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2 **JABURG & WILK, P.C.**
3 3200 North Central Avenue, Suite 2000
4 Phoenix, Arizona 85012
5 (602) 248-1000

6 Attorneys for James C. Sell, Receiver

7 SUPERIOR COURT OF ARIZONA

8 MARICOPA COUNTY

9 ARIZONA CORPORATION
10 COMMISSION,

11 Plaintiff,

12 v.

13 AMERICAN NATIONAL MORTGAGE
14 PARTNERS, L.L.C., et al.

15 Defendants.

Case No: CV2003-005724

**AMENDED NOTICE OF FILING
ORDER GRANTING SUBSTANTIVE
CONSOLIDATION AND REQUEST
FOR STATUS HEARING**

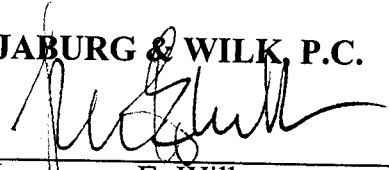
(Assigned to the Honorable
J. Richard Gama)

16 The Receiver, James C. Sell, through counsel of record undersigned, files herewith
17 a copy of the Amended Order Granting Motion for Substantive Consolidation entered by
18 the Honorable Randolph J. Haines on August 9, 2005. Pursuant to the terms of the
19 Amended Order, the remaining entities involved in the State Court proceedings, have been
20 substantively consolidated for all purposes with the American National Mortgage
21 Partners, LLC and ANMP 74th Street, LLC bankruptcy proceedings. Jurisdiction for all
22 future matters shall be in the United States Bankruptcy Court, District of Arizona.

23
24 In order to clarify the issues for the Court and creditors, the Receiver respectfully
25 requests that the Court set a five minute status hearing so that any procedural issues which
26 may exist as a result of the Amended Order Granting Motion for Substantive
27 Consolidation can be addressed.
28

1 DATED this 16 day of August, 2005.

2 **JABURG & WILK, P.C.**

3 
4 _____
5 Lawrence E. Wilk
6 Attorneys for James C. Sell

7 **ORIGINAL** filed and **COPY**
8 of the foregoing hand-delivered
9 this _____ day of August, 2005 to:

10 The Honorable Richard J. Gama MARICOPA COUNTY SUPERIOR COURT 101 West Jefferson, ECB 611 Phoenix, Arizona 85003-2243	The Honorable Cathy M. Holt MARICOPA COUNTY SUPERIOR COURT 101 West Jefferson, Phoenix, Arizona 85003-2243
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11 **COPIES** of the foregoing mailed
12 this _____ day of August, 2005 to:

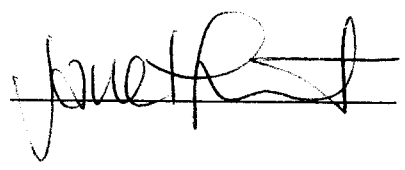
13 Wendy L. Coy, Esq. Arizona Corporation Commission, Securities Division 1300 West Washington, 3 rd Floor Phoenix, Arizona 85007 <i>Attorney for Plaintiff</i>	Elizabeth Amorosi OFFICE OF THE UNITED STATES TRUSTEE 2929 North Central Ave., Suite 700 Phoenix, Arizona 85067
14 Alan A. Meda, Esq. STINSON MORRISON HECKER 1850 N. CENTRAL AVE., #2100 Phoenix, Arizona 85067-6379 <i>Attorney for Dexter Distributing Corp. in related proceedings and Attorney for Castle Real Property Entities</i>	Stanford E. Lerch, Esq. Anthony E. DePrima, Esq. LERCH & DEPRIMA, P.L.C. 4000 N Scottsdale Road, Suite 107 Scottsdale, AZ 85251 <i>Attorneys for Defendants American National Mortgage Partners, L.L.C., Phil and Tricia Vigarino, Robert K. Rehm, Frank and Gail Caspare, and Susan Rutledge</i>
15 Dale C. Schian, Esq. Mark C. Hudson, Esq. SCHIAN WALKER, P.L.C. 3550 North Central Ave., Suite 1500 Phoenix, Arizona 85012-2113 <i>Counsel for Taylor R. Coleman in related proceedings</i>	Bryan F. Murphy BURCH & CRACCHIOLO, P.A. 702 E. Osborn Rd., #200 Phoenix, AZ 85014 <i>Larry William Dunning and Sheila Dunning</i>
16 Peter Michael Salcido, Esq. RENAUD, COOK AND DRURY, P.A. 40 North Central Ave., Suite 1600 Phoenix, Arizona 85004-4424 <i>Co-counsel for Frank and Gail Caspare</i>	Donald M. Peters, Esq. MILLER, LASOTA & PETERS, P.L.C. 722 E. Osborn Road, Suite 100 Phoenix, Arizona 85014 <i>Attorney for Defendants Paul and Carol Meka</i>
17 Mark D. Chester, Esq. CHESTER & SCHEIN, P.C. 8777 North Gainey Center Drive, Suite 191 Scottsdale, Arizona 85258 <i>Attorney for Defendant Mark Kesler</i>	Dustin T. Dudley, Esq. ISRAEL AND GERITY, P.L.L.C. 3300 N. Central Avenue, Suite 2000 Phoenix, AZ 85012 <i>Attorneys for David & Karyn Stocker & Doug Baxter</i>
18 Eric Strasser 2700 North Hayden Rd., #2013 Scottsdale, Arizona 85262	James P. Kneller 7509 E. First Street Scottsdale, Arizona 85251

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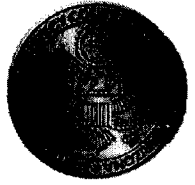
Michael R. Palumbo, Esq. JENNINGS, STROUSS & SALMON, P.L.C. The Collier Center, 11 th Floor 201 East Washington Street Phoenix, Arizona 85004-2385 <i>Attorneys for Dan Walen and Dass W.L.L.C.</i>	Richard C. Gramlich, Esq. Kim E. Hutchinson Cahill, Esq. CARMICHAEL & POWELL, P.C. 7301 North 16 th Street, Suite #103 Phoenix, Arizona 85020-5297 <i>Attorneys for Dellheim, Vescio and Owens in related proceedings</i>
David Dow, Esq. MOHR HACKETT PEDERSON BLAKELEY & RANDOLPH 2800 N. Central, #1100 Phoenix, AZ 85004-1043	Lyman Davis 920 West Wagner Drive Gilbert, AZ 85233 <i>Chairman of Creditors Committee</i>
Monte and Betty Muex 10126 E. Cochise Drive Scottsdale, Arizona 85258	Col. William Edwards P.O. Box 1272 Litchfield Park, AZ 85340-1272
Joel Hoaxie SNELL & WILMER One Arizona Center Phoenix, AZ 85004 <i>Attorney for National Bank of Arizona</i>	J. Phillip Glassock J. Phillip Glassock, P.C. 13430 N. Scottsdale Road, Siute 106 Scottsdale, Arizona 85254-0001 <i>Attorney for Pamela Coulter and the Estate of Daryl Coulter</i>
James C. Sell 2222 E. Camelback Road, #110 Phoenix, Arizona 85016 <i>Court Appointed Receiver</i>	



IT IS HEREBY ADJUDGED
and DECREED this is SO
ORDERED.

The party obtaining this order is responsible for
noticing it pursuant to Local Rule 9022-1.

Dated: August 09, 2005



1 Lawrence E. Wilk, #006510
Jonathan P. Ibsen, #023284
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3 Phoenix, Arizona 85012
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4 e-mail lew@jaburgwilk.com

Randolph J. Haines

RANDOLPH J. HAINES
U.S. Bankruptcy Judge

5 *Counsel for James C. Sell, Court appointed Receiver/Debtor*

6
7 UNITED STATES BANKRUPTCY COURT
8 DISTRICT OF ARIZONA

9 In re:
10 **AMERICAN NATIONAL MORTGAGE**
11 **PARTNERS, LLC,**
12 Debtor.

In Proceedings Under
Chapter 11
Case No: 03-03803 PHX RJH

13 In re:
14 **ANMP 74TH ST., LLC,**
15 Debtor.

In Proceedings Under
Chapter 11
Case No: 03-03799 PHX RJH

**AMENDED ORDER GRANTING
MOTION FOR SUBSTANTIVE
CONSOLIDATION**

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ATTORNEYS AT LAW
3200 NORTH CENTRAL AVENUE
SUITE 2000
PHOENIX, ARIZONA 85012

16
17 The Court having considered the Joint Motion for Substantive Consolidation (the
18 "Motion") by the Debtors, the Official Committee of Unsecured Creditors (the "Creditors'
19 Committee") and James C. Sell, the Court appointed Receiver in the above-referenced
20 matter ("Receiver")(collectively, the "Movants"); and

21 The Court having considered the objections thereto filed by Pamela Coulter and
22 National Bank of Arizona (collectively, the "Objections"); and

23 The Court having considered the facts and arguments advanced at the Hearing on
24 the Motion on July 14, 2005; and

25 The Court having found that Notice of the Motion having been provided to all
26 those entitled to receive same, and good cause appearing;

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IT IS HEREBY ORDERED:

1. That these Debtors' Cases be substantively consolidated for all purposes with the related non-debtor entities set forth on Exhibit "A" hereto, as of July 14, 2004; and

2. That the Motion is denied to the extent that it seeks *nunc pro tunc* effect, without prejudice as to the Movants' rights to file supplemental pleadings seeking such *nunc pro tunc* effect; and

3. That the Objection of National Bank is denied; and

4. That the relief granted the Movants herein is without prejudice solely to the Objection of Pamela Coulter and her deceased husband's estate and a demonstration of how it might prejudice them individually.

DATED: _____

The Honorable Randolph J. Haines
Judge of the U.S. Bankruptcy Court

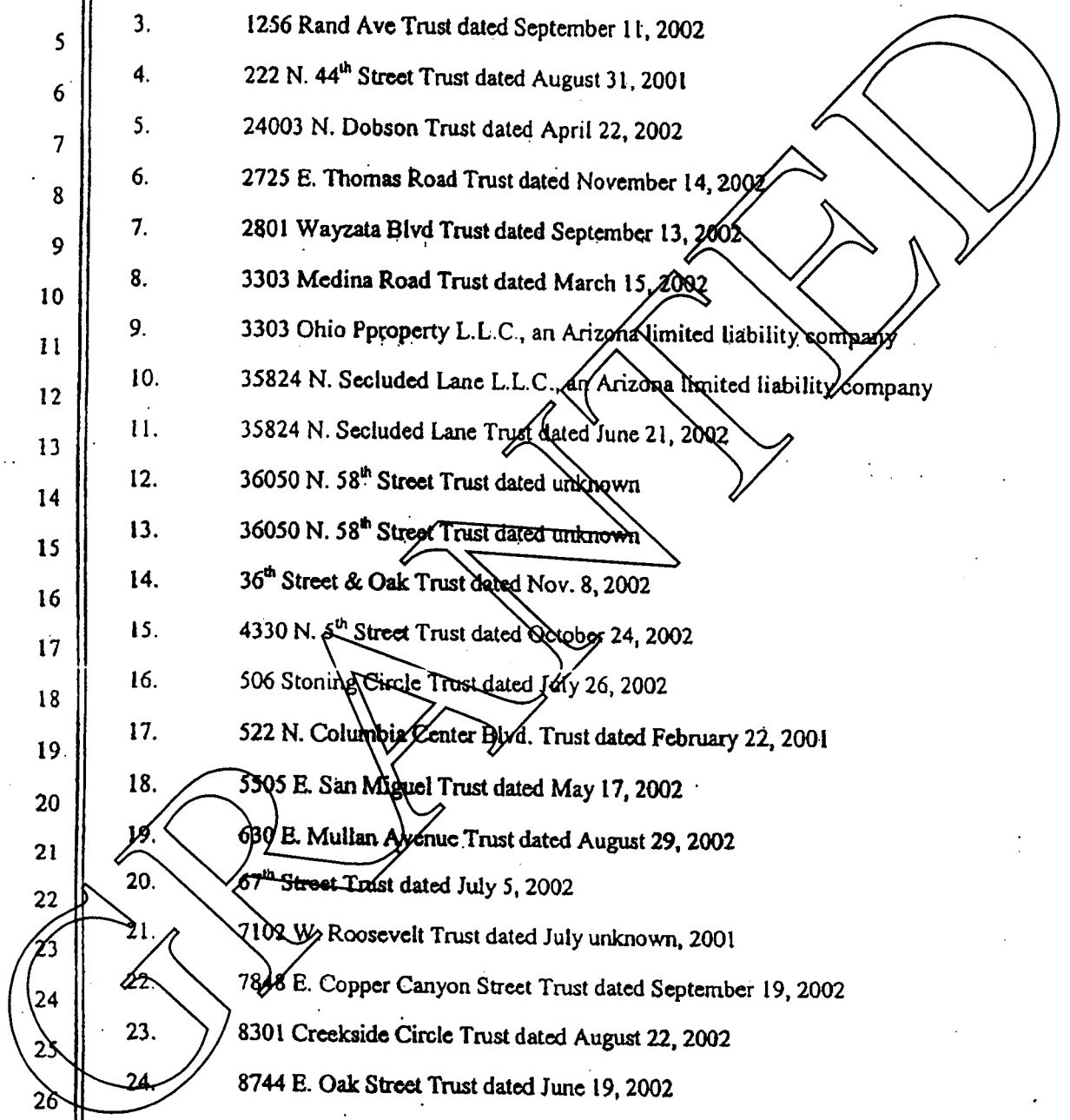
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GRANTED

Exhibit "A"

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1. 11324 E. Sprague Ave. Trust dated unknown
2. 1230 Pine Road Trust dated July 21, 2002
3. 1256 Rand Ave Trust dated September 11, 2002
4. 222 N. 44th Street Trust dated August 31, 2001
5. 24003 N. Dobson Trust dated April 22, 2002
6. 2725 E. Thomas Road Trust dated November 14, 2002
7. 2801 Wayzata Blvd Trust dated September 13, 2002
8. 3303 Medina Road Trust dated March 15, 2002
9. 3303 Ohio Ppproperty L.L.C., an Arizona limited liability company
10. 35824 N. Secluded Lane L.L.C., an Arizona limited liability company
11. 35824 N. Secluded Lane Trust dated June 21, 2002
12. 36050 N. 58th Street Trust dated unknown
13. 36050 N. 58th Street Trust dated unknown
14. 36th Street & Oak Trust dated Nov. 8, 2002
15. 4330 N. 5th Street Trust dated October 24, 2002
16. 506 Stoning Circle Trust dated July 26, 2002
17. 522 N. Columbia Center Blvd. Trust dated February 22, 2001
18. 5505 E. San Miguel Trust dated May 17, 2002
19. 630 E. Mullan Avenue Trust dated August 29, 2002
20. 67th Street Trust dated July 5, 2002
21. 7102 W. Roosevelt Trust dated July unknown, 2001
22. 7848 E. Copper Canyon Street Trust dated September 19, 2002
23. 8301 Creekside Circle Trust dated August 22, 2002
24. 8744 E. Oak Street Trust dated June 19, 2002



- 1 25. 8802 N. Black Canyon Hwy Trust dated unknown
- 2 26. 9815 S.W. Capital Hwy Trust dated June 24, 2001
- 3 27. 998 E. Indian School Trust Dated September 22, 1999
- 4 28. American Money Power, Inc. dba Money Power, an Arizona corporation
- 5 29. American National Mortgage Partners L.L.C.
- 6 30. Amsterdam 350 Trust dated August 16, 2002,
- 7 31. Amsterdam L.L.C., an Arizona limited liability company
- 8 32. Amsterdam Lenders L.L.C., an Arizona limited liability company
- 9 33. ANMP 74th ST. L.L.C.
- 10 34. Atlas Mine L.L.C., an Arizona limited liability company
- 11 35. Bb/Carefree L.L.C., an Arizona limited liability company
- 12 36. Boat Bed & Breakfast L.L.C., an Arizona limited liability company
- 13 37. Boat, Bed and Breakfast, LLC Trust dated November 8, 2000 aka Bed, Boat and
- 14 Breakfast, LLC Trust dated November 8, 2000
- 15 38. Camelback 300 L.L.C., an Arizona limited liability company
- 16 39. Camelback 300 Trust dated February 11, 2002
- 17 40. Camelback Stone Canyon L.L.C., an Arizona limited liability company
- 18 41. Cash Flow University, Inc., an Arizona corporation
- 19 42. Castle Roosevelt Warehouse L.L.C., an Arizona limited liability company
- 20 43. Clearwater Mines Trust dated February 12, 2002
- 21 44. Colonial Village L.L.C., an Arizona limited liability company
- 22 45. Corporate Fiducial Services, Inc., a Nevada corporation
- 23 46. Corporate Management Solutions, Inc., an Arizona corporation
- 24 47. Corporate Warehouse L.L.C., an Arizona limited liability company
- 25 48. Creative Financial Funding, L.L.C., an Arizona limited liability company
- 26 49. Deer Valley Trust dated September 20, 2000

- 1 50. Deer Valley Trust II L.L.C., an Arizona limited liability company
- 2 51. Deer Valley/26th Ave. Trust dated unknown
- 3 52. DV Partners L.L.C., an Arizona limited liability company
- 4 53. Fcg Lenders L.L.C., an Arizona limited liability company
- 5 54. FCG Partners L.L.C., an Arizona limited liability company
- 6 55. Federal Capital, L.L.C., an Arizona limited liability company
- 7 56. FJ Properties, LLC, an Arizona limited liability company
- 8 57. Flynn Jackson Partners L.L.C., an Arizona limited liability company
- 9 58. Flynn Jackson Premium Portfolio L.L.C., an Arizona limited liability company
- 10 59. Flynn Jackson Properties L.L.C., an unknown limited liability company
- 11 60. Flynn Jackson Second Portfolio L.L.C., an Arizona limited liability company
- 12 61. Flynn-Jackson Properties Trust dated 4/30/02
- 13 62. Forest Avenue L.L.C., an unknown limited liability company
- 14 63. Forest Global L.L.C., an unknown limited liability company
- 15 64. Guaranty Performance, Inc., an Arizona corporation
- 16 65. High Chaparral Trust dated March 11, 2002
- 17 66. Hudson Park L.L.C., an Arizona limited liability company
- 18 67. Hudson Valley L.L.C., an Arizona limited liability company
- 19 68. Hudson-Hyde Park L.L.C., an Arizona limited liability company
- 20 69. I-10 Investors L.L.C., an Arizona limited liability company
- 21 70. Joshua Lane Lenders, L.L.C., an unknown limited liability company
- 22 71. Las Sendas MountaiN L.L.C., an unknown limited liability company
- 23 72. Lot 14 Copper Canyon Trust dated May 18, 2002
- 24 73. Lot 14 Copper Canyon Trust dated May 8, 2002
- 25 74. Lot 68 Mystic Hills Property Trust dated May 22, 2002
- 26 75. Medina Properties, L.L.C., an Arizona limited liability company

- 1 76. Megastore Roosevelt Warehouse L.L.C., an Arizona limited liability company
- 2 77. Money Power L.L.C., an Arizona limited liability company
- 3 78. Normandale Tower L.L.C., an Arizona limited liability company
- 4 79. North Dobson-Scottsdale L.L.C., an Arizona limited liability company
- 5 80. North Secluded Lane L.L.C., an Arizona limited liability company
- 6 81. Northwest Fir Properties dated May 17, 2002
- 7 82. NP Investments, Inc. a Nevada corporation
- 8 83. NT Creekside L.L.C., an Arizona limited liability company
- 9 84. Oak Commons L.L.C., an Arizona limited liability company
- 10 85. Omaha Property L.L.C., an unknown limited liability company
- 11 86. Pontchartrain Realty Fund, Inc., a Louisiana corporation
- 12 87. Pontchartrain Realty Fund, Inc., a Nevada corporation
- 13 88. Pontchartrain Realty Fund, LLC, an Arizona limited liability company
- 14 89. Profit-I L.L.C., an Arizona limited liability company
- 15 90. Progress Drive Trust dated August 21, 2001
- 16 91. R.L. Wickman Trust dated January 31, 2002
- 17 92. Roosevelt Street Trust dated April 30, 2002
- 18 93. Roosevelt Street Trust dated April 30, 2002
- 19 94. Roosevelt Warehouse L.L.C., an Arizona limited liability company
- 20 95. San Miguel Trust dated September 20, 2002
- 21 96. Secura Fund Arizona, L.L.C., an Arizona limited liability company
- 22 97. Secura Innovative Investment, Inc., an Arizona corporation
- 23 98. Secura Mortgage Management, L.L.C., an Arizona limited liability company
- 24 99. She La Via Cosmetics, INC., an Arizona corporation
- 25 100. Sixty-Seventh Street L.L.C., an Arizona limited liability company
- 26 101. South Bonita L.L.C., an Arizona limited liability company

- 1 102. T. Lungaro L.L.C., an Arizona limited liability company
- 2 103. The 300 Acacia Drive Trust dated January 18, 2000
- 3 104. The 300 East Camelback Road Trust dated June 1, 2000
- 4 105. The Federal Way Building L.L.C. dated January 27, 2000
- 5 106. The Silverdale Building Trust dated 06/27/2000
- 6 107. Thomas Townhomes L.L.C., an Arizona limited liability company
- 7 108. Trapper Creek L.L.C., an Arizona limited liability company
- 8 109. United Equity Holdings, Inc., an Arizona corporation
- 9 110. Waterstone Apartments L.L.C., an Arizona limited liability company
- 10 111. WBMM L.L.C., an Arizona limited liability company
- 11 112. Western + Gulf Capital, Inc., a Louisiana corporation

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