

1 **GUTTILLA MURPHY ANDERSON, P.C.**

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3 **Alisan M. B. Patten (Ariz. No. 009795)**

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9 Fax: (480) 304-8301

10 Attorneys for Receiver

11 **IN THE UNITED STATES BANKRUPTCY COURT**

12 **FOR THE DISTRICT OF ARIZONA**

13 In Re:

Case No. 2:16-bk-04268-PS

14 YOMTOV SCOTT MENAGED,

Chapter 7

15 Debtor.

16 PETER S. DAVIS, AS RECEIVER OF DENSCO
17 INVESTMENT CORPORATION,

**NOTICE OF FILING MOTION FOR RELIEF
FROM THE AUTOMATIC STAY AND
REQUIREMENT TO FILE**

18 Movant,

19 vs.

RE: Real Property Located at
9555 E. Raintree Dr. #1004
Scottsdale, AZ 85260

20 YOMTOV SCOTT MENAGED, Debtor; and
21 JILL FORD, Chapter 7 Trustee

22 Respondents.

23 NOTICE IS HEREBY GIVEN that the above Movant has filed a motion requesting relief from
24 the automatic stay, the details of which are as follows:

25 Movant asserts that there is no equity in the property, which is the subject of the Motion for
26 Relief from the Automatic Bankruptcy Stay, and/or Respondent has not provided Movant with
adequate protection with respect to such property. Therefore, Movant is entitled to an Order Lifting
Stay with respect to such property.

FURTHER NOTICE IS HEREBY GIVEN that pursuant to Local Bankruptcy Rule 4001 if no
objection is filed with the court and a copy served on Movant whose address is:

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6 WITHIN 14 DAYS of service of the motion, the motion for relief from the automatic stay may be granted without further hearing.

7 FINALLY, Movant's Counsel certifies that a letter was sent seeking to resolve the issues necessitating the motion, to Debtor's Counsel or the Debtor if the Debtor is without counsel and that after sincere effort the parties have been unable to resolve the matter, and the letter was sent at least seven (7) days prior to the filing of the motion.

9 DATED this 15th day of September, 2016.

11 GUTTILLA MURPHY ANDERSON, P.C.

12 /s/ Ryan W. Anderson
13 Ryan W. Anderson
14 Attorney for Receiver

14 **E-FILED** on September 15, 2016 with the
15 U.S. Bankruptcy Court and copies served
16 via ECF notice on all parties that have
17 appeared in the case.

17 **COPY** mailed the same date via U.S. Mail to:

18 Jennifer A. Giaimo
19 U.S. TRUSTEE
20 Office of the U.S. Trustee
21 230 N. First Avenue, Suite 204
22 Phoenix, AZ 85003-1706

21 Dale C. Schian
22 Cody J. Jess
23 SCHIAN WALKER, PLC
24 1850 North Central Avenue, Suite 900
25 Phoenix, AZ 85004-4531
26 *Attorneys for Debtor*

24 Yomtov Scott Menaged
25 10510 E. Sunnyside Dr.
26 Scottsdale, AZ 85259
Debtor

1 Easy Investments, LLC
2 c/o Scott Menaged, Statutory Agent
3 10510 E. Sunny Dr.
4 Scottsdale, AZ 85259

5 Peter S. Davis, Receiver
6 3200 North Central Avenue, Suite 2460
7 Phoenix, Arizona 85012

8 Steven J. Brown
9 Steven D. Nemecek
10 STEVE BROWN & ASSOCIATES, LLC
11 1414 East Indian School Road, Suite 200
12 Phoenix, AZ 85014
13 *Attorneys for Chapter 7 Trustee, Jill H. Ford*

14 Lakshmi Jagannath
15 Kristin McDonald
16 McCarthy & Holthus LLP
17 1770 Fourth Avenue
18 San Diego, CA 92101-2607
19 *Attorneys for Deutsche Bank National Trust*
20 *Company, as Trustee for Argent Securities Inc.,*
21 *Asset-Backed Pass-Through Certificates, Series*
22 *2004-W-1, its assignees and/or successors, by and*
23 *through its servicing agent Ocwen Loan Servicing, LLC*

24 Ocwen Loan Servicing, LLC
25 Attention: Bankruptcy
26 P.O. Box 24605
West Palm Beach, FL 33416-4605

18 McCarthy & Holthus LLP
19 1770 Fourth Avenue
20 San Diego, CA 92101-2607

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12 American Express Bank, FSB
13 c/o Becket & Lee LLP
14 P.O. Box 3001
15 Malvern, PA 19355-0701

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Phoenix, AZ 85004
Attorneys for Shawna C. Heuer, personal
representative of the Estate of Denny J. Chittick

1 Daimler Trust
2 c/o BK Servicing, LLC
3 P.O. Box 131265
4 Roseville, MN 55113-0011

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By: Joanelle Campanaro