

1 Joseph J. Rego, Esq. (SBN 163183)
2 8765 Aero Drive
3 Suite 306
4 San Diego, California 92123
5 Tel: 858-598-6628
6 Fax: 858-598-6631
7 Email: joerego@regolaw.com

8 Attorney for Debtor
9 GORDY A SPIRES

FILED SD
2009 APR 27 PM 4:08
U.S. BANKRUPTCY COURT
S.D. DIST. OF CALIF.

10 UNITED STATES BANKRUPTCY COURT
11 SOUTHERN DISTRICT OF CALIFORNIA

12 GORDY A SPIRES

13 Debtor/Plaintiff,

14 v.

15 G8 CAPITAL FUND VII, LLC.;
16 MORTGAGE ELECTRONIC
17 REGISTRATION SYSTEMS, INC.
18 "MERS" and DOES 1-50, inclusive.

19 Defendant
20
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CHAPTER 13
CASE NO: 08-13091-LT 13

ADVERSARIAL CASE NO:
09-90133-LT
REQUEST FOR EXPEDITED
EMERGENCY HEARING

- 1. TO ENJOIN SALE OF REAL PROPERTY;
- 2. POSTING OF BOND;
- 3. HEARING ON MERITS;

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27 **I. EMERGENCY RELIEF IS WARRANTED**

28 Counsel for Plaintiff request an advanced hearing date in the form of ex parte

1 request for an order shortening time. Such request is warranted as will be explained.

2 **STATEMENT OF FACTS IN SUPPORT OF EMERGENCY REQUEST:**

3 1. The Debtor herein filed a Chapter 7, which was later converted to a Chapter 13
4 pursuant noticed motion.

5 2. The reason the matter was converted from 7 to 13 was two fold. One the Debtor
6 had filed a Chapter 7 proceeding in another State about 6 years ago which was
7 disclosed at the initial 341 (a) meeting of creditors, and Two, the entire purpose of the
8 relief sought was to modify the loan on the Debtor's residence.

9 3. It is worth noting that Debtor has litigated with the lender at length in State Court
10 prior to filing the Bankruptcy proceeding, and thought he had reached an agreement
11 with the lender, only to find out at the 11th hour that the lender only wanted to else back
12 the residence to the Debtor, with no guarantee of purchase.

13 4. It should also be noted that the Debtor had filed an Adversarial Complaint under
14 the Chapter 7 proceeding, and has filed an Amended Complaint in the 13 proceeding.

15 5. It should also be noted that the Lender improperly recorded its name to the deed
16 prior to foreclosure, so any purported sale is invalid since the lender did not hold the
17 note at the time it initiated foreclosure proceedings.

18 6. The lender sought relief from stay under the Chapter 7, and perfected an order
19 under that case. However the lender did not seek relief from stay under the 13.

20 7. The Debtor seeks to modify the loan, with the holder of the first G8, however the
21 lender is not dealing in good faith with the borrower hence the adversarial complaint
22 has been filed to protect the Debtor's interest.

23
24 **LIST OF EXHIBITS IN SUPPORT OF EMERGENCY RELIEF:**

25 A) NOTICE OF CONVERSION TO CHAPTER 13;

26 B) ORDER OF CONVERSION;

27 C) NOTICE OF MEETING OF CREDITORS 05-08-09

28 D) ORDER ON RELIEF FROM STAY UNDER THE CHAPTER 7

1 E) NOTICE FO ENTRY OF ORDER FILED 04-08-09;

2 F) NOTICE OF SALE 04-22-09

3 G) IMPROPER DEED RECORDED BY LENDER ON 10-27-08 BEFORE THE
4 LENDER HAD FORECLOSED ON THE RESIDENCE; HAD NO LEGAL INTEREST IN
5 THE RESIDENCE, THEREFORE ANY FORECLOSURE ON THIS AFFECTING THIS
6 DEED MUST BE SET ASIDE, THE LENDER HAD NOTHING TO TRANSFER
7 PURSUANT TO FORECLOSURE PROCEEDING.

8 **MEMORANDUM OF POINTS AND AUTHORITIES:**

9 See Separate Memorandum of Points and Authorities attached hereto.

10 **ARGUMENT:**

11 The sole reason that the Debtor has litigated this matter is to negotiate a
12 reasonable loan the lender. As stated the Debtor attempted relief in the State Court,
13 and at the time the lender indicated that it would negotiate with the Debtor. The Debtor
14 did not go through with the agreement because at the last minute he was confronted
15 with the lease purchase option for his own home, with no guarantee that it would not be
16 sold at foreclosure sale.

17 The State Court Debtor had different counsel under the State Court Proceeding
18 which took place in Vista Superior Court, North County, the Honorable Judge Stern
19 presiding, granted relief for the sale, and Debtor had no choice but to seek relief form
20 the Bankruptcy Court. The Debtor thought he would have protection under the 13
21 proceeding to modify the loan and litigations of the merits of the First Amended
22 Complaint. However the lender with zeal sold the property back to itself on 04-24-09, in
23 spite of the fact that the Lender has known at all times that the Debtor wishes to modify
24 the loan, and indeed even invited settlement discussions on this very issue with
25 Debtor's counsel.

26 DATED: 04-27-09

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JOSEPH REGO ATTORNEY FOR DEBTOR

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EXHIBIT A

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Esparza

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08-13091-LT13

From:  info_casb@casb.uscourts.gov

Sent: Fri 3/27/09 10:49 AM

To: casb_ecf@casb.uscourts.gov

*****NOTE TO PUBLIC ACCESS USERS*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30-page limit do not apply.**

U.S. Bankruptcy Court

Southern District of California

Notice of Electronic Filing

The following transaction was received from Bobis, T. entered on 3/27/2009 at 10:48 AM PDT and filed on

Case Name: Gordy A. Spires

Case Number: 08-13091-LT13

Document Number: 33

Docket Text:

Certificate of Mailing on ORDER: I hereby certify that a copy of the Order was mailed this date to the Movant, and if applicable, to the Trustee, the Debtor(s), and the Attorney for the Debtor(s), if any, at their respective addresses as the same appear in the records of this case. Barry K. Lander, Clerk (Bobis, T.)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:T:\OrdersOutbox\50-99\08-13091-LT7-49406.pdf

Electronic document Stamp:

[STAMP CASBStamp_ID=875559582 [Date=3/27/2009] [FileNumber=(080afc1c4ba98d8131b801efff43afd9a02429965e2150a9df3c56a3a11

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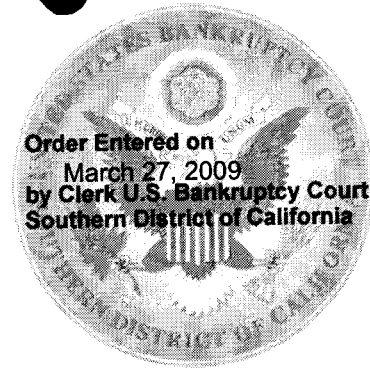
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EXHIBIT B

CSD 1107 [08/22/03]
Name, Address, Telephone No. & I.D. No.

Joseph Rego
8765 Aero Drive, Suite 306
San Diego, CA 92123
EIN 163183
858-598-6628



UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA
325 West "F" Street, San Diego, California 92101-6991

In Re

GORDY A. SPIRES

Debtor.

BANKRUPTCY NO.

08-13091-LT17

ORDER CONVERTING CASE UNDER CHAPTER 7 TO CASE UNDER CHAPTER 13

IT IS ORDERED THAT the relief sought as set forth on the continuation pages attached and numbered two (2) through 4 with exhibits, if any, for a total of 3 pages, is granted. Motion Docket Entry No. _____

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DATED: March 27, 2009

Signature by the attorney constitutes a certification under Fed. R. of Bankr. P. 9011 that the relief in the order is the relief granted by the court.

Judge, United States Bankruptcy Court

Submitted by:

LAW OFFICE Joseph Rego
(Firm name)

By: Joseph Rego
Attorney for Movant

CSD 1107 [08/22/03] (Page 2)

ORDER CONVERTING CASE UNDER CHAPTER 7 TO CASE UNDER CHAPTER 13
DEBTOR:

CASE NO: 08-13091-LT7

The debtor has filed a motion, in accordance with 11 U.S.C. § 706(a), seeking to convert this case to a case under chapter 13 of the Bankruptcy Code. The court has considered the record, and finds that the case has not been converted previously under 11 U.S.C. § 1112, § 1208 or § 1307.

IT IS ORDERED THAT:

1. This chapter 7 case is converted to a case under chapter 13.
2. The chapter 7 trustee within 30 days of the date of this order shall file and transmit to the United States Trustee:
 - a. an account of all receipts and disbursements made in the chapter 7 case, and
 - b. a report on the administration of the case pursuant to 11 U.S.C. § 704(9).
3. The trustee forthwith shall turnover to the debtor all records and property of the estate remaining in the trustee's custody and control.
4. The trustee or any other party entitled to compensation may within 30 days of the date of this order file an application for compensation and reimbursement of expenses.
5. The debtor within 15 days from the date of this order shall file the statements and schedules required by Federal Rule of Bankruptcy Procedure 1007(b), if such documents have not already been filed.
6. The debtor within 15 days from the date of this order shall file a chapter 13 plan.
7. [Other provisions as needed]

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EXHIBIT C

FORM B9I (Chapter 13 Case) (12/07)

Case Number 08-13091-LT13

UNITED STATES BANKRUPTCY COURT
 Southern District of California

Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, & Deadlines

A bankruptcy case concerning the debtor(s) listed below was originally filed under chapter 7 on 12/22/08 and was converted to a case under chapter 13 on 3/27/09.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Gordy A. Spires
 4743 Crater Rim Road
 Carlsbad, CA 92010

Case Number:
 08-13091-LT13

Social Security/Taxpayer ID/Employer ID/Other Nos.:
 xxx-xx-6734

Attorney for Debtor(s) (name and address):
 Joseph J. Rego
 Law Office of Joseph Rego
 8765 Aero Drive, Suite 306
 San Diego, CA 92123
 Telephone number: (858) 598-6628

Bankruptcy Trustee (name and address):
 Thomas H. Billingslea
 530 B Street, Ste. 1500
 San Diego, CA 92101
 Telephone number: (619) 233-7525

Meeting of Creditors

Date: **May 8, 2009**

Time: **04:00 PM**

Location: **Sixth Floor, Suite 630, 402 W. Broadway, San Diego, CA 92101-8511**

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Proof of Claim:

For all creditors (except a governmental unit): **8/6/09**

For a governmental unit: **180 days from Date of Order for Relief, 11 U.S.C. Sd502(b)(9)**

Creditor with a Foreign Address

A creditor to whom this notice is sent at a foreign address should read the information under "Claims" on the reverse side.

Deadline to File a Complaint Objecting to Determine Dischargeability of Certain Debts: 7/7/09

Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Filing of Plan, Hearing on Confirmation of Plan

The debtor has not filed a plan as of this date. You will be sent separate notice of the hearing on confirmation of the plan.

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor, the debtor's property, and certain codebtors. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Address of the Bankruptcy Clerk's Office:

Jacob Weinberger U.S. Courthouse
 325 West F Street
 San Diego, CA 92101-6991
 Telephone number: 619-557-5620
 Website: www.casb.uscourts.gov

For the Court:

Clerk of the Bankruptcy Court:
 Barry K. Lander

Hours Open: Monday - Friday 9:00 AM - 4:00 PM

Date: 3/27/09

EXPLANATIONS

FORM B9I (12/07)

<p>Filing of Chapter 13 Bankruptcy Case</p>	<p>A bankruptcy case under Chapter 13 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 13 allows an individual with regular income and debts below a specified amount to adjust debts pursuant to a plan. A plan is not effective unless confirmed by the bankruptcy court. You may object to confirmation of the plan and appear at the confirmation hearing. A copy or summary of the plan, if not enclosed, will be sent to you later, and if the confirmation hearing is not indicated on the front of this notice, you will be sent notice of the confirmation hearing. The debtor will remain in possession of the debtor's property and may continue to operate the debtor's business, if any, unless the court orders otherwise.</p>
<p>Legal Advice</p>	<p>The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.</p>
<p>Creditors Generally May Not Take Certain Actions</p>	<p>Prohibited collection actions against the debtor and certain codebtors are listed in Bankruptcy Code § 362 and § 1301. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.</p>
<p>Meeting of Creditors</p>	<p>A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.</p>
<p>Claims</p>	<p>A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. A secured creditor retains rights in its collateral regardless of whether that creditor files a Proof of Claim. If you do not file a Proof of Claim by the "Deadline to file a Proof of Claim" listed on the front side, you might not be paid any money on your claim from other assets in the bankruptcy case. To be paid you must file a Proof of Claim even if your claim is listed in the schedules filed by the debtor. Filing a Proof of Claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a Proof of Claim may surrender important nonmonetary rights, including the right to a jury trial. Filing Deadline for a Creditor with a Foreign Address: The deadlines for filing claims set forth on the front of this notice apply to all creditors. If this notice has been mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.</p>
<p>Discharge of Debts</p>	<p>The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 523 (a)(2) or (4), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and any required filing fee by that deadline.</p>
<p>Exempt Property</p>	<p>The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors, even if the debtor's case is converted to chapter 7. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.</p>
<p>Bankruptcy Clerk's Office</p>	<p>Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of property claimed as exempt, at the bankruptcy clerk's office.</p>
<p>Creditor with a Foreign Address</p>	<p>Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.</p>
<p>— Refer to Other Side for Important Deadlines and Notices —</p>	

UNITED STATES BANKRUPTCY COURT	Southern District of California
Case Number 08-13091-LT13	
DISMISSAL OF CASE	
<p>Notice is given that this case will be dismissed if the debtor(s) fails to pay filing fees pursuant to Federal Rules of Bankruptcy Procedure 1006(b). This dismissal will occur without further notice.</p> <p>Furthermore, notice is given that if the Debtor fails to file schedules and statements required by Interim Rules of Bankruptcy Procedure 1007, or if the Debtor or Joint Debtor fails to appear at the scheduled §341(a) meeting that the Court, Trustee or U.S. Trustee may move for dismissal of case without further notice to the Debtor or Creditors. A party in interest may object to the motion for dismissal at the §341(a) meeting, at which time a hearing on the objection will be scheduled.</p>	
PLAN and CLAIMS INFORMATION	
<p>In order to participate in the distribution of any dividend, a creditor must file a claim, even if the creditor is not on the list of creditors. Claims not filed by 8/6/09 will not be allowed except as provided by law.</p> <p>A hearing on confirmation of the plan will be held only if written objections to confirmation (form CSD 1172) and Notice of Hearing Thereon (form CSD 1173) are timely filed with the Clerk, Bankruptcy Court, pursuant to Rule 3015 Local Bankruptcy Rules. If no objection is filed, the plan may be confirmed without further notice and will be binding on all creditors. The Court may authorize attorney fees that are in compliance with the Chapter 13 Fee Guidelines (G.O. 173) unless written objection is filed. A copy of the Guidelines is available on the internet at:</p> <p style="text-align: center;">http://www.casb.uscourts.gov/pdf/Ch13Atty_fee_guidelines.pdf</p> <p>All objections are due at the Bankruptcy Court the day after the §341(a) meeting is concluded.</p> <p>To object to confirmation, obtain a hearing date from the Trustee at the §341(a) hearing or call the Trustee's office assigned to this case (shown on page one of this notice). The Trustee's office cannot give legal advice.</p> <p>If the Trustee is David L. Skelton, call 619-338-4006. If the Trustee is Thomas H. Billingslea, call 619-233-7525.</p>	
SPECIAL NOTICE TO DEBTORS	
<p>If the Debtor failed to file complete schedules and/or a plan at the time this notice was prepared, the Debtor is required to notice all creditors (CSD 1101) pursuant to Local Rule 1007-4 by sending them a copy of the schedules and/or the plan.</p> <p>The Trustee requires that Debtor(s) show a government (picture) ID and evidence of their social security number at the 341(a) Creditor's Meeting.</p>	
NOTICE OF FILING OF FINANCIAL MANAGEMENT COURSE CERTIFICATE	
<p>Notice is given that this case will be closed with no discharge if the debtor(s) fail to file the required Financial Management Course Certificate no later than the last payment made by the debtor as required by the plan or the filing of a motion for entry of a discharge under § 1328(b).</p>	
BANKRUPTCY FRAUD	
<p>If you have information regarding any bankruptcy fraud or abuse, please contact the United States Trustee in writing at 402 West Broadway, Suite 600, San Diego, CA 92101 and/or by calling 619-557-5013.</p>	

Dated: 3/27/09

For the Court:
Barry K. Lander
U.S. Bankruptcy Court

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EXHIBIT D

CSD 1159C [11/15/04]
Name, Address, Telephone No. & I.D. No.

Case 08-13091-LT13 Filed 04/07/09 Doc 36 P of 2

Stephen L. Burton SBN 113748
Law Offices of Stephen L. Burton
15260 Ventura Bl., #640
Sherman Oaks, CA 91403
(818)501-5055



UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA
325 West "F" Street, San Diego, California 92101-6991

In Re
Gordy A. Spires

Debtor.

LODGED
BANKRUPTCY NO. 08-13091-LT7

G8 Capital Fund VII, LLC

Movant(s)

RS NO. SLB-1

Gordy A. Spires

Respondent(s)

Date of Hearing: March 19, 2009
Time of Hearing: 10:00 a.m.
Name of Judge: Laura Taylor

ORDER ON

Motion for Relief from Automatic Stay - Real Property by Movant G8 Capital Fund VII, LLC.

IT IS ORDERED THAT the relief sought as set forth on the continuation pages attached and numbered two (2) through 2 with exhibits, if any, for a total of 3 pages, is granted. Notice of Lodgment Docket Entry No. 34

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DATED: April 07, 2009


Signature by the attorney constitutes a certification under Fed. R. of Bankr. P. 9011 that the relief in the order is the relief granted by the court.

J

Judge, United States Bankruptcy Court

Submitted by:

Law Offices of Stephen L. Burton
(Firm name)

By: 
Attorney for Movant Respondent

CSD 1159C (11/15/04) (Page 2)

ORDER ON Motion for Relief from Automatic Stay - Real Property by movant +

DEBTOR: Gordy A. Spires

CASE NO: 08-13091-LT7

RS NO.: SLB-1

The automatic stay pursuant to 11 U.S.C. Section 362 is hereby terminated for all purposes as to Movant in connection with the estate's and the debtor's interest in 4743 Crater Rim Rd., Carlsbad, CA 92010.

Legal description:

Real property in the City of Carlsbad, County of San Diego, State of California, described as follows:

Parcel A:

Lot 32 of Carlsbad Tract No. 01-06 Calavera Hills Village 'X', in the City of Carlsbad, County of San Diego, State of California, according to Map thereof No. 14706, filed in the Office of the County Recorder of San Diego County, California, on October 29, 2003.

Reserving therefrom each easement reserved in the Declaration of Restrictions for Calavera Hills II Planned Development described below.

Parcel B:

A non-exclusive easement on the over the "Common Area" as defined in the Declaration (defined below) for use, occupancy and enjoyment of, and ingress and egress to, the amenities located thereon, subject to the terms and provisions of the Declaration. This easement is appurtenant to Parcel A above described and shall become effective as to each portion of the common area upon the later to occur of (i) the recordation of this deed, or (ii) the conveyance of record of the Common Area to the Association.

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EXHIBIT E

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08-13091-LT13 Notice of Entry of Judgment or Order

From: info_casb@casb.uscourts.gov

Sent: Wed 4/08/09 10:13 AM

To: casb_ecf@casb.uscourts.gov

*****NOTE TO PUBLIC ACCESS USERS*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30-page limit do not apply.**

U.S. Bankruptcy Court

Southern District of California

Notice of Electronic Filing

The following transaction was received from Robinson, G. entered on 4/8/2009 at 10:12 AM PDT and filed on 4/8/2009

Case Name: Gordy A. Spires

Case Number: 08-13091-LT13

Document Number: 38

Docket Text:

Amended Notice Of Entry Of Order, RS # SLB-1 (Related Document [36] Order). (Robinson, G.)

The following document(s) are associated with this transaction:

08-13091-LT13 Notice will be electronically mailed to:

Thomas H. Billingslea
Billingslea@thb.coxatwork.com

Stephen L. Burton on behalf of Creditor G8 CAPITAL FUND VII, LLC
Steveburtonlaw@aol.com

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EXHIBIT F

3/60-FORECLOSURE NOTICE TO QUIT

TO: GORDY SPIRES

And/or all other persons in possession of the premises described as:

Property Address: 4743 CRATER RIM ROAD, CARLSBAD, CA 92010

The above referenced real property was sold in accordance with section 2924 of the California Civil Code under a power of sale contained in a deed of trust securing said real property, and title under the sale has been duly perfected. The new owner seeks in good faith to recover possession of the premises.

WITHIN THREE DAYS AFTER SERVICE OF THIS NOTICE, YOU ARE HEREBY REQUIRED TO VACATE AND DELIVER POSSESSION OF THE PREMISES DESCRIBED ABOVE NOW HELD AND OCCUPIED BY YOU TO THE UNDERSIGNED UNLESS YOU ARE A TENANT OR SUBTENANT WHO RENTED THE PREMISES BEFORE THE FORECLOSURE SALE. IN THAT EVENT, YOU ARE REQUIRED TO VACATE THE PREMISES WITHIN SIXTY DAYS AFTER SERVICE OF THIS NOTICE.

This notice is intended as a Notice to Quit pursuant to California Code of Civil Procedure Section 1161a for the purpose of terminating your occupancy of the premises. This notice specifically terminates any oral/written agreement you may have with respect to the premises.

NOTE: If you are not one of the persons named above or you claim to be a tenant or subtenant who is entitled to remain in the premises for more than three days, YOU MUST GIVE NOTICE TO THE UNDERSIGNED WITHIN THREE DAYS OF THE DATE THIS NOTICE IS SERVED.

Dated: 4/22/09

Law Office of John E. Bouzane

P. Anderson

Attorneys for the new owner:
G8 CAPITAL

Contact Information

634 Oak Ct. San Bernardino, Ca 92410 (909) 889-5151 fax (909) 889-3900

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EXHIBIT G

DOC # 2008-0558062



RECORDING REQUESTED BY

OCT 27, 2008 8:00 AM

AND WHEN RECORDED MAIL TO

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 32.00
OC. AFNF

Name G8 Capital Fund VIII, LLC
Street Address Attn: Evan Gentry
999 Corporate Drive, #215
City, State Zip Ladera Ranch, CA 92694

273

PAGES: 2



Order No.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

QUITCLAIM DEED

wholly owned

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

City of Carlsbad
Conveyance Tax is \$
Parcel No. 168-921-20

Documentary Transfer Tax is \$ 0.00

computed on full value of interest or property conveyed, or
 full value less value of liens or encumbrances remaining at the time of sale

Declarant or Agent Determining Tax

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Property Asset Management, Inc.

do(es) hereby REMISE, RELEASE AND FOREVER QUITCLAIM to
G8 Capital Fund VII, LLC, a Delaware limited liability company

the following real property in the city of Carlsbad, county of San Diego, state of California:

See legal description Exhibit "A" attached hereto and made a part hereof

Commonly known as: 4743 Crater Rim Road, Carlsbad, CA 92010

Dated: October 20, 2008

STATE OF ~~CALIFORNIA~~ TEXAS
COUNTY OF HARRIS

S.S.

Property Asset Management, Inc.

By: [Signature]
THOMAS HRUSKA, LITTON LOAN
SERVICING, LP. ATTORNEY IN FACT
FOR PROPERTY ASSET MANAGEMENT, INC.

On OCTOBER 20, 2008 before me,

KYM DOBBS

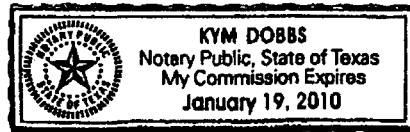
a Notary Public, personally appeared

THOMAS HRUSKA

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

* ATTEST DEEDS ACCOUNT

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.



WITNESS my hand and official seal.

Signature [Signature]

(This area for official notarial seal)

MAIL TAX STATEMENTS TO PARTY SHOWN ON THE FOLLOWING LINE; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE

Name

Street Address

City & State

quiltclai (rev. 07/17/98)