

**MORRISON & FOERSTER LLP**

250 West 55<sup>th</sup> Street  
New York, New York 10019  
Telephone: (212) 468-8000  
Facsimile: (212) 468-7900  
Norman S. Rosenbaum  
Jordan A. Wishnew

*Counsel for The ResCap Borrower Claims Trust*

**REED SMITH LLP**

Princeton Forrestal Village  
136 Main Street, Suite 250  
Princeton, New Jersey 08540  
Telephone: (609) 987-0050  
Facsimile: (609) 951-0824  
Diane A. Bettino  
Barbara K. Hager, *admitted pro hac vice*

*Co-Counsel for the ResCap Borrower Claims 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
..... )	

**PROPOSED AGENDA FOR TRIAL SCHEDULED TO BE HEARD  
ON SEPTEMBER 26-30, 2016 AT 9:00 A.M. (PREVAILING EASTERN TIME)**

Location of Hearing: United States Bankruptcy Court for the Southern District of New York, Alexander Hamilton U.S. Custom House, Courtroom 523, One Bowling Green, New York, NY 10004-1408

**I. TRIAL**

1. ResCap Borrower Claims Trust’s Objection to Proofs of Claim Filed by Frank Reed and Christina Reed Pursuant to Section 502(b) of the Bankruptcy Code and Bankruptcy Rule 3007 [Docket No. 7017]

**Related Document(s):**

- a. Order Sustaining in Part and Overruling Without Prejudice in Part the ResCap Borrower Claims Trust’s Objection to the Reed Claims and Setting Evidentiary Hearing [Docket No. 7246]
- b. Motion for Judgment as to Liability on Claims for Negligence, New Jersey Consumer Fraud Act and Punitive Damages filed by Frank Reed [Docket No. 7545]



- c. Memorandum Opinion and Order Determining the Amount of Allowed Claim of Frank and Christina Reed [Docket No. 7619]
- d. District Court Memorandum Opinion and Order (S.D.N.Y. 1:15-cv-2375-GWH) [Docket No. 9473]
- e. Cognizable Damages Statement filed by Frank Reed [Docket Nos. 9598/9639]
- f. Order Scheduling Discovery Concerning Cognizable Damages Related to Claim Number 3759 [Docket No. 9962]
- g. Order Denying Motion for Recusal and/or Disqualification Filed by Claimant Frank Reed [Docket No. 10054]
- h. Joint Pretrial Order [Docket No. 10134]

**Response(s):**

- a. Response [of Frank and Christina Reed] to Debtors' Objection to Proofs of Claim [Docket No. 7153]

**Reply:**

- a. The ResCap Borrower Claims Trust's Reply in Support of its Objection to Proofs of Claim Filed by Frank Reed and Christina Reed Pursuant to Section 502(b) of the Bankruptcy Code and Bankruptcy Rule 3007 [Docket No. 7228]

**Written Declarations:**

- a. Declaration of Frank Reed [Not Docketed]
- b. Declaration of Stevie Watson (realtor) [Not Docketed]
- c. Declaration of Pedro Chicas (contractor) [Not Docketed]
- d. Declaration of Alex Uminski (appraiser) [Not Docketed]
- e. Declaration of Martha Clampitt (realtor) [Not Docketed]
- f. Declaration of Stanley Woodworth (CPA) [Not Docketed]
- g. Declaration of Fred Pryor (contractor) [Not Docketed]
- h. Declaration of Russow R. Beck, III [Not Docketed]
- i. Declaration of Derrick Rosser (contractor) [Not Docketed]

- j. Declaration of Nathan Sowder (architect) [Not Docketed]
- k. Declaration of James Suhr (contractor) [Not Docketed]
- l. Declaration of Paul Molloy (CEO Oxford House) [Not Docketed]
- m. Affidavit of Dennis J. Whelan, III (attorney) [Not Docketed]
- n. Declaration of Joan Kline (cousin) [Not Docketed]
- o. Declaration of Robert Maines (friend) [Not Docketed]
- p. Declaration of Robert E. Curley, III (VP TD Bank) [Not Docketed]
- q. Declaration of Jeffrey S. Walters, Esq. for Purpose of Document Authentication (attorney) [Not Docketed]

**Orders Regarding Motions *In Limine***

- a. Order Denying Creditor Frank Reed's Motion *In Limine* to Exclude Expert Report and Testimony of Oscar Marquis [Docket No. 10117]
- b. Order Denying the ResCap Borrower Claims Trust's Motion *In Limine* to Exclude Evidence Not Previously Produced [Docket No. 10118]
- c. Order Granting the ResCap Borrower Claims Trust's Motion *In Limine* to Exclude the Expert Testimony of Christy Zoltun Donati [Docket No. 10119]
- d. Order Granting in Part The ResCap Borrower Claims Trust's Motion *In Limine* to Exclude the Expert Report and Testimony of Stevie Watson [Docket No. 10120]
- e. Order Denying The ResCap Borrower Claims Trust's Motion *In Limine* to Exclude Evidence of Damages at Trial [Docket No. 10121]
- f. Order Granting in Part and Denying in Part the ResCap Borrower Claims Trust's Motion *In Limine* to Exclude Evidence Concerning Claimant's Attorneys' Fees Incurred in Defense of the Foreclosure Action [Docket No. 10122]
- g. Order Denying the ResCap Borrower Claims Trust's Motion *In Limine* to Exclude Evidence of Claimant's Attempts to Refinance the Matlack Property [Docket No. 10123]
- h. Order Granting the ResCap Borrower Claims Trust's Motion *In Limine* to Exclude Evidence Concerning Claimant's Expert Witness Fees as Damages [Docket No. 10124]

**Status:** The trial on this matter will be going forward.

Dated: September 22, 2016  
New York, New York

/s/ Barbara K. Hager  
Diane A. Bettino  
Barbara K. Hager, *admitted pro hac vice*  
REED SMITH LLP  
Princeton Forrestal Village  
136 Main Street, Suite 250  
Princeton, New Jersey 08540  
Telephone: (609) 987-0050  
Facsimile: (609) 951-0824

*Co-Counsel for The ResCap Borrower Claims  
Trust*

-and

Norman S. Rosenbaum  
Jordan A. Wishnew  
MORRISON & FOERSTER LLP  
250 West 55th Street  
New York, New York 10019  
Telephone: (212) 468-8000  
Facsimile: (212) 468-7900

*Counsel for The ResCap Borrower Claims  
Trust*