhibit A-2** attached to Petition
2 No. 110;

3 3. Denying the Borrower Claims set forth in **Exhibit A-3** attached to Petition No.
4 110;

5 4. Denying, the LCP Investor Claims set forth in **Exhibit A-4** attached to Petition
6 No. 110;

7 5. Denying the General Creditor Claims set forth in **Exhibit A-5** attached to
8 Petition No. 110;

9 6. Approving the Unsecured Claim Amounts of the Warehouse Lenders Claims as
10 set forth in **Exhibit B** attached to Petition No. 110;

11 7. Declaring that all claims set forth in **Exhibits A-1** through **A-5** and in **Exhibit**
12 **B** attached to Petition No. 110, are subordinate to the amounts owed to DFI for
13 reimbursement under A.R.S. §6-131.01(B);

14 8. Authorizing the Receiver to abandon any interests held by the Receiver arising
15 out of the loans set forth in **Exhibit D-2** attached to Petition No. 110;

16 9. Authorizing the Receiver to transfer all remaining assets of the receivership
17 estate to DFI as partial reimbursement of the expenses incurred by DFI, including but not
18 limited to the loans set forth in **Exhibit D-1** attached to Petition No. 110;

19 10. Authorizing the Deputy Receiver, Thomas J. Giallanza, to execute all
20 documents necessary to effectuate the relief granted by the Court herein; and
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