

1 **Guttilla Murphy Anderson**
2 **Ryan W. Anderson** (Ariz. No. 020974)
3 5415 E. High St., Suite 200
4 Phoenix, Arizona 85054
5 Email: randerson@gamlaw.com
6 Phone: (480) 304-8300
7 Fax: (480) 304-8301
8 Attorneys for Receiver

9 **SCHIAN WALKER, P.L.C.**
10 1850 NORTH CENTRAL AVENUE, #900
11 PHOENIX, ARIZONA 85004-4531
12 TELEPHONE: (602) 277-1501
13 FACSIMILE: (602) 297-9633
14 E-MAIL: bkdoCKET@biz.law
15 **CODY J. JESS, #025066**
16 **TYLER J. GRIM, #031300**
17 Attorneys for Debtor

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In Re:
Yomtov Scott Menaged,

Debtor.

Case No. 2:16-bk-04268-PS
Chapter 7

**STIPULATION TO RELEASE FUNDS TO
DENSCO RECEIVER**

Peter S. Davis, the court-appointed Receiver of DenSco Investment Corporation (the “Receiver”), Yomtov Scott Menaged (the “Debtor”) and Jill H. Ford, the Chapter 7 Trustee (the “Trustee) (collectively the “Parties”), by and through their undersigned counsel, hereby request that the Court enter an order directing the Debtor to deliver \$35,066.73 to the Receiver as follows:

1. On April 20, 2016, the Debtor filed a Chapter 7 Bankruptcy (“Petition Date”) and the Trustee was appointed.
2. Debtor is the sole member and manager of Arizona Home Foreclosures, LLC (“AHF”) and the sole member and manager of Easy Investments, LLC (“Easy”).

1 3. Peter S. Davis is the court-appointed Receiver of DenSco Investment Corporation
2 (“DenSco”), pursuant to the August 18, 2016, Maricopa County Arizona Superior Court *Order*
3 *Appointing Receiver* in Cause No. CV2016-014142.

4 4. On April 16, 2014, the Debtor, on behalf of Easy and AHF, entered into a Secured
5 Line of Credit Promissory Note in the principal amount of \$5 million and “Security Agreement,”
6 whereby AHF and Easy granted to DenSco a security interest in various real property upon which
7 DenSco’s loaned funds were to be applied, and Deeds of Trust securing those loans were prepared
8 and filed.

9 5. On April 16, 2014, AHF, Easy, and the Debtor entered into a “Forbearance
10 Agreement” with DenSco that provides, among other things, that all amounts owed by Easy and
11 AHF shall be secured by Deeds of Trust upon real property either owned by AHF and/or Easy.
12 Debtor agreed to personally guarantee the repayment of the debts owed to DenSco as set forth in the
13 Forbearance Agreement and accompanying documents thereto.

14 6. On the Petition Date, Easy was the titled owner of real property at 2048 East Marilyn
15 Ave. in Mesa, Arizona (“Marilyn Property”).

16 7. On or about June 16, 2016, the Marilyn Property was sold and \$34,056.73 was paid
17 to Easy representing the profit from the sale. The Debtor deposited the \$34,056.73 into a bank
18 account in the name of Scott’s Fine Furniture, LLC, another company in which the Debtor is the
19 sole member and manager¹. Thereafter, the Debtor transferred the \$34,056.73 to a bank account of
20 AHF.

21 8. In addition to the \$34,056.73, in the AHF bank account, the Debtor has deposited
22 rental income and has made a series of expenditures representing repairs to the rental property from
23 the AHF account. Presently, the Debtor has transferred \$35,066.73 to his counsel’s trust account,

24 ¹ Scott’s Fine Furniture has been placed into Receivership by the Maricopa County Superior Court in conjunction with the Receivership of DenSco.

1 which amount represents the proceeds of the rental income and from the sale of the Marilyn
2 Property.

3 9. The Debtor, Trustee, and the Receiver all agree and acknowledge that DenSco is a
4 secured creditor of Easy and AHF and is therefore entitled to the \$35,066.73 as proceeds from sale
5 of the Marilyn Property and the other proceeds in the AHF bank account.

6 10. The Receiver, upon receipt of the \$35,066.73, will deposit the funds into a DenSco
7 Receivership bank account where they will remain pending further court order of the Maricopa
8 County Arizona Receivership Court in Cause No. CV2016-014142.

9 **WHEREFORE**, the Parties respectfully request that this Court enter an Order directing the
10 Debtor to deliver \$35,066.73 to Peter S. Davis, as Receiver of DenSco Investment Corporation,
11 where the funds will be deposited into a DenSco Receivership account where they will remain
12 pending further order of the Maricopa County Arizona Superior Court in Cause No. CV2016-
13 014142.

14 DATED: November 23, 2016

15 **GUTTILLA MURPHY ANDERSON**

16 /s/ Ryan W. Anderson
17 Ryan W. Anderson
18 Guttilla Murphy Anderson
19 5415 E. High Street, Suite 200
20 Phoenix, Arizona 85054
21 *Attorneys Receiver for the DenSco Receiver*

STEVE BROWN & ASSOCIATES, LLC

/s/ Steven D. Nemecek (with permission)
Steven D. Nemecek
Steve Brown & Associates
1414 E. Indian School Road, Suite 200
Phoenix, Arizona 85014
Attorneys for Chapter 7 Trustee, Jill Ford

20 **SCHIAN WALKER, PLC**

21 /s/ Cody J. Jess (with permission)
22 Cody J. Jess
23 1850 N. Central Ave, Suite 900
24 Phoenix, AZ 85004
Attorneys for Debtor

1 Copy of the foregoing mailed
on November 23, 2016, to:

2
3 Yomtov S. Menaged
10510 E. Sunnyside Dr.
Scottsdale, AZ 85259
4 Debtor

5 Cody J. Jess
Tyler J. Grim
6 Schian Walker, PLC
1850 North Central Avenue, #900
7 Phoenix, AZ 85004-4531
Counsel for the Debtor

8
9 James F. Polese
Gammage & Burnham
Two North Central Avenue
10 15th Floor
Phoenix, AZ 85004
11 Attorney for Estate of Denny Chittick, Deceased

12 Peter S. Davis, Receiver
Densco Receivership
13 Simon Consulting, LLC
The Great American Tower
14 3200 North Central, Suite 2460
Phoenix, Arizona 85012

15
16 Steven D. Nemecek
Steven J. Brown
Steven Brown & Associates, LLC
17 1414 East Indian School Road
Suite 200
18 Phoenix, Arizona 85014
Attorneys for Chapter 7 Trustee, Jill H. Ford

19
20 Lakshmi Jagannath
McCarthy & Holthus LLP
1770 Fourth Avenue
21 San Diego, CA 92101-2607
Attorneys for Deutsche Bank National Trust Company

22
23
24

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

3 Timothy H. Barnes
4 Timothy H. Barnes, P.C.
428 E. Thunderbird Road, #150
5 Phoenix, AZ 85022
Attorneys for Redi Carpet, LLC

6 Jennifer A. Giaimo
7 U.S. Trustee
Office of the U.S. Trustee
8 230 N. First Avenue, Suite 204
Phoenix, AZ 85003-1706

9 David Ingrassia
10 David Ingrassia, P.C.
3961 E. Chandler Blvd., Suite 111-119
11 Phoenix, AZ 85048
Attorney for Direct Capital Corporation

12 Shraddha Bharatia
13 Becket & Lee LLP
P.O. Box 3001
14 Malvern, PA 19355-0701
Attorneys for American Express Bank, FSB

15 Janet Spears
16 Aldridge Pite, LLP
4375 Jutland Drive, Suite 200
17 P. O. Box 17933
San Diego, CA 92177-0933
18 Attorneys for U.S. Bank National Association

19 James B. Ball
Ball, Santin & Mcleran, P.L.C.
20 2999 North 44th Street, Suite 500
Phoenix, AZ 85018
21 Attorneys for Daimler Trust and
Attorneys for BMW Services, NA, LLC

22 Kevin Blakley
23 Gammage & Burnham
Two N. Central, 18th Floor
24 Phoenix, AZ 85004-4470
Attorneys for Shawna C. Heuer, personal representative

1 Ed Gezel
BK Servicing, LLC
2 PO Box 131265
Roseville, MN 55113-0011
3 Creditor for Daimler Trust

4
/s/ Joanelen Campanaro

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