

**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
	: :
Debtors.	: Jointly Administered
	: :

OCWEN LOAN SERVICING, LLC,	: :
	: :
Plaintiff,	: :
	: :
vs.	: Adv. Proc. No. 14-02388 (MG)
	: :
THE RESCAP LIQUIDATING TRUST,	: :
a Delaware Statutory Trust,	: :
	: :
Defendant.	: :
	: :
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CASE MANAGEMENT & SCHEDULING ORDER

This Case Management and Scheduling Order is entered by the Court, following a Scheduling Conference held on December 10, 2014, in accordance with Fed. R. Civ. P. 16(b) and 26(f). This Order sets forth consolidated procedures for resolving the claims at issue in this Adversary Proceeding and the ResCap Liquidating Trust’s (“ResCap”) anticipated objection to two Administrative Claims filed by Ocwen Loan Servicing, LLC (“Ocwen”) in the main bankruptcy action, Case No. 12-12020 (Dkts. 6296 & 6297).

With respect to that portion of the Administrative Claim filed by Ocwen relating to the Records Management Statement of Work (Dkt. 6297 ¶ 12) and the claims at issue in this Adversary Proceeding (the "RM Adversary Issues"):



1. ResCap and Ocwen will meet and confer and attempt to agree on a stipulated set of undisputed facts with respect to the RM Adversary Issues on or before January 23, 2015.

2. If the parties are able to agree on a stipulated set of undisputed facts, the parties will submit cross motions for summary judgment on the RM Adversary Issues pursuant to the following schedule:

- Opening briefs shall be filed on or before February 13, 2015;
- Opposition briefs shall be filed on or before March 13, 2015;
- Reply briefs shall be filed on or before April 3, 2015; and
- When briefing is completed, the parties will request that the Court schedule a hearing on the parties' cross motions.

3. If the parties are unable to agree on a stipulated set of undisputed facts, or if the parties otherwise agree that limited discovery is necessary in order to brief cross motions for summary judgment on the RM Adversary Issues, the parties will propose to the Court a modified briefing schedule with respect to limited discovery on the RM Adversary Issues.

4. The parties' cross motions on the RM Adversary Issues shall be captioned in this Adversary Proceeding and in the main bankruptcy proceeding, and the Court's ruling on the motions shall be dispositive of Ocwen's claims in the Adversary Proceeding and that portion of ResCap's objection in the main action to that portion of Ocwen's Administrative Claim Dkt. 6297 related to the RM Adversary Issues.

5. ResCap shall not be required to answer or otherwise respond to Ocwen's complaint in this Adversary Proceeding (and agrees not to) pending a dispositive determination by the Court of the cross motions for summary judgment.

6. In connection with issues relating to the remainder of Ocwen's Administrative Claims, the parties shall meet and confer with respect to the Administrative Claims to see if they can resolve all or part of ResCap's objections thereto. In the event the parties are unable to consensually resolve the remaining Administrative Claims, the parties agree to the following schedule, as it may be amended by the parties:

- ResCap shall submit its Objection to the remaining Ocwen Administrative Claims on or before February 13, 2015;
- Ocwen shall respond to the Objection on or before March 13, 2015;
- ResCap shall reply on or before April 3, 2015;
- When briefing is completed, the parties will request that the Court schedule a hearing on the remaining Administrative Claims.

Each of the party's rights pursuant to Rule 9014 of the Bankruptcy Rules, including with respect to contested matter discovery, are preserved.

IT IS SO ORDERED.

Dated: December 22, 2014
New York, New York

/s/Martin Glenn
MARTIN GLENN
United States Bankruptcy Judge