

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2009-020595

10/19/2011

HONORABLE EILEEN S. WILLETT

CLERK OF THE COURT
J. Rutledge
Deputy

STATE OF ARIZONA, et al.

PATRICK M MURPHY

v.

LANDMARC CAPITAL & INVESTMENT
COMPANY, et al.

ALAN S BASKIN

KATHY ALEMAN
3850 E BASELINE RD STE 123
MESA AZ 85206
CRAIG R CAMPBELL
STEVEN JAMES CASSELMAN
8 BILTMORE ESTATES, UNIT 318
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FARMINGTON MI 48333
H R COHEN INC
C/O DAVID COHEN
PO BOX 2151
FARMINGTON MI 48333
FRANKLIN D DODGE
NICHOLAS C GUTTILLA
ED HUMPHREYS
3850 E BASELINE RD STE 123
MESA AZ 85206
DAVID N RAMRAS
JULIE KATHRYN RYSTAD
THOMAS EUGENE STEWART
5327 E ORCHID LN
PARADISE VALLEY AZ 85253
VICKIE R THOMPSON

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PENNY WOLFSWINKEL
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MESA AZ 85206
JAMES B ROLLE III

HEARING

Courtroom CCB-401

10:08 a.m. This is the time set for Hearing re: Emergency Joint Motion to Vacate Minute Entry Staying Further Proceedings in this Receivership. Receiver is represented by Counsel Patrick M. Murphy. Thomas J. Giallanza, Deputy Receiver, is present. Counsel Timothy C. Dietz appears on behalf of Intervenors TBM Associates, LLC, Geoff and Katie Ball, Lydia Ball Revocable Trust, Eugene and Lenore Schupak Family Trust, and Mark A. Greenberg. Claimant, Cynthia Fera, is also present.

Court reporter, Karen Bolton, is present.

Court and counsel discuss the status of the case.

LET THE RECORD REFLECT that the Court grants the Emergency Joint Motion to Vacate Minute Entry Staying Further Proceedings in this Receivership, received October 18, 2011. Therefore, the Court vacates the October 18, 2011 Minute Entry and the hearing on Petitions No. 52 and 53 proceeds.

Mr. Murphy addresses the Court as to Petitions No. 52 and 53 and advises the Court that there is no objection to Petition No. 53.

Ms. Fera addresses the Court regarding the claim set forth in Petition No. 52 and states that she has recently retained an attorney in this matter. Ms. Fera requests a continuance in this matter.

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For the reasons set forth on the record,

IT IS ORDERED granting the relief requested in Petition No. 53, all in accordance with the formal written Order signed by the Court on October 19, 2011 and filed (entered) by the Clerk on October 19, 2011.

IT IS FURTHER ORDERED granting the relief requested in Petition No. 52 with the exception of **Claim No. 6713**, all in accordance with the formal written Order modified and signed by the Court on October 19, 2011 and filed (entered) by the Clerk on October 19, 2011.

IT IS FURTHER ORDERED granting Claimant, Ms. Fera, an additional **thirty (30) days** to allow receipt of a Response/Objection, and Reply on the issue of Claim No. 6713.

Further, discussion is held regarding a stipulation of deadlines between the parties and Monterey Capital represented by counsel, Julie Kathryn Rystad. The Court directs the parties to file and submit a written stipulation so that the record is clear.

10:25 a.m. Matter concludes.

ALERT: Effective September 1, 2011, the Arizona Supreme Court Administrative Order 2011-87 directs the Clerk's Office not to accept paper filings from attorneys in civil cases. Civil cases must still be initiated on paper; however, subsequent documents must be eFiled through AZTurboCourt unless an exception defined in the Administrative Order applies.