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Attorneys for the Receiver

5 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR MARICOPA COUNTY

6 In The Matter of:)
7 Proceeds from Bank of America Account)
#4672000476 in the name of Unite 1)
8 Investment Assistance, et al., as more)
particularly described in the Attached)
9 Appendix One)

Cause No. CV 2001-011252

PETITION NO. 2
PETITION FOR ORDER GOVERNING
ADMINISTRATION OF THE
RECEIVERSHIP

(Assigned to Judge Peter C. Reinstein)

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14 Lawrence J. Warfield, as the court appointed Receiver, recommends that the Court
15 enter the proposed *Order Re: Petition No. 2, Order Governing the Administration of The*
Receivership lodged with the Court with this petition.

16 1. There are procedural and administrative aspects of receivership proceedings
17 which will be clarified and facilitated by a special procedural order of this Court.
18 Accordingly, the Receiver requests that the Court enter the *Order Re: Petition No. 2, Order*
19 *Governing the Administration of The Receivership* lodged with the Court (paragraph numbers
20 below correspond to the described paragraph in the proposed order lodged with the Court)
21 which order:

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- (1) Prescribes procedures for further proceedings in this receivership;
- (2) Directs the Clerk of the Court to retain this matter on the active calendar so that it is not dismissed without an order of the Court;
- (3) Provides procedures for service and for the maintenance and use of service lists;
- (4) Authorizes the filing of *ex parte* petitions by the Receiver for certain matters;
- (5) Prescribes procedures for giving notice;
- (6) Authorizes the Receiver's use of discovery to obtain information concerning the Receivership's claims or records;
- (7) Authorizes a procedure for filing petitions for the payment of fees;
- (8) Permits the employment of legal counsel for the Receiver, provided that the fees are not paid without order of the Court.

2. Paragraphs 1 through 8 are similar or identical to the procedural rules that have been established in other receiverships in this and other state and federal courts in which counsel for the Receiver has served the Court and its Receiver. In each of these receiverships, these procedures have proven helpful in promoting the fair, efficient and orderly disposition of receivership business.

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