

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

In re:

HOTEL EQUITY FUND V, LLC,

Alleged Debtor.

Chapter 11

Case No. 10-10951 (BLS)

Docket Reference No. 35

ORDER DISMISSING INVOLUNTARY PETITION

Upon consideration of the Involuntary Chapter 11 Petition herein [Docket No. 1] filed by Capstead Mortgage Corp., Bergland Architects, LLC, and Island Water World; and upon consideration of the Motion of Wells Fargo Bank, National Association, As Successor By Merger To Wachovia Bank, National Association, As Special Servicer on Behalf of Bank of America, N.A., As Successor By Merger To LaSalle Bank National Association, As Trustee for the Benefit of the Holders of Wachovia Bank Commercial Mortgage Trust, Commercial Mortgage Pass-Thru Certificates, Series 2007-Whale 8 For An Order (A) Dismissing the Bankruptcy Case and (B) Sanctioning Capstead Mortgage Corp. and Redtail Capital Partners One, LLC Pursuant to 11 U.S.C. § 303(i) [Docket No. 35] (the "Motion to Dismiss"); and after an extensive trial with multiple witness and numerous documentary exhibits; and upon due deliberation, and sufficient cause appearing therefor, it is hereby

ORDERED, that the Motion to Dismiss is GRANTED as stated on the record by the Court on May 6, 2010; and it is further

ORDERED, that the case is dismissed for the reasons stated on the record by the Court on May 6, 2010.

Dated: May 6, 2010
Wilmington, DE


BRENDAN LINEHAN SHANNON
UNITED STATES BANKRUPTCY JUDGE