

Ralph R. Mabey (#2036)
Adelaide Maudsley (#8791)
Kirton McConkie
50 East South Temple, Suite 400
Salt Lake City, UT 84111
Telephone: 801-328-3600
Facsimile: 801-212-2013
Email: rmabey@kmclaw.com
amaudsley@kmclaw.com

Counsel for iBorrow, L.P.

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

In re:

Bankruptcy No. 18-26653-RKM

The Falls at St. George, LLC,

Chapter 11

Debtor.

**NOTICE OF MOTION FOR RELIEF FROM STAY
AND MEMORANDUM IN SUPPORT
AND NOTICE OF HEARING**

Hearing Date and Time: October 31, 2018, at 1:00 p.m. MT

Objection Deadline: October 5, 2018

PLEASE TAKE NOTICE THAT iBorrow, L.P., a secured creditor (“iBorrow”) has filed a “Motion for Relief from Stay and Memorandum in Support” (the “Motion”), seeking entry of an order pursuant to Section 362 of the Bankruptcy Code and Rules 4001 and 9014 of the Federal Rules of Bankruptcy Procedure, granting iBorrow relief from the automatic stay (i) to seek a recovery of a deficiency against the Debtor after foreclosure or disposition of the Property

(real property located at 8280 / 8290 Elk Grove Blvd., Elk Grove, CA 95828 and associated personal property), (ii) to take appropriate action to protect iBorrow's second lien position in the Debtor's event center property, and/or (iii) to exercise rights and remedies under the Loan Documents (as defined below) and applicable state law, finding that cause exists for relief from the automatic stay, and for waiver of the 14-day stay period under Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure, all as more fully and particularly described in the Motion.

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 WITH ONE.

A copy of the Motion, if not served herewith, may be obtained upon written request to the undersigned counsel or through the Utah Bankruptcy Court CM/ECF system accessible at <https://ecf.utb.uscourts.gov/>.

If you do not want the Court to grant the relief requested in the Motion, then you or your attorney must:

(1) On or before **October 5, 2018**, file with the Court a written response to the Motion 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 Court for filing, you must mail it early enough so that the Court will **receive** it on or before **October 5, 2018**. You must also mail a copy to the undersigned counsel at:

Ralph R. Mabey
Adelaide Maudsley
Kirton McConkie
50 E. South Temple, #400
Salt Lake City, UT 84111
Telephone: 801-328-3600

(2) A hearing to consider the Motion has been set for **October 31, 2018, at 1:00 p.m. prevailing Mountain Time** (the “Hearing”), before The Honorable Chief Judge R. Kimball Mosier, Courtroom 369, United States Bankruptcy Court, 350 South Main Street, Salt Lake City, Utah 84101. There will be no further notice of the hearing and failure to attend the hearing will be deemed a waiver of your position.

PLEASE TAKE FURTHER NOTICE THAT if you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion 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 and enter an order approving the Motion without a hearing.

PLEASE TAKE FURTHER NOTICE THAT the Hearing will not be conducted as a status conference or preliminary hearing but rather will be an evidentiary hearing at which witness testimony and documentary evidence may be presented.

DATED this 18th day of September, 2018.

/s/ Adelaide Maudsley
Ralph R. Mabey (Utah Bar No. 2036)
Adelaide Maudsley (Utah Bar No. 8791)
KIRTON McCONKIE P.C.
50 East South Temple #400
Salt Lake City, UT 84111
Telephone: 801.328.3600
Email: amaudsley@kmclaw.com
Counsel for iBorrow, L.P.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served on this 18th day of September, 2018, (i) by first class US Mail, postage prepaid, to each party listed on the attached mailing matrix, and (ii) by CM/ECF noticing to each of the following:

- Laurie A. Cayton tr laurie.cayton@usdoj.gov,
James.Gee@usdoj.gov;Lindsey.Huston@usdoj.gov;Suzanne.Verhaal@usdoj.gov
- United States Trustee USTPRegion19.SK.ECF@usdoj.gov
- Brent D. Wride bwride@rqn.com, docket@rqn.com;pbrown@rqn.com

/s/ Torri Slaughter, Legal Assistant

MAILING MATRIX dated September 15, 2018

Label Matrix for local noticing

Adelaide Maudsley

Cache Valley Bank,

1088-4

Kirton McConkie

aka The Village Bank

Case 18-26653

50 East South Temple, #400

294 East Tabernacle

District of Utah

Salt Lake City, UT 84111-1023

Saint George, UT 84770-2936

St. George

Sat Sep 15 08:53:13 MDT 2018

Laurie A. Cayton tr

The Falls Event Center LLC

The Falls at St. George, LLC

US Trustees Office

9067 South 1300 West, Suite 301

9067 South 1300 West

Washington Federal Bank Building

West Jordan, UT 84088-5582

Suite 301

405 South Main Street

West Jordan, UT 84088-5582

Suite 300

Salt Lake City, UT 84111-3402

United States Trustee

VendorTrak Title Insurance Agency

Washington County Treasurer

Washington Federal Bank Bldg.

20 North Main, Suite 300

197 East Tabernacle

405 South Main Street

Saint George, UT 84770-5592

St. George, UT 84770-3443

Suite 300

Salt Lake City, UT 84111-3402

Brent D. Wride

iBorrow,

End of Label Matrix

Ray Quinney & Nebeker

fka Eagle Group Finance L.P.

Mailable recipients 10

36 South State Street #1400

12100 Wilshire Blvd., Suite 520

Bypassed recipients 0

P.O. Box 45385

Los Angeles, CA 90025-7129

Total 10

Salt Lake City, UT 84145-0385