



09-2-08315-6 32673119 MTRF 08-20-09

The Honorable Frank E. Cuthbertson

FILED
IN COUNTY CLERK'S OFFICE

A.M. AUG 19 2009 P.M.

PIERCE COUNTY, WASHINGTON
KEVIN STOCK, County Clerk
BY _____ DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE

In Re:

MCUBE PETROLEUM, INC., a Washington corporation;

BASILAM PETROLEUM, LLC, a Washington limited liability company;

DISKI PETROLEUM, LLC, a Washington limited liability company; and

HALMAHERA - REMBANG, LLC, a Washington limited liability company.

Case No. 09-2-08315-6

RECEIVER'S EX PARTE MOTION TO REVISE CASE MANAGEMENT ORDER

William L. Beecher, Receiver, makes this *ex parte* Motion for an Order to revise the Case Management Order entered by this Court on July 21, 2009. In particular, the Receiver seeks to modify the method of publication and revise the Claims Bar Date contained in the Proof of Claim previously approved by this Court.

1. Method of Publication.

In its current form, the Case Management Order requires that the Notice of Pendency of Receivership Proceeding, Claims Bar Date Notice, and Proof of Claim Form (the "Notice") be published in both the Tacoma News Tribune and the Seattle Times newspapers. Under RCW 7.60.200, the Notice is only required to be published in one such publication. The Receiver requests that publication of the Notice be limited to the Tacoma News Tribune.

1 **2. Claims Bar Date.**

2 The Proof of Claim form approved by the Court identifies November 13, 2009 as the
3 Claims Bar Date for the initial claims in this Receivership action. The Notice was first
4 published on August 14, 2009 and, based on that date of first publication, the Claims Bar Date
5 should be no earlier than December 12, 2009, 120 days after the date of first publication. The
6 Receiver requests to change the Proof of Claim form to reflect, for the purpose of publication
7 *only, a new Claims Bar Date of December 12, 2009, and to otherwise leave that date blank, to*
8 *be filled in with appropriate dates consistent with the dates actual notice is given to specific*
9 *creditors as they are discovered.*

10 DATED this 18th day of August, 2009.

11 SMITH ALLING LANE, P.S.

12
13 By 

14 Paul E. Brain, WSBA #13438

15 Mark B. Anderson, WSBA #25895

16 Attorneys for Receiver
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PROOF OF CLAIM

Date claim prepared _____ Date received _____
Claim Number _____

Claimant Name: _____

Claimant Mailing Address _____
City _____ State _____ Zip _____

Acct # (if any) _____

Tax Payer ID # _____
(Note: please redact this from any document you intend to file in a public record)

THE LAST DATE TO FILE CLAIMS IS _____

1. Amount of Claim \$ _____
2. Consideration for this claim (or basis for liability):

3. If the claim is based on a writing, please attach a legible copy of the writing to the Proof of Claim form.
4. Secured claims: If you believe your claim is secured, please provide copies of all security agreements or instruments and evidence of perfection of your security interest.
5. Identify and describe any and all investments, payments, deposits, receipts, redemptions, credits, or repayments of any and all transactions you have had with any of the Receivership Companies. You may do this on a separate sheet.
6. Have you at any time been an officer, director, partner, or shareholder in any of the Receivership Companies?
 Yes No If yes, please identify and describe on a separate sheet.
7. Is this claim subject to any set-off or counterclaim that you are aware of?
 Yes No If yes, please identify and describe on a separate sheet.
8. Has a court judgment been rendered on your claim?
 Yes No If yes, please identify and describe on a separate sheet.
9. If this claim has been obtained by assignment, please provide the original holder and a copy of the assignment or explanation of said assignment.

Signature of Claimant or Representative

Printed Name:

Date Signed:

NOTICE - 3

EXHIBIT A

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