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8 **UNITED STATES BANKRUPTCY COURT**

9 **DISTRICT OF NEVADA**

10 In re

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

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

27 Debtor.

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

Chapter 11

**DECLARATION OF JEFFREY S. STEIN
OF THE GARDEN CITY GROUP, INC.
REPORTING AND CERTIFYING THE
METHODOLOGY FOR THE
TABULATION OF VOTES ON AND
RESULTS OF VOTING WITH RESPECT
TO DEBTOR'S FIRST AMENDED
CHAPTER 11 PLAN OF
REORGANIZATION**

PLAN CONFIRMATION HEARING

Hearing Date: January 15, 2013
Hearing Time: 10:00 a.m.

28 Jeffrey S. Stein, being duly sworn, deposes and declares under the penalty of perjury:

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INTRODUCTION

1
2 1. I am over the age of 18, am mentally competent, have personal knowledge of the facts
3 in this matter, except where stated as based upon information and belief, and if called upon to testify,
4 could and would do so.

5 2. I am a Vice President with The Garden City Group, Inc. (“GCG”) and have personal
6 knowledge of the facts set forth herein. GCG is a bankruptcy and class action settlement
7 administration firm headquartered in Lake Success, New York.

8 3. Pursuant to the Order Authorizing Employment of GCG as Claims and Noticing Agent
9 entered March 8, 2012 [Docket No. 100], American West Development, Inc. (“Debtor”), debtor and
10 debtor in possession in the above-referenced chapter 11 bankruptcy case, retained GCG to assist with,
11 among other things, the solicitation and tabulation of votes in connection with the Debtor’s First
12 Amended Chapter 11 Plan of Reorganization, dated October 15, 2012 [Docket No. 714] (the “Plan”). I
13 am among the personnel who participated on behalf of GCG in providing these services to Debtor.

14 4. On December 12, 2012, the Bankruptcy Court entered the Amended Order: (I)
15 Approving (A) Adequacy of First Amended Master Disclosure Statement, (B) Adequacy and Use of
16 First Amended Home Owner Disclosure Statement as Plan Summary of First Amended Plan, (C)
17 Procedures and Schedule for the Solicitation, Submission and Tabulation of Votes, (D) Form and
18 Scope of Notices, and (E) Form of Ballots and Related Documents; (II) Scheduling Confirmation
19 Hearing and Related Deadlines; and (III) Granting Related Relief [Docket No. 791] (the “Solicitation
20 Procedures Order”)¹ which, among other things, approved (i) the Master Disclosure Statement
21 Prepared in Connection with Debtor’s First Amended Chapter 11 Plan of Reorganization [Docket No.
22 715], together with all exhibits thereto, including, as Exhibit A, the Plan (the “Master Disclosure
23 Statement”); (ii) the Short Form Home Owner Disclosure Statement Prepared in Connection with
24 Debtor’s First Amended Chapter 11 Plan of Reorganization [Docket No. 716] (the “Home Owner
25 Disclosure Statement”) as containing adequate information as such term is defined under section 1125

26
27 ¹ Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to such terms in the
28 Plan or the Solicitation Procedures Order, as applicable.

1 of the Bankruptcy Code; and (iii) the Solicitation Procedures attached as Exhibit “A” to the Solicitation
2 Procedures Order (the “Solicitation Procedures”).

3 MAILING OF SOLICITATION PACKAGES

4 5. The Solicitation Procedures Order and Solicitation Procedures govern, among other
5 things, the solicitation of votes to accept or reject the Plan from the following voting classes (the
6 “Voting Classes”):

7 CLASS	8 DESCRIPTION
9 Class 2	Secured Claims
10 Class 3	General Unsecured Claims (including Home Owners’ Class 3 Claims)
11 Class 4	Home Owners’ Construction Defect Claims

12 6. As evidenced by that certain Affidavit of Service, dated December 20, 2012 [Docket
13 No. 808], on December 17, 2012 (the “Solicitation Date”), at the direction of Fox Rothschild LLP,
14 counsel for the Debtor (“Fox Rothschild”), and in accordance with the Solicitation Procedures Order
15 and Solicitation Procedures:

16 a) GCG caused a true and correct copy of the following documents to be served by
17 overnight courier, postage prepaid, on the parties comprising Class 2 (Secured Claims)²: (i) Notice of
18 Confirmation Hearing, Objection Deadline and Related Matters for Debtor’s First Amended Chapter
19 11 Plan of Reorganization, Including Injunctions Contained Therein (the “Confirmation Hearing
20 Notice”); (ii) Master Disclosure Statement; (iii) Solicitation Procedures Order (including the
21 Solicitation Procedures but excluding the remaining exhibits thereto) (collectively, with the
22 Confirmation Hearing Notice and Master Disclosure Statement, the “Master Solicitation Package”);
23 (iv) customized Class 2 Ballot: for Use by Eligible Holder(s) of Secured Claim to Accept or Reject
24 Debtor’s First Amended Chapter 11 Plan of Reorganization; (v) customized Class 3 Ballot: for Use by
25 Eligible Holder of General Unsecured Claim to Accept or Reject Debtor’s First Amended Chapter 11

26
27 ² All of the parties in Class 2 (Secured Claims) also held general unsecured claims that were entitled to vote in
28 Class 3 (General Unsecured Claims).

1 Plan of Reorganization (the “Class 3 Ballot”); and (vi) pre-addressed, postage prepaid return envelope
2 addressed to GCG (the “GCG Return Envelope”);

3 b) GCG caused a true and correct copy of the following documents to be served by
4 first class mail, postage prepaid, on the appropriate parties in Class 3 (General Unsecured Claims): (i)
5 Master Solicitation Package; (ii) Class 3 Ballot; and (iii) GCG Return Envelope;

6 c) GCG caused a true and correct copy of the following documents to be served by
7 first class mail, postage prepaid, on the appropriate parties in Class 3 (Home Owners’ General
8 Unsecured Claims): (i) Confirmation Hearing Notice; (ii) Home Owner Disclosure Statement (together
9 with the Confirmation Hearing Notice, the “Home Owner Solicitation Package”); (iii) Class 3 Ballot;
10 and (iii) GCG Return Envelope;

11 d) GCG caused a true and correct copy of the following documents to be served by
12 first class mail, postage prepaid, on the parties comprising Class 4 (Home Owners’ Construction
13 Defect Claims)³: (i) Home Owner Solicitation Package; (ii) a customized Class 4 Ballot: for Use by
14 Eligible Holder of Construction Defect Claim to (I) Accept or Reject Debtor’s First Amended Chapter
15 11 Plan of Reorganization and (II) Make or Decline Cash Out Election; and (iii) GCG Return
16 Envelope;

17 e) GCG caused a true and correct copy of the following documents to be served by
18 first class mail, postage prepaid, on the parties comprising Class 1 (Other Priority Claims), Class 5
19 (Bond Claims), Class 6 (Old Equity Interests), and unclassified Administrative Claims and Priority Tax
20 Claims: (i) Confirmation Hearing Notice; and (ii) Notice of Non-Voting Status;

21 f) GCG caused a true and correct copy of the following documents to be served by
22 first class mail, postage prepaid, on the Holders of Claims that were subject to an objection to expunge
23 that was unresolved as of the Solicitation Date: (i) Confirmation Hearing Notice; and (ii) Disputed
24 Claim Notice;

25
26
27 ³ Parties listed in the Debtor’s Schedule F5 (Potential Construction Defect Claims), all of which were
28 scheduled as contingent, unliquidated and disputed, were allowed to vote in Class 4 in order to provide them with an
opportunity to make or decline the Cash Out Election.

1 g) GCG caused a true and correct copy of the Master Solicitation Package to be
2 served by first class mail, postage prepaid, on (i) parties to executory contracts and unexpired leases
3 listed in Debtors' Schedule G that did not fall within any of the categories described in paragraphs 6(a)
4 through 6(f) above and were not non-Debtor affiliates or parties to a Price Promise/Guaranty
5 Agreement; and (ii) parties on the Master Service List maintained by GCG; and

6 h) GCG caused a true and correct copy of the Confirmation Hearing Notice to be
7 served by first class mail, postage prepaid, on all parties in the creditor matrix maintained by GCG that
8 did not fall within any of the categories described in paragraphs 6(a) through 6(g) above.

9 7. GCG promptly complied with all requests for additional or replacement solicitation
10 materials and/or (in the case of parties entitled to vote) Ballots.

11 **TABULATION PROCEDURES**

12 8. Pursuant to the Solicitation Procedures Order, Voting Classes were instructed to return
13 the applicable Ballots to GCG at (i) AW Bankruptcy Administration, c/o GCG, Inc., PO Box 9748,
14 Dublin, OH 43017-5648, if by first class mail; or (ii) AW Bankruptcy Administration, c/o GCG, Inc.,
15 5151 Blazer Parkway, Suite A, Dublin, OH 43017-9306, if by overnight delivery or hand delivery, so
16 as to be received by GCG no later than January 4, 2013 at 3:00 p.m. prevailing Pacific Time (the
17 "Voting Deadline").

18 9. Upon GCG's receipt of a Ballot:

19 a) GCG personnel opened the envelope containing the Ballot and stamped it with the
20 date and time received. GCG then assigned a sequential number to the Ballot (the "Sequence
21 Number")⁴ and scanned it into GCG's system; and

22 b) GCG personnel then entered in a computer database, reserved exclusively for
23 recording votes in this case, all pertinent information from the Ballot, including the date and time of
24 receipt, Sequence Number, voting dollar amount, acceptance or rejection of the Plan, and, for Class 4
25 (Construction Defect Claims), whether the party opted to make the Cash Out Election.

26 _____
27 ⁴ As GCG had conducted a prior solicitation of votes in this case in connection with the Debtor's Chapter 11
28 Plan of Reorganization dated May 29, 2012 [Docket No. 263], GCG commenced the sequential numbering of Ballots in
connection with the solicitation that is the subject of this Declaration with the number "200".

1 10. In tabulating the votes, GCG complied in all respects with the provisions of the
2 Solicitation Procedures Order and the Solicitation Procedures, and each Claim in Class 3 (except the
3 Secured Lenders' Deficiency Claim) and Class 4 was tabulated for voting purposes in a dollar amount
4 based upon the following:

5 a) The amount listed in Debtor's Schedules for any Claim that (i) was not scheduled
6 as contingent, unliquidated or disputed, (ii) was not superseded by a timely-filed Proof of Claim, and
7 (iii) was not paid prior to the Solicitation Date⁵;

8 b) The liquidated amount set forth in a Proof of Claim that was or was deemed to be
9 timely-filed and not withdrawn or disallowed prior to the Solicitation Date and as to which no objection
10 was filed prior to the Solicitation Date; or

11 c) The amount of \$1.00 for a Proof of Claim (i) that was or was deemed to be timely
12 filed and not withdrawn or disallowed prior to the Solicitation Date, (ii) that did not set forth a
13 liquidated amount or was contingent or in a \$0 amount; and (iii) as to which no objection was filed prior
14 to the Solicitation Date; or

15 d) The amount agreed to be allowed by the Debtor or ordered to be allowed by the
16 Bankruptcy Court.⁶

17 11. In accordance with Lock-Up and Settlement Letter Agreement, the Secured Lenders'
18 Secured Claim in Class 2 and Deficiency Claim in Class 3 were temporarily allowed for voting
19 purposes in the amounts provided by the Administrative Agent of the Term Loan.

20
21 _____
22 ⁵ Pursuant to instructions from Fox Rothschild, Class 4 Ballots submitted by parties listed in the Debtor's
23 Schedule F5 (Potential Construction Defect Claims) who did not file a proof of claim and who declined to make the
24 Cash Out Election were tabulated in the amount of \$1.00. Ballots submitted by parties listed in Debtor's Schedule F5
25 who made the Cash Out election were tabulated in the amount of \$216.00, which is the Debtor's estimated amount of
26 the Cash Out Payment.

27 ⁶ Pursuant to instructions from Fox Rothschild, Class 3 Ballots submitted by Critical Vendors whose Claims
28 were paid pursuant to the Orders Authorizing Payment of Critical Vendor Claims [Docket Nos. 99 and 602] were
tabulated in the amount of \$1.00. Pursuant to a stipulation between the Debtor and Future Claims Representative
approved by an Order of the Bankruptcy Court entered August 29, 2012 [Docket No. 605], the Class 4 Ballot submitted
by the Future Claims Representative on behalf of Construction Defect claimants who did not file their own Proofs of
Claim or submit their own Class 4 Ballots by the Voting Deadline (each, a "Non-Responding Home Owner") was
tabulated in the amount of \$1,000 and counted as one vote for each Non-Responding Home Owner. There was a total
of 2,697 Non-Responding Home Owners.

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1 12. In accordance with the Solicitation Procedures Order, the following Ballots were not
2 counted or considered for any purpose in determining whether the Plan has been accepted or rejected:

- 3 a) any Ballot received after the Voting Deadline;
- 4 b) any Ballot that was not signed;
- 5 c) any Ballot that was illegible or unidentifiable;
- 6 d) any Ballot submitted by a party that was not an Eligible Holder; or
- 7 e) any Ballot submitted by facsimile or electronic mail.

8 13. Pursuant to the Solicitation Procedures, GCG tabulated all of the Ballots in accordance
9 with the following procedures and assumptions:

10 a) if multiple Ballots were received prior to the Voting Deadline from the
11 same Eligible Holder with respect to the same Claim in an Impaired Class, then the last valid Ballot
12 timely received was the only Ballot counted and such Ballot superseded all prior Ballots;

13 b) each Holder of more than one Claim in the same Impaired Class was
14 treated for vote tabulation purposes (i.e., numerosity) as if such Eligible Holder had only one (1) Claim
15 in the applicable Class with a total dollar amount equal to the sum of the aggregated Claims of such
16 Eligible Holder in such Class;

17 c) Eligible Holders were required to vote all of their Claims within a
18 particular Impaired Class either to accept or reject the Plan and were not permitted to split votes. If an
19 Eligible Holder purported to split its vote for a particular Claim, or to split votes for Claims in an
20 Impaired Class (i.e., certain Claims to accept and certain Claims to reject the Plan), then all such Claims
21 were deemed to be voted to accept the Plan;

22 d) any Ballot that did not indicate a vote to accept or reject the Plan, or that
23 indicated a vote to both accept and reject the Plan was deemed a vote to accept the Plan; and

24 e) Class 4 Ballots that purported to reject the Plan, or abstain from voting to
25 accept or reject the Plan, but which indicated election of the Cash Out Election, were deemed to be
26 votes to accept the Plan.

27 14. GCG has complied in all respects with the provisions of the Solicitation Procedures
28 Order, including as to provisions thereof not explicitly set forth herein.

1 15. GCG is in possession of the Ballots received, and the same are available for review
 2 during GCG's regular business hours at 1515 Blazer Parkway, Dublin, OH 43017 ("GCG's Premises").
 3 At some point prior to the hearing on confirmation of the Plan, GCG will turn over to Fox Rothschild
 4 the original Ballots. Thereafter, a copy of the Ballots will be available for review at GCG's Premises or
 5 by email upon request.

6 **TABULATION RESULTS**

7 16. The results of the tabulation of valid Ballots are set forth below:

CLASS	ACCEPT THE PLAN		REJECT THE PLAN		CLASS 4 CASH OUT
	Dollar Amount Voted/ Percentage of Total Dollar Amount	Number of Votes/ Percentage of Number of Votes	Dollar Amount Voted/ Percentage of Total Dollar Amount	Number of Votes/ Percentage of Number of Votes	Count
2	\$ 49,635,000.00 / 100.00%	1 / 100.00%	0 / 0%	0 / 0%	N/A
3	\$139,561,029.02 / 100%	24 / 100%	\$0 / 0%	0 / 0%	N/A
4	\$2,724,931.00 / 99.9997%	2,750 / 99.75%	\$7.00 / .0003%	7 / .25%	21

17 17. Exhibit A attached hereto sets forth a detailed accounting of the aforesaid tabulation.

18 18. Exhibit B attached hereto sets forth a detailed accounting of all invalid Ballots. With
 19 respect thereto, the following entries under "Reasons for Invalid Status" have the following meanings:

- 20 a) "Not Signed" means that the Ballot did not contain an original signature; and
- 21 b) "Superseded" means that the voter cast a later-filed valid Ballot.

22 19. This Declaration and Exhibits A and B attached hereto constitute the Voting Report
 23 described in the Solicitation Procedures.

24 20. In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the
 25 foregoing is true and correct to the best of my information, knowledge and belief.

26 Dated: January 8, 2013

27 By Jeffrey S. Stein
 28 Jeffrey S. Stein

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EXHIBIT A


DETAIL REPORT OF VOTING RESULTS

01/08/2013 10:22 AM

American West Development, Inc.
Class 2- Secured Claims

Ballot ID and Voter Name	\$ Value Accepting	\$ Value Rejecting
# 200 : CALIFORNIA BANK & TR, & AS ADMIN AGT	\$49,635,000.00	\$0.00
Total Amount	\$49,635,000.00	\$0.00
Total Count	1	0

Class 3- General Unsecured Claims

Ballot ID and Voter Name	\$ Value Accepting	\$ Value Rejecting
# 252 : AWH VENTURES, INC.	\$10,451,884.65	\$0.00
# 201 : CALIFORNIA BANK & TR, & AS ADMIN AGT	\$127,909,950.00	\$0.00
# 274 : CESAR AND ANACLETA G UY	\$32,237.50	\$0.00
# 272 : CHRISTOPHER AND TAMMY BRYANT	\$97,350.62	\$0.00
# 271 : CHRISTOPHER DEROSI	\$125,683.74	\$0.00
# 266 : DAN AND TONYA MURPHY	\$85,000.00	\$0.00
# 282 : DAN BRADLEY GLASS SHOP INC	\$1.00	\$0.00
# 283 : DANIEL & WENDI BLOEDORN	\$67,680.07	\$0.00
# 245 : EDWARD LEE DEJOHNETTE	\$62,500.00	\$0.00
# 265 : JESSE ROMERO AND TONYA E ROMERO	\$59,426.09	\$0.00
# 238 : KELSEY E LONG AND SALLY LONG	\$57,500.00	\$0.00
# 286 : LARRY D STOKES	\$41,612.50	\$0.00
# 269 : NATHAN AND JULIA HAMBY	\$86,841.95	\$0.00
# 241 : RED ROCK INSULATION	\$1.00	\$0.00
# 204 : ROADRUNNER DRYWALL CORP	\$1.00	\$0.00
# 226 : ROBERT C JR AND KAREN E BURRIS	\$63,924.31	\$0.00
# 264 : RUBEN AND VERONICA VILLEGAS	\$52,500.00	\$0.00
# 209 : SATHIENE RATTANAKONE	\$85,225.00	\$0.00
# 270 : SCOTT FISCHMAN	\$63,500.00	\$0.00
# 202 : SOFIA A WILLIAMS	\$61,500.00	\$0.00
# 232 : STERLING NEVADA LLC	\$1.00	\$0.00
# 220 : STEVEN G CHAYRA	\$32,500.00	\$0.00
# 267 : THOMAS E HUHN AND TRISTAN IVY	\$62,208.59	\$0.00


DETAIL REPORT OF VOTING RESULTS

01/08/2013 10:22 AM

American West Development, Inc.
Class 3- General Unsecured Claims

<u>Ballot ID and Voter Name</u>	<u>\$ Value Accepting</u>	<u>\$ Value Rejecting</u>
# 268 : TREVOR AND DENISE HENSON	\$62,000.00	\$0.00
Total Amount	\$139,561,029.02	\$0.00
Total Count	24	0

Class 4- Construction Defect Claims

<u>Ballot ID and Voter Name</u>	<u>\$ Value Accepting</u>	<u>\$ Value Rejecting</u>	<u>Elect Cash Option</u>
# 206 : AAA NEVADA FIRE & CASUALTY INSURANCE CO	\$1,000.00	\$0.00	
# 215 : ADAM R BROWN	\$216.00	\$0.00	Y
# 205 : ALMA L MEJORADO/JORGE MUNOZ	\$216.00	\$0.00	Y
# 279 : AMANDA MANNING	\$216.00	\$0.00	Y
# 273 : ANACLETA G UY / CESAR I UY	\$1.00	\$0.00	
# 237 : ANDY ZAMARIPA	\$1.00	\$0.00	
# 228 : ANTONIO F AND MERCEDITA M C PASCUA	\$216.00	\$0.00	Y
# 251 : ARDELL GALBRETH	\$0.00	\$1.00	
# 255 : DAMIAN ARROYO	\$216.00	\$0.00	Y
# 218 : DANIEL AND JUDITH G RINALDI	\$216.00	\$0.00	Y
# 275 : DR TERRELLA M BUTLER	\$216.00	\$0.00	Y
# 243 : EDWARD K TSAI	\$0.00	\$1.00	
# 244 : EDWARD LEE DEJOHNETTE	\$216.00	\$0.00	Y
# 214 : EDWARD SUZARA	\$1.00	\$0.00	
# 284 : ELIZABETH J RUSSELL	\$1.00	\$0.00	
# 235 : ESCOLASTICO T PASCO	\$1.00	\$0.00	
# 256 : EVAN E JUNG	\$0.00	\$1.00	
# 216 : FEDERAL NATIONAL MORTGAGE ASSN	\$1.00	\$0.00	
# 249 : FLORA D JACKSON	\$216.00	\$0.00	Y
# 262 : GIL SILVA	\$1.00	\$0.00	
# 229 : HARRY SCOTT KONOPINSKI	\$216.00	\$0.00	Y
# 222 : JAIME AND ERLINDA JAZMIN	\$216.00	\$0.00	Y
# 250 : JAKE JR AND JOY F WALKER	\$216.00	\$0.00	Y


DETAIL REPORT OF VOTING RESULTS

01/08/2013 10:22 AM

American West Development, Inc.
Class 4- Construction Defect Claims

Ballot ID and Voter Name	\$ Value Accepting	\$ Value Rejecting	Elect Cash Option
# 231 : JAMES L MOORE FUTURE CLAIMS REP	\$2,697,000.00	\$0.00	
# 277 : JESUS CARDONA MARIA C CARDONA	\$1.00	\$0.00	
# 207 : JOHN AND RITA HEFTY	\$216.00	\$0.00	Y
# 234 : JOHN CORSO	\$0.00	\$1.00	
# 219 : JUAN M FOUCES	\$1.00	\$0.00	
# 239 : KELSEY E AND SALLY LONG	\$216.00	\$0.00	Y
# 259 : KHOULA HADEED	\$216.00	\$0.00	Y
# 285 : LARRY D STOKES	\$1.00	\$0.00	
# 287 : LARRY J & LEE AUDREY MOORE	\$1.00	\$0.00	
# 253 : M AND L INVESTMENTS I LLC	\$432.00	\$0.00	Y
# 257 : MARIO & CASSANDRA STADTLANDER	\$1.00	\$0.00	
# 276 : MICHAEL E AND CARLA C JACKSON	\$1.00	\$0.00	
# 212 : MICHELE HOWARD	\$216.00	\$0.00	Y
# 281 : NOELLE GERACI/SHIRLEY GERACI	\$216.00	\$0.00	Y
# 242 : OH SANG KWON	\$0.00	\$1.00	
# 227 : PETER AND MICHELE MAGLIONE	\$216.00	\$0.00	Y
# 223 : REBECCA STADTLANDER	\$1.00	\$0.00	
# 224 : RICHARD FELDSTEIN	\$216.00	\$0.00	Y
# 278 : RICK A AND LAURA M DIBLASIO	\$216.00	\$0.00	Y
# 225 : ROBERT C JR AND KAREN E BURRIS	\$1.00	\$0.00	
# 261 : ROBERT FINDLAY	\$1.00	\$0.00	
# 248 : ROBERT W & KAREN Y MALLORY	\$216.00	\$0.00	Y
# 213 : ROBERTO AND CYNTHIA GUZMAN	\$216.00	\$0.00	Y
# 240 : ROGER F BERNHARDT	\$216.00	\$0.00	Y
# 236 : RUBEN AND VERONICA VILLEGAS	\$216.00	\$0.00	Y
# 210 : SATHIENE RATTANAKONE	\$216.00	\$0.00	Y
# 246 : SHARON FOSTER	\$20,000.00	\$0.00	Y
# 203 : SOFIA A WILLIAMS	\$216.00	\$0.00	Y
# 260 : SON BAC TRAN/THUY T NGUYEN	\$1.00	\$0.00	


DETAIL REPORT OF VOTING RESULTS

01/08/2013 10:22 AM

American West Development, Inc.
Class 4- Construction Defect Claims

Ballot ID and Voter Name	\$ Value Accepting	\$ Value Rejecting	Elect Cash Option
# 208 : SPATAFORA LIVING TRUST	\$0.00	\$1.00	
# 221 : STEVEN G CHAYRA	\$216.00	\$0.00	Y
# 280 : TRENT RICHARDS	\$0.00	\$1.00	
# 247 : TSAI FAMILY TRUST	\$216.00	\$0.00	Y
# 211 : VINCE MIYANO	\$1.00	\$0.00	
# 263 : WADE LICH & B KENNEDY FAMILY TRUST	\$216.00	\$0.00	Y
# 230 : WEIDONG WU	\$216.00	\$0.00	Y
# 258 : YELENA GERTSON	\$1.00	\$0.00	
Total Amount	\$2,724,931.00	\$7.00	
Total Count	2749	7	

EXHIBIT B



Invalid Ballots
American West Development, Inc.

Class:4 - Construction Defect Claims

Ballot ID and Voter Name	Reason for Invalid Status	Ballot Value	Vote
# 233 : JEANETTE M DISERIO	Not Signed	\$1.00	Accept
# 217 : JUAN M FOUCES	Superseded	\$1.00	Accept
# 254 : M AND L INVESTMENTS I LLC	Aggregated	\$216.00	Accept
	Total:	<u>\$218.00</u>	