Case 8:08-bk-13150-RK Doc 687 Filed 06/03/10 Entered 06/03/10 12:26:37 Page 1 of 15 Main Document Alan J. Friedman (State Bar No. 132580) afriedman@irell.com 2 Kerri A. Lyman (State Bar No. 241615) klyman@irell.com 3 **IRELL & MANELLA LLP** 840 Newport Center Drive, Suite 400 4 Newport Beach, California 92660-6324 Telephone: (949) 760-0991 5 Facsimile: (949) 760-5200 6 Attorneys for Debtors and Debors-in Possession 7 UNITED STATES BANKRUPTCY COURT 8 CENTRAL DISTRICT OF CALIFORNIA 9 SANTA ANA DIVISION 10 11 Case No. 8:08-bk-13150-RK In re 12 Substantively Consolidated With: JAMES C. GIANULIAS and CAMEO HOMES, a) Case No. 8:08-bk-13151-RK California corporation, 13 Chapter 11 14 Debtors and Debtors-in-Possession. SERVICE OF ENTERED ORDER 15 SUSTAINING DEBTORS' FIRST OMNIBUS **OBJECTION TO DUPLICATE AND/OR** 16 **SUPERSEDED CLAIMS OF:** (1) MARILYN GIANULIAS ROBBINS 17 (Claim No. 19-1); (2) CLARKE MASONRY, INC. (Claim No. 18 32-1); (3) GEURTS LAW FIRM (Claim No. 39-1); 19 (4) AMPAM PARKS MECHANICAL, INC. (Claim No. 53-1); 20 (5) DEUTSCHE BANK BERKSHIRE MORTGAGE, INC. (Claim No. 21 (6) LAING/SEQUOIA PARTNERS LLC AND SOUTH BANNING PROPERTIES 22 LLC (Claim No. 4-1; (7) M.W. HOUSING PARTNERS III, LP 23 (Claim No. 10-1); (8) PACIFIC WESTERN BANK (Claim No. 24 13-1 and 20-1); (9) STERLING SAVINGS BANK, 25 ASSIGNEE OF INTERVEST-MORTGAGE INVESTMENT CO. 26 (Claim No. 30-1, 35-1 and 35-2); (10) CROUDACE, DIETRICH & PARKER, 27 LLP (Claim No. 36-1) 28 **IRELL & MANELLA LLP** Registered Limited Liability Law Partnership Including Professional Corporations

2247968.1 02

Case 8:08-bk-13150-RK Doc 687 Filed 06/03/10 Entered 06/03/10 12:26:37 Desc Main Document Page 2 of 15 Hearing: DATE: May 11, 2010 TIME: 2:30 p.m. PLACE: Courtroom 5D 411 West Fourth Street Santa Ana, CA 92701 /// IRELL & MANELLA LLP
A Registered Limited Liability
Law Partnership Including
Professional Corporations 2247968.1 02

| 1 | PROOF OF SERVICE OF DOCUMENT | | | |
|----------------------|---|--|--|--|
| 2 | I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 840 Newport Center Drive, Suite 400, Newport Beach, CA 92660-6324 | | | |
| 4 | The foregoing document described as SERVICE OF ENTERED ORDER SUSTAINING DEBTORS' FIRST OMNIBUS OBJECTION TO DUPLICATE AND/OR SUPERSEDED CLAIMS OF: (1) MARILYN GIANULIAS ROBBINS (Claim No. 19-1); (2) CLARKE MASONRY, INC. (Claim No. 32-1); (3) GEURTS LAW FIRM (Claim No. 39-1); (4) AMPAM PARKS MECHANICAL, INC. | | | |
| 6 | (Claim No. 53-1); (5) DEUTSCHE BANK BERKSHIRE MORTGAGE, INC. (Claim No. 55-1); (6) LAING/SEQUOIA PARTNERS LLC AND SOUTH BANNING PROPERTIES LLC (Claim No. 4-1; (7) M.W. HOUSING PARTNERS III, LP (Claim No. 10-1); (8) PACIFIC WESTERN BANK (Claim | | | |
| 7 8 | No. 13-1 and 20-1); (9) STERLING SAVINGS BANK, ASSIGNEE OF INTERVEST-MORTGAGE INVESTMENT CO. (Claim No. 30-1, 35-1 and 35-2); (10) CROUDACE, DIETRICH & PARKER, LLP (Claim No. 36-1) [ATTACHED HERETO AS EXHIBIT "A"] will be served or was served (a) on | | | |
| 9 | the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner indicated below: | | | |
| 12 | Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s) ("LBR"), the foregoing document will be served by the court via NEF and hyperlink to the document. On June 3, 2010, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated below: Service information continued on attached page | | | |
| l3 l4 | | | | |
| 15 16 17 | | | | |
| 18 19 | Service information continued on attached page | | | |
| 20 21 22 23 | III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL (indicate method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on 2010, I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no later than 24 hours after the document is filed. | | | |
| 24 | Service information continued on attached page | | | |
| 25 ₂ | I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. | | | |
| | 6/3/2010 Lori Gauthier /s/ Lori Gauthier | | | |
| 27 | Date Type Name Signature | | | |
| 28 | | | | |

1 SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF") 2 John B Acierno ecfcacb@piteduncan.com ibressi@luce.com Jess R Bressi 3 Frank Cadigan frank.cadigan@usdoj.gov Jon M Chatalian efile@pbgc.gov, chatalian.jon@pbgc.gov 4 Sean T Cork scork@ssd.com Paul J Couchot pcouchot@winthropcouchot.com, 5 pj@winthropcouchot.com;sconnor@winthropcouchot.com Melissa Davis mdavis@shbllp.com 6 Susan S Davis sdavis@coxcastle.com Daniel Denny ddenny@gibsondunn.com 7 Lei Lei Wang Ekvall lekvall@wgllp.com David K Eldan malvarado@pmcos.com, rpinal@pmcos.com 8 Alan J Friedman afriedman@irell.com Jose A Garcia ecfcacb@piteduncan.com 9 bgaschen@wgllp.com Beth Gaschen kmurphy@goeforlaw.com, rgoe@goeforlaw.com;mforsythe@goeforlaw.com 10 Robert P Goe Michael J Hauser michael.hauser@usdoj.gov 11 Whitman L Holt wholt@stutman.com Marsha A Houston mhouston@reedsmith.com 12 john.immordino@wilsonelser.com, raquel.burgess@wilsonelser.com John J Immordino Lance N Jurich ljurich@loeb.com, kpresson@loeb.com 13 **Bradford Klein** brad.e.klein@gmail.com Donna L La Porte dlaporte@wrightlegal.net, bkgroup@wrightlegal.net 14 dlev@sulmeyerlaw.com, asokolowski@sulmeyerlaw.com Daniel A Lev klyman@irell.com Kerri A Lyman 15 David F Makkabi cmartin@pprlaw.net Robert C Martinez rmartinez@mclex.com 16 Andrew K Mauthe mauthelaw@attglobal.net emiller@sulmeyerlaw.com, asokolowski@sulmeyerlaw.com Elissa Miller 17 randym@cookseylaw.com Randall P Mroczynski Mike D Neue mneue@thelobelfirm.com, csolorzano@thelobelfirm.com 18 Penelope Parmes pparmes@rutan.com Steven G Polard spolard@perkinscoie.com 19 Timothy R Pomeroy tpomeroy@klinedinstlaw.com Hamid R Rafatjoo hrafatjoo@pszjlaw.com, hrafatjoo@pszjlaw.com 20 Cassandra J Richey cmartin@pprlaw.net 21 Christopher O Rivas crivas@reedsmith.com Romero@mromerolawfirm.com Martha E Romero 22 Anthony J Rothman anthony@arothmanlaw.com Victor A Sahn vsahn@sulmeyerlaw.com 23 John D Schlotter bkmail@mrdefault.com Mark C Schnitzer mschnitzer@rhlaw.com 24 lshulman@shbllp.com Leonard M Shulman tim@sgsslaw.com Timothy J Silverman 25 dtalerico@loeb.com, kpresson@loeb.com;ljurich@loeb.com Derrick Talerico James E Till jtill@milbank.com, CSolorzano@thelobelfirm.com 26 James E Till jtill@thelobelfirm.com, CSolorzano@thelobelfirm.com United States Trustee (SA) ustpregion16.sa.ecf@usdoj.gov 27 matthew.walker@pillsburylaw.com, Matthew S Walker sue.hodges@pillsburylaw.com;pamela.breeden@pillsburylaw.com 28 Joshua D Wayser joshua.wayser@kattenlaw.com

| 1 2 | Steven Werth swerth@sulmeyerlaw.com, asokolowski@sulmeyerlaw.com John H Wunsch sandra.g.mcmasters@wellsfargo.com | | |
|----------|---|--|--|
| 3 | SERVED VIA FIRST-CLASS MAIL | | |
| 4 | Marilyn Gianulias Robbins c/o Penelope Parmes, Esq. | Clarke Masonry, Inc. c/o Adrianna Corrado, Esq. | |
| 5 | Rutan & Tucker, LLP 611 Anton Blvd., #1400 Costa Mesa, CA 92626 | Lanak & Hanna, LP 400 North Tustin Ave, Suite 120 Santa Ana, CA 92705 | |
| 6 7 | Geurts Law Firm | Clarke Masonry, Inc. | |
| 8 | Attn: Phillip Geurts, Esq. 4 Park Plaza, Suite 1025 Irvine, CA 92614 | c/o Bradford E. Klein, Esq 625 The City Drive South, Ste. 190 Orange, CA 92868 | |
| 9 | Deutsche Bank Berkshire Mortgage, Inc. | AMPAM Parks Mechanical, Inc. | |
| 10 | Attn: Eric Draeger, Director One Beacon Street, 14th Floor Boston, MA 02108 | c/o Matthew D. Fischer, Esq. Taubman, Simpson, Young & Sulentor One World Trade Center, Suite 400 | |
| 11 | | Long Beach, CA 90831 | |
| 12 13 | Laing/Sequoia Partners LLC and South Banning Properties LLC c/o Susan S. Davis, Esq. | Deutsche Bank Berkshire Mortgage, Inc. c/o Daniel B. Denny, Esq. Gibson, Dunn & Crutcher LLP | |
| 14 | Cox, Castle & Nicholson LLP 2049 Century Park East, 28th Fl. | 333 S. Grand Ave Los Angeles, CA 90071 | |
| 15 | Los Angeles, CA 90067-3284 | | |
| 16 17 | M.W. Housing Partners III, LP c/o Steven G. Polard, Esq. Perkins Coie LLP 1620 26th St., 6th Fl., South Tower | Pacific Western Bank Attn: Mr. Rene Garcia, Special Assets Dept. 10450 Pioneer Blvd., Suite #6 Santa Fe Springs, CA 90670 | |
| 18 | Santa Monica, CA 90404 | | |
| 19 | Pacific Western Bank c/o David K. Eldan, Esq. Parker, Milliken, Clark, O'Hara & Samuelian | Sterling Savings Bank, Assignee of Intervest- Mortgage Investment Co. Attn: Mike Brixey, Special Assets Administrator or | |
| 20 | 555 S. Flower St., 30th Floor Los Angeles, CA 90071-2440 | Edward Orozco, Sr. Vice President 111 North Wall Street | |
| 22 | | Spokane, WA 99201 | |
| 23 | Sterling Savings Bank, Assignee of Intervest- Mortgage Investment Co. Attn: Mike Brixey, Special Assets Administrator or | Croudace, Dietrich & Parker LLP Attn: Mark A. Nitikman, Esq. | |
| 24 | Edward Orozco, Sr. Vice President 111 North Wall Street | 4750 Von Karman Ave Newport Beach, CA 92660-2123 | |
| 25 | Spokane, WA 99201 | • | |
| 26 | Debtor James Gianulias/Cameo Homes | | |
| 27 28 | Attn: John McFadden 1105 Quail Streetd Newport Beach, CA 92660 | | |
| | | | |

Case 8:08-bk-13150-RK Doc 687 Filed 06/03/10 Entered 06/03/10 12:26:37 Page 6 of 15 Main Document Case 8:08-bk-13150-RK Doc 685 Filed 06/02/10 Entered 06/02/10 17:39:33 Desc Main Document Page 1 of 10 FILED & ENTERED 1 William N. Lobel (State Bar No. 093202) wlobel@thelobelfirm.com Mike D. Neue (State Bar No. 179303) JUN 02 2010 mneue@thelobelfirm.com 3 THE LÖBEL FIRM, LLP 840 Newport Center Drive, Suite 750 CLERK U.S. BANKRUPTCY COURT Central District of California Newport Beach, California 92660 **DEPUTY CLERK** Telephone: (949) 999-2860 Facsimile: (949) 999-2870 6 Alan J. Friedman (State Bar No. 132580) afriedman@irell.com Kerri A. Lyman (State Bar No. 241615) klyman@irell.com IRELL & MANELLA LLP 840 Newport Center Drive, Suite 400 Newport Beach, California 92660 Telephone: (949) 760-0991 10 Facsimile: (949) 760-5200 Attorneys for Debtors and Debtors-in-Possession 11 UNITED STATES BANKRUPTCY COURT 12 CENTRAL DISTRICT OF CALIFORNIA 13 SANTA ANA DIVISION 14 15 In re Case No. 8:08-bk-13150-RK [Substantively Consolidated With: 16 JAMES C. GIANULIAS AND CAMEO Case No. 8:08-bk-13151-RK] HOMES, a California corporation, 17 Chapter 11 18 Debtors and Debtors-in-Possession. ORDER SUSTAINING DEBTORS' FIRST 19 OMNIBUS OBJECTION TO DUPLICATE AND/OR SUPERSEDED CLAIMS OF: 20 (1) MARILYN GIANULIAS ROBBINS (Claim No. 19-1); 21 (2) CLARKE MASONRY, INC. (Claim No. 32-1); 22 (3) GEURTS LAW FIRM (Claim No. 39-1); 23 (4) AMPAM PARKS MECHANICAL, INC. (Claim No. 53-1); 24 (5) DEUTSCHE BANK BERKSHIRE MORTGAGE, INC. (Claim No. 25 55-1); (6) LAING/SEQUOIA PARTNERS LLC 26 AND SOUTH BANNING PROPERTIES LLC (Claim No. 4-1; 27 (7) M.W. HOUSING PARTNERS III, LP (Claim No. 10-1); 28 (8) PACIFIC WESTERN BANK (Claim

> Exhibit ___ Page

Case 8:08-bk-13150-RK Doc 687 Filed 06/03/10 Entered 06/03/10 12:26:37 Main Document Page 7 of 15 Case 8:08-bk-13150-RK Doc 685 Filed 06/02/10 Entered 06/02/10 17:39:33 Main Document Page 2 of 10 1 No. 13-1 and 20-1); (9) STERLING SAVINGS BANK. 2 ASSIGNEE OF INTERVEST-MORTGAGE INVESTMENT CO. 3 (Claim No. 30-1, 35-1 and 35-2); (10) CROUDACE, DIETRICH & PARKER, LLP (Claim No. 36-1) Hearing: DATE: May 11, 2010 6 TIME: 2:30 p.m. PLACE: Courtroom 5D 7 411 West Fourth Street Santa Ana, CA 92701 8 9 10 This matter came on for hearing on May 11, 2010, at 2:30 p.m., in Courtroom 5D of the United States Bankruptcy Court for the Central District of California, before the Honorable Robert 11 Kwan, United States Bankruptcy Judge. Kerri A. Lyman, Esq. of Irell & Manella LLP appeared 12 telephonically on behalf of James C. Gianulias ("Gianulias") and Cameo Homes, a California 13 corporation ("Cameo"), the substantively consolidated debtors and debtors-in-possession (the 14 "Debtors"). Other appearances, if any, are as reflected on the Court's record. 15 The Court has considered the "Debtors' First Omnibus Objection to Duplicate and/or 16 Superseded Claims" (the "Objections") filed on March 26, 2010 [Docket No. 636], the Declaration 17 of John McFadden in support thereof, the Limited Objection of Laing/Sequoia Partners LLC and 18 South Banning Properties LLC to Debtors' First Omnibus Objection to Duplicate and/or 19 Superseded Claims (the "Limited Objection") filed on April 12, 2010 [Docket No. 654], the 20 Stipulation Resolving Limited Objection of Laing/Sequoia Partners LLC and South Banning 21 Properties LLC to Debtors' First Omnibus Objection to Duplicate and/or Superseded Claims 22 (Proof of Claim No. 4-1 Against Cameo Homes) (the "Stipulation") filed on April 23, 2010 23 [Docket No. 660], and the fact that no other responses to the Objections were filed with the Court. 24 25

Based thereon, the Court finds that adequate notice has been provided, and for good cause appearing therefore,

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Case 8:08-bk-13150-RK Filed 06/03/10 Entered 06/03/10 12:26:37 Doc 687 Page 8 of 15

Entered 06/02/10 17:39:33 Case 8:08-bk-13150-RK Doc 685 Filed 06/02/10 Main Document Page 3 of 10

IT IS HEREBY ORDERED that:

- 1. The Duplicate Claims identified under the column titled "Duplicate Claim to be Expunged" as set forth in Exhibit "A" attached hereto are hereby expunged and disallowed in full;
- 2. The Superseded Claims identified under the column titled "Superseded Claim to be Expunged" as set forth in Exhibit "B" attached hereto are hereby expunged and disallowed in full;
- The Duplicate Claims of Laing/Sequoia Partners LLC and South Banning Properties LLC are subject to a separate order, such being the "Order Approving Stipulation Resolving Limited Objection of Laing/Sequoia Partners LLC and South Banning Properties LLC to Debtors' First Omnibus Objection to Duplicate and/or Superseded Claims (Proof of Claim No. 4-1 Against Cameo Homes)" uploaded with this Court on May 3, 2010;
- The Debtors, or any other party-in-interest, shall have the right to object to any of 4. the surviving claims affected hereby on any other ground whatsoever (other than for timeliness where the original claim was timely filed); and
- 5. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

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27 28 **DATED: June 2, 2010**

United States Bankruptcy Judge

Case 8:08-bk-13150-RK

Doc 687 Filed 06/03/10 Entered 06/03/10 12:26:37 Desc

Main Document

Page 9 of 15

Case 8:08-bk-13150-RK

Doc 685 Filed 06/02/10 Entered 06/02/10 17:39:33 Desc Main Document Page 4 of 10

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EXHIBIT "A"

| 2 | (1) | (2) | (3) | (4) |
|------|--|---------------------------------------|--------------------------------|-----------------------------|
| 3 | Name of Claimant | Remaining | Duplicate Claim | Reason for Disallowance |
| 3 | Marilyn Gianulias Robbins | (Surviving) Claim #24-1 (Gianulias | to be Expunged #19-1 (Cameo | Duplicate of Claim No. 24-1 |
| 4 | c/o Penelope Parmes, Esq. | Claim Docket) - | Claim Docket) | Duplicate of Claim 110.21 1 |
| _ | Rutan & Tucker, LLP | \$4.2 mil | \$4.2 mil | |
| 5 | 611 Anton Blvd., #1400 | Exhibit "C" | Exhibit "D" | |
| 6 | Costa Mesa, CA 92626 | | | |
| · · | Clarke Masonry, Inc. | #36-1 (Cameo | #32-1(Cameo | Duplicate of Claim No. 36-1 |
| 7 | c/o Adrianna Corrado, Esq. | Claim Docket) | Claim Docket) | Duplicate of Claim No. 30-1 |
| | Lanak & Hanna, LP | \$29,103.70 | \$29,103.70 | · |
| 8 | 400 North Tustin Ave, Suite 120 | Exhibit "E" | Exhibit "F" | |
| 9 | Santa Ana, CA 92705 | | | |
| 9 | | Hog 1 (G | 1120 1 (0 | D II + COL : N OG : |
| 10 | Geurts Law Firm Attn: Phillip Geurts, Esq. | #37-1 (Cameo Claim Docket) | #39-1 (Cameo Claim Docket) | Duplicate of Claim No. 37-1 |
| | 4 Park Plaza, Suite 1025 | \$64,830.28 | \$64,830.28 | |
| 11 | Irvine, CA 92614 | Exhibit "G" | Exhibit "H" | |
| | | | · | |
| 12 | AMPAM Parks Mechanical, Inc. | #38-1 (Cameo | #53-1(Gianulias | Duplicate of Claim No. 38-1 |
| 13 | c/o Matthew D. Fischer, Esq. | Claim Docket) | Claim Docket) - | |
| 13 | Taubman, Simpson, Young & Sulentor | \$665,093.78 Exhibit "I" | \$665,093.78 Exhibit "J" | |
| 14 | One World Trade Center, Suite 400 | L'AMOR I | Eximon 3 | |
| | Long Beach, CA 90831 | | | · |
| 15 | | | | |
| 16 | Deutsche Bank Berkshire Mortgage, | #56-1 (Gianulias | #55-1 (Gianulias | Duplicate of Claim No. 56-1 |
| 10 | Inc. | Claim Docket) - | Claim Docket) - | |
| . 17 | Attn: Eric Draeger, Director One Beacon Street, 14th Floor | \$unspecified Exhibit "K" | \$unspecified Exhibit "L" | |
| | Boston, MA 02108 | LAMOR K | Exilioit E | |
| 18 | | | | |
| 19 | Deutsche Bank Berkshire Mortgage, | | <u> </u> | |
| 17 | Inc. | | | |
| 20 | c/o Daniel B. Denny, Esq. Gibson, Dunn & Crutcher LLP | | | |
| | 333 S. Grand Ave | | | |
| 21 | Los Angeles, CA 90071 | | | |
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Exhibit ______ Page _____ Case 8:08-bk-13150-RK

Doc 687 Filed 06/03/10 Entered 06/03/10 12:26:37 Main Document

Page 10 of 15

Case 8:08-bk-13150-RK

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Doc 685 Filed 06/02/10 Entered 06/02/10 17:39:33 Desc Main Document Page 5 of 10

| 2 | (1) | (2) | (3) | <u>(4)</u> |
|-----|--|--|--|--|
| 3 | Name of Claimant | Remaining (Surviving) Claim | Superseded Claim to be Expunged | Reason for Disallowance |
| - 4 | M.W. Housing Partners III, LP | #40-1-Amended | #10-1 - (Cameo | Superseded by Amended |
| 5 | Attn: Corporate Officer 1301 Fifth Avenue, Suite 3100 Seattle, WA 98101 | (Cameo Claim Docket) - \$18,640,000 | Claim Docket) \$18,640,000 Exhibit "P" | Claim No. 40-1 |
| - 6 | | Exhibit "O" | | • |
| 7 | M.W. Housing Partners III, LP c/o Steven G. Polard, Esq. Perkins Coie LLP | | | |
| 8 | 1620 26th St., 6th Fl., South Tower Santa Monica, CA 90404 | | | |
| 9 | Pacific Western Bank Attn: Mr. Rene Garcia, Special Assets Dept. | #13-2-Amended (Cameo Claim Docket) | #13-1 ¹ (Cameo Claim Docket) \$2,105,626.37 | Superseded by Amended Claim No. 13-2 |
| 11 | 10450 Pioneer Blvd., Suite #6 Santa Fe Springs, CA 90670 | \$2,105,626.37 Exhibit "Q" | Exhibit "S" | * Notice of Withdrawal of POC #20-1 filed |
| 12 | Pacific Western Bank | #19-1 (Gianulias | #20-1* (Gianulias Claim Docket) - | |
| 13 | c/o David K. Eldan, Esq. Parker, Milliken, Clark, O'Hara & Samuelian | Claim Docket) \$2,336,627.70 Exhibit "R" | \$2,105,626.37 Exhibit "T" | |
| 14 | 555 S. Flower St., 30th Floor Los Angeles, CA 90071-2440 | Exilioit K | | |
| 15 | Sterling Savings Bank, Assignee of Intervest-Mortgage Investment Co. | #30-2- Amended (Cameo Claim | #30-1 (Cameo Claim Docket) | Superseded by Amended Claim No. 30-2 |
| 16 | Attn: Mike Brixey, Special Assets Administrator or Edward Orozco, Sr. | Docket) \$2,371,951.23 | \$1,671,951.23 Exhibit "V" | |
| 17 | Vice President 111 North Wall Street | Exhibit "U" | | |
| 18 | Spokane, WA 99201 Sterling Savings Bank, Assignee of | #35-3-Amended | #35-1 (Gianulias | Superseded by Amended |
| 19 | Intervest-Mortgage Investment Co. Attn: Mike Brixey, Special Assets | (Gianulias Claim Docket) - | Claim Docket) - \$1,671,951.23 | Claim No. 35-3 |
| 20 | Administrator or Edward Orozco, Sr. Vice President | \$2,371.951.23 Exhibit "W" | Exhibit "X" | |
| 22 | 111 North Wall Street Spokane, WA 99201 | | #35-2 - (Gianulias Claim Docket) - \$2,371,951.23 | |
| 23 | | | Exhibit "Y" | |
| 24 | Croudace, Dietrich & Parker LLP Attn: Mark A. Nitikman, Esq. 4750 Von Karman Ave | #36-2 – Amended (Gianulias Claim Docket) - | #36-1 (Gianulias Claim Docket) - \$2,749.18 | Superseded by Amended Claim No. 36-2 |
| 25 | Newport Beach, CA 92660-2123 | \$2,749.18 Exhibit "Z-1" | Exhibit "Z-2" | |
| | to | | | |

Page ___

¹ Incomplete Proof of Claim filed with court starts with Exhibit A.

Case 8:08-bk-13150-RK Doc 687 Filed 06/03/10 Entered 06/03/10 12:26:37 Desc

Main Document

Page 11 of 15

| 1 | PROOF OF SERVICE OF DOCUMENT | | | |
|----------|---|--|--|--|
| 2 | I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 840 Newport Center Drive, Suite 400, Newport Beach, CA 92660-6324 | | | |
| 3 | addices is. 646 Newport Schief Brive, Suite 400, Newport Bodern, Streetes 652 | | | |
| 4 | OBJECTION TO DUPLICATE AND/OR SUPERSEDED CLAIMS will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner indicated below: | | | |
| 5 | | | | |
| 6 | I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF") - Pursuant to | | | |
| 7 | controlling General Order(s) and Local Bankruptcy Rule(s) ("LBR"), the foregoing document will be served by the court via NEF and hyperlink to the document. On, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the | | | |
| 9 | Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated below: Service information continued on attached page | | | |
| 10 | II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL (indicate method for each person or entity served): | | | |
| 11 | On May 11, 2010, I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail first class, postage prepaid, and/or with an overnight mail service addressed as | | | |
| 12 | than 24 hours after the document is filed. Service information continued on attached page | | | |
| 13 | | | | |
| 14 | III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL (indicate method for | | | |
| 15 | <u>each person or entity served):</u> Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on <u>May 11, 2010</u> I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. <i>Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no later than 24 hours after the</i> | | | |
| 16 | | | | |
| 17 | document is filed. | | | |
| 18 | SERVED VIA PERSONAL DELIVERY Chambers of Honorable Robert W. Kwan | | | |
| 19 | United States Bankruptcy Court 411 W. Fourth Street | | | |
| 20 | Santa Ana, CA 92701 | | | |
| 21 22 | Service information continued on attached page | | | |
| 23 | I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. | | | |
| 24 | 5/11/2010 Lori Gauthier /s/ Lori Gauthier | | | |
| 25 | Date Type Name Signature | | | |
| 26 | | | | |
| 27 | | | | |
| 28 | 1 | | | |
| | Exhibit | | | |
| | -6- Page | | | |

Case 8:08-bk-13150-RK Doc 687 Filed 06/03/10 Entered 06/03/10 12:26:37 Desc Main Document Page 12 of 15

SERVED VIA E-MAIL

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Michael J Hauser michael.hauser@usdoj.gov – U.S. TRUSTEE

Elissa Miller emiller@sulmeyerlaw.com, asokolowski@sulmeyerlaw.com – COMMITTEE COUNSEL

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| 6 | Marilyn Gianulias Robbins | Clarke Masonry, Inc. |
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| 7 | Rutan & Tucker, LLP | Lanak & Hanna, LP |
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| 8 | Costa Mesa, CA 92626 | Santa Ana, CA 92705 |
| | Geurts Law Firm | Clarke Masonry, Inc. |
| 9 | Attn: Phillip Geurts, Esq. | c/o Bradford E. Klein, Esq |
| | 4 Park Plaza, Suite 1025 | Lanak & Hanna, LP |
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| | | Orange, CA 92868 |
| 11 | Deutsche Bank Berkshire Mortgage, Inc. | AMPAM Parks Mechanical, Inc. |
| | Attn: Eric Draeger, Director | c/o Matthew D. Fischer, Esq. |
| 12 | One Beacon Street, 14th Floor | Taubman, Simpson, Young & Sulentor |
| | Boston, MA 02108 | One World Trade Center, Suite 400 |
| 13 | | Long Beach, CA 90831 |
| | Laing/Sequoia Partners LLC and South Banning | Deutsche Bank Berkshire Mortgage, Inc. |
| 14 | Properties LLC | c/o Daniel B. Denny, Esq. |
| | c/o Susan S. Davis, Esq. | Gibson, Dunn & Crutcher LLP |
| 15 | Cox, Castle & Nicholson LLP | 333 S. Grand Ave |
| | 2049 Century Park East, 28th Fl. | Los Angeles, CA 90071 |
| 16 | Los Angeles, CA 90067-3284 | |
| 17 | M.W. Housing Partners III, LP | Pacific Western Bank |
| | c/o Steven G. Polard, Esq. | Attn: Mr. Rene Garcia, Special Assets Dept. |
| | Perkins Coie LLP | 10450 Pioneer Blvd., Suite #6 |
| 18 | 1620 26th St., 6th Fl., South Tower | Santa Fe Springs, CA 90670 |
| | Santa Monica, CA 90404 | |
| 19 | Pacific Western Bank | Sterling Savings Bank, Assignee of Intervest- |
| | c/o David K. Eldan, Esq. | Mortgage Investment Co. |
| 20 | Parker, Milliken, Clark, O'Hara & Samuelian | Attn: Mike Brixey, Special Assets Administrator or |
| | 555 S. Flower St., 30th Floor | Edward Orozco, Sr. Vice President |
| 21 | Los Angeles, CA 90071-2440 | 111 North Wall Street |
| | | Spokane, WA 99201 |
| 22 | Sterling Savings Bank, Assignee of Intervest- | |
| · | Mortgage Investment Co. | Croudace, Dietrich & Parker LLP |
| 23 | Attn: Mike Brixey, Special Assets Administrator or | Attn: Mark A. Nitikman, Esq. |
| | Edward Orozco, Sr. Vice President | 4750 Von Karman Ave |
| 24 | 111 North Wall Street | Newport Beach, CA 92660-2123 |
| | Spokane, WA 99201 | |
| 25 | openane, 111 toome 1 | |
| ı | Debtor | |
| 26 | James Gianulias/Cameo Homes | |
| | Attn: John McFadden | |
| 27 | 1105 Quail Streetd | |
| | Newport Beach, CA 92660 | |
| 28 | Tromport Dodon, Ort 02000 | |
| | | A . |

Exhibit A

| Case 8:08-bk-13150-RK Doc 687 Filed 06/03/10 Entered 06/03/10 12:26:37 Des Main Document Page 13 of 15 | | | | |
|---|---|--|--|--|
| Case 8:08-bk-13150-RK | | | | |
| | | | | |
| 1 | | | | |
| 2 | NOTICE OF ENTERED ORDER AND SERVICE LIST | | | |
| 3 | Notice is given by the court that a judgment or order entitled (specify) ORDER SUSTAINING | | | |
| 4 | DEBTORS' FIRST OMNIBUS OBJECTION TO DUPLICATE AND/OR SUPERSEDED CLAIMS | | | |
| 5 | be served in the manner indicated below: | | | |
| 6 | I. <u>SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")</u> Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s), the foregoing document was served | | | |
| | on the following person(s) by the court via NEF and hyperlink to the judgment or order. As of | | | |
| | 7 May 28, 2010, the following person(s) are currently on the Electronic Mail Notice List for this bankruptcy case or adversary proceeding to receive NEF transmission at the email address(es | | | |
| 8 | indicated below. | | | |
| 9 | Service information continued on attached page | | | |
| 10 | II. SERVED BY THE COURT VIA U.S. MAIL: A copy of this notice and a true copy of this | | | |
| 11 | judgment or order was sent by U.S. Mail, first class, postage prepaid, to the following person(s) and/or entity(ies) at the address(es) indicated below: | | | |
| 12 | and/or entity(ics) at the address(es) indicated below. | | | |
| 13 | III. TO DE CEDVED DY THE LODGING DADTY. Within 70 hours offer receipt of a completible | | | |
| 14 | III. TO BE SERVED BY THE LODGING PARTY: Within 72 hours after receipt of a copy of this judgment or order which bears an "Entered" stamp, the party lodging the judgment or order will | | | |
| serve a complete copy bearing an "Entered" stamp by U.S. Mail, overnight mail, facsim transmission or email and file a proof of service of the entered order on the following personal states of the entered order on the following personal states are served as a complete copy bearing an "Entered" stamp by U.S. Mail, overnight mail, facsim | | | | |
| 16 | and/or entity(ies) at the address(es), facsimile transmission number(s) and/or email address(es) indicated below: | | | |
| 17 | Service information continued on attached page | | | |
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Case 8:08-bk-13150-RK Doc 687 Filed 06/03/10 Entered 06/03/10 12:26:37 Desc

Page 14 of 15 Main Document

Doc 685 Filed 06/02/10 Entered 06/02/10 17:39:33 Desc Main Document Page 9 of 10 Case 8:08-bk-13150-RK

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Case 8:08-bk-13150-RK Doc 687 Filed 06/03/10 Entered 06/03/10 12:26:37 Desc

Main Document Page 15 of 15

Case 8:08-bk-13150-RK

Doc 685 Filed 06/02/10 Entered 06/02/10 17:39:33 Desc Main Document Page 10 of 10

| | Main Document Page 10 of 10 | | | |
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| 1 | TO BE SERVED BY THE LODGING PARTY | | | |
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| 6 | Irvine, CA 92614 | Orange, CA 92868 AMPAM Parks Mechanical, Inc. | | |
| 7 8 | Deutsche Bank Berkshire Mortgage, Inc. Attn: Eric Draeger, Director One Beacon Street, 14th Floor Boston, MA 02108 | c/o Matthew D. Fischer, Esq. Taubman, Simpson, Young & Sulentor One World Trade Center, Suite 400 | | |
| 9 | Laing/Sequoia Partners LLC and South Banning | Long Beach, CA 90831 Deutsche Bank Berkshire Mortgage, Inc. | | |
| 10 | Properties LLC c/o Susan S. Davis, Esq. | c/o Daniel B. Denny, Esq. Gibson, Dunn & Crutcher LLP | | |
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| 12 | M.W. Housing Partners III, LP | Pacific Western Bank | | |
| 13 | c/o Steven G. Polard, Esq. Perkins Coie LLP 1620 26th St., 6th Fl., South Tower | Attn: Mr. Rene Garcia, Special Assets Dept. 10450 Pioneer Blvd., Suite #6 Santa Fe Springs, CA 90670 | | |
| 14 | Santa Monica, CA 90404 | Ganta i e Spiriigs, CA 90070 | | |
| 15 | Pacific Western Bank c/o David K. Eldan, Esq. | Sterling Savings Bank, Assignee of Intervest- Mortgage Investment Co. | | |
| 16 | Parker, Milliken, Clark, O'Hara & Samuelian 555 S. Flower St., 30th Floor | Attn: Mike Brixey, Special Assets Administrator or Edward Orozco, Sr. Vice President | | |
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| 21 | Debtor | | | |
| 22 | James Gianulias/Cameo Homes Attn: John McFadden | | | |
| 23 | 1105 Quail Streetd Newport Beach, CA 92660 | | | |
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