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Counsel for the ResCap Liquidating Trust, as successor in interest to Defendant GMAC Mortgage LLC

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

| In re: |)) Case N |
|-----------------------------------|---------------|
| | |
| RESIDENTIAL CAPITAL, LLC, et al., |) Chapte |
| Debtors. |) Jointly |
| |) |
| Shelley von Brincken, |) Adv. (|
| Plaintiff, |) |
| i iuiiiii, |) |
| V. |) |
| |) |
| GMAC Mortgage, LLC, or assignee, |) |
| ETS Services, LLC, Ocwen Loan |) |
| Servicing, LLC, and Does 1-20, |) |
| |) |
| Defendants. |) |
| |) |
| | |

No. 12-12020 (MG)

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Case No. 13-01436 (MG)

The ResCap Liquidating Trust's Status Report

The ResCap Liquidating Trust, as successor in interest to GMAC Mortgage, LLC, a defendant in this proceeding, and any other debtors in the above-captioned chapter 11 cases purportedly named as defendants in the above-captioned adversary proceeding (the "Adversary



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<u>Proceeding</u>"), hereby submits the following status report as directed by the Court at the status conference held on April 24, 2014 (the "Status Conference").

The ResCap Liquidating Trust engaged in discussions regarding a potential resolution of the Adversary Proceeding with the plaintiff, Shelley von Brincken, and her husband (together with the ResCap Liquidating Trust, the "<u>Parties</u>") and have been unable to reach a resolution at this time.

As set forth in the Joint Progress Report [Docket No. 17] filed on April 17, 2014, the ResCap Liquidating Trust plans to file a motion to dismiss the Plaintiff's amended complaint [Docket No. 15]. As directed at the Status Conference, the ResCap Liquidating Trust is coordinating with the von Brinckens to prepare a proposed joint scheduling stipulation and order setting a briefing schedule and hearing date with respect to the motion to dismiss for submission to the Court.

Dated: May 12, 2014 New York, New York <u>/s/ Norman S. Rosenbaum</u> Norman S. Rosenbaum Erica J. Richards **MORRISON & FOERSTER LLP** 250 West 55th Street New York, New York 10019 Telephone: (212) 468-8000 Facsimile: (212) 468-7900

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