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Attorneys for the Receiver

IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

STATE OF ARIZONA ex rel. LAUREN )  
KINGRY, Superintendent of the Arizona )  
Department of Financial Institutions, )

Plaintiff, )

v. )

LANDMARC CAPITAL & )  
INVESTMENT COMPANY, )

Defendant. )

Cause No. CV2009-020595

ORDER SETTING RULE 16  
CONFERENCE REGARDING THE  
CLAIMED FIRST OUT RIGHTS

RE: PETITION NO. 54

(Assigned to Judge Eileen Willett)

The Court having entered its *Order Deferring Resolution of the Claimed First Out Rights and Claimed Interests in the Presidio 197 Loan and Approving Remaining Recommendations of the Receiver, Re: Petition No. 54:*

NOW, THEREFORE, IT IS HEREBY ORDERED setting a Rule 16 conference regarding the First Out Rights claimed by the Oxford Investors to be held before the Court on the 29 day of Aug, 2012, at the hour of 9<sup>15</sup> o'clock A.M., in the

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Courthouse of the Arizona Superior Court for Maricopa County.

IT IS FURTHER ORDERED that the Receiver shall within five days of the entry of  
1 this order mail by first class mail a copy of this order to the interested persons and legal  
2 counsel identified on the Special Service List for the First Out Litigation attached hereto.

3 Dated this 21 day of May, 2012.

4  
5 **EILEEN S. WILLETT**

6 Judge of the Superior Court

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**SERVICE LIST FOR FIRST OUT LITIGATION**

*State of Arizona ex rel. v. Landmarc Capital & Investment Company*

The Superior Court of Arizona for Maricopa County

CV2009-020595

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IRA, Karen Lamb Trust, John and  
Brooke Solheim, Michael Macken IRA,  
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Attorneys for LDM Acceptance Company, and  
LDM Acceptance Company Pension Plan

Helen and Stephen Gubin Charitable  
Remainder Trust and the Gubin Family  
Trust dated May 27, 1992  
c/o Steve Gubin  
[steve@gubin.net](mailto:steve@gubin.net)  
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Claimant

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Claimant

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Attorneys for Madelene Kepes, Trustee of The  
Madelene Kepes Revocable Living Trust, Dated  
May 22<sup>nd</sup> 1984 as Amended