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January 25, 2013

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Honorable Martin Glenn  
United States Bankruptcy Judge  
United States Bankruptcy Court for the Southern District of New York  
One Bowling Green  
New York, NY 10004

Re: GMAC Mortgage, LLC's Request for Extension of Deadline to Respond in  
Adversary Proceeding *Kimber v. GMAC Mortgage, LLC, et al.*,  
Adversary No. 12-02045 (MG)

Dear Judge Glenn:

We are counsel to Residential Capital, LLC, GMAC Mortgage, LLC ("**GMACM**"), and their debtor affiliates (collectively, the "**Debtors**") in their jointly administered chapter 11 bankruptcy cases, Case No. 12-12020 (MG), and in the above-captioned adversary proceeding (the "**Adversary Proceeding**") initiated by Brian and Malinda Kimber (the "**Plaintiffs**"). As directed by the Court at the omnibus hearing held on December 20, 2012, the Debtors submitted an order extending the deadline for each of the named defendants to the Adversary Proceeding (the "**Defendants**") to answer or otherwise respond to the complaint filed by the Plaintiffs (the "**Complaint**") through and including February 4, 2013, which was entered by the Court on December 26, 2012 (ECF # 6).

We write to request the Court enter an order further extending the date by which all Defendants must answer or otherwise respond to the Complaint by approximately thirty days (until March 6, 2013), and rescheduling the pretrial conference to the next omnibus hearing date after the extended response date. The Debtors are requesting an extension in part to provide SilvermanAcampora LLP, appointed as special borrowers' counsel to the Official Committee of Unsecured Creditors (in such capacity "**Special Borrowers' Counsel**"), with additional time to reach out to the Plaintiffs, as had been discussed at the December 20th hearing. To date, Special Borrowers' Counsel has left multiple voice messages and sent a letter for Plaintiffs but has not yet received a response. The Debtors believe it is appropriate to further extend the response deadline to allow Plaintiffs time to respond to Special Borrowers' Counsel's inquiries and potentially engage in a constructive dialogue. Additionally, because the Complaint names a number of other Defendants including at least



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Honorable Martin Glenn  
January 25, 2013  
Page Two

one current or former employee or agent, for purposes of administrative convenience the Debtors request that the Court extend the time for all Defendants to respond to the Complaint.

Pursuant to Bankruptcy Rule 9006(b)(1), the Court may extend the time for any act required by the Bankruptcy Rules (with limited exceptions not relevant here) “for cause shown . . . with or without motion or notice.” In addition to the attempts to reach Plaintiffs described above, Special Borrowers’ Counsel has also attempted to contact Plaintiffs directly to request an extension, but has not yet obtained a response.<sup>1</sup>

For the foregoing reasons, the Debtors respectfully request that the Court extend the defendants’ deadline to answer or otherwise respond to the Complaint until March 6, 2013 and reschedule the pre-trial conference to the omnibus hearing scheduled on March 21, 2013 or such other date as the Court may set at its convenience. A proposed form of order granting such extension is enclosed.

Respectfully submitted,

/s/Norman S. Rosenbaum

Norman S. Rosenbaum

Enclosure

cc: Ronald J. Friedman  
Justin S. Krell

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<sup>1</sup> Special Borrowers’ Counsel informed Plaintiffs that the Debtors would be required to request an extension from the Court to the extent that no agreement could be reached regarding a consensual extension.

**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
-----	)	
Brian Finell Kimber, and	)	
Malinda Denise Kimber	)	
Plaintiffs,	)	
	)	Adv. No. 12-02045 (MG)
v.	)	
	)	
GMAC Mortgage Corporation,	)	
Susan Turner, and	)	
Executive Trustee Service, LLC	)	
	)	
Defendants.	)	
-----	)	

**SECOND ORDER EXTENDING DEFENDANTS' DEADLINE TO ANSWER  
OR OTHERWISE RESPOND TO ADVERSARY COMPLAINT**

Upon the request (the “**Request**”) of GMAC Mortgage, LLC (“**GMAC Mortgage**”) (formerly known as GMAC Mortgage Corporation) and the above-captioned debtors and debtors in possession to extend the deadline for each of the above-captioned defendants (the “**Defendants**”) to answer or otherwise respond to the complaint filed in the within adversary proceeding; and it appearing that this Court has jurisdiction to consider the Request pursuant to 28 U.S.C. §§ 157 and 1334; and after due deliberation thereon; it is hereby:

**ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Request is GRANTED as provided in this Order.

2. The deadline for each Defendant to file an answer or otherwise respond to the complaint in this adversary proceeding is hereby extended through and including March 6, 2013.

3. The pre-trial conference in the adversary proceeding is hereby adjourned to March 21, 2013 at 10:00 a.m. (prevailing Eastern time).

4. This Court shall retain jurisdiction with respect to all matters relating to the interpretation or implementation of this Order.

Dated: January \_\_, 2013  
New York, New York

/s/  
THE HONORABLE MARTIN GLENN  
UNITED STATES BANKRUPTCY JUDGE