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SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY

R. Markley Dennis, Jr., Presiding Judge, Ninth Judicial Circuit

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Appellate Case No. 2014-001791

Deutsche Bank National Trust Company, as Trustee of the IndyMac IMJA Mortgage Trust 2007-A2, Mortgage Pass-Through Certificates, Series 2007-A2 under the Pooling and Servicing Agreement dated August 1, 2007,

Appellant,

v.

Thomas C. Stevenson III, Irven M. Stevenson, National Bank of South Carolina nka Synovus Bank and South Carolina Department of Revenue, and One West Bank FSB, including its division known as Indy Mac Mortgage Services,

Defendants,

Of whom Thomas C. Stevenson III And Irven M. Stevenson are

Respondents.

JOINT MOTION FOR ENLARGEMENT OF TIME TO FILE RECORD ON APPEAL AND FINAL BRIEFS

Undersigned counsel for Appellants Deutsche Bank National Trust Company, as Trustee of the IndyMac IMJA Mortgage Trust 2007-A2, Mortgage Pass-Through Certificates, Series

2007-A2 under the Pooling and Servicing Agreement dated August 1, 2007, ("Deutsche Bank") and OneWest Bank FSB[1], including its division known as Indy Mac Mortgage Services ("OneWest") and Respondents, Thomas C. Stevenson III and Irven M. Stevenson, respectfully move before the Court for a forty-five (45) day extension of time in which to file the Record on Appeal and a thirty (30) day extension of time in which to file the Final Briefs of Appellant and Respondents. The Record on Appeal is due May 13, 2015. If the requested enlargement is granted, the new due date for the Record on Appeal would be June 29, 2015. The Final Briefs of Appellant and Respondents are due on June 2, 2015. If the requested enlargement is granted, the new due date for the Final Briefs would be August 17, 2015. The grounds for this motion are as follows:

1. The parties are actively engaged in settlement negotiations and have tentatively reached an agreement as to all issues raised in the parties' pleadings.

2. Respondents' counsel has consented to this extension, as reflected in the attached email exchange;

3. No prejudice to any party nor undue delay would result from the extension; and

4. Appellant's counsel therefore believes there is good cause to grant the requested forty-five (45) day extension to June 29, 2015 for the filing of the Record on Appeal and the thirty (30) day extension to August 17, 2015 for the filing of Appellant and Respondents' Final Briefs.

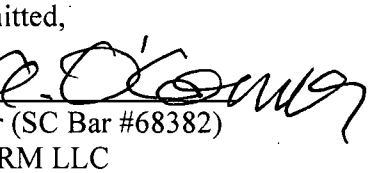
(SIGNATURE ON FOLLOWING PAGE)

(REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

[1] Deutsche Bank and OneWest Bank/IndyMac are not adverse and have no claims against one another. This action includes a third party complaint by Defendants Stevenson against OneWest Bank/IndyMac. The current caption incorrectly blends the captions of the first party and third party complaints.

Deutsche Bank National Trust Company, etc.
v. Thomas C. Stevenson III et al.
Case No. 2014-001791
JOINT MOTION FOR ENLARGEMENT
OF TIME TO FILE RECORD ON APPEAL
AND FINAL BRIEFS

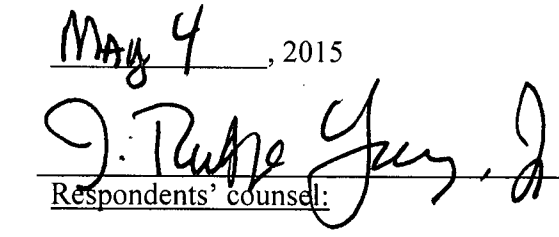
Respectfully submitted,



Sean A. O'Connor (SC Bar #68382)
FINKEL LAW FIRM LLC
4000 Faber Place Drive | Suite 450
North Charleston, South Carolina 29405
T: (843) 577-5460
F: (866) 800-7954
soconnor@finkellaw.com

Attorney for Plaintiff/Appellant Deutsche Bank National Trust Company and Defendant/Appellant OneWest Bank FSB

May 4, 2015



Respondents' counsel:

J. Rutledge Young, Jr.
DUFFY & YOUNG, LLC
96 Broad Street
Charleston, SC 29401
843.720.2044
843.720.2047 (fax)
jry@duffyandyoung.com

Attorney for Defendants/Respondents Thomas C. Stevenson III and Irven M. Stevenson

Tara E. Nauful
ADAMS AND REESE LLP
211 King Street, #330
Charleston, SC 29401
Direct: 843.410.1102
Direct Fax: 843.302.8212
tara.nauful@arlaw.com

Attorney for Defendant National Bank of South Carolina nka Synovus Bank **(not a Respondent to this appeal)**

Milton G. Kimpson
Chief Counsel
Office of Gen. Counsel for Tax and Reg. Svcs.
SC Department of Revenue
P.O. Box 12265
Columbia, SC 29211
Office: 803.898.5131
Fax: 803.896.0171
KimpsoM@sctax.org

Attorney for Defendant SC Dept. of Revenue **(not a Respondent to this appeal)**

Jen Ellis

From: J. Rutledge Young, Jr. <jry@duffyandyoung.com>
Sent: Monday, May 4, 2015 11:55 AM
To: Jen Ellis; Briggs, Nicole
Cc: Sean O'Connor; llott@bakerdonelson.com; Julie Moore; Liane Marcotulli
Subject: 2015-05-04- Extension ok- when can we see draft of Consent Order

Jen: I will sign and get to you in today's mail.

We resolved this case on April 20 so please ask Sean to give me some idea when I might receive a draft of the Consent Order of Foreclosure to comment on.

thanks

J. Rutledge Young Jr. | Attorney at Law | Duffy & Young, LLC
96 Broad Street | Charleston, SC | jry@duffyandyoung.com
o. 843.720.2044 | f. 843.720.2047 | www.duffyandyoung.com
DIRECT DIAL: 843.793.6713

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From: Jen Ellis [mailto:jellis@FinkelLaw.com]
Sent: Thursday, April 30, 2015 4:54 PM
To: J. Rutledge Young, Jr.; Liane Marcotulli; Julie Moore; Briggs, Nicole
Cc: Sean O'Connor
Subject: Stevenson

Mr. Young:

Attached please find a copy of a Joint Motion to enlarge time for filing the Record on Appeal and Final Briefs regarding the Stevenson matter. We have prepared these as a result of the settlement reached between the parties. If these documents meet with your approval, please let me know and we will file it with the Court. Thanks!

Sincerely,

Jen Ellis
Litigation Paralegal
P: 843.577.5460

Please consider your environmental responsibility before printing this e-mail. Stay Green.

Attached please find as

DISCLAIMER: The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or legally privileged material. Any review, retransmission, dissemination or other use of this information, directly or indirectly, by persons or entities other than the intended recipient is prohibited. If you are not the intended recipient please contact the sender and delete the material from all computers in which it resides. Internet communications cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late, incomplete, or contain viruses. Therefore, we do not accept responsibility for any errors or omissions that are present in this message, or any attachments, that have arisen as a result of e-mail transmission. If verification is required, please request a hard-copy version or contact us by phone. Any views or opinions presented are solely those of the author and do not necessarily represent those of the firm.

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Appellant,

v.

Thomas C. Stevenson III, Irven M. Stevenson, National Bank of South Carolina nka Synovus Bank and South Carolina Department of Revenue, and One West Bank FSB, including its division known as Indy Mac Mortgage Services,

Defendants,

Of whom Thomas C. Stevenson III And Irven M. Stevenson are

Respondents.

PROOF OF SERVICE

I certify that on the 7th day of May, 2015, I served the *Joint Motion for Enlargement of Time to File Record on Appeal and Final Briefs* on J. Rutledge Young, Jr., Esq. of Duffy & Young, LLC, attorney of record for Respondents, Thomas C. Stevenson and Irven M. Stevenson; Tara E. Nauful, Esq., of Adams and Reese, LLP, attorney of record for Defendant National Bank of South Carolina n/k/a Synovus Bank (not a Respondent to this appeal) and Milton G. Kimpson, Esq., attorney for Defendant South Carolina Department of Revenue (not a Respondent to this appeal), by depositing a copy in the U.S. Mail, postage prepaid, to their offices at 96 Broad Street, Charleston, South Carolina 29401, 211

King Street, Suite 330, Charleston, South Carolina 29401, and Post Office Box 12265, Columbia, South Carolina 29211, respectively.

Jennifer L. Ellis
Litigation Paralegal
FINKEL LAW FIRM, LLC
4000 Faber Place Drive | Suite 450
Charleston, South Carolina 29405
T: 843.577.5460
F: 866.800.7954
jellis@finkellaw.com

Attorney for Plaintiff/Appellant Deutsche Bank National Trust Company and Defendant/Appellant OneWest Bank FSB

Respondents' counsel:

J. Rutledge Young, Jr.
DUFFY & YOUNG, LLC
96 Broad Street
Charleston, SC 29401
843.720.2044
843.720.2047 (fax)
jry@duffyandyoung.com

Attorney for Defendants/Respondents Thomas C. Stevenson III and Irven M. Stevenson

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Tara E. Nauful
ADAMS AND REESE LLP
211 King Street, #330
Charleston, SC 29401
Direct: 843.410.1102
Direct Fax: 843.302.8212
tara.nauful@arlaw.com

Attorney for Defendant National Bank of South Carolina nka Synovus Bank **(not a Respondent to this appeal)**

Milton G. Kimpson
Chief Counsel
Office of Gen. Counsel for Tax and Reg. Svcs.
SC Department of Revenue
P.O. Box 12265
Columbia, SC 29211
Office: 803.898.5131
Fax: 803.896.0171
KimpsoM@sctax.org
Attorney for Defendant SC Department of Revenue **(not a Respondent to this appeal)**

FINKEL
LAW FIRM LLC

JENNIFER L. ELLIS, PARALEGAL
JELLIS@FINKELLAW.COM

REPLY TO:
CHARLESTON LITIGATION

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MAY 12 2015
SC Court of Appeals

May 7, 2015

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: *Deutsche Bank National Trust Company, as Trustee of the IndyMac IMJA Mortgage Trust 2007-A2, Mortgage Pass-Through Certificates, Series 2007-A2 under the Pooling and Servicing Agreement dated August 1, 2007 v. Thomas C. Stevenson III and Irven M. Stevenson, National Bank of South Carolina nka Synovus Bank, South Carolina Department of Revenue, and OneWest Bank FSB, including its division known as Indy Mac Mortgage Services*
Appellate Case No.: 2014-001791
Our File No.: 52310.47707

Dear Ms. Kitchings:

Enclosed please find the *Joint Motion for Enlargement of Time to File Record on Appeal and Final Briefs* and the related *Proof of Service* which we have prepared in connection with the above referenced appeal. It would be greatly appreciated if you would file same and return the file-stamped copies in the enclosed envelope.

If you have any questions or concerns, please contact me at your convenience.

With warmest regards, I am

Sincerely,

Jennifer L. Ellis
Litigation Paralegal

:jle
Enclosure

cc: J. Rutledge Young, Jr., Esq.
Tara E. Nauful, Esq.
Milton E. Kimpson, Esq.

FINKEL
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4000 Faber Place Drive | Suite 450
North Charleston | South Carolina | 29405

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The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 11629
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