

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

<b>John C. McLemore, Trustee,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>No. 3:08-cv-21</b>
	)	<b>Judge Trauger</b>
<b>Regions Bank, as Successor in Interest by</b>	)	<b>Magistrate Judge Bryant</b>
<b>Merger to AmSouth Bank, and</b>	)	
<b>Mid Atlantic Capital Corporation,</b>	)	
	)	
<b>Defendants.</b>	)	

**JOINT MOTION FOR LEAVE TO FILE A REPLY BRIEF**

Defendants, Regions Bank, as successor by merger to AmSouth Bank (hereafter “Regions”) and Mid Atlantic Capital Corporation (“MACC”) respectfully move this Court for leave to file separate briefs in reply to the Brief to be filed by the Secretary of the United States Department of Labor, Elaine L. Chao (the “Secretary of Labor”), as Amicus Curiae in Support of Plaintiff (“Amicus Brief”). This court granted permission for the Secretary of Labor to file the Amicus Brief on May 6, 2008. The Defendants request an opportunity to file a short reply thereto.

Respectfully submitted,

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### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded to the following counsel via electronic filing and/or facsimile/U. S. Mail, postage prepaid, on this 7th day of May, 2008:

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