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and the ResCap Liquidating Trust*

**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
-----)	
ALFREDIA PRUITT,)	Adv. Case No. 13-01350 (MG)
)	
Plaintiff,)	
)	
v.)	
)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,)	
)	
Defendants.)	

**THE RESCAP LIQUIDATING TRUST'S DESIGNATION OF
ADDITIONAL ITEMS TO BE INCLUDED IN RECORD ON APPEAL**

Pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure (the
“Bankruptcy Rules”) and Rule 8007-1 of the Local Bankruptcy Rules for the Southern
District of New York, the ResCap Liquidating Trust (the “Liquidating Trust”)¹ on behalf

¹ On December 11, 2013, the Bankruptcy Court entered an *Order Confirming the Second Amended Joint Chapter 11 Plan Proposed by Residential Capital, LLC et al. and the Official Committee of Unsecured*



of the debtor defendants Residential Capital, LLC and GMAC Mortgage, LLC in the above-captioned cases (collectively, the “Debtors Defendants”) provide the following additional designation of items to be included in the record on appeal in connection with the Notice of Appeal [Adv. Proc. Docket No. 40] filed by appellant Alfredia Pruitt (“Appellant”), from the *Memorandum Opinion and Order Granting Debtor Defendants’ Motion to Dismiss Adversary Complaint* [Adv. Proc. Docket No. 37], which was entered by the United States Bankruptcy Court for the Southern District of New York on January 23, 2014.²

A. ADDITIONAL DESIGNATIONS FOR RECORD ON APPEAL

The Liquidating Trust on behalf of the Debtor Defendants designates the following additional items to be included in the record on appeal.³

B. Pleadings⁴

Docket No.	Description
Ch. 11 Docket No. 3223	Motion for Relief From Stay
Ch. 11 Docket No. 3273	Amended Motion for Relief From Stay
Ch. 11 Docket No. 3354	Debtors’ Objection to Motion for Relief From Stay

Creditors approving the terms of the Chapter 11 plan, as amended (the “Plan”), in the above-captioned Chapter 11 cases [Docket No. 6065]. On December 17, 2013, the Plan went effective and the Liquidating Trust was created [Docket No. 6137].

² It is unclear whether Appellant intends to file a separate statement of issues as required by Rule 8006, beyond that contained in her Notice of Appeal. In the event Appellant files a separate statement of issues, Debtors reserve all rights with respect thereto.

³ Appellant’s Notice of Appeal appears to seek to designate the entire record. Should Appellant file a separate designation of items to be included on the record on appeal as required by Rule 8006 of the Bankruptcy Rules, Debtors reserve all rights with respect thereto.

⁴ For the avoidance of doubt, the Debtors’ designation of any pleadings includes the designation of any and all exhibits filed with, attached to, or otherwise referenced in such pleadings.

Docket No.	Description
Ch. 11 Docket No. 3433	Order Denying Relief from Stay
Adv. Proc. Docket No. 1	Complaint
Adv. Proc. Docket No. 4	Amended Complaint
Adv. Proc. Docket No. 26	Debtor Defendants' Motion to Dismiss Plaintiff's Adversary Complaint
Adv. Proc. Docket No. 28	Response / Answer to Defendant's Motion to Dismiss
Adv. Proc. Docket No. 30	Defendants' Reply to Plaintiff's Opposition to Motion to Dismiss Plaintiff's Adversary Complaint
Adv. Proc. Docket No. 33	Response to Defendants' Motion to Dismiss
Adv. Proc. Docket No. 34	Motion to Verify A Trial Was Never Held in Case
Adv. Proc. Docket No. 35	Motion for Adverse Party Demonstrate Case(s) In The Lower Court Has Been Heard On The Merits
Adv. Proc. Docket No. 37	Memorandum Opinion and Order, Granting Debtor Defendants' Motion to Dismiss Adversary Complaint

C. Transcripts⁵

Date/Time of Hearing	Docket No.	Type of Hearing	Court Reporter or Recorder	Copy Ordered By Debtors
12/17/2013 at 10:06 a.m. (EST)	5164	Omnibus Hearing regarding, inter alia, Debtors' Motion to Dismiss Plaintiffs Adversary Complaint as it relates to Alfredia Pruitt	eScribers, LLC	Yes

⁵ Pursuant to Local Bankruptcy Rule 8007-1(b), the transcript has not been filed as an exhibit due to its voluminous nature.

Dated: February 25, 2014
New York, New York

Respectfully Submitted,

/s/Norman S. Rosenbaum

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