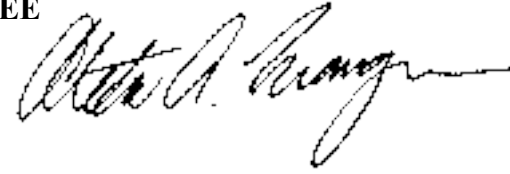


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION



John C. McLemore, Trustee,)
)
 Plaintiff,)
)
 v.)
)
 Regions Bank, as Successor in Interest by)
 Merger to AmSouth Bank, and)
 Mid-Atlantic Capital Corporation,)
)
 Defendants.)

No. 3:08-cv-21
Judge Trauger
Magistrate Judge Bryant

REGIONS BANK’S MOTION REQUESTING ORAL ARGUMENT

Pursuant to LR 54.01(b)(3) Defendant Regions Bank, as successor by merger to AmSouth Bank (hereafter “Regions”) respectfully requests oral argument on its Motion to Dismiss.

In support of its Motion, Defendant believes that oral argument would be beneficial, given that the resolution of the Motion involves two independently complex statutes, ERISA and the Bankruptcy Code, and novel theories advanced by the Trustee regarding the interaction of each. Regions believes these issues may be effectively addressed through oral argument and that the presence of counsel for the parties may assist the Court in resolving the issues presented.

WHEREFORE, Defendant Regions Bank respectfully requests that the Court hold oral argument on Defendant’s pending Motion.