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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  
8 SUPERIOR COURT OF ARIZONA

9 MARICOPA COUNTY

10 ARIZONA CORPORATION  
11 COMMISSION,

12 Plaintiff,

13 v.

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

16 Defendants.

Case No: CV2003-005724

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

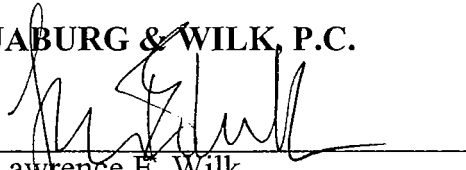
(Assigned to the Honorable  
J. Richard Gama)

17 The Receiver, James C. Sell, through counsel of record undersigned, files herewith  
18 a copy of the Order Granting Motion for Substantive Consolidation entered by the  
19 Honorable Randolph J. Haines on July 18, 2005. Pursuant to the terms of the Order, the  
20 remaining entities involved in the State Court proceedings, have been substantively  
21 consolidated for all purposes with the American National Mortgage Partners, LLC and  
22 ANMP 7<sup>th</sup> Street, LLC bankruptcy proceedings. Jurisdiction for all future matters shall be  
23 in the United States Bankruptcy Court, District of Arizona.

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 Order granting Motion for Substantive Consolidation can be  
27 addressed.  
28

1 DATED this 22 day of July, 2005.

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

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

6 **ORIGINAL** filed and **COPY**  
7 of the foregoing hand-delivered  
8 this 22 day of July, 2005 to:

9 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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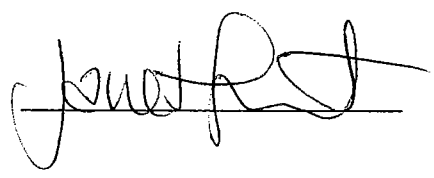
11 **COPIES** of the foregoing mailed  
12 this 22 day of July, 2005 to:

13 Wendy L. Coy, Esq. Arizona Corporation Commission, Securities Division 1300 West Washington, 3 <sup>rd</sup> 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. 1700 East Thomas Road, Suite B Phoenix, Arizona 85016-0001 <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 &amp; Karyn Stocker &amp; 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 <sup>th</sup> 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 <sup>th</sup> 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</i>
James C. Sell 2222 E. Camelback Road, #110 Phoenix, Arizona 85016 <i>Court Appointed Receiver</i>	



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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: July 18, 2005



1 Lawrence E. Wilk, #006510  
2 Jonathan P. Ibsen, #023284  
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7 e-mail [lew@jaburgwilk.com](mailto:lew@jaburgwilk.com)

*Randolph J. Haines*

**RANDOLPH J. HAINES**  
U.S. Bankruptcy Judge

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

UNITED STATES BANKRUPTCY COURT  
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 \_\_\_\_\_  
14 In re:  
15 **ANMP 74<sup>TH</sup> ST., LLC,**  
16 Debtor.

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

**ORDER GRANTING MOTION FOR  
SUBSTANTIVE CONSOLIDATION**

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.

DATED: \_\_\_\_\_

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

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GRANTEE