

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

	)	
In re:	)	Case No. 12-12020 (MG)
	)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,	)	Chapter 11
	)	
Debtors.	)	Jointly Administered
	)	
KEVIN J. MATTHEWS,	)	Adv. Case No. 12-01933 (MG)
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
GMAC MORTGAGE, LLC,	)	
	)	
Defendant.	)	
	)	

**STIPULATION AND ORDER BETWEEN  
KEVIN J. MATTHEWS AND GMAC MORTGAGE, LLC**

WHEREAS, on May 14, 2012 (the “**Petition Date**”), GMAC Mortgage, LLC (“**GMACM**”), one of the above-captioned jointly administered debtors and debtors in possession (collectively, the “**Debtors**”) filed a petition for relief under chapter 11, Title 11 of the United States Code in the United States Bankruptcy Court for the Southern District of New York (the “**Bankruptcy Court**”);

WHEREAS, on November 7, 2012, Kevin J. Matthews (“**Plaintiff**”, together with GMACM, the “**Parties**”), by and through his undersigned counsel, commenced the above-captioned adversary proceeding against GMACM by filing an Adversary Complaint (the “**Complaint**”) in the Bankruptcy Court;



WHEREAS, the deadline for GMACM to answer or otherwise respond to the Complaint was December 10, 2012 and a pre-trial conference (the “**Pre-Trial Conference**”) has been scheduled for January 10, 2013 at 2:00 p.m. (Eastern);

WHEREAS, Plaintiff and GMACM have agreed on an extension of the response date and adjournment of the Pre-Trial Conference;

**NOW, THEREFORE**, in consideration of the foregoing recitals, which are incorporated into this Stipulation, and the covenants and conditions contained therein, **IT IS STIPULATED AND AGREED** by and between GMACM and Plaintiff as follows:

1. The date by which GMACM must file and serve its answer or otherwise respond to the Complaint is extended through and including January 18, 2013. In the event GMACM responds to the Complaint by motion, any response by Plaintiff shall be due on February 8, 2013, and the hearing to consider such motion shall be held on a date thereafter in accordance with the Bankruptcy Rules and consistent with the requirements of this Court’s *Order Under Bankruptcy Code Sections 102(1), 105(a) and 105(d), Bankruptcy Rules 1015(c), 2002(m) and 9007 and Local Bankruptcy Rule 2002-2 Establishing Certain Notice, Case Management and Administrative Procedures* [Docket No. 141]. The foregoing extension is without prejudice to the right of either Party to seek further extensions.

2. The Pre-Trial Conference shall be adjourned to February 28, 2013 at 2:00 p.m. (Eastern).

3. This Court shall retain jurisdiction to hear all matters or disputes arising from or related to this Stipulation and Order.

4. This Stipulation and Order may not be altered, modified or changed unless in writing signed by the Parties.

5. This Stipulation and Order may be executed in counterparts, each of which is deemed an original, but when taken together constitute one and the same document.

6. This Stipulation and Order will be effective immediately upon approval by the Court.

7. Each person who executes this Stipulation and Order on behalf of a Party hereto represents that he or she is duly authorized to execute this Stipulation and Order on behalf of such Party.

*[Remainder of page intentionally left blank]*

GMAC MORTGAGE, LLC

KEVIN J. MATTHEWS

By: /s/ Norman S. Rosenbaum

Gary S. Lee

Norman S. Rosenbaum

Erica J. Richards

MORRISON & FOERSTER LLP

1290 Avenue of the Americas

New York, New York 10104

Telephone: (212) 468-8000

Facsimile: (212) 468-7900

By: /s/ Philip R. Robinson

Phillip R. Robinson

LEGG LAW FIRM LLC

5500 Buckeystown Pike

Frederick, MD 21703

Telephone: (301) 620-1016

Facsimile: (301) 620-1018

*Counsel for Kevin J. Matthews*

*Counsel for Debtors  
and Debtors in Possession*

**IT IS SO ORDERED.**

Dated: New York, New York  
December 20, 2012

**/s/Martin Glenn**

MARTIN GLENN

United States Bankruptcy Judge