

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**F I L E D**  
UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
JUL 9 2010  
KENNETH S. GARDNER, CLERK  
PS REP. - MBM

In re: ) Chapter 11  
)  
LIFE FUND 5.1, LLC, et al ) Case No. 09 B 32672  
)  
Debtors. ) Jointly Administered

**Motion Objecting to Approval of Trustee's Attorneys Fees and Motion to Reconsider Appointment of the Current Trustee**

Comes now Mary Lynn Kantara, pro se and creditor, and request the court delay approval of payment of the trustee's attorney fees without a detailed review by the court and requests the court reconsider the appointment of the trustee and in support shows.

**Facts**

1. On September 16, 2009, the court ordered the appointment of a "disinterested person" to serve as trustee.
2. On September 21, 2009, Patrick Collins was appointed as trustee for this case.
3. On November 19, 2009, Patrick Collins filled an objection to the election of a chapter 11 trustee.
4. On March 8, 2010, the court overruled the objection of trustee Patrick Collins and appointed Jeffrey Marwil as trustee.
5. On June 24<sup>th</sup>, 2010, the trustee file his fourth status report.
6. Within this status report, the trustee listed as his, and his attorney's fees, an amount of \$330,000.
7. Within this status report, the trustee states

**"although certain investors other than those identified in paragraph six (6) below may believe that they have a direct interest in a Policy, their interests do not rise to the level of ownership or of a secured creditor and they are**

**therefore general unsecured creditors of the Estates and or equity interest holders in certain of the Debtors.”**

### **Argument**

Movant believes the current trustee's fees appear excessive when compared to the fees of the previous trustee. Movant would request the court conduct a detailed review and confirm that these fees are indeed justified prior to their approval by the court.

Movant also believes the statement referenced in #7 under facts, demonstrates a bias by the trustee and inclination to favor certain groups of fraud victims over others. Movant believes this concern was, in part, the basis for the objection to this trustee's election as voiced by the previous trustee Patrick Collins. Movant would request the court reconsider the appointment of the current trustee and reappoint the previous trustee who has experience in dealing with fraud.

Movant also believes the application of legal constructs from legitimate business are not appropriate in what appears to be a completely fraudulent enterprise, and in the alternative to reconsideration of the trustee appointment, would request the court order the trustee to refrain from attempting to determine which fraud victim has a "valid or properly perfected security interest" in assets from a fraudulent enterprise, and concentrate on maximizing the recovery of assets and on the fair and just distribution of any recovered assets to all investors who are fraud victims equally.

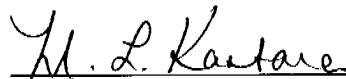
Movant is a single mother of 4 young children, 2 are disabled and have special needs. The money she was defrauded of represented her entire savings, and she does not have the resources to hire an attorney or to travel and participate in these proceedings. Therefore, it is even more incumbent that the trustee act fair and even handedly to all investors.

### **Prayer**

1. Movant prays the court consider her motion, despite the fact that she is unable to hire an attorney or appear in person due to her financial limitations.

2. Movant requests the court reconsider its appointment of Jeffrey Marwil, the current trustee, and reappoint Patrick Collins as trustee, or in the alternative, order the trustee to treat all fraud victims equally and fairly and not expend resources on trying to determine which fraud victim has a theoretically "valid or properly perfected security interest" in what appears to be a completely fraudulent enterprise.
3. Movant requests the court under take a thorough review of the trustee and trustee's attorneys fees to determine if they are indeed fair, just and appropriate, when compared to the fees of the previous trustee.
4. Grant Movant any other relief she may be entitled to in law or equity.

Respectfully submitted

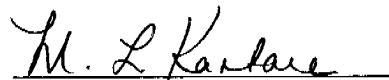


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#### CERTIFICATE OF SERVICE

I, Mary Lynn Kantara, pro se and creditor, hereby certify that on July 7, 2010, I caused copies of the enclosed "Motion Objecting to Approval of Trustee's Attorneys Fees and Motion to Reconsider Appointment of the Current Trustee" to be served upon those parties by first class mail.

Dated July 7, 2010



By Mary Lynn Kantara

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