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12	Attorneys for the City of Glendale, Arizona			
13	IN THE UNITED STATES BANKRUPTCY COURT			
14	FOR THE DISTRICT OF ARIZONA			
15	In re:	Case No. 2:09-bk-09488-RTBP (Jointly Administered)		
16	DEWEY RANCH HOCKEY, LLC,	Chapter 11		
17	COYOTES HOLDINGS, LLC,	STATEMENT OF CITY OF		
	COTOTES HOLDINGS, LLC,	GLENDALE DISCLOSING ITS		
18 19	COYOTES HOCKEY, LLC and	WITNESSES, EXHIBITS AND ISSUES IN CONNECTION WITH SEPTEMBER 2, 2009 HEARING		
20	ARENA MANAGEMENT GROUP, LLC,	,		
21	Debtors.			
22	This filing applies to:			
23	■ All Debtors  □ Specified Debtors			
24	-			
25	In accordance with this Court's Order dated August 25, 2009, the City of Glendale,			
26	an Arizona municipal corporation (the "City"), by and through its undersigned counsel,			
27	hereby submits this "Statement of City of Glendale Disclosing its Witnesses, Exhibits and			
28	Issues in Connection With September 2, 2009 Hearing" (the "Statement").			
	2233160.1/40060.037			
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1		WITNESSES
2		No live witnesses
3		<u>EXHIBITS</u>
4	Exhibit 1.	City of Glendale's Supplemental Objection to the Debtors' Sale
5		Motion, including any and all appendices and/or exhibits [Docket No.
6		281];
7	Exhibit 2.	Declaration of Arthur Lynch in Support of the City of Glendale's
8		Supplemental Objection to the Debtors' Sale Motion, including any
9		and all appendices and/or exhibits [Docket No. 282];
10	Exhibit 3.	Declaration of Tom Hocking in Support of the City of Glendale's
11		Supplemental Objection to the Debtors' Sale Motion, including any
12		and all appendices and/or exhibits [Docket No. 283];
13	Exhibit 4.	Declaration of Gerald Sheehan in Support of the City of Glendale's
14		Supplemental Objection to the Debtors' Sale Motion, including any
15		and all appendices and/or exhibits [Docket No. 284];
16	Exhibit 5.	Transcript of Hearing on June 9, 2009 [Docket No. 335]
17	Exhibit 6.	Glendale's Reply to Glendale Sale Objections and Summary of
18		Newly Discovered Evidence, including any and all appendices and/or
19		exhibits [Docket No. 556] <b>FILED UNDER SEAL</b> ;
20	Exhibit 7.	City of Glendale's Reply to Memorandum of Points and Authorities
21		in Support of Debtors' Motion for an Order Approving Rejection of
22		the Arena Lease Under Bankruptcy Code § 365(a) Effective as of the
23		Closing Date of a Relocation Sale, including any and all appendices
24		and/or exhibits [Docket No. 756];
25	Exhibit 8.	Complaint filed in Adv. Pro. No. 2:09-ap-00540; City of Glendale v.
26		Coyotes Hockey, LLC, including any and all appendices and/or
27		exhibits [Docket No. 1]; and
28		
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1	<b>Exhibit 9</b> . Complaint filed in Adv Pro. No. 2:09-ap-00952; City of Glendale v.	
2	Jerry Moyes, including any and all appendices and/or exhibits	
3	[Complaint filed under Seal] FILED UNDER SEAL.	
4	<u>ISSUES</u>	
5	1. Is the Arena Management, Use and Lease Agreement (the "Agreement")	
6	subject to potential rejection under Bankruptcy Code §365(a), subject to the Court's	
7	approval?	
8	2. If the Agreement was rejected, would such rejection abrogate the City's	
9	right to specific performance under the facts of these cases?	
10	3. Are any or all of the damages that would arise upon any rejection of the	
11	Agreement potentially "capped" under Bankruptcy Code §502(b)(6)?	
12	DATED this 1 <sup>st</sup> day of September, 2009	
13	FENNEMORE CRAIG, P.C.	
14		
15	By: /s/ Cathy L. Reece Cathy L. Reece (No. 005932)	
16	Nicolas B. Hoskins (No. 023277) 3003 N. Central Ave. Suite 2600 Phoenix, AZ 85012-2913 Telephone: (602) 916-5343	
17		
18	Facsimile: (602) 916-5543	
19	-and-	
20	BROWN RUDNICK LLP William P. Baldiga, Esq.	
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23	Telephone: (617) 856-8200 Facsimile: (617) 856-8201	
24	Counsel for the City of Glendale, Arizona	
25		
26		
27		
28		
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This document was electronically filed with the U.S. Bankruptcy Court on this 1<sup>st</sup> day of September, 2009. COPY of the foregoing mailed or emailed the same day to the parties listed on the attached Service List. /s/ Stephanie Fulk-Higgs 2233160.1/40060.037 FENNEMORE CRAIG, P.C.

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