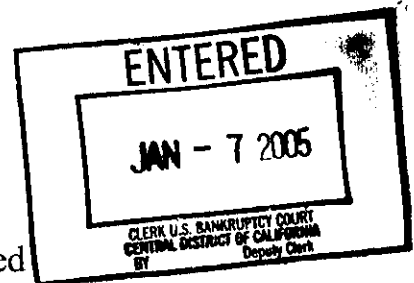


FILED

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17 E. Slatkin and Substantively Consolidated Affiliates  
18 Topsight Oregon, Inc. and the Reed Slatkin Investment Club,  
19 L.P. Liquidating Trust"



12 **UNITED STATES BANKRUPTCY COURT**  
13 **CENTRAL DISTRICT OF CALIFORNIA**  
14 **NORTHERN DIVISION**

15 In re  
16 REED E. SLATKIN and Substantively  
17 Consolidated Affiliates TOPSIGHT  
18 OREGON, INC. and REED SLATKIN  
19 INVESTMENT CLUB, L.P.,  
20  
21 Reorganized Debtors.

Case No. ND 01-11549-RD [Substantively  
Consolidated With Former Case No. 01-  
12990-RR]

Chapter 11

**A.P. NO. 02-01178-RR**

20 R. TODD NEILSON, Trustee of the  
21 Estate of Reed E. Slatkin Liquidating  
22 Trust,

**STIPULATION FOR DISMISSAL OF  
ADVERSARY PROCEEDING; AND  
ORDER THEREON**

Plaintiff,

Status Conference Scheduled for:

v.

Date: January 28, 2005  
Time: 10:00 a.m.  
Place: 1415 State Street  
Courtroom 201  
Santa Barbara, CA 93101  
[Judge Riblet]

24 GEORGE W. MURGATROYD, III; an  
25 individual, TRACY F. MURGATROYD,  
26 an individual, and DOES 1-10,

Defendants.

111  
ODAV

110  
yf

ORIGINAL

1 This Stipulation is entered into by and between (a) plaintiff R. Todd Neilson (the  
2 "Trustee"), trustee of the "Estate of Reed E. Slatkin and Substantively Consolidated  
3 Affiliates Topsight Oregon, Inc. and Reed Slatkin Investment Club, L.P. Liquidating  
4 Trust" (the "Liquidating Trust"), the successor-in-interest to the chapter 11 bankruptcy  
5 estate (the "Estate") of Reed E. Slatkin and substantively consolidated affiliates  
6 Topsight Oregon, Inc. and Reed Slatkin Investment Club, L.P.; and (b) defendants  
7 George W. Murgatroyd, III and Tracy F. Murgatroyd ("the Murgatroyds"), through  
8 their respective counsel.

9 This Stipulation is made with respect to the following facts and circumstances:

10 1. On or about October 8, 2002, in his capacity as the chapter 11 trustee (the  
11 "Chapter 11 Trustee") of the Estate, the Trustee filed his Complaint commencing this  
12 adversary proceeding.

13 2. On December 20, 2002, in In re Reed E. Slatkin, Case No. ND 01-11549-  
14 RR (the "Slatkin Case"), the Court entered its "Order Authorizing Trustee To Settle  
15 Fraudulent Transfer and Preference Claims Without Further Court Order" (the  
16 "Settlement Authority Order"). In the Settlement Authority Order, the Court  
17 authorized the Chapter 11 Trustee, in certain circumstances specified therein, to enter  
18 into and perform settlement agreements without further court order but with the  
19 approval of the Official Committee of Unsecured Creditors (the "Committee") in the  
20 Slatkin Case and the Office of the United States Trustee.

21 3. On June 20, 2003, the Bankruptcy Court entered an order (the  
22 "Confirmation Order") confirming the "Chapter 11 Trustee and Creditors'  
23 Committee's Second Amended Joint Plan of Reorganization Dated June 18, 2003" (the  
24 "Plan"). Pursuant to ¶ 6.3 of the Plan, the Liquidating Trust was created; pursuant to  
25 ¶¶ 2.1.66 and 6.3.1 of the Plan, the members of the Committee in the Slatkin Case  
26 became the initial members of the "Trust Board" of the Liquidating Trust; pursuant to  
27 ¶ 6.3.3 of the Plan, all property of the Estate was transferred to and vested in the  
28 Liquidating Trust; pursuant to ¶¶ 2.1.43, 6.3.3, and 6.3.5 of the Plan, all of the Estate's



1 payment of the Settlement Payment in full, upon a further stipulation of the Trustee  
2 and the Murgatroyds, or upon a noticed motion of the Murgatroyds.

3 **IT IS SO STIPULATED.**

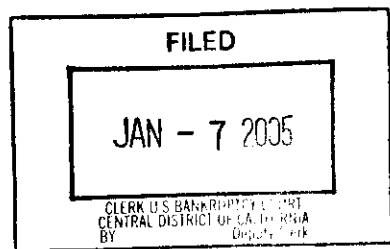
4 Dated: January 6, 2005

KIRKLAND & ELLIS LLP

6 By: Mark T. Cramer  
7 Mark T. Cramer  
8 Counsel for Plaintiff R. Todd Neilson,  
9 Trustee of the "Estate of Reed E. Slatkin  
10 and Substantively Consolidated Affiliates  
11 Topsight Oregon, Inc. and the Reed  
Slatkin Investment Club, L.P. Liquidating  
Trust"

12 Dated: January 5, 2005

BAUM HEDLAND, A LAW CORPORATION



14 By: George W. Murgatroyd, III  
15 George W. Murgatroyd, III  
16 Counsel for Defendants

17 **ORDER**

18 Based on the foregoing Stipulation, and good cause appearing therefore,  
19 Adversary Proceeding No. AD 02-01185-RR is dismissed without prejudice. The  
20 Court shall retain jurisdiction over the parties to this adversary proceeding for the  
21 purpose of vacating this dismissal without prejudice and entering a dismissal with  
22 prejudice, following payment of the Settlement Payment in full, upon a further  
23 stipulation of the Trustee and the Murgatroyds or upon a noticed motion of the  
24 Murgatroyds.

25 **IT IS SO ORDERED.**

26 Dated: Jan 7, 2005  
27 [Signature]  
28 [Signature]

Robin Riblet  
The Honorable Robin Riblet  
United States Bankruptcy Judge

1 **PROOF OF SERVICE**

2 I, Elsa Banuelos, declare as follows:

3 I am employed in the County of Los Angeles, State of California. I am over the  
4 age of 18; my business address is Kirkland & Ellis LLP, 777 S. Figueroa Street, Los  
5 Angeles, CA 90017.

6 On January 6, 2005, I served the document(s) described as:

7 **STIPULATION FOR DISMISSAL OF ADVERSARY PROCEEDING;  
8 AND ORDER THEREON**

9 on the interested parties in this action at the addresses set forth below:

10 [X] **[U.S. MAIL]** By placing the documents listed above in a sealed envelope with  
11 postage thereon fully prepaid, in the United States mail at Los Angeles, California  
12 addressed as set forth below. I am familiar with the firm's practice of collection and  
13 processing correspondence for mailing by depositing with the U.S. postal service on  
14 that same day with postage thereon fully prepaid in the ordinary course of business.

15 **ATTORNEYS TO TRUSTEE OF**  
16 **LIQUIDATING TRUST**

17 John P. Reitman  
18 Gumport Reitman & Montgomery  
19 550 S. Hope Street, Suite 825  
20 Los Angeles, CA 90071

21 **TRUSTEE OF LIQUIDATING**  
22 **TRUST**

23 R. Todd Neilson  
24 Neilson Elggren LLP  
25 10100 Santa Monica Blvd., Suite 410  
26 Los Angeles, CA 90067

27 **UNITED STATES TRUSTEE**

28 Brian Fittipaldi  
Office of the United States Trustee  
Staff Attorney  
128 East Carrillo Street  
Santa Barbara, CA 93101

**ATTORNEY FOR DEBTOR**

Richard Pachulski, Esq.  
Eric S. Kurtzman, Esq.  
Pachulski, Stang, Ziehl Young Jones  
10100 Santa Monica Blvd., Suite 1100  
Los Angeles, CA 90067

**ATTORNEY FOR DEBTOR**

Jay L. Michaelson, Esq.  
Joseph M. Sholder, Esq.  
Michaelson Susi & Michaelson  
7 West Figueroa Street, 2<sup>nd</sup> Floor  
Santa Barbara, CA 93101

**NET DEBTOR**

George W. Murgatroyd  
12100 Wilshire Blvd., Suite 950  
Los Angeles, CA 90025

[X] **(FEDERAL)** I declare that I am employed in the office of a member of the bar  
of this court at whose direction the service was made.

Executed on January 6, 2005, at Los Angeles, California.



Elsa Banuelos

NOTE TO USERS OF THIS FORM:  
Physically attach this form as the last page of the proposed Order or Judgment.  
Do not file this form as a separate document.

In re  REED E. SLATKIN,  DEBTOR.	(SHORT TITLE)	CHAPTER 11  CASE NUMBER: ND 01-11549-RR  ADVERSARY NUMBER: 02-1178
--	---------------	--

**NOTICE OF ENTRY OF JUDGMENT OR ORDER  
AND CERTIFICATE OF MAILING**

TO ALL PARTIES IN INTEREST ON THE ATTACHED SERVICE LIST:

1. You are hereby notified, pursuant to Local Bankruptcy Rule 116(1)(a)(iv), that a judgment or order entitled,  
(specify):

**STIPULATION FOR DISMISSAL OF ADVERSARY PROCEEDING;  
ORDER THEREON**

was entered on (specify date): **JAN - 7 2015**

2. I hereby certify that I mailed a copy of this notice and a true copy of the order or judgment to the persons and entities on the attached service list on (specify date):  
**JAN - 7 2015**

DATED: **JAN - 7 2015**

JON D. CERETTO  
Clerk of the Bankruptcy Court

by: KAM RWT

**SERVICE LIST**

**I ATTORNEYS TO TRUSTEE OF LIQUIDATING TRUST**

John P. Reitman  
Gumpert Reitman & Montgomery  
550 S. Hope Street, Suite 825  
Los Angeles, CA 90071

**UNITED STATES TRUSTEE**

Brian Fittipaldi  
Office of the United States Trustee  
Staff Attorney  
128 East Carrillo Street  
Santa Barbara, CA 93101

**ATTORNEY FOR DEBTOR**

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Joseph M. Sholder, Esq.  
Michaelson Susi & Michaelson  
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Santa Barbara, CA 93101

Mark T. Cramer  
Kirkland & Ellis LLP  
777 South Figueroa Street, Suite 3400  
Los Angeles, California 90017

**TRUSTEE OF LIQUIDATING TRUST**

R. Todd Neilson  
Neilson Elggren LLP  
10100 Santa Monica Blvd., Suite 410  
Los Angeles, CA 90067

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Eric S. Kurtzman, Esq.  
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Los Angeles, CA 90067

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