

The below described is **SIGNED**.

Dated: November 06, 2012



JOEL T. MARKER  
U.S. Bankruptcy Judge



*Prepared and Submitted By:*

Peggy Hunt (Utah State Bar No. 6060)  
Nathan S. Seim (Utah State Bar No. 12654)

**DORSEY & WHITNEY LLP**

136 South Main Street, Suite 1000  
Salt Lake City, UT 84101-1685  
Telephone: (801) 933-7360

Email: [hunt.peggy@dorsey.com](mailto:hunt.peggy@dorsey.com)  
[seim.nathan@dorsey.com](mailto:seim.nathan@dorsey.com)

*Attorneys for D. Ray Strong, Chapter 11  
Trustee for Castle Arch Real Estate Investment  
Company, LLC*

**IN THE UNITED STATES BANKRUPTCY COURT  
OR THE DISTRICT OF UTAH**

In re:

CASTLE ARCH REAL ESTATE  
INVESTMENT COMPANY, LLC; CAOP  
MANAGERS, LLC; CASTLE ARCH  
OPPORTUNITY PARTNERS I, LLC;  
CASTLE ARCH OPPORTUNITY  
PARTNERS II, LLC; CASTLE ARCH  
KINGMAN, LLC; CASTLE ARCH  
SECURED DEVELOPMENT FUND, LLC;  
and CASTLE ARCH SMYRNA, LLC,

Debtors.

Bankruptcy Case No. 11-35082  
Bankruptcy Case No. 11-35237  
Bankruptcy Case No. 11-35240  
Bankruptcy Case No. 11-35242  
Bankruptcy Case No. 11-35243  
Bankruptcy Case No. 11-35246  
Bankruptcy Case No. 11-35241  
(Jointly Administered)

(Chapter 11)

The Honorable Joel T. Marker

**ORDER REGARDING JOINT OMNIBUS CLAIMS OBJECTION AS RELATES TO  
RICHARD DANCE AND 1031 ECI LLC**

The matter before the Court is the *Joint Omnibus Claims Objection Filed By Castle Arch  
Real Estate Investment Company, LLC, Castle Arch Opportunity Partners I, LLC, Castle Arch*

*Opportunity Partners II, LLC, Castle Arch Kingman, LLC, Castle Arch Secured Development Fund, LLC, and Castle Arch Smyrna, LLC* [Docket No. 308] (the “Omnibus Claims Objection”), which objects to, among others, the following Proofs of Claim: (a) Claim No. 10 filed against Castle Arch Secured Development Fund, LLC (“CASDF”) by 1031 ECI LLC (the “1031 POC”); and (b) Claim No. 11 filed against CASDF by Richard Dance (the “Dance POC”). The Omnibus Claims Objection, as well as a *Notice of Hearing* relating thereto [Docket No. 309] (the “Notice”) were properly served upon all interested parties, including 1031 ECI LLC (“1031”) and Richard Dance (“Dance”), and no further notice is necessary. A *Response* to the Omnibus Claims Objection was filed in the CASDF case by Dance on behalf of himself and 1031 [CASDF Docket No. 71] (the “Response”). The Trustee filed a *Reply* to the Response [CAREIC Docket No. 374] (the “Reply”).

A hearing on the Omnibus Claims Objection was held on October 30, 2012 (the “Hearing”). Peggy Hunt appeared on behalf of the Trustee, and Dance appeared on behalf of himself and 1031, although as to 1031, Dance admits that he is not an attorney with authority to appear on behalf of a business entity. Dance, however, represented that he is a manger and member of 1031. The Court has considered the Omnibus Claims Objection, the Notice, the *Certificate of Service* [Docket No. 315], the Response, the Reply, the representations made at the Hearing and applicable law. Based thereon, and for good cause appearing,

**IT IS HEREBY ORDERED THAT** the Hearing, as relates to the 1031 POC and Dance POC, is continued without date.

---

End of Order

**CLERK'S CERTIFICATE OF SERVICE**

I hereby certify that on the \_\_\_ day of \_\_\_\_\_, 2012, the foregoing ORDER REGARDING JOINT OMNIBUS CLAIMS OBJECTION AS RELATES TO 1031 ECI LLC AND RICHARD DANCE was mailed to the following parties:

1031 ECI LLC  
c/o Richard Dance  
13543 North Rimrock Road  
Hayden, ID 83835

Richard Dance  
13543 North Rimrock Road  
Hayden, ID 83835

ORDER SIGNED

---