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

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In re	:	
	:	Case No. 12-12020 (MG)
RESIDENTIAL CAPITAL, LLC, <i>et al.</i> ,	:	Chapter 11
	:	Jointly Administered
Debtors.	:	
-----X	:	
-----X	:	
JENNIFER L. WILSON	:	
	:	Adv. Proc. 12-01936 (MG)
Plaintiff,	:	
	:	
v.	:	
	:	
RESIDENTIAL CAPITAL, LLC, <i>et al.</i>	:	
	:	
Defendants.	:	
-----X	:	

**THE LIQUIDATING TRUST'S RESPONSE TO APPELLANT'S APPLICATION
TO FILE DESIGNATION OF APPEAL RECORD LATE AND APPELLANT'S
DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL**

The ResCap Liquidating Trust (the "Liquidating Trust"), successor in interest to Debtors/Appellees Residential Capital, LLC and Residential Funding Company, LLC in the above-captioned adversary proceeding respectfully submit this response to *Appellant's Application to File Designation of Appeal Record Late* [Docket No. 67] and *Appellant's*



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Designation of Items to be Included in the Record on Appeal [Docket No. 66] (the “Designation”).

On July 30, 2014, Appellant filed the *Motion for Leave to Appeal Pursuant to Bankruptcy Rule 8003 and Title 28 U.S.C. § 158(a)(3)*, dated July 19, 2014 [Docket No. 64] (the “Motion for Leave”).

On August 14, 2014, the Liquidating Trust filed the *Objection of the ResCap Liquidating Trust to Jennifer L. Wilson’s Motion for Leave to Appeal Pursuant to Bankruptcy Rule 8003 and Title 28 U.S.C. § 158(a)(3)* [Docket No. 68].

The Liquidating Trust submits that, until the District Court issues a ruling on Appellant’s Motion for Leave, the Designation is premature. *See* Fed. R. Bankr. Pro. 8006 (“Within 14 days after filing the notice of appeal as provided by Rule 8001(a), ***entry of an order granting leave to appeal***, or entry of an order disposing of the last timely motion outstanding of a type specified in Rule 8002(b), ***whichever is later***, the appellant shall file with the clerk and serve on the appellee a designation of the items to be included in the record on appeal and a statement of the issues to be presented.”) (emphasis added).

Accordingly, the Liquidating Trust is not required to file a counter-designation at this time. The Liquidating Trust hereby reserves all of its rights to file a counter-designation within fourteen (14) days after entry of an order, if any, granting the Motion for Leave.

Dated: August 21, 2014
New York, New York

/s/ Norman S. Rosenbaum
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