

MBIA Insurance Corp. v. Countrywide Home Loans, Inc., et al., Index No. 602825/08

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

MBIA INSURANCE CORPORATION

Plaintiff,

-against-

COUNTRYWIDE HOME LOANS, INC.,
COUNTRYWIDE SECURITIES CORP.,
COUNTRYWIDE FINANCIAL CORP.,
COUNTRYWIDE HOME LOANS
SERVICING, L.P. and BANK OF AMERICA
CORP.,

Defendants.

Index No. 602825/08

IAS Part 3 (Bransten, J.)

~~PROPOSED~~ **STIPULATED AMENDED PRETRIAL SCHEDULING ORDER**

IT IS HEREBY STIPULATED AND AGREED by and among counsel for Plaintiff MBIA Insurance Corporation ("MBIA") and counsel for Defendants Countrywide Home Loans, Inc., Countrywide Securities Corporation, Countrywide Financial Corporation, Countrywide Home Loans Servicing, L.P., and Bank of America Corporation (collectively, "Defendants") that the amended pretrial scheduling order entered on September 20, 2012 is further amended as follows:

1. Primary Liability

(a) Motions for Summary Judgment on the Issue of Primary Liability:

- i. Any motions for summary judgment on the issue of primary liability shall be served on or before September 19, 2012.
- ii. Answering briefs in response to any motion for summary judgment on the issue of primary liability shall be served within thirty (30)

days after service of any motions for summary judgment on the issue of primary liability.

- iii. Reply briefs in support of any motion for summary judgment on the issue of primary liability shall be served within twenty (20) days after service of any answering briefs.
- iv. Oral argument on summary judgment motions on the issue of primary liability will be heard on November 14 and 15, 2012.

2. Successor Liability

(a) Motions for Summary Judgment on the Issue of Successor Liability:

- i. Any motions for summary judgment shall be served on or before September 28, 2012.
- ii. Answering briefs in response to any motion for summary judgment shall be served on or before November 2, 2012.
- iii. Reply briefs in support of any motion for summary judgment shall be served on or before November 20, 2012 at 12:00 p.m. ^(noon) Eastern Time.
- iv. Oral argument on the summary judgment motions on the issue of successor liability will be heard on December 5 and 6, 2012.

3. Status Conference: A status conference shall be held on October 3, 2012 at 10:45 a.m.

4. Trial of this action will commence on such date as determined by this Court.

Dated: New York, New York
September 21, 2012

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Countrywide Home Loans, Inc., Countrywide
Securities Corp., Countrywide Financial
Corp., and Bank of America, N.A., solely in its
capacity as successor by July 2, 2011 de jure
merger to BAC Home Loans Servicing, L.P.
(f/k/a Countrywide Home Loans Servicing,
L.P.)*

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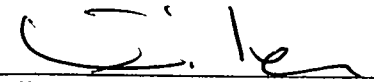
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William J. Sushon

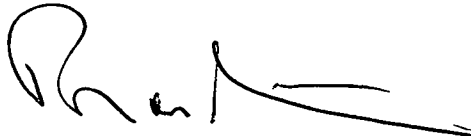
Attorneys for Defendant Bank of America Corp.

9-24-12

SO ORDERED:



Eileen Bransten, J.S.C.



24 day of September, 2012