

Blake D. Miller (#4090)  
Craig H. Howe (#7552)  
MILLER TOONE, P.C.  
165 South Regent Street  
Salt Lake City, Utah 84111  
Telephone: 801-363-5600  
Facsimile: 801-363-5601  
E-mail: [miller@millertoone.com](mailto:miller@millertoone.com)  
[howe@millertoone.com](mailto:howe@millertoone.com)

Attorneys for John Saggiani

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH  
Central Division**

<p>In re</p> <p>CASTLE ARCH REAL ESTATE INVESTMENT COMPANY, LLC; CAOP MANAGERS, LLC; CASTLE ARCH KINGMAN, LLC; CASTLE ARCH SECURED DEVELOPMENT FUND, LLC; and CASTLE ARCH SMYRNA, LLC ; CASTLE ARCH STAR VALLEY, LLC; <i>and</i></p> <p>CASTLE ARCH OPPORTUNITY PARTNERS I, LLC; CASTLE ARCH OPPORTUNITY PARTNERS II, LLC,</p> <p>Debtors.</p>	<p>Case Nos. 11-35082, 11-35237, 1135243, 11-35242 and 11-35246 (Substantively Consolidated)</p> <p>Case Nos. 11-35241 and 11-35240 (Jointly Administered)</p> <p>(Chapter 11) Honorable Joel T. Marker</p> <p><b>THIS DOCUMENT RELATES TO:</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Affects All Debtors</li><li><input checked="" type="checkbox"/> Affects the Substantively Consolidated Debtors</li><li><input checked="" type="checkbox"/> Affects only Castle Arch Opportunity Partners I, LLC</li><li><input type="checkbox"/> Affects Castle Arch Opportunity Partners II, LLC</li></ul>
--	--

**NOTICE OF MOTION TO SET ASIDE ORDER APPROVING  
SETTLEMENT AGREEMENT AND NOTICE OF HEARING**

**Objection Deadline: November 23, 2015**  
**Hearing Date: December 17, 2015, at 2:00 p.m. (MST)**

**PLEASE TAKE NOTICE** that John Saggiani has filed with the United States Bankruptcy Court for the District of Utah his *Motion to Set Aside Order Approving Settlement Agreement* (the “Motion”), seeking an order setting aside the *Order Granting Motion Pursuant to Federal Rule of Bankruptcy Procedure 9019 and Conflict Resolution Procedures for Order Approving Settlement Agreement Between the Legacy Trust and CAOP I Trust Related to Prepetition Intercompany Claims* (the “Settlement Order”), entered on December 4, 2014.

**YOUR RIGHTS MAY BE AFFECTED. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.**

In the Motion, Saggiani asks the Court to set aside the Settlement Order, which approved the Settlement Agreement, dated November 11, 2014, between the Consolidated Legacy Debtors Liquidating Trust (“Legacy Trust”) and the Castle Arch Opportunity Partners I Liquidating Trust (“CAOP I Trust”). Saggiani, who is a beneficiary of the CAOP I Trust, seeks relief under Rule 60(b) of the Federal Rules of Civil Procedure on the grounds that, at the time of the settlement, the Legacy Trust’s avoidance claims against the CAOP I Trust were barred because neither the Legacy Trust nor its predecessor-in-interest ever filed a proof of claim in CAOP I Trust’s bankruptcy case by the applicable deadline. The Motion ultimately seeks the return, to the CAOP I Trust, of certain real property and water rights located in Tooele, Utah -- including the proceeds of a recent sale of a portion of the water rights -- that had been given to the Legacy Trust as a result of the Settlement Order. If you would like a copy of the Motion, you may contact Saggiani’s counsel at the address, telephone number, and/or email address listed above.

If you do not want the Court to grant the relief requested in the Motion,

(1) on or before **November 23, 2015**, you or your lawyer must file with the

Bankruptcy Court a written objection to the Motion explaining your position, at:

United States Bankruptcy Court  
350 South Main Street, Room 301  
Salt Lake City, Utah 84101

If you mail your objection to the Bankruptcy Court for filing, you must mail it early enough so that the Court will **receive** it on or before **November 23, 2015**. You must also mail a copy to the undersigned counsel, at:

Blake D. Miller  
MILLER TOONE, P.C.  
165 South Regent Street  
Salt Lake City, Utah 84111

(2) you must also attend the hearing on the Motion, which is set for **December 17, 2015, at 2:00 p.m.**, in Courtroom 341, United States Bankruptcy Court, 350 South Main Street, Salt Lake City, Utah. You are hereby advised that evidence is expected to be presented at the hearing. Failure to attend the hearing will be deemed a waiver of your objection.

If you or your attorney do not take these steps, the Bankruptcy Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief. In the absence of a timely filed objection, the undersigned counsel may and will ask the Court to strike the hearing and enter an order granting the Motion without hearing.

DATED this 5<sup>th</sup> day of November 2015.

Respectfully Submitted,

/s/ Craig H. Howe  
Blake D. Miller  
Craig H. Howe  
Attorneys for John Saggiani