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Pg 1 of 5

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March 5, 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 Second Extension of Deadline to Respond in
Adversary Proceeding *Lytle v. GMAC Mortgage, LLC, et al.*,
Adversary No. 12-02069 (MG)

Dear Judge Glenn:

We are counsel to Residential Capital, LLC, Residential Funding Company, LLC ("**RFC**") 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 Derrick Lytle (the "**Plaintiff**"). The thirty-day period from the date of issuance of the summons, by which all Defendants must respond to the complaint filed by the Plaintiff (the "**Complaint**"), assuming proper service of the Complaint,¹ was initially scheduled to run on January 22, 2013. Upon request by the Debtors on January 16, 2013, the Court extended the date by which all Defendants must answer or otherwise respond to the Complaint (the "**Response Deadline**") until March 8, 2013.

We write to request that the Court enter an order further extending the Response Deadline by approximately forty-five days (until April 22, 2013), and rescheduling the pretrial conference currently scheduled for March 21, 2013 to the omnibus hearing on May 14, 2013.

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 . . .

¹ The Debtors have not yet received confirmation that the Plaintiff has properly served the Complaint and summons. The Debtors expressly reserve the right to object in any answer or other responsive pleading to the sufficiency of the Plaintiff's service of process, if and when effectuated, or any procedural deficiencies in connection with such service of process.



MORRISON | FOERSTER

Honorable Martin Glenn
March 5, 2013
Page Two

with or without motion or notice.” The Debtors are requesting an extension in part to provide SilvermanAcampora LLP (“**SilvermanAcampora**”), appointed as special borrowers’ counsel to the Official Committee of Unsecured Creditors, with additional time to review the Complaint and reach out to the Plaintiff, as has previously been discussed with the Court in connection with other adversary proceedings. SilvermanAcampora has attempted on multiple occasions to contact Plaintiff directly, but has not yet obtained a response.

Additionally, on February 21, 2013, the Debtors filed the *Debtors’ Motion Pursuant to U.S.C. §§105(a) and (d), Bankruptcy Rules 1015(c), 2002(m), 7016, and 9007 and Local Bankruptcy Rule 2002-2 for Entry of an Order Approving (A) Supplement to Case Management Order Establishing Mandatory Procedures for Management of Adversary Proceedings Commenced by Borrowers and Former Borrowers and (B) Related Relief* [Docket No. 2994] (the “**Borrower Adversary Procedures Motion**”). The Borrower Adversary Procedures Motion, which seeks approval of mandatory procedures with respect to pending adversary proceedings commenced by borrowers, is scheduled to be heard on March 21, 2013, the same date set for the pre-trial conference in the Adversary Proceeding. In the event it is approved by the Court, it will apply to the instant Adversary Proceeding. Among other things, the Borrower Adversary Procedures Motion requires borrower plaintiffs to provide valid contact information to facilitate timely communications regarding their claims, and to engage in an initial meet and confer with the Debtors and SilvermanAcampora. The Borrower Adversary Procedures Motion further provides that no defendant shall be required to file an answer or other response to a complaint until after these requirements have been met, and that the Debtors may seek to dismiss the relevant adversary proceeding in the event a borrower fails to comply with these requirements. The Debtors believe it is appropriate and in the best interests of their estates to extend the Response Deadline until after the hearing on the Borrower Adversary Procedures Motion, in order to provide all parties with the opportunity to avail themselves of the procedures set forth therein.

For the foregoing reasons, the Debtors respectfully request that the Court extend the Defendants’ deadline to answer or otherwise respond to the Complaint until April 22, 2013 (subject to further extension pursuant to any order approving the Borrower Adversary Procedures Motion) and reschedule the pre-trial conference to the omnibus hearing scheduled on May 14, 2013 or such other date as the Court may set at its convenience. A proposed form of order granting such extension is enclosed.

MORRISON | FOERSTER

Honorable Martin Glenn
March 5, 2013
Page Three

Respectfully submitted,

/s/Norman S. Rosenbaum

Norman S. Rosenbaum

Enclosure

cc: Ronald J. Friedman
Justin S. Krell

**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
_____)	
Derrick Lytle)	
	Plaintiff,)	
)	
v.)	Adv. No. 12-02069 (MG)
)	
GMAC Mortgage LLC,)	
Vista Lago Homeowners Association,)	
Birmingham Bancorp Mortgage,)	
Mortgage Electronic Registration)	
System Inc.,)	
Bancorp Mortgage Corporation,)	
Katrina Jordan, and)	
Jeffrey Stephan,)	
)	
	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**”) 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 above-captioned 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 April 22, 2013.

3. The pre-trial conference in the adversary proceeding is hereby adjourned from March 21, 2013 to May 14, 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: March __, 2013
New York, New York

/s/

THE HONORABLE MARTIN GLENN
UNITED STATES BANKRUPTCY JUDGE