

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>Heritage Equity Group 401(k) Savings Plan,</b>	)	
<b>et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>No. 3:07-cv-841</b>
	)	<b>Judge Trauger</b>
	)	<b>Magistrate Judge Bryant</b>
<b>Mid Atlantic Capital Corporation and</b>	)	
<b>SunGard Institutional Brokerage, Inc.,</b>	)	
	)	
<b>Defendants.</b>	)	
_____	)	
	)	
<b>John C. McLemore, Trustee,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>No. 3:08-cv-21</b>
	)	<b>Judge Trauger</b>
	)	<b>Magistrate Judge Bryant</b>
<b>Regions Bank, as Successor in Interest by</b>	)	
<b>Merger to AmSouth Bank, and</b>	)	
<b>Mid-Atlantic Capital Corporation,</b>	)	
	)	
<b>Defendants.</b>	)	

**DEFENDANT REGIONS BANK'S  
RESPONSE TO MOTION TO CONSOLIDATE**

Defendant Regions Bank, successor by merger to AmSouth Bank (“Regions,”), files this Response to the Motion to Consolidate filed by Mid Atlantic Capital Corporation (“MACC”). MACC filed its Motion to consolidate the above two matters on the basis they involve common issues of fact, law and parties. This is generally true. However, while many of the facts and claims are similar, Regions is not a party to Case No. 3:07-cv-841. Therefore, while Regions agrees that consolidation of discovery and scheduling is both appropriate and potentially necessary, it does not believe the cases should be consolidated in their totality. Complete

consolidation could create confusion regarding the claims and allegations asserted by the numerous Plaintiffs against disparate and separate Defendants. Accordingly, Regions has no objection to consolidating the matters for discovery and scheduling purposes.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing has been served on this 3<sup>rd</sup> day of March, 2008, by ECF and/or U.S. Mail, first class, postage prepaid upon:

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Case No. 3:07-cv-841:

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