

**United States District Court, District of Oregon**

<p>SECURITIES AND EXCHANGE COMMISSION, Plaintiff, v. SUNWEST MANAGEMENT, INC., CANYON CREEK DEVELOPMENT, INC., CANYON CREEK FINANCIAL, LLC. and JOHN M. HARDER, Defendants</p> <p>DARRYL E. FISHER, J. WALLACE GUTZLER, KRISTIN HARDER, ENCORE INDEMNITY MANAGEMENT, LLC, SENENET LEASING COMPANY, FUSE ADVERTISING, INC. KDA CONSTRUCTION, INC., CLYDE HAMSTREET, and CLYDE A. HAMSTREET &amp; ASSOCIATES, LLC, Relief Defendants.</p>	<p>Case No. 09-cv-6056-HO</p> <p><b>NOTICE OF ELECTION FORM</b></p>
<p>In re: 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.</p>	<p>USDC Case No. 09-cv-6082-HO</p> <p>Bankruptcy Court Case No. 08- 36637-tmb11 (Reference Withdrawn)</p>

**INSTRUCTIONS**

Pursuant to the approved Distribution Plan filed by Michael A. Grassmueck, Receiver, and Clyde Hamstreet, the Chief Restructuring Officer for the Sunwest Enterprise, PM and LLC Members and Partners, TIC Investors, and Bare Land Investors are to use this form to make elections allowed by the Distribution Plan.

Your completed Notice of Election Form may be submitted to to BMC Group, Inc. by completing the form online at <http://www.bmcgroup.com/sunwest>, or by mailing paper copies to BMC Group at:

**By regular US mail:**  
Sunwest Management, Inc.  
c/o BMC Group Inc.  
PO Box 3020  
Chanhassen, MN 55317-3020

**By messenger or overnight courier:**  
Sunwest Management, Inc.  
c/o BMC Group Inc.  
18750 Lake Drive East  
Chanhassen, MN 55317

Your completed form must be received **no later than January 15, 2010, in order to be considered timely.** If the Receiver has questions, you will be contacted by the Receiver.

Investor name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Telephone number: \_\_\_\_\_

Contact name (including counsel): \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Telephone number: \_\_\_\_\_

Check this box if you agree that communications may be transmitted by the Receiver to you via email at the Contact name above.

***Please check all boxes for which you are making an election:***

1.  **Electing PM and LLC Members and Partners.** Identify the property and limited liability company or membership to which the election is applicable.

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2.  **Electing TIC Investors.** Identify the property to which the election applies.

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3.  **Electing Bare Land Investors.** Identify the property to which the election applies.

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*Check box if additional pages are attached.*

DATE:

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Name (print)

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Signature

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Name (print)

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Signature