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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

In re

ARA MACAO HOLDINGS, L.P.,

Putative Debtor.

Chapter 11 (Involuntary)

Case No. 3:18-bk-03615-PS

**MOTION TO CONVERT PROCEEDING
TO VOLUNTARY ACTION UNDER
CHAPTER 11**

NOW comes Ara Macao Holdings, L.P. (“Ara Macao”), who respectfully moves to convert this involuntary proceeding to a voluntary action under Chapter 11.

1. On April 6, 2018, petitioning creditors commenced this involuntary Chapter 11 action against Ara Macao Holdings, L.P. under 11 U.S.C. §303.

2. Ara Macao desires to convert this involuntary action to a voluntary action under 11 U.S.C. § 301.

3. 11 U.S.C. § 303(h) provides that an order for relief shall be granted only upon certain findings after trial.

4. By contrast, under 11 U.S.C. § 301(b), “The commencement of a voluntary case under a chapter of this title constitutes an order for relief under such chapter.” Consequently, Ara Macao hereby moves for the immediate entry of an order for relief.

1 5. The Court has set an Oral Argument on the Motion to Appoint a Trustee for May
2 16, 2018 at 2:00 p.m. Ara Macao nevertheless recognizes its obligations and responsibilities as
3 a voluntary Chapter 11 debtor, and will comply with all applicable governing provisions of the
4 Bankruptcy Code and the Federal Rules of Bankruptcy Procedure, reserving unto all parties
5 their rights with regard to the court's ruling with regard to appointment of the trustee.

6 RESPECTFULLY SUBMITTED this 7th day of May, 2018.

7 MACAO HOLDINGS, L.P.

8
9 By: IOVEST MANAGEMENT, INC.
10 Its: General Partner

11
12 
13 _____
14 Paul Goguen

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16
17 Copy of the foregoing sent this
18 7th day of May, 2018, to:

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/s/ Lindsay Petrowski
