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April 1, 2008

Clerk of Court
Matthew Loughney
Suite 204
701 Broadway
Nashville, TN 37203

Re: *McLemore v. Regions Bank and Mid Atlantic Capital Corp.*, USBC-MD of Tenn.,
Ad. Pro No. 3:07-ap-00283

Dear Mr. Loughney:

I represent Regions Bank in the above referenced matter. As you know, our co-defendants in this case, Mid-Atlantic Capital Corp., filed a Motion to Withdraw Order of Reference on January 2, 2008 (Docket Entry No. 27). The case was assigned Case No. 3:08-cv-0021 in the U.S.D.C. for the Middle District of Tennessee. On February 11, 2008, the U.S.D.C.-M.D. of Tenn. granted this Motion (attached hereto as Exhibit A). Recently the U.S.D.C.-M.D. of Tenn. has ordered that the parties supplement the record in that court with the Motions to Dismiss and related filings, that were originally filed in U.S.B.C. for the Middle District of Tennessee (attached hereto as Exhibit B).

I have consulted with Alex Fardon and Craig Gabbert, counsel for Mid-Atlantic Capital Corporation regarding this issue. We would like to officially request that your court supplement the record in this case and forward the following docket entries filed in the adversary proceeding to the U.S.D.C. -M.D. of Tenn. so they may be a part of the official record in that case:

1. Docket Entry No. 15, Order Granting Admission Pro Hac Vice of David L. McClenahan, Matthew J. Fader, and Ryan D. Demotte, entered 09/25/2007;
2. Docket Entry No. 18, Motion to Dismiss Adversary Proceeding Against Mid-Atlantic Capital Corporation, filed on 10/15/2007;

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MIDDLE DISTRICT OF TN.

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3. Docket Entry No. 19, Brief in Support of Defendant Mid-Atlantic Capital Corporation's Motion to Dismiss for Failure to State a Claim upon which Relief can be granted and attachments thereto, including Exhibits 1-3, filed on 10/15/2007;

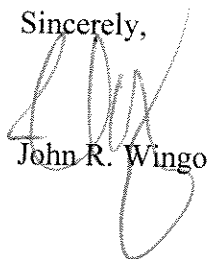
4. Docket Entry No. 20, Motion to Dismiss Adversary Proceeding filed on behalf of Defendant Regions Bank, successor by merger to AmSouth Bank, filed on 10/15/2007;

5. Docket Entry No. 21, Entry of Disclosure of Corporate Affiliations filed on behalf of Defendant Regions bank on 10/15/2007;

6. Docket Entry No. 22, Defendant's Memorandum in Support of Motion to Dismiss filed on behalf of Defendant Regions Bank, including attachments Exhibits A-D thereto, filed on 10/15/2007.

I would like to thank you and your staff's patience and assistance with this request.

Sincerely,



John R. Wingo

cc: Craig V. Gabbert, Esq.
Barbara D. Holmes, Esq.
Robert M. Garfinkle, Esq.

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

JOHN C. MCLEMORE,)	
)	
Plaintiff,)	
v.)	Civil No. 3:08-0021
)	Judge Trauger
REGIONS BANK, as Successor in Interest by)	Magistrate Judge Bryant
Merger to AmSouth Bank, and MID-ATLANTIC)	
CAPITAL CORPORATION,)	
)	
Defendants.)	

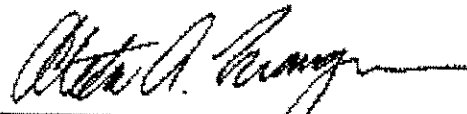
ORDER

The Motion to Withdraw the Reference filed By Mid-Atlantic Capital Corporation (Docket No. 1) is **GRANTED**. It is hereby **ORDERED** that, pursuant to 28 U.S.C. § 157(d), the reference with regard to Adversary Proceeding No. 3-07-ap-00283, presently pending in the United States Bankruptcy Court for the Middle District of Tennessee, is **WITHDRAWN**, and this adversary proceeding shall be transferred to this court for all purposes. This is a related case to Case No. 3:07-cv-0841, also pending before this court. Therefore, the Clerk shall **REASSIGN** this case to Magistrate Judge Bryant, who has been managing Case No. 3:07-cv-0841.

It is hereby **ORDERED** that this case is **REFERRED** to Magistrate Judge Bryant for case management and rulings on all non-dispositive matters under 28 U.S.C. § 636(b)(1) and Rule 72, FED. R. CIV. P.

It is so **ORDERED**.

ENTER this 11th day of February 2008.



ALETA A. TRAUGER
U.S. District Judge

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

JOHN C. MCLEMORE,)	
)	
Plaintiff,)	
v.)	Civil No. 3:08-0021
)	Judge Trauger
REGIONS BANK, as Successor in Interest by)	Magistrate Judge Bryant
Merger to AmSouth Bank, and MID-ATLANTIC)	
CAPITAL CORPORATION,)	
)	
Defendants.)	

ORDER

The referral to the Magistrate Judge (Docket No. 7) is **VACATED**, and this case is returned to the district court judge for further handling.

The Defendants' Joint Motion to Set Deadline (Docket No. 12), to which the Trustee has responded (Docket No. 14), is **GRANTED**. It is hereby **ORDERED** that the plaintiff Trustee shall respond to the Motions to Dismiss filed by both defendants by April 4. The defendants may file a reply by April 11, 2008.

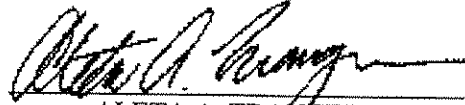
The Motion to Consolidate filed by defendant Mid-Atlantic Capital Corporation (Docket No. 8), to which the Trustee and defendant Regions Bank have responded (Docket Nos. 10, 11), and the movant has replied (Docket No. 15), is **DENIED**. To the extent that discovery common to Mid-Atlantic Capital Corporation can be coordinated by counsel in this case and in Case No. 3:07-cv-0841, the court encourages the parties to do so and to use that common discovery in both cases. It is therefore **ORDERED** that any discovery taken in Case No. 3:07-cv-0841 may be used in this case, so long as there is agreement between the parties to that effect.

An initial case management conference will be scheduled in this case after disposition of

the pending Motions to Dismiss. The parties shall assure that all motion papers related to the Motions to Dismiss have been made a part of the record in this case.

It is so **ORDERED**.

ENTER this 14th day of March 2008.



ALETA A. TRAUGER
U.S. District Judge