

**FILED**

AUG 13 2009

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA

UNITED STATES  
BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA

MINUTE ENTRY/ORDER

Bankruptcy Judge: Hon. Redfield T. Baum  
Case Name: Dewey Ranch Hockey, LLC, Chapter 11  
Case No.: 2:09-bk-09488-RTB  
Subject of Matter: Motion To File Amicus Brief/Conditional Bid Objection on Behalf of  
Glendale Taxpayers  
Date Matter Ruled  
Upon: August 13, 2009

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Filed with the court was the motion to file amicus brief/conditional bid objection on behalf of Glendale taxpayers ("Motion"), filed by the Goldwater Institute which represents eight individuals who are "City of Glendale taxpayers". Section 1109(b) of the Bankruptcy Code provides that "a party in interest ... may raise and may appear and be heard on any issue in a case under this chapter". The general theory behind this section is that anyone holding a direct financial stake in the outcome of the case should have an opportunity to participate in the adjudication of any issue that may ultimately shape the disposition of such interest. Conversely, an entity that does not hold a financial stake in the case is generally excluded from the definition of party in interest. See 7 Collier on Bankruptcy ¶ 1109.01, at p. 1109-4 (15<sup>th</sup> ed. rev. 2007).

It appears to the court that the Motion is filed by or on behalf of those who do not have a direct financial stake in the outcome of this case; rather their collective financial interest in this case appears to be indirect through their connections and/or relationship to the City of Glendale.

Accordingly, it appears to the court at this time that the movants may not be entitled to be heard or to participate in this case. Therefore movants (and any other party who wants to address this matter) may file a memorandum on or before August 31, 2009 setting forth their standing (or lack their of) and/or right to be heard. Pending further order and for the reasons set forth above, the Motion is denied, without prejudice.

Copy of the foregoing  
mailed this 13 day of  
August, 2009 to:

Nick Dranias  
Scharf-Norton Center for Constitutional Litigation at the  
GOLDWATER INSTITUTE  
500 East Coronado Road  
Phoenix, Arizona 85004

Edward M. Zachary  
BRYAN CAVE LLP  
2 North Central Avenue, Suite 2200  
Phoenix, Arizona 85004

Kelly Singer  
SQUIRE SANDERS & DEMPSEY  
40 North Central Avenue, Suite 2700  
Phoenix, Arizona 85004-4498

Thomas J. Salerno  
Jordan A. Kroop  
SQUIRE SANDERS & DEMPSEY, LLP  
40 North Central Avenue, Suite 2700  
Phoenix, Arizona 85004

Larry Lee Watson  
Office of the United States Trustee  
230 North First Avenue, Suite 204  
Phoenix, Arizona 85003-1706

Paul Sala  
ALLEN SALA & BAYNE, PLC  
Viad Corporate Center  
1850 North Central Avenue, Suite 1150  
Phoenix, Arizona 85004

Alan A Meda  
C. Taylor Ashworth  
STINSON MORRISON HECKER, LLP  
1850 North Central Avenue, Suite 2100  
Phoenix, Arizona 85004

Susan M. Freeman  
Stefan M. Palys  
LEWIS & ROCA, LLP  
40 North Central Avenue  
Phoenix, Arizona 85004-4429

Cathy Reece  
Nicholas B. Hoskins  
FENNEMORE CRAIG, P.C.  
3003 North Central Avenue, Suite 2600  
Phoenix, Arizona 85012-2913

William R. Baldiga  
Paul W. Shaw  
BROWN RUDNICK, LLP  
One Financial Center  
Boston, Massachusetts 02111

Carolyn J. Johnsen  
Peter W. Sorensen  
JENNINGS STROUSS & SALMON, P.L.C.  
The Collier Center, 11<sup>th</sup> Floor  
201 East Washington Street  
Phoenix, Arizona 85004-2385

Dale C. Schian  
Cody J. Jess  
SCHIAN WALKER, P.L.C.  
3550 North Central Avenue, Suite 1700  
Phoenix, Arizona 85012-1501

Steven M. Abramowitz  
VINSON & ELKINS, LLP  
666 Fifth Avenue, 26<sup>th</sup> Floor  
New York, New York, 10103-0040

James E. Cross  
OSBORN MALEDON, P.A.  
2929 North Central Avenue, Suite 2100  
Phoenix, Arizona 85012-2794

Anthony W. Clark  
SKADDEN ARPS SLATE MEAGHER & FLOM, LLP  
One Rodney Square  
Wilmington, Delaware 19899

J. Gregory Milmo  
Shepard Goldfein  
SKADDEN ARPS SLATE MEAGHER & FLOM, LLP  
4 Times Square  
New York, New York 10036

Richard H. Herold  
HINSHAW & CULBERTSON, LLP  
3200 North Central Avenue, Suite 800  
Phoenix, Arizona 85012

Lori Lapin Jones  
LORI LAPIN JONES, PLLC  
98 Cutter Mill Road #201 N  
Great Neck, NY 11021

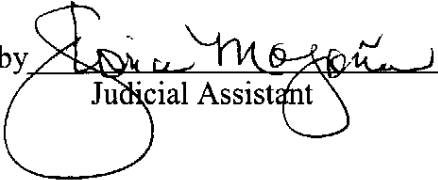
Albert Turi  
BWD GROUP, LLC  
BWD PLAZA  
P.O. Box 9050  
Jericho, NY 11753-8950

Jeffrey Freund, Esq  
BREDHOFF & KAISER, PLLC  
805 15th St. NW  
Washington, DC 20005

Richard W. Havel  
SIDLEY AUSTIN, LLP  
555 West Fifth Str. 40th Floor  
Los Angeles, CA 90013-1010

Ivan L. Kallick  
Ileana M. Hernandez  
MANATT PHELPS & PHILLIPS  
11355 West Olympic Blvd  
Los Angeles, CA 90064

Jonathan K. Bernstein  
Andrew J. Gallo  
BINGHAM McCUTCHEN, LLP  
One Federal St  
Boston, MA 02110

by   
Judicial Assistant