

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)

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*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 GRANTING JOINT OMNIBUS CLAIMS OBJECTION AS RELATES TO
PEARL NOREEN, THE NAOMI F. KING TRUST AND SHAHZAD SABOUR**

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. 13 filed against Castle Arch Secured Development Fund, LLC ("CASDF") by Pearl Noreen (the "Noreen POC"); (b) Claim No. 8 filed against CASDF by the Naomi F. King Trust (the "King Trust POC"); and (c) Claim No. 12 filed against CASDF by Shahzad Sabour (the "Sabour 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 Pearl Noreen ("Noreen"), the Naomi F. King Trust (the "King Trust") and Shahzad Sabour ("Sabour"), and no further notice is necessary. A *Response* to the Omnibus Claims Objection was filed in the CASDF case by Richard Dance ("Dance"), purportedly on behalf of himself, Noreen, the King Trust and Sabour [CASDF Docket No. 71] (the "Dance Response"), though Dance is not an attorney and provided no evidence of authority to act on behalf of Noreen, the King Trust and Sabour. The Trustee filed a *Reply* to the Dance 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. Dance also made an appearance at the Hearing, but Noreen, the King Trust and Sabour did not appear. The Court has considered the Omnibus Claims Objection, the Notice, the *Certificate of Service* [Docket No. 315], the Dance Response, the Trustee's Reply, the representations made at the Hearing and applicable law. Based thereon, and for good cause appearing,

IT IS HEREBY ORDERED THAT:

- (1) The Omnibus Claims Objection is **SUSTAINED** as relates to the Noreen POC, the King Trust POC and the Sabour POC.
- (2) To the extent the Dance Response was filed as a response on behalf of Noreen, the King Trust or Sabour, the Dance Response is **STRICKEN**.
- (3) The Noreen POC, the King Trust POC and the Sabour POC are **DISALLOWED** in their entirety.
- (4) The Noreen POC, the King Trust POC and the Sabour POC are **RE-CHARACTERIZED** as **PROOFS OF INTEREST** against CASDF, subject to the Trustee's reservation of rights as stated in the Omnibus Claims Objection.

End of Order

ORDER SIGNED

CLERK'S CERTIFICATE OF SERVICE

I hereby certify that on the ____ day of _____, 2012, the foregoing ORDER GRANTING JOINT OMNIBUS CLAIMS OBJECTION AS RELATES TO PEARL NOREEN, THE NAOMI F. KING TRUST AND SHAHZAD SABOUR was mailed to the following:

Naomi F. King Trust
27013 Pacific Hwy S #206
Des Moines, WA 98198-9250

Pearl Noreen
2625 NW 205th
Shoreline, WA 98177-2443

Shahzad Sabour
9625 NE 28th Street
Clyde Hill, WA 98004-1846

ORDER SIGNED
