

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

\_\_\_\_\_  
In re:

ORECK CORPORATION,

Debtor.  
\_\_\_\_\_

)  
) Chapter 11  
)  
) Case No. 3:13-bk-04006  
)  
)  
)  
)  
)

**VERIFIED STATEMENT PURSUANT TO  
FEDERAL RULE OF BANKRUPTCY PROCEDURE 2019**

I, Dustin P. Branch, declare and state as follows:

1. I am an attorney licensed to practice law in the State of California and a partner with the law firm of Katten Muchin Rosenman LLP ("Katten"). I have personal knowledge of the facts set forth herein and if called as a witness could and would competently testify thereto.

2. I, along with Brian D. Huben, a partner with Katten, are the attorneys primarily responsible for representing the following creditors (the "Landlords") in connection with the above entitled case:

(1) The Macerich Company, c/o Steve Spector, Esq., 401 Wilshire Blvd., Suite 700, Santa Monica, California 90401, Landlord and/or managing agent for the following location:

Camelback Colonnade                      Phoenix, AZ

(2) Passco Companies, LLC c/o Todd Siegel, 96b Corporate Park, Suite 200, Irvine, CA 92606, Landlord and/or managing agent for the following location:

Lincoln Plaza                      Tacoma, WA

(3) UCR Asset Services, c/o Todd Kolba, 8080 Park Lane, Suite 800, Dallas, TX 75231, Landlord and/or managing agent for the following location:

The Shoppes at Arbor Lakes              Maple Grove, MN

(4) Deutsche Asset & Wealth Management, c/o Roma L. Lopez-Williams, 3344 Peachtree Road NE, Suite 1200, Atlanta, GA 30326, Landlord and/or managing agent for the following location:

Providence Square

Marietta, GA

3. The Landlords currently hold unsecured pre-petition claims, unsecured rejection claims and/or post-petition administrative claims for unpaid rent and other charges. The full amount of each of the Landlords' claims is undetermined at this time.

4. The Landlords have all retained Katten to represent them with respect to their interests in connection with the above captioned case. All parties are being billed on a monthly basis. All parties are aware of Katten's representation of other clients in this matter.

5. All of the Landlords have waived the conflict of interests that might exist between them.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 17th day of July, 2013 at Los Angeles, California.

Dated: July 17, 2013

Respectfully submitted,

KATTEN MUCHIN ROSENMAN LLP

/s/ Dustin P. Branch

Brian D. Huben, Esq.

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Counsel for Creditors

The Macerich Company,

Passco Companies LLC, UCR Asset Services and

Deutsche Asset & Wealth Management

## PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is Katten Muchin Rosenman LLP, 2029 Century Park East, Suite 2600, Los Angeles, California 90067.

On July 17, 2013, I served the foregoing document described as **VERIFIED STATEMENT PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 2019** on the interested parties in this action by placing a true and correct copy of this document thereof, enclosed in a sealed envelope, addressed as follows:

### SEE ATTACHED SERVICE LIST

☒ **(X) (BY COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")) – See attached service list)** Pursuant Local Bankruptcy Rules ("LBR"), the foregoing document will be served by the court via NEF and hyperlink to the document. On February 16, 2011, 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.

☐ **(BY MAIL – See attached service list)** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ **(BY ELECTRONIC MAIL – See attached list)** By transmitting electronically to the parties at the email address indicated above. To the best of my knowledge the transmission was reported as complete and I did not receive a notice of failure of receipt of each such documents.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on July 17, 2013, at Los Angeles, California.

/s/ Lora Anderson

Lora Anderson

## ECF SERVICE LIST

### **Debtor's Counsel**

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Nashville, TN 37203  
Email: adugan@babbc.com

### **U.S. Trustee**

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