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6 Attorneys for Defendants
 7 MARY PETERSEN, MICHAEL PETERSEN AND KATHRYN PETERSEN

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 USACM LIQUIDATING TRUST and USA CAPITAL) CASE NO.: 2:09-CV-00239-JCM-LRL
 11 DIVERSIFIED TRUST DEED FUND, LLC,)

12 Plaintiffs,)

13 vs.)

14 MARY PETERSEN, individually and as TRUSTEE of)
 15 the MARY PETERSEN FAMILY TRUST DTD)
 16 8/12/98; MICHAEL PETERSEN, individually and as)
 17 TRUSTEE of the MICHAEL D. PETERSEN FAMILY)
 18 TRUST DTD 8/12/98; KATHRYN L. PETERSEN,)
 19 individually and as TRUSTEE of the KATHRYN L.)
 20 PETERSEN LIVING TRUST and TRUSTEE of the)
 21 KLP TRUST DTD 7/15/99,)

22 Defendants.)

23 USACM LIQUIDATING TRUST and USA CAPITAL)
 24 DIVERSIFIED TRUST DEED FUND, LLC,)

25 Plaintiffs,)

26 vs.)

27 KATHRYN L. PETERSEN, individually and as)
 28 TRUSTEE of the KATHRYN L. PETERSEN LIVING)
 TRUST and TRUSTEE of the KLP TRUST DTD)
 7/15/99, and SPECIALIZED DEVELOPMENT)
 TAHOE, LLC,)

Defendants.)

**ORDER ON MOTION
 FOR WITHDRAWAL OF THE
 REFERENCE TO THE BANKRUPTCY
 COURT AND FOR CONSOLIDATION**

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 A NEVADA LIMITED LIABILITY COMPANY INCLUDING CORPORATIONS
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1 On July 10, 2009, the Motion for Withdrawal of the Reference to the Bankruptcy Court
2 Pursuant to 28 U.S.C. §157(d) and Fed. R. Bankr. P. 5011(a) (the “Withdrawal Motion”) and for
3 Consolidation Pursuant to Fed. R. Civ. P. 42(a) (the “Consolidation Motion”) filed by Defendant
4 Mary Petersen, Individually and as Trustee of the Mary Petersen Family Trust Dtd 8/12/98;
5 Michael Petersen, Individually and as Trustee of the Michael D. Petersen Family Trust Dtd
6 8/12/98; Kathryn Petersen, Individually and as Trustee of the Kathryn Petersen Living Trust and
7 Trustee the KLP Trust Dtd 7/15/99; and Specialized Development Tahoe, LLC (collectively, the
8 “Petersens”) was heard. John O’Reilly of the O’Reilly Law Group, LLC and Steven Katzman of
9 Bienert, Miller, Weitzel and Katzman appeared on behalf of the Petersens. Eric Madden, Max
10 Beatty and Michael Yoder of Diamond McCarthy, LLP appeared on behalf of Plaintiffs USACM
11 Liquidating Trust (the “USACM Trust”) and USA Capital Diversified Trust Deed Fund, LLC
12 (“DTDF”) (collectively, the “Plaintiffs”). Rosa Solis-Rainey of Morris Peterson appeared on
13 behalf of non-party defendant Deloitte & Touche, LLP (“Deloitte”).
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16 Having considered the above referenced Motions, the Oppositions of Plaintiffs and
17 Deloitte, the applicable Reply to the Motions, and the arguments of counsel at the hearing,

18 IT IS HEREBY ORDERED that the Consolidation Motion is Denied without Prejudice;

19 IT IS FURTHER ORDERED that the Withdrawal Motion is moot and therefore denied
20 without prejudice.

21 DATED April 21, 2011.

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24 UNITED STATES DISTRICT COURT JUDGE

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1 Submitted by:

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APPROVED / **DISAPPROVED**
AS TO FORM AND CONTENT:

APPROVED / **DISAPPROVED**
AS TO FORM AND CONTENT:

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