

JABURG & WILK, P.C.
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5 (602) 264-4965
6 e-mail michael@mcarmellaw.com
7 *Attorney for the Debtors*

8 Lawrence E. Wilk, #006510
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10 3200 North Central Avenue, Suite 2000
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12 (602) 248-1000
13 e-mail lew@jaburgwilk.com
14 *Attorneys for the Receiver*

15 UNITED STATES BANKRUPTCY COURT
16 DISTRICT OF ARIZONA

17 In re:
18 AMERICAN NATIONAL MORTGAGE
19 PARTNERS, LLC,
20 Debtor.

In Proceedings Under
Chapter 11
Case Nos: 03-03803 PHX RJH
03-03799 PHX RJH

21 _____
22 In re:
23 ANMP 74TH ST., LLC,
24 Debtor.

**MOTION TO ADOPT AND APPROVE
STATE COURT ORDERS**

25 James C. Sell, the Court appointed Receiver for American National Mortgage Partners
26 and related entities in State Court Action No. CV2003-005724 (hereinafter the "State Court
27 Action") hereby requests that the Court adopt and approve the Orders previously entered in the
28 State Court action regarding the professional fees incurred by Jaburg & Wilk, Michael Carmel,
James C. Sell and Robert Hubbard. Pursuant to the Receivership Order in the State Court Action,
which was previously entered with the consent and approval of this Court, all approved
professional fees are to be submitted on a monthly basis to the U.S. Trustee's Office c/o Elizabeth

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Amorosi and to the Arizona Corporation Commission c/o Wendy Coy. On a monthly basis the professionals have complied with the Order. On a quarterly basis, fee applications are to be filed in State Court, and to be heard by the State Court Judge, Richard Gama. On May 13, 2005, the State Court heard quarterly fee applications for each of the parties referenced hereinabove, and entered the Orders which are attached hereto as **Exhibits "A" – "D"** ("State Court Orders"). Under the terms of the Receivership Order, notice is to be given to all creditors in the bankruptcy proceeding by way of negative notice of the entry of these Orders. If no objections are received, the State Court Orders will be entered in the bankruptcy proceeding. Attached hereto and incorporated herein by reference as **Exhibit "E"** is the Notice being filed contemporaneously herewith and served on all creditors.

BASED ON THE FOREGOING, the Receiver shall immediately notice out to all creditors, by negative fifteen (15) day notice, the *Notice of Filing Motion to Adopt State Court Orders and Bar Date for Filing Objections Thereto*. In the event that no objections are received, the Receiver requests that an Order be entered approving and adopting the Orders of the State Court.

DATED this 20th day of May, 2005.

JABURG & WILK, P.C.

/s/ 006510

Lawrence E. Wilk
Attorneys for James C. Sell,
Court appointed Receiver

COPY of the foregoing mailed
this 20th day of May, 2005.

Michael W. Carmel
80 E. Columbus Ave.
Phoenix, AZ 85012-4965

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ATTORNEYS AT LAW
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Stanford E. Lerch, Esq.
Anthony E. DePrima, Esq.
LERCH & DEPRIMA, P.L.C.
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Phoenix, Arizona 85016-0001

Elizabeth Amorosi
OFFICE OF THE U.S. TRUSTEE
P.O. Box 36170
Phoenix, AZ 85067-6170

Wendy L. Coy, Esq.
ARIZONA CORPORATION COMMISSION
Securities Division
1300 West Washington, 3rd Floor
Phoenix, Arizona 85007

Alan A. Meda, Esq.
STINSON MORRISON HECKER
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*Attorney for Dexter Distributing Corp. in related proceedings
And Castle Real Property Entities*

J. Phillip Glasscock, Esq.
J. PHILLIP GLASSCOCK, P.C.
13430 N. Scottsdale Road, Suite 106
Scottsdale, Arizona 85254
Attorney for Pamela Coulter

/s/Janet Forster

EXHIBIT "A"

1 Lawrence E. Wilk, #006510
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 COMMISSION,
10 Plaintiff,
11 v.
12 AMERICAN NATIONAL MORTGAGE
13 PARTNERS, L.L.C., et al.
14 Defendants.

Case No: CV2003-005724

**ORDER APPROVING SEVENTH
APPLICATION FOR INTERIM
COMPENSATION BY JABURG & WILK,
P.C., AS ATTORNEYS FOR THE
RECEIVER**

(Assigned to the Honorable J. Richard Gama)

14 Jaburg & Wilk, P.C., having filed its Seventh Application for Interim Compensation by
15 Jaburg & Wilk, P.C., as Attorneys for the Receiver, and, after notice, good cause appearing
16 therefor,

17 **IT IS ORDERED:**

18 A. Approving the Seventh Application for Interim Compensation to Applicant for services
19 performed for the Receivership Estate in the amount of \$89,682.00 for fees and \$4,561.75 for
20 disbursements for the period from July 27, 2004 through October 26,2004, inclusive; and
21

22 B. Authorizing and directing the Receiver to pay Jaburg & Wilk, P.C., the unpaid balance of
23 fees and disbursements set forth in Paragraph A above at such time as there are sufficient funds in
24 the Receivership Estate.

25 DATED this 17 day of May, 2005.

JUDGE J. RICHARD GAMA

26
27

Honorable J. Richard Gama
28 Maricopa County Superior Court

JABURG & WILK, P.C.
ATTORNEY AT LAW
3200 NORTH CENTRAL AVENUE
SUITE 2000
PHOENIX, ARIZONA 85012

EXHIBIT "B"

1 Lawrence E. Wilk, #006510
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 COMMISSION,

Case No: CV2003-005724

10 Plaintiff,

**ORDER APPROVING SEVENTH
APPLICATION FOR INTERIM
COMPENSATION BY MICHAEL W.
CARMEL, SPECIAL COUNSEL FOR
DEBTOR AND DEBTOR IN POSSESSION**

11 v.

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

14 Defendants.

(Assigned to the Honorable J. Richard Gama)

15 Michael W. Carmel and staff, having filed their Seventh Application for Interim
16 Compensation covering services rendered and clerical expenses incurred during the Application
17 Period from October 16, 2004 through January 15, 2005, after notice and hearing, and good cause
18 appearing therefor,

19 IT IS HEREBY ORDERED:

20 A. Approving Michael W. Carmel's' fees for the period from October 16,
21 2004 through January 15, 2005 in the total amount of \$15,315.00.

22 B. Authorizing and directing the Receiver to pay the unpaid balance of fees
23 set forth in Paragraph A above to the Special Counsel for Debtor and Debtor in Possession at such
24 time as the Receivership Estate has sufficient funds.

25 DONE IN OPEN COURT this 13 day of May, 2005.

26
27 **JUDGE J. RICHARD GAMA**

28 _____
Honorable J. Richard Gama

EXHIBIT "C"

1 Lawrence E. Wilk, #006510
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 COMMISSION,
10 Plaintiff,
11 v.
12 AMERICAN NATIONAL MORTGAGE
13 PARTNERS, L.L.C., et al.
14 Defendants.

Case No: CV2003-005724

**ORDER APPROVING SEVENTH
APPLICATION FOR INTERIM
COMPENSATION BY JAMES C. SELL,
RECEIVER**

(Assigned to the Honorable J. Richard Gama)

13 James C. Sell, having filed the Seventh Application for Interim Compensation by
14 Receiver, and, after notice, good cause appearing therefore,

15 **IT IS ORDERED:**

16 A. Approving the Seventh Application for Interim Compensation to Applicant for
17 services performed for the general Receivership Estate in the amount of \$88,643.50 for fees and
18 \$5,067.70 for reimbursement of costs for the periods from October 1, 2004, through December
19 31, 2004, (the "Application Period"); and

20 B. Authorizing and directing payment of the unpaid balance of fees and costs set forth
21 in Paragraph A above to the Receiver at such time as the Receivership Estate has sufficient funds.

22 DATED this 17 day of May, 2005.

23 **JUDGE J. RICHARD GAMA**

24 _____
25 Honorable J. Richard Gama
26 Maricopa County Superior Court
27
28

EXHIBIT "D"

1 Lawrence E. Wilk, #006510
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

6 SUPERIOR COURT OF ARIZONA
7 MARICOPA COUNTY

8 ARIZONA CORPORATION COMMISSION,
9 Plaintiff,
10 v.
11 AMERICAN NATIONAL MORTGAGE
12 PARTNERS, L.L.C., et al.
13 Defendants.

Case No: CV2003-005724

**ORDER APPROVING SEVENTH
APPLICATION FOR INTERIM
COMPENSATION BY ACCOUNTANTS
FOR RECEIVER**

(Assigned to the Honorable J. Richard Gama)

14 Robert C. Hubbard, C.P.A. and staff, having filed their Seventh Application for Interim
15 Compensation covering services rendered and clerical expenses incurred during the Application
16 Period from October 26, 2004 through December 21, 2004, and, after notice and hearing, and
17 good cause appearing therefor,

18 IT IS HEREBY ORDERED:

19 A. Approving Accountants' fees and disbursements for the period from October 26,
20 2004 through December 21, 2004 in the total amount of \$2,147.70;

21 B. Authorizing and directing the Receiver to pay the unpaid balance of fees set forth
22 in Paragraph A above to the Accountant at such time as the Receivership Estate has sufficient
23 funds.
24

25 DONE IN OPEN COURT this 17 day of May, 2005.

26 **JUDGE J. RICHARD GAMA**

27 Honorable J. Richard Gama
28 Maricopa County Superior Court

EXHIBIT "E"

1 Michael Carmel, Esq. #007356
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7 *Attorney for the Debtors*

8 Lawrence E. Wilk, #006510
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13 e-mail lew@jaburgwilk.com
14 *Attorneys for the Receiver*

15 UNITED STATES BANKRUPTCY COURT
16 DISTRICT OF ARIZONA

17 In re:
18 AMERICAN NATIONAL MORTGAGE
19 PARTNERS, LLC,
20 Debtor.

In Proceedings Under
Chapter 11

Case Nos: 03-03803 PHX RJH
03-03799 PHX RJH

21 In re:
22 ANMP 74TH ST., LLC,
23 Debtor.

**NOTICE OF FILING MOTION TO
ADOPT STATE COURT ORDERS AND
BAR DATE FOR FILING OBJECTIONS
THERE TO**

24 **PLEASE TAKE NOTICE** that James C. Sell, the Court appointed Receiver for
25 American National Mortgage Partners and related entities filed a Motion to Adopt State Court
26 Orders which authorizes payment of the professional fees incurred by Jaburg & Wilk, Michael
27 Carmel, James C. Sell, and Robert Hubbard. On May 13, 2005, Orders approving the fee
28 applications of the above-referenced parties were entered by Judge Richard C. Gama in State
Court proceeding CV2003-005724. Pursuant to the Receivership Order, the Receiver is
requesting that this Court adopt and approve the Orders entered by Judge Gama. Copies of the
Motions and Orders are on file with the Court or can be viewed at the following websites:

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ATTORNEYS AT LAW
3200 NORTH CENTRAL AVENUE
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PHOENIX, ARIZONA 85012

1 www.americannationalrecivership.com and/or www.2beam.com/ANMP

2 Any person objecting to this motion shall file a written objection on or before fifteen days
3 from the date of service of this notice with the Clerk of the United States Bankruptcy Court at
4 2929 North Central Avenue, 9th Floor, Phoenix, Arizona 85012. The objection must contain the
5 following information, which can be obtained from this notice; the case name and number, the
6 name of the person or entity objecting, the grounds for the objection and the name of the
7 attorneys for the Receiver. A copy of the objection shall be mailed to counsel for the Receiver, at
8 the following addresses:

9 Lawrence E. Wilk, #006510
10 **JABURG & WILK, P.C.**
11 3200 North Central Avenue, Suite 2000
12 Phoenix, Arizona 85012

13 Michael Carmel, Esq. #007356
14 Law Offices of MICHAEL W. CARMEL, LTD
15 80 East Columbus Avenue
16 Phoenix, Arizona 85012-2334

17 If no timely written objection is filed, the Court may enter an Order Adopting and
18 Approving the State Court Orders approving the professional fees incurred by Jaburg & Wilk,
19 Michael Carmel, James C. Sell and Robert Hubbard.

20 DATED this 20th day of May, 2005.

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

22 /s/ 006510

23 _____
24 Lawrence E. Wilk
25 Attorneys for James C. Sell,
26 Court appointed Receiver

27 COPY of the foregoing mailed
28 this 20th day of May, 2005.

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/s/Janet Forster
