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

-----X	:	
Richard D. Rode, <i>et al.</i>	:	
	:	Adv. Proc. 16-1015 (MG)
Plaintiffs,	:	
	:	
v.	:	
	:	
ResCap Borrower Claims Trust, <i>et al.</i>	:	
	:	
Defendants.	:	
-----X	:	
In re	:	
	:	Case No. 12-12020 (MG)
Residential Capital, LLC, <i>et al.</i> ,	:	
	:	Chapter 11
	:	
Debtors	:	Jointly Administered
-----X	:	

**DEFENDANTS' PROGRESS REPORT PURSUANT TO ORDER APPROVING  
MANDATORY SUPPLEMENTAL AP PROCEDURES FOR AP ACTIONS**



Defendants the ResCap Liquidating Trust and the ResCap Borrower Claims Trust, as successors in interest to the Debtors, as applicable (together, the “**Defendants**”), hereby submit this status report in connection with the above-captioned adversary proceeding (the “**Adversary Proceeding**”).

### **PROGRESS REPORT**

1. This progress report is being submitted by the Defendants pursuant to the pursuant to the *Amended Order Approving Debtors' Motion Pursuant to 11 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) Supplemental to Case Management Order Establishing Mandatory Procedures for Management of Adversary Proceedings Commenced by Borrowers and Former Borrowers and (B) Related Relief* entered by the Bankruptcy Court in the above-captioned chapter 11 cases on April 22, 2013 [Docket No. 3490] (the “**AP Procedures Order**”).<sup>1</sup>

2. On February 2, 2016, the Defendants filed and served a notice of applicability of the AP Procedures Order in the Adversary Proceeding. [AP Docket No. 2]

3. On February 25, 2016, the Defendants conducted a telephonic Initial Conference with Richard D. Rode and Tia Danielle Smith (together, the “**Plaintiffs**” and, together with the Defendants, the “**Parties**”) and with Plaintiffs’ counsel, pursuant to the AP Procedures Order. The Parties in good faith discussed a potential resolution of the Adversary Proceeding at the Initial Conference. No resolution has been reached.

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<sup>1</sup> Capitalized terms used and not defined herein have the meanings ascribed to them in the AP Procedures Order.

4. The Parties agreed that they desire to proceed with the Adversary Proceeding, including conducting an initial pre-trial status conference, which is currently scheduled to take place on March 10, 2016 at 10:00 a.m. (Eastern).

5. The Parties were unable to agree, in good faith, on the filing of a joint status report, and the Plaintiffs indicated that they will be filing their own separate status report. Accordingly, the Defendants have elected to file this separate status report, as provided for under paragraph 4(d) of the Supplemental AP Procedures.

Dated: February 29, 2016  
New York, New York

/s/ Jordan A. Wishnew  
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