

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF OKLAHOMA

In re:)
MACCO PROPERTIES, INC.) BK-10-16682-NLJ
) Chapter 11
Debtor.)

MOTION TO CONVERT CASE TO ONE UNDER CHAPTER 7;
NOTICE OF OPPORTUNITY FOR HEARING; AND NOTICE OF HEARING

I. NOTICE OF OPPORTUNITY FOR HEARING

Your rights may be affected. You should read this document carefully and consult your attorney about your rights and the effect of this document. If you do not want the Court to grant the requested relief, or you wish to have your views considered, you must file a written response or objection to the requested relief with the Clerk of the United States Bankruptcy Court for the Western District of Oklahoma, 215 Dean A. McGee Avenue, Oklahoma City, OK 73102 no later than 14 days from the date of filing of this request for relief. You should also serve a file-stamped copy of your response or objection to the undersigned movant/movant’s attorney [and others who are required to be served] and file a certificate of service with the Court. If no response or objection is timely filed, the Court may grant the requested relief without a hearing or further notice.

II. NOTICE OF HEARING

Please take notice that this motion has been set for hearing on **February 20, 2013, at 9:30 a.m.**, before the Honorable Niles L. Jackson, in the 3rd Floor Courtroom, 215 Dean A. McGee, Oklahoma City, Oklahoma.

III. MOTION TO CONVERT

The United States Trustee (“UST”), in furtherance of the administrative responsibilities imposed pursuant to 28 U.S.C. § 586(a), respectfully requests this Court enter an order converting this case to one under chapter 7 pursuant to section 1112(b) of the United States Bankruptcy Code.¹ In support of this motion the UST represents as follows:

¹ 11 U.S.C. §§ 101–1532. All statutory references shall refer to the United States Bankruptcy Code unless otherwise noted.

1. The MA Cedar Lake Apartments, LLC (“Cedar Lake”) case was commenced by the filing of a voluntary bankruptcy petition on October 28, 2010, seeking relief under chapter 11 of the United States Bankruptcy Code.
2. This case was originally assigned to the Honorable Sarah A. Hall. On August 23, 2012, Judge Hall ordered the Cedar Lake estate to be jointly administered with the estate of and under the case of Macco Properties, Inc., BK-10-16682-NLJ. *In re MA Cedar Lake Apartments, LLC*, BK-10-16563-SAH, “Corrected Order Directing Joint Administration of Chapter 11 Cases,” docket #201. Upon entry of the order directing joint administration, the Cedar Lake case was reassigned to the Honorable Niles L. Jackson.
3. Contemporaneous with the filing of this motion, the UST has uploaded a proposed order terminating the joint administration of the estates of Macco and Cedar Lake.
4. Macco Properties, Inc. (“Macco”) is an entity that held a 100% membership interest in MA Cedar Lake Apartments.
5. On October 23, 2012, this Court entered an order approving the proposed sale of Macco’s membership interest in Cedar Lake to 250 West, LLC and Jennifer A. Price² (“Price.”) *In re Macco Properties, Inc.*, docket ##1200 & 1246.
6. The respective parties to the sale executed the necessary documents to effectuate the transaction and the sale closed on November 28, 2012. That sale effectively accomplished a transfer of the ownership of Cedar Lake from Macco to Price and 250 West, LLC. Michael E. Deebe executed documents as the Chapter 11 Trustee of Macco; Price executed documents in her individual capacity; and Lew S. McGinnis executed documents in his capacity as manager of Cedar Lake and in his capacity as manager of 250 West, LLC.
7. The sale was conditioned upon Price and 250 West, LLC satisfying all outstanding creditor claims (both pre-petition and post-petition) at the closing of the sale. In anticipation of the closing, Price filed her first of two motions to dismiss the Cedar Lake case. *In re Macco Properties, Inc.*, docket #1284.

² The UST is uncertain of the current ownership of Cedar Lake. It is unknown whether Price and 250 West, LLC continue to be owners of Cedar Lake.

8. In discussing the sale contract, Price's first motion to dismiss, filed November 2, 2012, represented: "Under the contract, it is a condition of the Sale that, *inter alia*, All America Bank - the mortgagee on the Apartments - be paid in full at the Closing" and "the Movant shall have certified under penalty of perjury that the claims of the Remaining Creditors, as stated in Paragraph 7 hereof, have been satisfied in full." *Id.* at ¶¶ 6 & 10(b).
9. Price's first motion to dismiss was met with objections filed by the UST, debtor Cedar Lake, and All America Bank. *In re Macco Properties, Inc.*, docket ###1313,1314, and 1321, respectively. A central theme of the objections were based in part on Price's and McGinnis' prior performance³ and history of misconduct⁴, and the concern that Price and McGinnis would not pay or timely pay all creditor claims.
10. Price and McGinnis were unable to raise the necessary funds to close the Cedar Lake sale, and instead of having Price's first motion to dismiss denied, Price chose to withdraw her motion.
11. The sale eventually did close on November 28, 2012. Price renewed her efforts to obtain dismissal of Cedar Lake by filing her second motion to dismiss on November 30, 2012. *In re Macco Properties, Inc.*, docket #1326. However, in her second motion to dismiss, Price makes it clear that all creditors were not paid contemporaneous with closing. She now asserts that the pending bankruptcy is the cause for the "...unnecessary delay [in] payment of the remaining creditors' claims."
12. And now, after closing the Cedar Lake sale and after her second motion to dismiss, Price has objected to the claim of All America Bank. *In re Macco Properties, Inc.*, docket

³ The Macco Chapter 11 Trustee completed in January 2012 a similar sale of Division Properties, LLC ("Division Properties") to, in essence, the same parties. Division Properties consisted primarily of two apartment complexes in Oklahoma City, Oklahoma, the Remington Park Apartments and the Winslow Glen Apartments. Division Properties had been in Chapter 11 in the Western District of Oklahoma, Case No. 10-14203 and was dismissed on October 26, 2010. When the Chapter 11 Trustee turned over the properties to McGinnis and Price, it is believed that the trustee was current consistent with the agreement with the lender, the utilities were current, the property taxes were current, and the tenant security deposit accounts were fully funded. After assuming control, Price and McGinnis did not make the required mortgage payments. Price and McGinnis did not pay the utilities. Price and McGinnis plundered the security deposit accounts, again. On July 20, 2012, within seven months of Price and McGinnis' return to control of Division Properties, Price and McGinnis placed Division Properties into another Chapter 11 in the Northern District of Texas, Case No. 12-34679. Specifically, Division Properties' schedules reflect the current creditor makeup to be secured claims totaling \$7,426,398.67; priority claims (tenant security deposits) totaling \$45,016; and general unsecured creditors (primarily unpaid utility providers) claims totaling \$77,167.28. In that case, like so many others, Price and McGinnis made a multitude of promises and representations to pay off creditors in full, and have yet to do so.

⁴ For a comprehensive account of their misconduct, see the Court's 52 page Order denying Price's request for dismissal. *In re Macco Properties, Inc.*, docket #441.

- #1329. Moreover, Price has failed to provide proof of the payment of the claims of the remaining creditors.
13. Price and McGinnis' failure to pay creditors, among other issues, has resulted in the UST, debtor Cedar Lake, and All America Bank objecting to Price's motion to dismiss. *In re Macco Properties, Inc.*, docket ###1358, 1356, and 1372, respectively.
 14. As a result of the sale, Price and 250 West, LLC are now acting in their fiduciary capacity as a debtor-in-possession on behalf of Cedar Lake. Directors of a debtor under Chapter 11 are not fiduciaries of the corporation but, rather, they are fiduciaries of the estate, which the debtor in possession holds as trustee for the creditors. *Matter of Baldwin-United Corp.*, (S.D.Ohio 1984) 43 B.R. 443. And see *In re W.E. Tucker Oil, Inc.*, (Bkrtcy.W.D.Ark.1984) 42 B.R. 897. A debtor-in-possession is a fiduciary who represents the interests of the estate as well as its own. See also *In re Williams*, 152 B.R. 123 (Bkrtcy NDTX 1992) where the court reiterated that once a corporation becomes a chapter 11 debtor-in-possession, the management's fiduciary duty changes from a duty to the corporation's shareholders to a duty running to creditors as well as shareholders.
 15. Section 1112(b) requires that the Court shall, in the absence of "unusual circumstances," convert a chapter 11 case to one under Chapter 7, or dismiss the case, if a party in interest establishes "cause." *In re TCR of Denver, LLC*, 338 B.R. 494, 498 (Bankr. Colo. 2006)("Congress has purposefully limited the role of this Court in deciding issues of conversion or dismissal, such that this Court has no choice, and no discretion, in that it 'shall' dismiss or convert a case under chapter 11 if the elements for 'cause' are shown under 11 U.S.C. § 1112(b)(4)").
 16. Specifically, section 1112(b) provides:
 - (1) Except as provided in paragraph (2) and subsection (c), on request of a party in interest, and after notice and a hearing, the court shall convert a case under this chapter to a case under chapter 7 or dismiss a case under this chapter, whichever is in the best interests of creditors and the estate, for cause unless the court determines that the appointment under section 1104(a) of a trustee or an examiner is in the best interests of creditors and the estate.
 - (2) The court may not convert a case under this chapter to a case under chapter 7 or dismiss a case under this chapter if the court finds and specifically identifies unusual circumstances establishing that converting or dismissing the case is not in

the best interests of creditors and the estate, and the debtor or any other party in interest establishes that—

(A) there is a reasonable likelihood that a plan will be confirmed within the timeframes established in sections 1121(e) and 1129(e) of this title, or if such sections do not apply, within a reasonable period of time; and

(B) the grounds for converting or dismissing the case include an act or omission of the debtor other than under paragraph (4)(A)—

(i) for which there exists a reasonable justification for the act or omission; and

(ii) that will be cured within a reasonable period of time fixed by the court.

17. As alleged above, the debtor has failed to satisfy all outstanding creditor claims upon the closing of the sale between Macco and Price and 250 West, LLC.
18. Section 1112(b)(4) provides sixteen examples of “cause.” The list is non-exhaustive and, thus, various non-identified acts or failure to act may also constitute cause.
19. Five of the listed causes are:
 - a) “substantial or continuing loss to or diminution of the estate and the absence of a reasonable likelihood of rehabilitation”;
 - b) “failure to maintain appropriate insurance that poses a risk to the estate or to the public”;
 - c) “unexcused failure to satisfy timely any filing or reporting requirement established by this title or by any rule applicable to a case under this chapter”;
 - d) “failure to timely provide information . . . reasonably requested by the United States Trustee . . .” and
 - e) “failure to pay any fees or charges required under chapter 123 of title 28.”
20. This case has been pending since October 2010. When Price sought this Court’s approval of the sale of this debtor’s estate to her, she represented that All America Bank and the remaining creditors would be “satisfied in full.” Rather than abide by those terms

and her representations, the debtor has filed objections to claims. This case has been pending for over two years. Therefore the debtor and Price were certainly aware of any claims objections which would or could be asserted. Simply stated, for Price to represent that all estate claims will be paid at closing and then subsequently object to those claims is incongruous.

21. The actions of the debtor since the sale closing are indicative of an inability to reorganize. This is demonstrated by utilizing delay tactics, such as claim objections and delay of payment of creditors, to avoid the commitments previously promised to obtain a benefit (approval of the sale).
22. Subsequent to the November 28, 2012 sale closing, the debtor-in-possession's payment for insurance coverage was returned for insufficient funds. No proof of insurance has been provided. The creditors and the UST do not know whether the debtor has appropriate insurance coverage including, workers' compensation, liability and casualty coverage.
23. In addition, the UST believes that since the closing additional administrative claims approximating \$165,000 now exist and have gone unpaid.
24. Subsequent to the closing the debtor has not provided proof of the establishment of debtor-in-possession accounts to satisfy the requirement of section 345.
25. The debtor is delinquent in filing of the monthly operating report required under sections 704(a)(8) and 1106(a)(1) of the Bankruptcy Code. The last monthly operating report was filed by the chapter 11 trustee through November 28, 2012. *In re Macco Properties, Inc.*, docket #1408. The debtor has not filed any monthly operating reports since the last report filed by the trustee. Accordingly, there is no accountability to creditors, this Court or the UST.
26. This Court long ago recognized the importance of monthly operating reports: "The debtor-in-possession becomes its creditors' trustee and is required to conduct itself as one. The disclosure of the financial condition by periodic reporting is high on the list of fiduciary obligations and is to be excused only for justifiable cause." *In re Modern Office Supply, Inc.*, 28 B.R. 943, 945 (Bankr. W.D. Okla. 1983); *accord In re Whetten*, 473 B.R. 380, 383-84 (Bankr. Colo. 2012)(Failure to file monthly reports and financial disclosures calls into question the debtor's ability to reorganize).
27. The debtor has underpaid disbursement fees owed pursuant to 28 U.S.C. § 1930(a)(6).

The debtor is delinquent \$650 and is currently accruing additional fees for the first quarter of 2013.

28. In dismissing the debtor-in-possession's case for failure to file monthly reports and financial disclosures, the Court in *In re Whetten* observed: "Every debtor-in-possession faces the weighty duties of running a business and meeting the fiduciary obligations imposed by the Code." 473 B.R. at 383. Since the sale closing MA Cedar Lake Apartments, LLC, has ignored all of the duties set out in section 1107.⁵
29. Since the November 28, 2012, sale closing this debtor has not been represented by legal counsel. The debtor-in-possession, a limited liability company, is *pro se*. "The rule is well established that a corporation can appear in a court of record only by an attorney at law." *Flora Const. Co. v. Fireman's Fund Ins. Co.*, 307 F.2d 413, 414 (10th Cir. 1962) (citations omitted) *cert. denied* 371 U.S. 950, 83 S. Ct. 505, 9 L. Ed. 2d 499 (1963); 28 U.S.C. § 1654. Similar to a corporation, a limited liability company is a legal entity created by statute. Accordingly, the same rules apply pertaining to *pro se* representation. As held in *In re ICLNDS Notes Acquisition, LLC*, 259 B.R. 289, 294 (Bankr. N.D. Ohio 2001):

Logically, given that an LLC has some of the attributes of a corporation and some of a partnership, an LLC should be governed on this issue by the same rules that apply to those entities. Thus, whether an LLC is viewed as a corporation or a partnership or a hybrid, it may only appear in court through an attorney.

30. Simply put, a debtor, as debtor-in-possession, must timely discharge the unique responsibilities of Chapter 11 in order to enjoy its limited benefits. *In re Milford Connecticut Associates, L.P.*, 389 B.R. 303, 309 (Bankr. Conn. 2008). There are no "unusual circumstances" as contemplated in section 1112(b)(2) which justify the debtor's failures as set forth above.⁶

⁵ On September 7, 2011, this Court issued its opinion entitled "Order Denying Motion of Jennifer Price for Dismissal of Chapter 11 Case and Other Related Relief and Denying Plaintiff's Emergency Motion for Preliminary Injunction against Defendant, Michael E. Deeba, Trustee." *In re Macco Properties, Inc.*, docket #441. The current actions of this debtor, via Price, are consistent with the facts and circumstances set out in that order which concluded: "Rather, it is the Court's conclusion that Price and McGinnis should not be restored to management under any interpretation of the evidence." *Id.* at p. 51.

⁶ Once cause is established the burden shifts to the debtor to demonstrate unusual circumstances. *In re Whetten*, 473 B.R. at 384 ("The Code does not define 'unusual circumstances,' but the term contemplates

WHEREFORE, based on the foregoing, the UST respectfully requests that this Court enter an order granting this motion by converting this case to one under chapter 7; and for such other and further relief as the Court deems just, equitable and proper.

Respectfully submitted,

RICHARD A. WIELAND
UNITED STATES TRUSTEE

s/ Charles S. Glidewell
Charles S. Glidewell, TxB #08030300
Assistant United States Trustee
215 Dean A. McGee, Fourth Floor
Oklahoma City, OK 73102
(405) 231-5960/231-5958 [fax]
Charles.Glidewell@usdoj.gov

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document was mailed postage pre-paid to the parties on the list attached to the original motion on file on this 29th day of January 2013.

s/ Charles S. Glidewell
Charles S. Glidewell, TxB #08030300

Case Number: 10-16682

10-16682| Grubb & Ellis/Martens Commercial Group LLC
 10-16682|250 West, LLC |6103 NW 63rd Street|Oklahoma City, OK 73123
 10-16682|All America Bank, Inc. |444 West Highway 152|Mustang, OK 73064
 10-16682|Bellingham & Loyd, P.C. |620 North Robinson|Oklahoma City
 10-16682|Bristol Park Apartments Tulsa, LLC
 10-16682|Canyon Creek Apartments Tulsa, LLC
 10-16682|Citibank, N.A. |701 East 60th Street North|SIOUX FALLS, SD 57117
 10-16682|Coastal Federal Credit Union
 10-16682|Cobblestone Apartments of Tulsa, LLC |c/o William R. Grimm|Barrow & Grimm, PC|110 W. Seventh Street|Suite 900|Tulsa, OK 74119
 10-16682|Dallas County |Linebarger Goggan Blair & Sampson, LLP|c.o Elizabeth Weller|2323 Bryan Street Ste 1600|Dallas, TX 75201
 10-16682|FAA Credit Union |PO Box 26406|Oklahoma City, OK 73126
 10-16682|FRONTIER STATE BANK
 10-16682|First Enterprise Bank |401 North Hudson|Oklahoma City, OK 73102
 10-16682|Flood Masters, Inc.
 10-16682|Ford Motor Credit Company LLC |Dept 55953|PO Box 55000|Detroit, MI 48255-0953
 10-16682|Foxfire Apartments Tulsa, LLC
 10-16682|Grubb & Ellis/Martens Commercial Group LLC
 10-16682|Kirkpatrick Bank
 10-16682|Linwood Group, LLC |c/o William R. Grimm|Barrow & Grimm, P.C.|110 W. 7th St., Ste. 900|Tulsa, OK 74119
 10-16682|MA Cedar Lake Apartments, LLC
 10-16682|Macco Properties, Inc. |PO Box 57627|Oklahoma City, OK 73157
 10-16682|NBC Oklahoma
 10-16682|Oklahoma County Treasurer |320 Robert S Kerr Ave|Room 307|Oklahoma City, OK 73102
 10-16682|Oklahoma Fidelity Bank f/n/a Bridgeview Bank, N.A. |c/o Blaney and Tweedy, PLLC|P.O. Box 657|Oklahoma City, OK 73101
 10-16682|Premise Management & Real Estate Services, Inc. d/b/a Premise Construction Services |c/o Timothy D. Matheny|Ford Nassen & Baldwin PC|8080 North Central Expressway|Suite 1600|Dallas, TX 75206
 10-16682|Price Edwards & Company
 10-16682|Price Edwards & Company |Attn Ford C Price Jr Managing Partner|210 Park Ave Suite 1000|Oklahoma City, OK 73102
 10-16682|Quail Creek Bank |PO Box 20160|Oklahoma City, OK 73156
 10-16682|Receivership Services Corporation |Attn Andrew Braun|435 S Broadway|Wichita, KS 67202
 10-16682|Red Fox Garden Apartments, LLC |2150 Pickwick Drive, #223|Camarillo, CA 73011
 10-16682|Redmond & Nazar, LLPC |c/o Janice Loyd|620 N. Robinson|Suite 207|Oklahoma City, OK 73102
 10-16682|SEP Riverpark Plaza, LLC |Oklahoma City
 10-16682|Sooner State Bank
 10-16682|The Claridge Association |c/o Board of Directors|3510 Turtle Creek Boulevard|Dallas, TX 75219
 10-16682|The Larry D. and Jeanette A. Jamison Family Trust |c/o William R. Grimm|Barrow & Grimm, PC|110 W. Seventh Street|Suite 900|Tulsa, OK 74119
 10-16682|The Travelers
 10-16682|Tower Crossing Apartments Tulsa, LLC
 10-16682|United States Trustee |Office of the U.S. Trustee|215 Dean A McGee Fourth Floor|Oklahoma City, OK 73102
 10-16682|Unsecured Creditors' Committee |c/o Jackie L. Hill, Jr., Chairman|210 W. Park Avenue, Suite 2800|Oklahoma City, OK 73102
 10-16682|Woodard Hernandez Roth & Day LLC |245 N Waco Ste 260|Wichita, KS 67202
 10-16682|USBC Western District of Oklahoma|215 Dean A. McGee|Oklahoma City, OK 73102
 10-16682|1 Ashbury Court Partners LLC |c/o L Donald Huelson|16029 South Bradley|Olathe KS 66062
 10-16682|250 West LLC |6103 NW 63rd St|Oklahoma City OK 73123
 10-16682|All Amercia Bank Inc |c/o Denton Law Firm|925 West State Highway 152|Mustang, Oklahoma 73064

10-16682|All America Bank |PO Box 300|Mustang, OK 73064
 10-16682|All America Bank, Inc. |c/o Denton Law Firm|1102 East State Highway 152|Mustang, Oklahoma 73064
 10-16682|Andrew G. Schmidt |Address Unknown
 10-16682|At&T |PO Box 650553|Oklahoma City, OK 75265
 10-16682|Bingham McCutchen |Water Garden, 4th Flr, North Tower|1620 26th St|Santa Monica, CA 90404
 10-16682|Bingham McCutchen LLP |3 Embarcadero Center Ste 2800|San Francisco CA 94111-4067
 10-16682|Bristol Park Apartments Tulsa, LLC
 10-16682|Bristol Park Apartments Tulsa, LLC |4414 S. Garnett Rd.|Tulsa OK 74146
 10-16682|Bristol Park Apartments Tulsa, LLC |Corporate Tower, Thirteenth Floor|101 North Robinson Avenue|Oklahoma City, OK 73102
 10-16682|Bristol Park Apts, Canyon Creek Apts |Foxfire Apts, Tower Crossing Apts|c/o Andrew Chilson|101 North Robinson Avenue, 13th Floor|Oklahoma City, OK 73102
 10-16682|Canadian County Treasurer |David T Radcliff|PO Box 1095|El Reno OK 73036
 10-16682|Canyon Creek Apartments Tulsa, LLC
 10-16682|Canyon Creek Apartments Tulsa, LLC |2102 E. 51st St.|Tulsa, OK 74105
 10-16682|Canyon Creek Apartments Tulsa, LLC |Corporate Tower, Thirteenth Floor|101 North Robinson Avenue|Oklahoma City, OK 73102
 10-16682|Citibank NA |701 E 60th St North|Sioux Falls SD 57117
 10-16682|Citibank South Dakota NA |DBA|4740 121st St|Urbandale, IA 50323
 10-16682|City Of Oklahoma City Water Dept |PO Box 26570|Oklahoma City, OK 73126-0570
 10-16682|City Of Wichita |455 N Main|Wichita, KS 67202
 10-16682|Claridge Association |3510 Turtle Creek|Dallas, TX 75219
 10-16682|Coastal Federal Credit Union |PO Box 893046|Oklahoma City, OK 73189-3046
 10-16682|Coastal Federal Credit Union |c/o Andrew Chilson, Phillips Murrah PC|Corporate Tower, 13th Fl|101 N Robinson Ave|Oklahoma City OK 73102
 10-16682|Cobblestone Apartments of Tulsa, LLC |c/o William R. Grimm|Barrow & Grimm, P.C.|110 W. 7th St, Ste 900|Tulsa, OK 74119
 10-16682|CompSource |c/o Rice & Reneau|9024-A S.E. 29th|Oklahoma City, OK 73130
 10-16682|CompSource OK |c/o Rice and Reneau|1401 S Douglas Blvd Ste A|Midwest City OK 73130
 10-16682|Conner & Winters |211 N Robinson, Ste 1700|Oklahoma City, OK 73102
 10-16682|Conner & Winters, LLP |c/o Kiran A. Phansalkar, Esquire|211 N. Robinson Ave., Suite 1700|Oklahoma City, OK 73102
 10-16682|Corporate Tower, Thirteenth Floor |101 North Robinson Avenue|Oklahoma City, OK 73102
 10-16682|Cox Communications |PO Box 248851|Oklahoma City, OK 73124
 10-16682|Cox Communications |PO Box 268870|Oklahoma City, OK 73126
 10-16682|Dallas County |Linebarger Goggan Blair & Sampson, LLP|c/o Elizabeth Weller|2323 Bryan Street Suite 1600|Dallas, Tx 75201
 10-16682|FAA Credit Union |C/O McCathern Mooty|3710 Rawling, Ste. 1600|Dallas, TX 75219
 10-16682|FAA Credit Union |Max C Tuepker PC|1322 N Walker Ave|Oklahoma City, OK 73103
 10-16682|FAA Credit Union |PO Box 26406|Oklahoma City, OK 73126
 10-16682|FedEx Tech Connect Inc |As Assignee of FedEx Express/Ground|Attn: Revenue Recovery/Bankruptcy|3965 Airways Blvd, Module G, 3rd Floor|Memphis, Tennessee 38116
 10-16682|Fidelity Bank |Attn: Loan Dept 5th Flr|PO Box 1007|Wichita, KS 67201
 10-16682|Fidelity Management |100 E English, Ste 500|Wichita, KS 67202
 10-16682|First Enterprise Bank |1000 W Britton Road|Oklahoma City, OK 73113
 10-16682|Flood Masters, Inc. |c/o Felker, Sander & Associates, P.C.|4045 N.W. 64th, Suite 510|Oklahoma City, OK 73116
 10-16682|Ford Motor Credit |PO Box 650575|Dallas, TX 75265
 10-16682|Ford Motor Credit Company, LLC |Dept. 55953 PO Box 55000|Detroit, MI 48255-0953
 10-16682|Foxfire Apartments Tulsa, LLC
 10-16682|Foxfire Apartments Tulsa, LLC |7324 S. Wheeling Ave.|Tulsa, OK 74146
 10-16682|Foxfire Apartments Tulsa, LLC |Corporate Tower, Thirteenth Floor|101 North Robinson Avenue|Oklahoma City, OK 73102
 10-16682|Frontier State Bank |C Craig Cole and Associates|317 Northwest Twelfth Street|OKC OK 73103
 10-16682|Frontier State Bank |PO Box 95329|Oklahoma City, OK 73143
 10-16682|G. Rudy Hiersche, Jr. |105 N. Hudson, Suite 300|Oklahoma City, OK 73102

10-16682|GMAC |PO Box 9001948|Louisville, KY 40290-1948
 10-16682|Grubb & Ellis /Martens Commercial Group LLC |435 S. Broadway Wichita KS 67202
 10-16682|Grubb & Ellis/Martens Commercial Group, LLC |435 S. Broadway|Wichitas, KS 67202
 10-16682|Hill, Jackie |Dunn Swan & Cunningham|210 Park Avenue|Oklahoma City, OK 73102
 10-16682|Howery |170 S Main St., Ste 400|Salt Lake City, UT 84101
 10-16682|Internal Revenue Service |PO Box 21126|Philadelphia PA 19114
 10-16682|JP Weigland & Sons |150 N Market|Wichita, KS 67202
 10-16682|Jackie L. Hill, Jr. |210 Park Avenue, Suite 2800|Oklahoma City, OK 73102
 10-16682|Jennifer Price |PO Box 22546|Oklahoma City, OK 73123
 10-16682|Jon Thomas Lee |Lee & Assoc.|1300 E. 9th, Ste 1|Edmond OK 73034
 10-16682|Keller Williams |439 N Canon Drive|Beverly Hills, CA 90210
 10-16682|Kirkpatrick Bank |15 E 15th Street|Edmond, OK 73013
 10-16682|Kirkpatrick Bank |c/oo Bart Boren|401 N Hudson|Oklahoma City OK 73102
 10-16682|Knott, Tom |6925 Avondale Court|Nichols Hills, OK 73116
 10-16682|Larry D. & Jeanette A. Jamison Family Trust |c/o William R. Grimm|Barrow & Grimm, P.C.|110 W. 7th St, Ste 900|Tulsa, OK 74119
 10-16682|Lee, Ed |1300 E 9th, Ste 1|Edmond, OK 73034
 10-16682|Lew McGinnis |PO Box 22546|Oklahoma City OK 73123
 10-16682|Louis Vargas and/or Red Fox Garden Apartments,LLC |c/o Robert J. Haupt|Phillips Murrah P.C.|Corporate Tower, Thirteenth Floor|101 North Robinson Ave.|Oklahoma City, Oklahoma 73102
 10-16682|M.B. Kiser Heating & Air Conditioning |8708 Directors Row|Dallas, TX 75247
 10-16682|NAI Associates |6914 S Yorktown Ave., Ste 215|Tulsa, OK 74136
 10-16682|NBC |PO Box 21000|Oklahoma City, OK 73156
 10-16682|NBC Bank |PO Box 21000|Oklahoma City, OK 73156
 10-16682|NBC Oklahoma |Ross A. Plourde, Esq.|McAfee & Taft|10th Floor, Two Leadership Square|211 N. Robinson|Oklahoma City, OK 73102
 10-16682|Nathan Richter / Michael Denton |Denton Law Firm|1102 E State Highway 152|Mustang, OK 73064
 10-16682|Nationstar Mortgage |PO Box 650783|Dallas, TX 75265
 10-16682|OG&E |PO Box 24990|Oklahoma City, OK 73124
 10-16682|OG&E Electric Services |Attn Nate Kern MC-M223|PO Box 321|Oklahoma City OK 73101-0321
 10-16682|Oklahoma County Treasurer |320 Robert S. Kerr, Rm 307|Oklahoma City, OK 73102
 10-16682|Oklahoma Publishing Company |PO Box 25125|Oklahoma City OK 73125
 10-16682|Oklahoma Tax Commission |Legal Div/Bankruptcy Sec|120 N Robinson, Ste. 2000W|Oklahoma City, OK 73102-7801
 10-16682|Oklahoma Tax Commission |Legal Div/Bankruptcy Sec.|2501 N. Lincoln Blvd.|Oklahoma City, OK 73194
 10-16682|PTN Texas-Property Tax Network of Texas |Gary Aguillard|PO Box 568|Aledo TX 76008
 10-16682|Premise Construction |PO Box 787543|Dallas, TX 75379
 10-16682|Premise Management & Real Estate Services, Inc. |c/o Timothy Matheny|8080 N Central Expressway Ste 1600|Dallas TX 75206
 10-16682|Price Edwards & Company |210 Park Ave. #1000|Oklahoma City, OK 73102
 10-16682|Price Geneva |PO Box 1705|Big Timber, MT 59011
 10-16682|QUANTUM PROPERTIES, L.L.C |c/o Bart Boren|401 N. Hudson|OKC, OK 73102
 10-16682|Quail Creek Bank |C/O Bart Boren|401 N Hudson|Oklahoma City, OK 73102
 10-16682|Quail Creek Bank |PO Box 20160|Oklahoma City, OK 73156
 10-16682|Reynolds, Lou |Eller & Detrich|2727 E 21st St, Ste 200|Tulsa, OK 74114
 10-16682|Richard Ledbetter |PO Box 2261|Oklahoma City OK 73101-2261
 10-16682|Robert G. Lavitt Esq |Travelers Casualty & Surety Co|One Tower Square|S102A|Hartford CT 06183
 10-16682|Sallusti, Ralph |4301 SW 3rd Street|Oklahoma City, OK 73108
 10-16682|Security Telephone |3532 Nw 23rd Street|Oklahoma City, OK 73107
 10-16682|Sedgwick County |Office of the County Counselor|Patricia J Parker|525 N Main Suite 359|Wichita KS 67203-3790
 10-16682|Sooner State Bank |10301 N May Avenue|Oklahoma City, OK 73120
 10-16682|Tennison, Ed |926 Jollie Drive|Choctaw, OK 73020
 10-16682|The Linwood Group LLC |c/o Karl R Swartz|300 N Mead #200|Wichita KS 67202
 10-16682|Tower Crossing Apartments Tulsa, LLC

10-16682|Tower Crossing Apartments Tulsa, LLC |4404 s. 109th East Ave. |Tulsa, OK 74146
10-16682|Tower Crossing Apartments Tulsa, LLC |Corporate Tower, Thirteenth Floor|101 North Robinson Avenue|Oklahoma City, OK 73102
10-16682|Travelers Casualty & Surety Company |Robert G Lavitt Esq|One Tower Square S102A|Hartford CT 06183
10-16682|Travelers Insurance |Kazlow & Fields|11605 Crossroads Circle Suite J|Baltimore MD 21220
10-16682|U.S. Trustee |United States Trustee|215 Dean A. McGee Ave., 4th Floor|Oklahoma City, OK 73102
10-16682|V&S Enterprises |9520 N May|Oklahoma City, OK 73120
10-16682|Varner Enterprises, LLC |d/b/a Budget Flag & Banner|310 N. Rockwell Avenue|Oklahoma City, OK 73127
10-16682|Westar |PO Box 758500|Topeka, KS 66675
10-16682|Westar Energy |attn Bankruptcy Team|PO Box 208|Wichita KS 67201-0208
10-16682|Wichita Eagle |825 E. Douglas|Wichita, KS 67202
10-16682|Wichita Eagle |PO Box 820|Mail Returned-99999
10-16682|Wichita Eagle-Beacon Publ Co Inc |825 E Douglas Ave|Wichita KS 67202-3512
10-16682|Woodard Hernandez Roth & Day |257 N Broadway, Ste 300|Wichita, KS 67201
10-16682|Woodard Hernandez Roth & Day LLC |245 N Waco Ste 260|Wichita KS 67202
10-16682|Woodard Hernandez Roth & Day LLC |245 N. Waco, Ste. 260|Wichita, KS 67202
10-16682|Andrew G Schmidt
10-16682|Dennis Maley |PO Box 60676|Oklahoma City, OK 73146
10-16682|G. Rudy Hiersche |Hiersche Law Firm|105 N Hudson|Suite 300|Oklahoma City, OK 73102
10-16682|Geneva Price |PO Box 1705|Big Timber, MT 59011
10-16682|Jackie L. Hill Jr.|2800 Oklahoma Tower|210 Park Avenue|Oklahoma City, OK 73102
10-16682|James H. Bellingham |620 North Robinson|Suite 207|Oklahoma City, OK 73102
10-16682|Jennifer Price
10-16682|Lew S. McGinnis |PO Box 22546|Oklahoma City, OK 73123-1546
10-16682|Louis F Vargas |2150 Pickwick Drive, #223|Camarillo, CA 73011
10-16682|Michael E. Deebea |PO Box 2895|Oklahoma City, OK 73101
10-16682|Michael Paul Kirschner |Robertson & Williams|9658 N. May Avenue|Suite 200|Oklahoma City, OK 73120-2718
10-16682|Ralph A Sallusti |4301 SW 3rd St|Oklahoma City, OK 73108
10-16682|Richard K Ledbetter |PO Box 2261|Oklahoma City, OK 73101
10-16682|Terrance Hiller |Bankruptcy & Alternative Debt Relief Spe|28175 Haggerty Road|Suite 149|Novi, MI 48377
10-16682|W. Thomas Gilman |Redmond & Nazar LLP|245 N Waco Ste 402|Wichita, KS 67202

Case Number: 10-16563

10-16563|Adjusters International Colorado, Inc.,
10-16563|All America Bank, Inc. |444 West Highway 152|Mustang, OK 73064
10-16563|First Enterprise Bank |2155 SW 44th Street|Oklahoma City, OK 73119
10-16563|Grubb & Ellis/Martens Commercial Group LLC
10-16563|MA Cedar Lake Apartments, LLC |PO Box 22546|Oklahoma City, OK 73123
10-16563|Michael E. Deeba |c/o Janice Loyd|620 N. Robinson|Suite 207|Oklahoma City, OK 73102
10-16563|Receivership Services Corporation
10-16563| |USBC Western District of Oklahoma|215 Dean A. McGee|Oklahoma City, OK 73102
10-16563|Adrianna Espe |Unit 3204|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|All America Bank |PO Box 300|Mustang, OK 73064
10-16563|All American Bank Inc. |c/o Denton Law Firm|1102 East State Highway 152|Mustang OK 73064
10-16563|Alma Romo |Unit 6101|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Amanda Turner |Unit 5107|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Angelica Ramirez |Unit 3103|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Ann Young |Unit 2206|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Anna Smith |Unit 4005|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Anotnio Sandoval |Unit 4004|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Anthony Mcgraw |Unit 6208|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Ashley Publow |Unit 3102|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Bethany Curtis |Unit 2201|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Brandon and Kathleen Olson |Unit 2208|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Brian Hobbs |Unit 3205|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Bush Vo Hung |Unit 4205|1900 S. Rock Rd.|Mail Returned-99999
10-16563|Candace Oliver |Unit 4105|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Carl Barry |Unit 4209|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Carroll Lewis |Unit 6105|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Chad Daniels |Unit 5202|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Cheryl Backward |Unit 5208|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Chris and Melissa Hartley |Unit 3201|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Christopher Mizell |Unit 2104|1900 S. Rock Rd.|Mail Returned-99999
10-16563|City Of Wichita |455 N Main|Wichita, KS 67202
10-16563|Corporate Group LLC |PO Box 57627|Oklahoma City, OK 73157
10-16563|Courtney Meyers |Unit 2203|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Cox Communications |PO Box 22142|Tulsa, OK 74121
10-16563|Daniel and Kristy Batista |Unit 4211|1900 S. Rock Rd.|Mail Returned-99999
10-16563|Danielle Cannon |Unit 4109|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Danielle Hill |Unit 4201|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Darren Utz |Unit 4208|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|David Coleman |Unit 6102|1900 S. Rock Rd.|Mail Returned-99999
10-16563|Dontae Jones |Unit 2103|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Dung Huynh |Unit 4102|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Earl Nickel |Unit 6008|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Edwardo Bravo Luna |Unit 6104|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Edwin Onkeo |Unit 3208|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Elija Slaten |Unit 6210|1900 S. Rock Rd.|Mail Returned-99999
10-16563|Elizabeth Nash |Unit 2204|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Elizabeth Roundtree |Unit 4001|1900 S. Rock Rd.|Mail Returned-99999
10-16563|Esther Morris |Unit 2107|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Eutimia Garcia |Unit 6202|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Francisco Hernandez |Unit 4104|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Gabriel Hernandez |Unit 5204|1900 S. Rock Rd.|Wichita, KS 67207

10-16563|Gissella Benelello |Unit 3108|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Gladys Robinson |Unit 5106|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Hailey Cain |Unit 6203|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Holly Scott |Unit 6110|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Hope Young |Unit 6103|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Internal Revenue Service |PO Box 21126|Philadelphia, PA 19114
10-16563|Internal Revenue Service |PO Box 7346|Philadelphia PA 19101-7346
10-16563|Ja'meya Bell |Unit 4204|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Jack Lang |Unit 4207|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|James Armstrong |Unit 2108|1900 S. Rock Rd.|Mail Returned-99999
10-16563|James Arthur |Unit 3105|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|James Lindsay |Unit 4210|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|James Sanders |Unit 2102|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|James Zerr |Unit 4203|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Jason Summers |Unit 4111|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Jennifer Price |PO Box 22546|Oklahoma City, OK 73123
10-16563|Jessica Mazzarth |Unit 2106|1900 S. Rock Rd.|Mail Returned-99999
10-16563|Jill Keely |Unit 2105|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Jones Biffle |Unit 5105|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Jose Maria Zuniga |Unit 5101|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Juan and Ju Rodriguez |Unit 6209|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Kathy Proulx |Unit 6206|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Khandaker Sazzad |Unit 2207|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Kodie Cromer |Unit 2202|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Konare Assa |Unit 5206|1900 S. Rock Rd.|Mail Returned-99999
10-16563|Laura Johnson |Unit 4006|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Leonard Fungasha |Unit 6010|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Lew McGinnis |1300 Sovereign Row|Oklahoma City, OK 73108
10-16563|Linda Collins |Unit 3207|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Lloyd Jackson |Unit 6109|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Lotasha Cooksey |Unit 6204|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Luis Salazar |Unit 6007|1900 S. Rock Rd.|Mail Returned-99999
10-16563|Macco Properties, Inc. |PO Box 57627|Oklahoma City, OK 73157
10-16563|Manuela Rojas Zarmiento |Unit 6201|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Margarita Concha |Unit 6108|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Margarito Zuniga |Unit 3206|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Marie Lubrun |Unit 5205|1900 S. Rock Rd.|Mail Returned-99999
10-16563|Mary Patzkowsky |Unit 5207|1900 S. Rock Rd.|Mail Returned-99999
10-16563|Melissa Forgeue |Unit 4103|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Nathan Richter / Michael Denton |Denton Law Firm|1102 E State Highway 152|Mustang, OK 73064
10-16563|Oklahoma Tax Commission |Legal Div/Bankruptcy Sec|120 N Robinson, Ste. 2000W|Oklahoma City, OK 73102-7801
10-16563|Patience Adams |Unit 6107|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Paul Bryant |Unit 3101|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Rigoberto Ventura |Unit 5108|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Rita Carroll |Unit 4206|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Robert Bruner |Unit 4108|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Robert Wolfe |Unit 4112|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Roy Hatcher |Unit 6207|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Sandra Ibarra |Unit 4110|1900 S. Rock Rd.|Mail Returned-99999
10-16563|Sandra Phillips |Unit 5103|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Sarah Santarge |Unit 4003|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Sedgwick County Treasurer |Office of the County Counselor|525 N Main Suite 359|Wichita, KS 67203-3790
10-16563|Sevaric Adams |Unit 2205|1900 S. Rock Rd.|Wichita, KS 67207

10-16563|Shawnti Smith |Unit 2101|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Shayna Jennings |Unit 4002|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Stephanie Regurt |Unit 6006|1900 S. Rock Rd.|Mail Returned-99999
10-16563|Stephanie St. Claire |Unit 6106|1900 S. Rock Rd.|Mail Returned-99999
10-16563|Steven Zinser |Unit 3203|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Tara Sims |Unit 3106|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Taylor Buchanan |Unit 4106|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Teresa Hutton |Unit 3202|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Timothy Crain |Unit 4101|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Troy Greene |Unit 5201|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|U.S. Trustee |United States Trustee|215 Dean A. McGee Ave., 4th Floor|Oklahoma City, OK 73102
10-16563|Varathay Praseuth |Unit 6205|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Vendomatic LLC |PO Box 57627|Oklahoma City, OK 73157
10-16563|Vicki Pinon |Unit 3104|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Wade Klink |Unit 4107|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Warren and Ann Davidson |Unit 5102|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|Waste Management |2625 W. Grandview Rd. Ste. 150|Phoenix, AZ 85023
10-16563|Waste Management |4330 W 31st St S|Wichita, KS 62715
10-16563|Westar |PO Box 758500|Topeka, KS 66675-8500
10-16563|Westar Energy |Attn: Bankruptcy Team|PO Box 208|Wichita KS 67201-0208
10-16563|Yodalys and Yielka Bass Castillo |Unit 5203|1900 S. Rock Rd.|Wichita, KS 67207
10-16563|G. Rudy Hiersche Jr.|105 N Hudson Suite 300|Oklahoma City, OK 73102
10-16563|Jennifer Price |c/o Mark Sanders|100 West Fifth Street|1100 ONEOK Plaza|Tulsa, OK 74103
10-16563|Kathleen Proulx
10-16563|Kevin M. Coffey |435 N Walker Ste 202|Oklahoma City, OK 73102

