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8 *Counsel for American West Development, Inc.*

Electronically Filed August 29, 2012

9 **UNITED STATES BANKRUPTCY COURT**

10 **DISTRICT OF NEVADA**

11 In re

12 AMERICAN WEST DEVELOPMENT, INC.,
13 a Nevada corporation,

14 fdba Castlebay 1, Inc.
15 fdba Development Management, Inc.
16 fdba Fairmont 1, Inc.
17 fdba Glen Eagles 3, Inc.
18 fdba Heritage 1, Inc.
19 fdba Inverness 5, Inc.
20 fdba Kensington 1, Inc.
21 fdba Kingsbridge 1, Inc.
22 fdba Promontory Estates, LLC
fdba Promontory Point 4, Inc.
fdba Silverado Springs 1, Inc.
fdba Silverado Springs 2, Inc.
fdba Tradition, Inc.
fdba Windsor 1, Inc.,

23 Debtor.

Case No. BK-S-12-12349-MKN

Chapter 11

**NOTICE OF ENTRY OF ORDER
GRANTING DEBTOR'S MOTION FOR
AUTHORITY PURSUANT TO FED. R.
BANKR. P. 9019(B) TO SETTLE
PRICING COMMITMENT CLAIMS
WITHOUT FURTHER NOTICE OR
HEARING**

Hearing Date: August 23, 2012

Hearing Time: 10:00 a.m.

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25 **PLEASE TAKE NOTICE** that on the 29th day of August 2012, the Court entered an Order
26 Granting Debtor's Motion for Authority Pursuant to Fed. R. Bankr. P. 9019(b) to Settle Pricing

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1 Commitment Claims Without Further Notice or Hearing [Docket No. 603], a copy of which is attached
2 hereto.

3 Dated this 29th day of August, 2012.

4 **FOX ROTHSCHILD LLP**

5 By /s/ Brett A. Axelrod

6 BRETT A. AXELROD, ESQ.

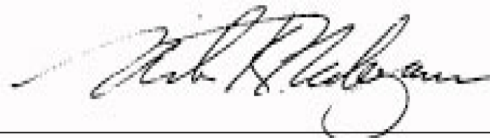
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Honorable Mike K. Nakagawa
United States Bankruptcy Judge



Entered on Docket
August 29, 2012

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re

AMERICAN WEST
DEVELOPMENT, INC., a Nevada
corporation,

fdba Castlebay 1, Inc.
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fdba Tradition, Inc.
fdba Windsor 1, Inc.

Debtor.

Case No. BK-S-12-12349-MKN

Chapter 11

**ORDER GRANTING DEBTOR'S
MOTION FOR AUTHORITY
PURSUANT TO FED. R. BANKR. P.
9019(B) TO SETTLE PRICING
COMMITMENT CLAIMS WITHOUT
FURTHER NOTICE OR HEARING**

Hearing Date: August 23, 2012

Hearing Time: 10:00 a.m.

FOX ROTHSCHILD LLP
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1 This Court, having reviewed and considered Debtor’s Motion for Authority Pursuant to Fed. R.
2 Bankr. P. 9019(b) to Settle Pricing Commitment Claims Without Further Notice or Hearing [Docket
3 No. 501] (the “Motion”),¹ the Declaration of Robert M. Evans filed in support of the Motion, all other
4 pleadings and evidence submitted in connection with the Motion, and the oral arguments of record
5 made by counsel for American West Development, Inc. (“AWDI” or “Debtor”), debtor and debtor in
6 possession in the above-captioned bankruptcy case at the hearing held August 23, 2012; the Court
7 hereby finds that notice of the Motion was good and sufficient as provided, and with all other findings
8 set forth in the record at the hearing noted above incorporated herein, pursuant to Rule 52 of the Federal
9 Rules of Civil Procedure, made applicable to these proceedings by Rule 7052 of the Federal Rules of
10 Bankruptcy Procedure; and for good cause appearing,

11 **NOW, THEREFORE, IT IS HEREBY ORDERED THAT:**

- 12 1. The Motion is GRANTED in its entirety.
- 13 2. Debtor is authorized to settle Pricing Commitment claims pursuant to the Pricing
14 Commitment Settlement Protocol without further hearing or notice.

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16 Prepared and Respectfully Submitted by:

17 **FOX ROTHSCHILD LLP**

18 By /s/Brett A. Axelrod
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28 ¹ All capitalized terms not defined herein shall have the meaning ascribed to them in the Motion.

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CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, counsel submitting this document certifies as follows:

- The Court has waived the requirement of approval in LR 9021(b)(1).
- No party appeared at the hearing or filed an objection to the motion.
- I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:
- I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

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