

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

Minute Entry

Hearing Information:

Debtor: ANDREW C BAILEY
Case Number: 2:09-bk-06979-RTBP **Chapter:** 11
Date / Time / Room: THURSDAY, JULY 15, 2010 10:00 AM 7TH FLOOR #701
Bankruptcy Judge: SARAH SHARER CURLEY
Courtroom Clerk: WANDA GARBERICK
Reporter / ECR: ANDAMO PURVIS

Matter:

ADV: 2-09-01728
ANDREW C. BAILEY vs THE BANK OF NEW YORK MELLON, FKA THE BAN
HEARING ON THIRD AMENDED COMPLAINT
R / M #: 18 / 0

Appearances:

ANDREW C BAILEY(Telephonic)
KYLE S. HIRSCH, ATTORNEY FOR THE BANK OF NEW YORK MELLON, FKA THE BAN

Proceedings:

Mr. Hirsch presents her argument on his motion to dismiss the third amended complaint. He states that the allegations are not supported and asked the court to dismiss with prejudice. Mr. Bailey states that he could not find an attorney, and will stand by the pleading that he has filed. He states that he has nothing further to add.

COURT: IT IS ORDERED TAKING THIS MATTER UNDER ADVISEMENT.

c: Paul Hilkert
Maria Mathus