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JAN 23 2015 10:04 AM
MICHAEL K. JEANES, Clerk
By S. Brown
S. Brown, Deputy

Guttilla Murphy Anderson, P.C.
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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,<br>Plaintiff,<br>v.<br>LANDMARC CAPITAL & INVESTMENT COMPANY,<br>Defendant.<br>*In Re:* The Presidio West Loans | Cause No. CV2009-020595<br><br>ORDER RE: PETITION NO. 88<br><br>(Assigned to the Honorable Patricia Starr) |

The Receiver having filed Petition No. 88, and the Court having considered same, and it appearing to the Court that the matters requested by Petition No. 88 are reasonable, just and appropriate:

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Approving the *Settlement Agreement for the Presidio Litigation* attached as Exhibit "A" to Petition No. 88;

2. Authorizing the Receiver to disburse the Escrowed Funds pro-rata in accordance with the Settlement Agreement as follows:

| | |
|---|---|
| Landmarc Capital Partners, LLC | $847,846 |
| Monterey Capital Co., LLC | $2,645,914 |
| TBM Associates, LLC | $578,169 |
| PLFG (as assignee of LDM Pension) | $498,209 |
| Victoria Cohen | $189,406 |
| DVH Management Corporation | $178,679 |
| PLFG (as assignee of LDM Co.) | $114,784 |
| Receiver | $112,504 |
| Gubin Family Trust | $71,461 |
| **Total** | **$5,236,971** |

3. Further authorizing the Receiver to distribute any interest accruing after November 28, 2014, less bank charges, to the identified parties in the same ratio as set forth in the above paragraph 2; and

4. Directing the signors on the Escrow Account at Alliance Bank to execute such instructions to Alliance bank as are necessary to distribute the Escrow Funds in accordance with this Order.

Dated this 23rd day of JANUARY, 2015.

Judge of the Superior Court

The foregoing instrument is a full true and correct copy of the original on file in this office.

Attest January 23 20 15
MICHAEL K. JEANES, Clerk of the Superior Court of the State of Arizona, in and for the County of Maricopa.

By Sheryl Brown Deputy

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