

1 Mark J. Giunta, Esq., SBN 015079  
LAW OFFICE OF MARK J. GIUNTA  
2 845 N. Third Avenue  
Phoenix, AZ 85003-1408  
3 Phone: (602) 307-0837  
4 Fax: (602) 307-0838  
e-mail: mark.giunta@azbar.org

5 Attorney for Reorganized Debtor

6  
7 **UNITED STATES BANKRUPTCY COURT**

8 **DISTRICT OF ARIZONA**

9 In re:

10 VISITALK CAPITAL CORPORATION, a  
11 Nevada Corporation, formerly known as  
VISITALK.COM, INC., an Arizona  
12 corporation,

13 Reorganized Debtor.

**Bankruptcy No. 00-13035-ECF-RTB**

**AMENDED NOTICE OF FILING  
APPLICATION TO APPOINT  
CREDITOR'S TRUSTEE PURSUANT  
TO PLAN**

14  
15 NOTICE IS HEREBY GIVEN that the Visitalk Capital Corporation (the "Reorganized  
16 Debtor") has filed the Application To Appoint Creditor's Trustee Pursuant To Plan  
17 ("Application"), dated September 20, 2004, in the above-captioned proceeding.  
18

19 Pursuant to the Application, the Reorganized Debtor requests, pursuant to Section 12.4 of  
20 the Reorganized Debtor's Second Joint Plan of Reorganization Dated June 22, 2004 ("Plan"),  
21 that the Court enter an Order approving the appointment of Biltmore Associates as Creditor's  
22 Trustee ("Trustee") of the Creditors' Trust identified in Article 12 of the Plan.  
23

24 NOTICE IS FURTHER GIVEN that pursuant to Local Bankruptcy Rule 2001, if no  
25 written objection is filed with the Court and copy thereof served upon Mark J. Giunta, 845 North  
26 Third Ave., Phoenix, AZ 85003-1406 WITHIN TEN (10) DAYS of service of this Notice, the  
27 Application may be granted without further hearing.  
28

1 The Application will be sent to all unsecured creditors pursuant to Section 12.4 of the  
2 Plan. Additionally, the Application is on file with the Clerk of the United States Bankruptcy  
3 Court, P.O. Box 34151, Phoenix, AZ 85067-4151, and is available for review by any creditor or  
4 interested party or a copy can be obtained by contacting Mark J. Giunta, 845 North Third Ave.,  
5 Phoenix, AZ 85003-1408, (602) 307-0837.

6 RESPECTFULLY SUBMITTED this 21<sup>st</sup> day of September, 2004.

7  
8 LAW OFFICE OF MARK J. GIUNTA

9  
10 By /s/ 015079  
11 Mark J. Giunta, Esq.  
12 845 North Third Street  
13 Phoenix, Arizona 85003-1408  
14 Attorneys for Reorganized Debtor

15 A Copy of the foregoing was electronically filed  
16 This 21<sup>st</sup> day of September, 2004 with the U.S. Bankruptcy Court.

17 COPY of the foregoing mailed (and/or served via  
18 fax\* or e-mail\*\* if so marked) September 21, 2004, to:

19 Dean M. Dinner \*\*dmd@jhc-law.com  
20 Jennings, Haug & Cunningham  
21 2800 N. Central Avenue, Suite 1800  
22 Phoenix, Arizona 85004-1049

23 Paul S. Gerding \*\*paulgerding@azlawyers.com  
24 Paul S. Gerding, Jr. \*\*pgerdingjr@azlawyers.com  
25 Lieberman, Dodge, Gerding, Kothe  
26 & Anderson, Ltd.  
27 Phoenix Corporate Center  
28 3003 North Central Avenue, Suite 1800  
Phoenix, Arizona 85012-2909

Eric E. Sagerman, Esq. \*\*esagerman@winston.com  
Winston & Strawn  
333 S. Grand Aveune  
Los Angeles, California 90071

1 Richard L. Cobb \*\*rcobb@lakeandcobb.com  
Hank E. Pearson  
2 LAKE & COBB, PLC  
101 North First Avenue  
3 Suite 2000  
Phoenix, Arizona 85003  
4

5 Michael D. Curran, Esq. \*\*mcurran@mmcec.com  
Maynard Murray Cronin & O'Sullivan, P.L.C.  
6 3200 North Central Avenue, Suite 2300  
Phoenix, Arizona 85012  
7

8 Dorian Daley \*\*laureen.spini@oracle.com  
Assistant General Counsel  
9 Oracle Corporation  
500 Oracle Parkway  
10 Mail Stop 5op7  
Redwood City, CA 94065  
11

12 Lawrence M. Schwab, Esq. \*\*catherine@bbslaw.com  
Thomas M. Gaa, Esq. \*\*tgaa@bbslaw.com  
13 Bialson, Bergen & Schwab  
2600 El Camino Real, Suite 300  
14 Palo Alto, CA 94306

15 Christopher R. Kaup, Esq. \*\*crk@tblaw.com  
Tiffany & Bosco, P.A.  
16 1850 North Central Ave, 5<sup>th</sup> Floor, VIAD Tower  
Phoenix, AZ 85004-4546  
17

18 Robert Miller, Esq. \*\*rjmiller@bryancave.com  
Bryan Cave LLP  
19 Two North Central Ave., Suite 2200  
Phoenix, AZ 85004-4406  
20

21 Arnold Reyes \*\*arnie3@reyeslawfirm.com  
The Reyes Law Firm P.C.  
22 4407 Bee Cave Road, Suite 512  
Austin, TX 78746-6496  
23

24 Ronald E. Warnicke, Esq. \*\*robert@warnickelittler.com\  
Warnicke & Littler, PLC  
25 1411 North Third Street  
Phoenix, AZ 85004  
26  
27  
28

1 Michael R. King \*\*Michael.King@azbar.org  
2 GAMMAGE & BURNHAM, P.L.C.  
3 Two North Central, 18<sup>th</sup> Floor  
4 Phoenix, Arizona 85004

5 Renee Sandler Shamblin \*\* renee.s.shamblin@usdoj.gov  
6 United States Trustee's Office  
7 P.O. Box 36170  
8 Phoenix, Arizona 85067

9 MetroGroup \*\*gpritchett@b2bcollector.com  
10 61 Broadway Street, Suite 1410  
11 New York, NY 10006  
12 Att: Marcus L. Arky, Esq.

13 Brian N. Spector, Esq. \*\* bspector@jsslaw.com  
14 JENNINGS, STROUSS & SALMON, P.L.C.  
15 The Collier Center, 11<sup>th</sup> Floor  
16 201 East Washington Street  
17 Phoenix, Arizona 85004-2385

18 Kesha M. Jennings