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FILED & ENTERED

JUL 16 2010

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY steinber DEPUTY CLERK

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION

In re

JAMES C GIANULIAS,

Debtor(s)

Case No. 8:08-BK-13150-RK

Chapter 11

ORDER ON STIPULATION RE:
TREATMENT OF WELLS FARGO BANK
NA'S CLAIM UNDER DEBTOR'S
PROPOSED CHAPTER 11 PLAN OF
REORGANIZATION

411 West Fourth Street
Santa Ana, CA 92701-4593

Wells Fargo Bank, NA, by and through its counsel of record, Joseph C. Delmotte: Debtor,
James C Gianulias, by and through their respective attorney of record, Kerri A. Lyman.; hereby
stipulate to the Treatment of Creditor's Claim Pursuant to Debtors' Chapter 11 Plan in regards to the
Real Property commonly described as 747 South Galena #340, Aspen Colorado 81611.

IT IS HEREBY ORDERED:

I. The Stipulation Regarding Treatment of Creditors Claim Under Debtor's Proposed
Chapter 11 Plan of Reorganization that was filed on July 13, 2010 is hereby adopted as an Order of
the Court.

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DATED: July 16, 2010

United States Bankruptcy Judge

PROOF OF SERVICE OF ORDER

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

4375 Jutland Drive, Suite 200
P.O. Box 17933
San Diego, CA 92177-0933

The foregoing document described ORDER ON STIPULATION RE: AVOIDANCE OF LIEN 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 13, 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

II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL(indicate method for each person or entity served):
On July 13, 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 follows. *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.*

Honorable Robert N. Kwan
Ronald Reagan Federal Building
411 W. Fourth Street, Suite 5165
Santa Ana, CA 92701-4593

James C Gianulias
1105 Quail Street
Newport Beach, CA 92660

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Irvine, CA 92612-2435

Whitman L Holt
1901 Ave of the Stars 12th Flr
Los Angeles, CA 90067

☐ 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 _____ 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.*

☐ 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 13, 2010

Michael W. Leewright

/s/ Michael W. Leewright

Date

Type Name

Signature

NOTICE OF ENTERED ORDER AND SERVICE LIST

Notice is given by the court that a judgment or order entitled ORDER ON STIPULATION RE: AVOIDANCE OF LIEN was entered on the date indicated as "Entered" on the first page of this judgment or order and will be served in the manner indicated below:

I. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF") – 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 July 13, 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) indicated below.

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Whitman L Holt wholt@stutman.com

Victor A Sahn vsahn@sulmeyerlaw.com

Steven G Polard spolard@perkinscoie.com

☐ Service information continued on attached page

1 **II. SERVED BY THE COURT VIA U.S. MAIL:** A copy of this notice and a true copy of this judgment or
2 order was sent by U.S. Mail to the following person(s) and/or entity(ies) at the address(es) indicated below:

3 James C Gianulias
4 1105 Quail Street
5 Newport Beach, CA 92660

6 Lori Scott
7 1301 Fifth Ave Ste 3100
8 Seattle, WA 98101

9 ☐ Service information continued on attached page

10 **III. TO BE SERVED BY THE LODGING PARTY:** Within 72 hours after receipt of a copy of this judgment or
11 order which bears an "Entered" stamp, the party lodging the judgment or order will serve a complete copy
12 bearing an "Entered" stamp by U.S. Mail, overnight mail, facsimile transmission or email and file a proof of
13 service of the entered order on the following person(s) and/or entity(ies) at the address(es), facsimile
14 transmission number(s) and/or email address(es) indicated below:

15 ☐ Service information continued on attached page