

1 Victor A. Sahn (State Bar No. 97299)  
vsahn@sulmeyerlaw.com  
2 Elissa Miller (State Bar No. 120029)  
emiller@sulmeyerlaw.com  
3 Daniel A. Lev (CA Bar No. 129622)  
dlev@sulmeyerlaw.com  
4 **SulmeyerKupetz**  
A Professional Corporation  
5 333 South Hope Street, Thirty-Fifth Floor  
Los Angeles, California 90071-1406  
6 Telephone: 213.626.2311  
Facsimile: 213.629.4520

7 Attorneys for Official Committee of Unsecured Creditors  
8

9 **UNITED STATES BANKRUPTCY COURT**  
10 **CENTRAL DISTRICT OF CALIFORNIA, SANTA ANA DIVISION**

11 In re  
12 JAMES C. GIANULIAS,  
13 Debtor.

Case No. 8:08-bk-13150-RK  
Substantively Consolidated With:  
Case No. 8:08-bk-13151-RK  
Chapter 11

15 In re  
16 CAMEO HOMES, a California corporation,  
17 Debtor.

**RESERVATION OF RIGHTS OF THE  
OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS RE  
CONFIRMATION OF DEBTORS'  
FOURTH AMENDED PLAN OF  
REORGANIZATION**

DATE: July 9, 2010  
TIME: 11:45 a.m.  
PLACE: Courtroom 5D

21 **TO THE HONORABLE ROBERT KWAN, UNITED STATES BANKRUPTCY JUDGE,**  
22 **THE OFFICE OF THE UNITED STATES TRUSTEE, AND INTERESTED PARTIES:**

23 The Official Committee of Unsecured Creditors appointed in the above-  
24 captioned substantively consolidated bankruptcy cases (the "Committee"), hereby files  
25 this reservation of rights ("Reservation") with respect to confirmation of Debtors' Fourth  
26 Amended Plan of Reorganization and all exhibits and attachments thereto (the "Plan")  
27 filed by Debtors James C. Gianulias and Cameo Homes, a California Corporation (jointly  
28 "the Debtors.")

SulmeyerKupetz, A Professional Corporation  
333 SOUTH HOPE STREET, THIRTY-FIFTH FLOOR  
LOS ANGELES, CALIFORNIA 90071-1406  
TEL. 213.626.2311 • FAX 213.629.4520

1 This Reservation also applies with respect to the Plan Documents (as  
2 defined in the Plan), which include, by way of illustration and not of limitation, (a) the  
3 Creditors' Trust Agreement, (b) the Cash Flow Note, (c) the Secondary Note, (d) the  
4 Security Agreement, (e) the Disbursing Agent Agreement, (f) the Control Agreement, (g)  
5 the Negative Pledge and (h) the Written Instructions, as well as all documents,  
6 instruments, certificates, agreements or arrangements required in connection with any of  
7 the foregoing.

8 This Reservation is filed based on the fact that 1) while the parties have all  
9 been working tirelessly to do so, not all documents are final, including, for example, the  
10 Control Agreement, 2) Debtors' have not yet confirmed that certain proposed  
11 "clarifications" and "tweeks" have been accepted with regard to, among other documents,  
12 the Cash Flow Note, the Security Agreement, and the Plan; and 3) the Debtors have not  
13 yet circulated revised drafts of documents which include revised provisions for which  
14 there has been agreement, e.g., the Plan, Disbursing Agent Agreement, Cash Flow Note,  
15 and the Security Agreement.

16 In the event these documents are not finalized prior to the Confirmation  
17 Hearing, the Committee reserves its right to object to confirmation and entry of the  
18 Confirmation Order.

19 DATED: July 2, 2010

**Respectfully submitted,**

**SulmeyerKupetz**  
A Professional Corporation

By: 

Elissa D. Miller  
Attorneys for Official Committee of  
Unsecured creditors

In re:

JAMES C. GIANULIAS, and CAMEO HOMES, a California corporation

Debtors.

CHAPTER: 11

CASE NO. 8:08-bk-13150-RK (Substantively Consolidated with Case No. 8:08-bk-13151-RK)

**PROOF OF SERVICE OF DOCUMENT**

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
333 South Hope Street, Thirty-Fifth Floor, Los Angeles, California 90071-1406.

A true and correct copy of the foregoing document described as **RESERVATION OF RIGHTS OF THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS RE CONFIRMATION OF DEBTORS' FOURTH AMENDED PLAN OF REORGANIZATION** 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:

**I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")** - 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 July 2, 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 e-mail address indicated below:

- John B. Acierno, Esq. — JPMorgan Chase Bank, N.A. [ecfcacb@piteduncan.com](mailto:ecfcacb@piteduncan.com)
- Jess R. Bressi, Esq. — Famille Holdings L.P. [jbressi@luce.com](mailto:jbressi@luce.com)
- Jon M. Chatalian, Esq. — Pension Benefit Guaranty Corp. [efile@pbgc.gov](mailto:efile@pbgc.gov)
- Paul J. Couchot, Esq. — Debtor Cameo Homes [pcouchot@winthropcouchot.com](mailto:pcouchot@winthropcouchot.com)
- Melissa Davis, Esq. — Pacific Mercantile Bank [mdavis@shbllp.com](mailto:mdavis@shbllp.com)
- Susan S. Davis, Esq. — Laing/Sequoia Partners LLC [sdavis@coxcastle.com](mailto:sdavis@coxcastle.com)
- Daniel Denny, Esq. — Deutsche Bank Berkshire Mortgage, Inc. [ddenny@gibsondunn.com](mailto:ddenny@gibsondunn.com)
- Lei Lei Wang Ekvall, Esq. — Charlene H. Immell [lekvall@wgllp.com](mailto:lekvall@wgllp.com)
- David K. Eldan, Esq. — Pacific Western Bank [malvarado@pmcos.com](mailto:malvarado@pmcos.com)
- Alan J. Friedman, Esq. — Debtor James C. Gianulias [afriedman@irell.com](mailto:afriedman@irell.com)
- Debra Dietrich, Esq. — Croudace & Dietrick LLP [debra.dietrich@2d2law.com](mailto:debra.dietrich@2d2law.com)
- Jose A. Garcia, Esq. — Chase Home Finance/Wells Fargo Home Mtg. [ecfcacb@piteduncan.com](mailto:ecfcacb@piteduncan.com)
- Beth Gaschen, Esq. — Michael W. Immell [bgaschen@wgllp.com](mailto:bgaschen@wgllp.com)
- Robert P. Goe, Esq. — Lucas Companies [rgoe@goeforlaw.com](mailto:rgoe@goeforlaw.com)
- Michael J. Hauser, Esq. — Office of the U.S. Trustee (SA) [kmurphy@goeforlaw.com](mailto:kmurphy@goeforlaw.com)
- Whitman L. Holt, Esq. — Joint Creditors' Committee [michael.hauser@usdoj.gov](mailto:michael.hauser@usdoj.gov)
- Marsha A. Houston, Esq. — Wachovia Bank, N.A. [ustpreion16.sa.ecf@usdoj.gov](mailto:ustpreion16.sa.ecf@usdoj.gov)
- John J. Immordino, Esq. — Arch Insurance Co. [wholt@stutman.com](mailto:wholt@stutman.com)
- Lance N. Jurich, Esq. — Courtesy NEF [mhouston@reedsmith.com](mailto:mhouston@reedsmith.com)
- Bradford Klein — Clarke Masonry, Inc. [john.immordino@wilsonelser.com](mailto:john.immordino@wilsonelser.com)
- Donna L. La Porte, Esq. — National Bank of Arizona [ljurich@loeb.com](mailto:ljurich@loeb.com)
- Daniel A. Lev, Esq. — Joint Creditors' Committee [brad.e.klein@gmail.com](mailto:brad.e.klein@gmail.com)
- Kerri A. Lyman, Esq. — Debtor James C Gianulias [vcorbin@wrightlegal.net](mailto:vcorbin@wrightlegal.net)
- David F. Makkabi, Esq. — BAC Home Loans Servicing, LP [dlev@sulmeyerlaw.com](mailto:dlev@sulmeyerlaw.com)
- Robert C. Martinez, Esq. — Courtesy NEF [klyman@irell.com](mailto:klyman@irell.com)
- Andrew K. Mauthe, Esq. — Victor J. Mahony [cmartin@pprlaw.net](mailto:cmartin@pprlaw.net)
- Elissa D. Miller, Esq. — Joint Creditors' Committee [rmartinez@mclex.com](mailto:rmartinez@mclex.com)
- Randall P. Mroczynski, Esq. — DCFS Trust [mauthelaw@attglobal.net](mailto:mauthelaw@attglobal.net)
- Mike D. Neue, Esq. — Debtor James C. Gianulias [emiller@sulmeyerlaw.com](mailto:emiller@sulmeyerlaw.com)
- Penelope Parnes, Esq. — Marilyn Robbins Gianulias [randym@cookseylaw.com](mailto:randym@cookseylaw.com)
- Steven G. Polard, Esq. — M.W. Housing Partners III LP [mneue@thelobelfirm.com](mailto:mneue@thelobelfirm.com)
- Timothy R. Pomeroy — Fashing Haus East Condominium Assoc. [pparnes@rutan.com](mailto:pparnes@rutan.com)
- Hamid R. Rafatjoo, Esq. — DAHL California, LLC [spolard@perkinscoie.com](mailto:spolard@perkinscoie.com)
- Cassandra J. Richey, Esq. — Courtesy NEF [tpomeroy@klinedinstlaw.com](mailto:tpomeroy@klinedinstlaw.com)
- Christopher O. Rivas, Esq. — Wachovia Bank, N.A. [hrafatjoo@pszilaw.com](mailto:hrafatjoo@pszilaw.com)

In re:

JAMES C. GIANULIAS, and CAMEO HOMES, a California corporation

Debtors.

CHAPTER: 11

CASE NO. 8:08-bk-13150-RK (Substantively Consolidated with Case No. 8:08-bk-13151-RK)

- Martha E. Romero, Esq. — Riverside County Treasurer-Tax Coll.
- Anthony J. Rothman, Esq. — Universal Bank
- Victor A. Sahn, Esq. — Joint Creditors' Committee
- John D. Schlotter, Esq. — Wells Fargo Bank, N.A.
- Mark C. Schnitzer, Esq. — Interwest Mtg. Inv. Co.
- Leonard M. Shulman, Esq. — Pacific Mercantile Bank
- Timothy J. Silverman — Wells Fargo Bank, N.A.
- Derrick Talerico, Esq. — Housing Capital Company
- James E. Till, Esq. — Debtor Cameo Homes
- Matthew S. Walker, Esq. — Bank Of The West
- Joshua D. Wayser, Esq. — California National Bank
- Steven F. Werth, Esq. — Joint Creditors' Committee
- Deborah A. Winslow — Mercedes-Benz Credit Corporation
- John H. Wunsch, Esq. — Fasching Haus East Condo Assoc.

[Romero@mromerolawfirm.com](mailto:Romero@mromerolawfirm.com)  
[anthony@arothmanlaw.com](mailto:anthony@arothmanlaw.com)  
[vsahn@sulmeyerlaw.com](mailto:vsahn@sulmeyerlaw.com)  
[bkmail@mrdefault.com](mailto:bkmail@mrdefault.com)  
[mschnitzer@rhlw.com](mailto:mschnitzer@rhlw.com)  
[lschulman@shblp.com](mailto:lschulman@shblp.com)  
[tim@sgsslw.com](mailto:tim@sgsslw.com)  
[dtalerico@loeb.com](mailto:dtalerico@loeb.com)  
[jtill@milbank.com](mailto:jtill@milbank.com)  
[matthew.walker@pillsburylaw.com](mailto:matthew.walker@pillsburylaw.com)  
[joshua.wayser@kattenlaw.com](mailto:joshua.wayser@kattenlaw.com)  
[swerth@sulmeyerlaw.com](mailto:swerth@sulmeyerlaw.com)  
[ecf@shermeta.com](mailto:ecf@shermeta.com)  
[sandra.g.mcmasters@wellsfargo.com](mailto:sandra.g.mcmasters@wellsfargo.com)

☐ Service Information continued on attached page.

**II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL** (indicate method for each person or entity served):

On \_\_\_\_\_, 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 follow. *Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.*

☐ Service Information continued on attached page.

**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 July 2, 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 to the judge will be completed no later than 24 hours after the document is filed.*

The Honorable Robert Kwan  
U.S. Bankruptcy Court  
411 W. Fourth Street, Suite 5165  
Santa Ana, CA 92701-4593

☐ Service Information continued on attached page.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

July 2, 2010

Date

Denise Givens

Type Name

/s/Denise Givens

Signature