Docket #0053 Date Filed: 7/5/2012

Hearing Date: July 24, 2012 at 10:00 a.m.
Objection Deadline: July 16, 2012 at 4:00 p.m.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re: RESIDENTIAL CAPITAL, LLC, *et al.*, Debtors.	Case No. 12-12020 (MG) Chapter 11 Jointly Administered Adv. Case No. 12-ap-01671 (MG)
RESIDENTIAL CAPTIAL, LLC., *et al.*, Plaintiffs, -against- ALLSTATE INSURANCE CO., *et al.*, Defendants.	

NOTICE OF MOTION TO DISMISS THE DEBTORS' COMPLAINT AGAINST THE FEDERAL DEPOSIT INSURANCE CORPORATION AS RECEIVER FOR CITIZENS NATIONAL BANK AND AS RECEIVER FOR STRATEGIC CAPITAL BANK

PLEASE TAKE NOTICE that, pursuant to Rule 7012 of the Federal Rules of Bankruptcy Procedure and Rule 12(b) of the Federal Rules of Civil Procedure, and upon the accompanying Memorandum of Law, defendant the Federal Deposit Insurance Corporation, as Receiver for Citizens National Bank and as Receiver for Strategic Capital Bank, by and through its undersigned attorneys, will move this Court on ***July 24, 2012 at 10:00 a.m.***, or as soon thereafter as counsel may be heard, for an order dismissing the Debtors' Complaint against the FDIC with prejudice and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that objections or responses, if any, to the Motion shall be filed and served in accordance with the Local Rules of the United States Bankruptcy

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Court for the Southern District of New York and the Case Management Order on or before ***July 16, 2012 at 4:00 p.m.***

Dated: July 5, 2012
New York, New York

GRAIS & ELLSWORTH LLP

By: /s/ Mark B. Holton

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