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Attorneys for RLS Capital, Inc. an Arizona Corporation's

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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

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In re:

The Falls at Gilbert, LLC,

Debtor.

Bankruptcy No. 18-25419 wtt

Chapter 11

Filed Electronically

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NOTICE OF MOTION FOR RELIEF FROM THE AUTOMATIC STAY  
AND NOTICE OF OPPORTUNITY FOR HEARING

(Objection Deadline: October 22, 2018)

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**PLEASE TAKE NOTICE** that RLS Capital, Inc. an Arizona Corporation's ("RLS") has filed with the United States Bankruptcy Court for the District of Utah, a Motion for Relief from the Automatic Stay.

**YOUR RIGHTS MAY BE AFFECTED. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.**

RLS is seeking to terminate the automatic stay pertaining to real property located at 4635 E. Baseline Road, Gilbert, Arizona 85234. Please refer to the motion for additional details and additional relief requested.

NO HEARING WILL BE CONDUCTED ON THIS MOTION FOR RELIEF FROM THE AUTOMATIC STAY UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE COURT ON OR BEFORE THE OBJECTION DEADLINE SET FORTH BELOW.

If you do not want the Court to grant the relief requested in the Motion for Relief from the Automatic Stay then you or your attorney must:

(1) on or before October 22, 2018, you or your lawyer must file with the Bankruptcy Court a written objection to the Motion for Relief from the Automatic Stay explaining your position, at:

United States Bankruptcy Court  
350 South Main Street, Room 301  
Salt Lake City, UT 84101

If you mail your objection to the Bankruptcy Court for filing you must mail it early enough so that the Court will **receive** it on or before October 22, 2018. You must also mail a copy to the undersigned counsel at 341 South Main, Suite 500, Salt Lake City, UT 84111.

(2) attend the hearing on the Motion for Relief from the Automatic Stay which is set for the **13<sup>th</sup> day of November, 2018, at 3:00 p.m.** in Courtroom 369, United States Bankruptcy Court, 350 South Main Street, Salt Lake City, Utah. **There will be no further notice of the hearing** and failure to attend the hearing will be deemed a waiver of your objection.

If you or your attorney do not take these steps, the Bankruptcy Court may decide that you do not oppose the relief sought in the Motion for Relief from the Automatic Stay and may enter an order granting that relief. In the absence of a timely filed objection, the

undersigned counsel may and will ask the Court to strike the hearing enter an order approving the Motion for Relief from the Automatic Stay without hearing.

DATED October 3, 2018.

TERRY JESSOP & BITNER  
Attorneys for RLS Capital, Inc. an Arizona Corporation's

By: /s/ Richard C. Terry

CERTIFICATE OF SERVICE

I, Richard C. Terry, attorney for RLS Capital, Inc. an Arizona Corporation's, hereby certify that on October 3, 2018, I served a copy of the foregoing Notice of Hearing upon the following by first class mail, postage prepaid; or by filing this pleading electronically as an ECF registered attorney of the United States District Court, I caused the same to be served via ECF.

Laurie A. Cayton tr (Via ECF)  
US Trustees Office  
Washington Federal Bank Building  
405 South Main Street, Suite 300  
Salt Lake City, UT 84111-3402

Maricopa County Treasurer (Via U.S. Mail)  
301 West Jefferson Street, Suite 100  
Phoenix, AZ 85003-2199

Elaine A. Monson (Via ECF)  
Brent D. Wride (Via ECF)  
Ray Quinney & Nebeker  
36 South State Street, 14th Floor  
P.O. Box 45385  
Salt Lake City, UT 84145-0385

Chad Rasmussen (Via U.S. Mail)  
Alpina Legal  
2230 N. University Pkwy #7E  
Provo, UT 84604-6701

Ronald B. Herb, Trustee (Via U.S. Mail)  
5420 W. Onyx Avenue  
Glendale, AZ 85302-2217

The Falls at Gilbert, LLC (Via U.S. Mail)  
9067 South 1300 West  
Suite 301  
West Jordan, UT 84088-5582

United States Trustee (Via ECF)  
Washington Federal Bank Bldg.  
405 South Main Street, Suite 300  
Salt Lake City, UT 84111-3402

/s/ Richard C. Terry