

FILED & ENTERED

MAY 20 2010

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY daniels DEPUTY CLERK

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 Thomas H. Casey

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISION

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11 In re
 12 PPA HOLDINGS, LLC, a California limited
 13 liability company,
 14 Debtor and
 Debtor-in-Possession.

Case No. 8:09-bk-16353-ES

Chapter 11

(Jointly Administered with Case Nos.
 8:09-bk-16355-ES; 8:09-bk-16358-ES;
 8:09-bk-16361-ES; 8:09-bk-16363-ES;
 8:09-bk-16367-ES; 8:09-bk-16369-ES;
 8:09-bk-16371-ES; 8:09-bk-16372-ES;
 8:09-bk-16378-ES; 8:09-bk-16380-ES;
 8:09-bk-16383-ES; 8:09-bk-16385-ES;
 8:09-bk-16386-ES; 8:09-bk-16388-ES;
 8:09-bk-16390-ES; 8:09-bk-16393-ES;
 8:09-bk-16395-ES; 8:09-bk-16396-ES;
 8:09-bk-16399-ES; 8:09-bk-16402-ES; and
 8:09-bk-16404-ES)

- 16 _____ Affects All Debtors
- 17 X Affects PPA HOLDINGS, LLC, a
California limited liability company
- 18 X Affects PACIFIC PROPERTY
19 ASSETS, LLC, a California limited
liability company
- 20 X Affects PPA RIVERSIDE
21 APARTMENTS, a California limited
liability company
- 22 _____ Affects PACIFIC PROPERTY
23 ASSETS II, LLC, a California
limited liability company
- 24 X Affects BELL COVE, LLC, a
California limited liability company
- 25 X Affects COUNTRY CLUB
26 GREENS, LLC, a California limited
liability company
- 27 _____ Affects SYCAMORE SHADOWS,
28 LLC, a California limited liability
company

**ORDER GRANTING IN PART AND
 CONTINUING THE HEARING ON THE
 CHAPTER 11 TRUSTEE'S MOTION FOR
 ORDER AUTHORIZING ABANDONMENT
 OF CERTAIN REAL AND PERSONAL
 PROPERTY**

Hearing Information:
 DATE: May 20, 2010
 TIME: 10:30 a.m.
 PLACE: Courtroom 5A
 411 W. Fourth St.
 Santa Ana, CA 92701

Continued Hearing Information:
 DATE: August 6, 2010
 TIME: 10:00 a.m.

**Weiland, Golden,
Wang Ekvall & Strok, LLP**
650 Town Center Drive, Suite 960
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- 1 Affects PPA ARIZONA I, LLC, a
2 Delaware limited liability company
- 3 Affects PPA ARIZONA II, LLC, a
4 Delaware limited liability company
- 4 X Affects PPA VISTA VILLAGE, LLC,
5 an Arizona limited liability company
- 6 Affects PPA TOWNE CENTER,
7 LLC, a California limited liability
8 company
- 9 X Affects SUNDANCER
10 APARTMENTS, LLC, a California
11 limited liability company
- 12 Affects DOBSON SPRINGS, LLC,
13 an Arizona limited liability company
- 14 Affects VILLA ROSE AVENUE,
15 LLC, a California limited liability
16 company
- 17 Affects HARBOR VIEW
18 CONDOMINIUMS, LLC, a
19 California limited liability company
- 20 Affects PPA OPPORTUNITY
21 FUND, LLC, a California limited
22 liability company
- 23 Affects PPA EQUITIES, LLC, a
24 California limited liability company
- 25 Affects PPA DESERT VIEW, LLC,
26 a California limited liability
27 company
- 28 Affects RIDGEMONT
CONDOMINIUMS, LLC, a
California limited liability company
- 29 X Affects VILLA LAS BRISAS
CONDOMINIUMS, LLC, a
California limited liability company
- 30 X Affects 2130 GROUP
PARTNERSHIP, LLC, an Arizona
limited liability company
- 31 X Affects AAA INVESTMENT
PROPERTIES, LLC, an Arizona
limited liability company

PLACE: Courtroom 5A
411 W. Fourth St.
Santa Ana, CA 92701

1 On May 20, 2010 at 10:30 a.m., in the above-captioned cases, a hearing was held
2 on the Motion for Order Authorizing Abandonment of Certain Real and Personal Property
3 (the "Motion") filed by Thomas H. Casey, the chapter 11 trustee (the "Trustee") for the
4 jointly administered estates of the above-captioned debtors (each a "Debtor" and
5 collectively, the "Debtors"). Appearances were as noted on the record. Any capitalized
6 term not defined herein shall have the meaning ascribed to it in the Motion

7 Having considered the Motion, and all papers submitted in support thereof and
8 opposition thereto, and finding that notice and service were proper and good cause
9 therefor,

10 **IT IS HEREBY ORDERED** that:

11 1. The Motion is granted as provided herein, as to the Mesa Ridge
12 Membership Interests and the following thirty-one properties:

- 13 a. 2130 West Indian School Rd, Phoenix, AZ;
- 14 b. 1222 East Mountain View Rd, Phoenix, AZ;
- 15 c. 4138-46 Longview, Phoenix, AZ;
- 16 d. 400 North 96th Avenue, Tolleson, AZ;
- 17 e. 1705-11 East 10th Street, Long Beach, CA;
- 18 f. 1480 7th Street, Riverside, CA;
- 19 g. 3553 Lou Ella Lane, Riverside, CA;
- 20 h. 350 West 13th Place, Mesa, AZ;
- 21 i. 1805 West Cortez Street, Phoenix, AZ;
- 22 j. North 19th Avenue, Phoenix, AZ;
- 23 k. 709 East 3rd, Long Beach, CA;
- 24 l. 1349 Ohio, Long Beach, CA;
- 25 m. 1959 Chestnut, Long Beach, CA;
- 26 n. 924 Gaviota, Long Beach, CA;
- 27 o. 1352 Molino, Long Beach, CA;
- 28 p. 1725 Sherman Place, Long Beach, CA;

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- 1 q. 1436 7th, Riverside, CA;
- 2 r. 1740 Loma Visa, Riverside, CA;
- 3 s. 1754-76 Loma Vista, Riverside, CA;
- 4 t. 1856 Loma Vista, Riverside, CA;
- 5 u. 2005 W. Linden, Riverside, CA;
- 6 v. 2045 W. Linden, Riverside, CA;
- 7 w. 2065 W. Linden, Riverside, CA;
- 8 x. 3439 Anderson, Riverside, CA;
- 9 y. 3460-3472 Anderson, Riverside, CA;
- 10 z. 3486 Anderson, Riverside, CA;
- 11 aa. 3552 Lou Ella, Riverside, CA;
- 12 bb. 3660 Kansas, Riverside, CA;
- 13 cc. 3735 Kansas, Riverside, CA;
- 14 dd. 2211 E. Camelback Road, Phoenix, AZ; and
- 15 ee. 1325 Guadalupe, Mesa, AZ.

16 The Mesa Ridge Membership Interests and the above-listed properties shall hereafter be
17 collectively referred to as the "Abandoned Assets." The Abandoned Assets do not include
18 any cash, deposits, or rental income associated with the Abandoned Assets currently in
19 the possession or control of the Trustee or the Debtors.

20 2. The Abandoned Assets are deemed abandoned pursuant to 11 U.S.C.
21 § 554(a), effective immediately, and following the abandonment of the Abandoned Assets
22 the Trustee shall have no responsibility with respect to the Abandoned Assets, the
23 Trustee and the Debtors' estates shall not incur any liabilities with respect to the
24 Abandoned Assets, and the Debtor owning the Abandoned Assets shall be free to
25 administer the Abandoned Assets, including any conveyance or assignment of any
26 interest therein, and to stipulate to relief from the automatic stay solely with respect to any
27 or all of the Abandoned Assets.

28

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Tel 714 - 966 - 1000 Fax 714 - 966 - 1002

1 3. Any entity holding a first-priority lien against any of the Abandoned Assets is
2 granted relief from the automatic stay imposed by 11 U.S.C. § 362(a) as to the
3 Abandoned Assets for the sole and limited purpose of obtaining the immediate
4 appointment of a receiver to take possession of the Abandoned Assets. Any order
5 appointing a receiver shall not include the turnover of any cash, deposits, or rental income
6 associated with the Abandoned Assets currently in the possession or control of the
7 Trustee or the Debtors. All parties reserve their rights as to such cash, and the Court
8 does not, by this Order, make any determination that any debtor, trustee, professional
9 employed in this case or any other administrative creditor may be paid from said funds.

10 4. The hearing on the Motion shall be continued to August 6, 2010 at 10:00
11 a.m., as to the following properties:

- 12 a. 630 Nebraska, Long Beach, CA;
- 13 b. 638 Nebraska, Long Beach, CA;
- 14 c. 761 Rose, Long Beach CA;
- 15 d. 1365 Ohio, Long Beach, CA;
- 16 e. 1610 Cherry, Long Beach, CA;
- 17 f. 1742 Cherry, Long Beach, CA;
- 18 g. 2225-2233 Pine, Long Beach, CA;
- 19 h. 1765 Cedar, Long Beach, CA; and
- 20 i. 709 Elm Street, Long Beach, CA.

21 5. Any supplemental briefs, declarations, and/or other evidence in support of
22 the Motion must be filed and served by no later than twenty-one days prior to the
23 continued hearing date.

24 6. Any briefs, declarations, and/or other evidence in opposition to the Motion
25 must be filed and served by no later than fourteen days prior to the continued hearing
26 date.

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2 7. Any briefs, declarations, and/or other evidence in reply to any opposition to
3 the Motion must be filed and served by no later than seven days prior to the continued
4 hearing date.

5 ###

**Weiland, Golden,
Smiley, Wang Ekvall & Strok, LLP**
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DATED: May 20, 2010

Erica A. Smith
United States Bankruptcy Judge

In re: PPA HOLDINGS, LLC, a California limited liability company Debtor(s).	CHAPTER: 11 CASE NUMBER: 8:09-bk-16353-ES
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

650 Town Center Drive, Suite 950, Costa Mesa, California 92626

A true and correct copy of the foregoing document described

ORDER GRANTING IN PART AND CONTINUING THE HEARING ON THE CHAPTER 11 TRUSTEE'S MOTION FOR ORDER AUTHORIZING ABANDONMENT OF CERTAIN REAL AND PERSONAL PROPERTY will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner indicated below:

I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING("NEF") - Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s) ("LBR"), the foregoing document will be served by the court via NEF and hyperlink to the document. On _____ I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated below:

Service information continued on attached page

II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL (indicate method for each person or entity served):
On May 20, 2010 I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, and/or with an overnight mail service addressed as follows. *Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.*

Office of the United States Trustee, 411 West Fourth Street, Suite 9041, Santa Ana; CA 92701

Service information continued on attached page

III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL (indicate method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on May 20, 2010 I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. *Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no later than 24 hours after the document is filed.*

The Honorable Erithe A. Smith, Ctrm. 5A
United States Bankruptcy Court
411 West Fourth Street
Santa Ana, CA 92701

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

<u>05.20.10</u> Date	<u>Cristina A. Guido</u> Type Name	<u>/s/ Cristina A. Guido</u> Signature
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This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

In re: PPA HOLDINGS, LLC, a California limited liability company Debtor(s).	CHAPTER: 11 CASE NUMBER: 8:09-bk-16353-ES
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ADDITIONAL SERVICE INFORMATION (if needed):

BY ELECTRONIC MAIL (E-MAIL)

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In re: PPA HOLDINGS, LLC, a California limited liability company Debtor(s).	CHAPTER: 11 CASE NUMBER: 8:09-bk-16353-ES
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NOTE TO USERS OF THIS FORM:

- 1) Attach this form to the last page of a proposed Order or Judgment. Do not file as a separate document.
- 2) The title of the judgment or order and all service information must be filled in by the party lodging the order.
- 3) **Category I.** below: The United States trustee and case trustee (if any) will always be in this category.
- 4) **Category II.** below: List ONLY addresses for debtor (and attorney), movant (or attorney) and person/entity (or attorney) who filed an opposition to the requested relief. DO NOT list an address if person/entity is listed in category I.

NOTICE OF ENTERED ORDER AND SERVICE LIST

Notice is given by the court that a judgment or order entitled (*specify*)

ORDER GRANTING IN PART AND CONTINUING THE HEARING ON THE CHAPTER 11 TRUSTEE'S MOTION FOR ORDER AUTHORIZING ABANDONMENT OF CERTAIN REAL AND PERSONAL PROPERTY was entered on the date indicated as "Entered" on the first page of this judgment or order and will be served in the manner indicated below:

I. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF") - Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s), the foregoing document was served on the following person(s) by the court via NEF and hyperlink to the judgment or order. As of May 20, 2010, the following person(s) are currently on the Electronic Mail Notice List for this bankruptcy case or adversary proceeding to receive NEF transmission at the email address(es) indicated below:

SEE ATTACHED

Service information continued on attached page

II. SERVED BY THE COURT VIA U.S. MAIL: A copy of this notice and a true copy of this judgment or order was sent by United States Mail, first class, postage prepaid, to the following person(s) and/or entity(ies) at the address(es) indicated below:

Nanette D Sanders, Esq.
Todd Ringstad, Esq.
Ringstad & Sanders
2030 Main St Ste 1200
Irvine, CA 92714
Debtor's Counsel

PPA Holdings LLC
3626 E Pacific Coast Hwy
Long Beach, CA 90804
Debtor

Service information continued on attached page

III. TO BE SERVED BY THE LODGING PARTY: Within 72 hours after receipt of a copy of this judgment or order which bears an "Entered" stamp, the party lodging the judgment or order will serve a complete copy bearing an "Entered" stamp by U.S. Mail, overnight mail, facsimile transmission or email and file a proof of service of the entered order on the following person(s) and/or entity(ies) at the address(es), facsimile transmission number(s) and/or email address(es) indicated below:

SEE ATTACHED

Service information continued on attached page

In re:
PPA HOLDINGS, LLC, a California limited liability company
Debtor(s).

CHAPTER: 11

CASE NUMBER: 8:09-bk-16353-ES

SERVICE LIST FOR ENTERED ORDER

BY NOTICE OF ELECTRONIC FILING ("NEF")

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TO BE SERVED BY THE LODGING PARTY

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In re:
PPA HOLDINGS, LLC, a California limited liability company
Debtor(s).

CHAPTER: 11

CASE NUMBER: **8:09-bk-16353-ES**

Committee of Unsecured Creditors

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Newport Beach, CA 92662

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Attn: Kamal Rajkanan
925 Curtner Road
Fremont, CA 94539

NTC & Co. FBO Alvis D. Keen
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Michael Warren & Rita Warren
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IDT Landscaping, LLC
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1300 North McClintock Dr., #B-4
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Pasadena, CA 91110-0274

In re: PPA HOLDINGS, LLC, a California limited liability company Debtor(s).	CHAPTER: 11 CASE NUMBER: 8:09-bk-16353-ES
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III. SERVED VIA ELECTRONIC MAIL

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