



## MEMORANDUM

To: Tenant in Common (TIC) Investors in the following properties:

Apple Ridge	Fishers Landing	Oak Tree Village
Autumn Glen	Flint River	Osprey Court
Autumn Park	French Quarter	Palms, The
Azalea Gardens	Georgian Place	Park Avenue Estates
Big Sky	Glendale Place	Park Place – OR
Bluffs at Northwood Apartments	Golden Eagle Plaza	Parkway Village
Brookside	Grayson View Selinsgrove	Peachtree Village - GA
Buckingham Estates	Hawthorne Inn at Greenville	Peachtree Village – NM
Canterbury Court	Hawthorne Inn at Hilton Head	Peridot
Canterbury Gardens	Heritage, The	Plaza on the River
Carriage Inn	HR Salem Associates aka Neilsen Manufacturing	Remington House
Cedar Ridge	La Villa	Rosemont at Clearlake
Chestnut Lane	Laurel Gardens	Sandia Springs
Chris Ridge	Legacy Crossing	Spring Creek Gardens
Churchill	Lexington Gardens	Spring Estates
Cottage Village	Magnolia Gardens	Sugarland Ridge
Cottages, The	Manchester House	Terrace at Jasper
Culpepper Place	Maplewood	Terrace at Riverstone
Desert Springs	Minnetonka	Terrace at Woodstock
Eagle Cove	Monroe House	Waterford in Bellevue
Eldorado Heights	Moses Lake	West Park Place
Emerald Estates	Mountain View (Ashland)	Westbrook Gardens
Emerald Pointe	Northpark Place	Willow Creek
Englewood Heights		Willow Trace Apartments
Fairview Business Flex Park		Wyndmoor
		Yakima Medical School

From: Clyde Hamstreet, Sunwest CRO

Re: Extension of response deadline in TIC adversary proceedings to January 6, 2010

Date: November 20, 2009

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If you hold a TIC interest in one of the properties listed above, you have received a summons and complaint filed against you in the Sunwest Unitary Enterprise chapter 11 case known as Stayton SW Assisted Living. On October 29, the Court entered an order setting the deadline for your response in these cases to November 25, 2009.

We understand that in order to file an informed response, you need to have more information about your elections and options under the Distribution Plan approved by the Court in the Sunwest SEC Receivership case. Due to ongoing negotiations relating to the bankruptcy Plan of Reorganization (POR) and the continuing complexity of this case, we have fallen behind our anticipated deadlines despite working very hard to meet them. Currently, we are aiming to file the POR and accompanying Disclosure Statement during Thanksgiving week. The POR and Disclosure Statement—both of which must ultimately be approved by the Court—will offer all parties the most thorough and best source of information available at the time of their filing.

In light of these adjusted deadlines, **we have filed a motion (attached) to extend the response deadline in the adversary proceedings on the properties listed above to January 6, 2010.**

*(Please note: We are sending memos similar to this one to investors in other properties, which may have different response deadlines due to different property circumstances. If you receive more than one memo, please pay close attention to the properties listed at the top so that you can track the deadlines appropriately.)*

We cannot say when the Court will rule on our motion to further extend the response deadline. However, **the CRO commits to you that no action will be taken against TICs in the properties listed above before January 6, 2010. Thus, even if the Court does not officially extend the deadline, you will have until January 6, 2010 to file a formal response.**

We realize that some of you may be traveling during the holidays and have difficulty getting the materials we send or filing a response by the deadline. If this is your situation, please contact Pam Mattson at Sunwest Management. She will note down your contact and travel information, and we will do our best to accommodate you in meeting or getting exceptions to the deadlines. Pam's contact information is: [pam.mattson@sunwestmanagement.com](mailto:pam.mattson@sunwestmanagement.com), telephone 503-485-4628.

If you have other questions about the content of this memo or the adversary proceeding response deadline for your property, you may also email Maren Cohn at [mcohn@hamstreet.net](mailto:mcohn@hamstreet.net).

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Attorneys for Debtor

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

In re

**USDC Case No. 09-cv-6082-HO**

**STAYTON SW ASSISTED LIVING,  
L.L.C.**, (Constituting the Sunwest Unitary  
Enterprise as determined by the Order entered  
on October 2, 2009 in U.S. District Court Case  
No. 09-cv-6056-HO),

Debtor.

Bankruptcy Court  
Case No. 08-36637-tmb11  
(Reference Withdrawn)

**JOINT MOTION OF DEBTOR AND  
TENANTS-IN-COMMON COMMITTEE  
TO EXTEND TIME TO RESPOND TO  
CERTAIN 11 USC § 363(h) ADVERSARY  
PROCEEDINGS**

Stayton SW Assisted Living, L.L.C., Debtor, has filed adversary proceedings pursuant to 11 USC § 363(h) to compel the sale or transfer of tenant in common interests in real property. Debtor and the Tenants-in-Common Committee move the Court for an Order

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extending to January 6, 2010 the time for defendants in the cases listed on Exhibit 1 to file a motion or answer to the complaint.

DATED: November 19, 2009.

TONKON TORP LLP

By \_\_\_\_\_  
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Timothy J. Conway, OSB No. 851752  
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Attorneys for Debtor

KARR TUTTLE CAMPBELL

By \_\_\_\_\_  
Merrilee A. MacLean, WSBA #12732  
Admitted *Pro Hac Vice*  
Attorneys for the Tenants-in-Common Committee

## EXHIBIT 1

Apple Ridge 6:09-cv-06600-HO	Eagle Cove 6:09-cv-06626-HO	Legacy Crossing 6:09-cv-06644-HO
Autumn Glen 6:09-cv-06601-HO	Eldorado Heights 6:09-cv-06627-HO	Lexington Gardens 6:09-cv-06645-HO
Autumn Park 6:09-cv-06602-HO	Emerald Estates 6:09-cv-06698-HO	Magnolia Gardens 6:09-cv-06648-HO
Azalea Gardens 6:09-cv-06603-HO	Emerald Pointe 6:09-cv-06699-HO	Manchester House 6:09-cv-06649-HO
Big Sky 6:09-cv-06605-HO	Englewood Heights 6:09-cv-06628-HO	Maplewood 6:09-cv-06650-HO
Bluffs at Northwood Apartments 6:09-cv-06608-HO	Fairview Business Flex Park 6:09-cv-06629-HO	Minnetonka 6:09-cv-06652-HO
Brookside 6:09-cv-06611-HO	Fishers Landing 6:09-cv-06630-HO	Monroe House 6:09-cv-06653-HO
Buckingham Estates 6:09-cv-06612-HO	Flint River 6:09-cv-06631-HO	Moses Lake 6:09-cv-06654-HO
Canterbury Court 6:09-cv-06613-HO	French Quarter 6:09-cv-06632-HO	Mountain View (Ashland) 6:09-cv-06701-HO
Canterbury Gardens 6:09-cv-06614-HO	Georgian Place 6:09-cv-06634-HO	Northpark Place 6:09-cv-06656-HO
Carriage Inn 6:09-cv-06795-HO	Glendale Place 6:09-cv-06635-HO	Oak Tree Village 6:09-cv-06657-HO
Cedar Ridge 6:09-cv-06796-HO	Golden Eagle Plaza 6:09-cv-06636-HO	Osprey Court 6:09-cv-06659-HO
Chestnut Lane 6:09-cv-06617-HO	Grayson View Selinsgrove 6:09-cv-06637-HO	Palms, The 6:09-cv-06660
Chris Ridge 6:09-cv-06618-HO	Hawthorne Inn at Greenville 6:09-cv-06638-HO	Park Avenue Estates 6:09-cv-06661-HO
Churchill 6:09-cv-06619-HO	Hawthorne Inn at Hilton Head 6:09-cv-06639-HO	Park Place - OR 6:09-cv-06662-HO
Cottage Village 6:09-cv-06622-HO	Heritage, The 6:09-cv-06641-HO	Parkway Village 6:09-cv-06663-HO
Cottages, The 6:09-cv-06621-HO	HR Salem Associates aka Neilsen Manufacturing 6:09-cv-06642-HO	Peachtree Village - GA 6:09-cv-06702-HO
Culpepper Place 6:09-cv-06797-HO	La Villa 6:09-cv-06643-HO	Peachtree Village - NM 6:09-cv-06664-HO
Desert Springs 6:09-cv-06624-HO	Laurel Gardens 6:09-cv-06647-HO	Peridot 6:09-cv-06665-HO
		Plaza on the River 6:09-cv-06666-HO

Remington House  
6:09-cv-06671-HO

Rosemont at Clearlake  
6:09-cv-06674-HO

Sandia Springs  
6:09-cv-06675-HO

Spring Creek Gardens  
6:09-cv-06678-HO

Spring Estates  
6:09-cv-06703-HO

Sugarland Ridge  
6:09-cv-06679-HO

Terrace at Jasper  
6:09-cv-06682-HO

Terrace at Riverstone  
6:09-cv-06683-HO

Terrace at Woodstock  
6:09-cv-06684-HO

Waterford in Bellevue  
6:09-cv-06685-HO

West Park Place  
6:09-cv-06687-HO

Westbrook Gardens  
6:09-cv-06686-HO

Willow Creek  
6:09-cv-06704-HO

Willow Trace Apartments  
6:09-cv-06689-HO

Wyndmoor  
6:09-cv-06690-HO

Yakima Medical School  
6:09-cv-06691-HO

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **JOINT MOTION OF DEBTOR AND TENANTS-IN-COMMON COMMITTEE TO EXTEND TIME TO RESPOND TO CERTAIN 11 USC § 363(h) ADVERSARY PROCEEDINGS** on the parties indicated as "ECF" on the attached List of Interested Parties by electronic means through the Court's Case Management/Electronic Case File system on the date set forth below.

In addition, I served the foregoing on the parties indicated as "Non-ECF" on the attached List of Interested Parties by mailing a copy thereof in a sealed, first-class postage prepaid envelope, addressed to each party's last-known address and depositing in the U.S. mail at Portland, Oregon on the date set forth below.

DATED: November 19, 2009.

TONKON TORP LLP

By /s/ Jeanne M. Chamberlain

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