IN THE UNITED STATES BANKRUPTCY COURT FOR THE
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION
www.flmb.uscourts.gov

IN RE:

HILLSBOROUGH HOLDINGS CORPORATION, ET AL.,

Debtors.

Case Nos. 89-9715-8P1 through 89-9746-8P1 and No. 90-11997-9P1

HILLSBOROUGH HOLDINGS CORPORATION, ET AL.,

Plaintiffs,

v.

Adv. Proc. No. 91-313-KRM

UNITED STATES OF AMERICA,

Defendant.

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UNOPPOSED MOTION TO CONTINUE STATUS CONFERENCE

Plaintiff, Hillsborough Holdings Corporation ("**Hillsborough**"), by and through its undersigned counsel, files this its Unopposed Motion to Continue Status Conference and, in support thereof, states:

1. On June 24, 2015, the Defendant, the United States of America ("the "**Government**") filed a motion for final judgment (the "**Final Judgment Motion**"), seeking entry of an order approving a purported settlement between the parties regarding the Adversary Proceeding. Adv. Proc. Dkt. No. 439. Hillsborough filed an objection to the Final Judgment Motion based, among other things, on certain procedural deficiencies with respect to the Motion and Hillsborough's denial that a settlement had been reached. *See* Adv. Proc. Dkt. No. 440.

2. On July 15, 2015, the successor-in-interest to Hillsborough, Walter Energy Inc.

and certain of its U.S. subsidiaries (collectively, with Walter Energy, the "**Alabama Debtors**") filed for chapter 11 relief in the Alabama Bankruptcy Court.

3. At a preliminary hearing on the Final Judgment Motion, the Court adjourned the matter to August 20, 2015, at 11:30 a.m. (the "**Continued Status Conference**") in light of the contemporaneous chapter 11 filings by Hillsborough's successor-in-interest.

4. On August 18, 2015, the Plaintiff's Motion for an Order Pursuant to 28 U.S.C. §1412 and Bankruptcy Rule 7087 (A) Transferring Adversary Proceeding to the Bankruptcy Court for the Northern District of Alabama and (B) Granting Related Relief (the "**Transfer Motion**") (Adv. Doc. No. 444) was filed.

5. In order to allow the parties to fully address the issues raised by the Transfer Motion, Hillsborough requests that the Court further continue the Continued Status Conference, approve the briefing schedule agreed to by the parties for filing pleadings with respect to the Transfer Motion, reschedule the status conference for September 17, and schedule a hearing on the Transfer Motion on September 17.

6. The briefing schedule agreed to by the parties provides that the Government shall file a response to the Transfer Motion on or before September 2 and Hillsborough shall file its reply on or before September 9.

7. A continuance of the hearing and the adoption of the briefing schedule set forth herein will allow the parties to fully address the issues raised by the Transfer Motion before the hearing on such Motion on September 17.

8. The Government does not oppose the relief requested herein.

WHEREFORE, HHC respectfully requests the Court grant this motion, continue the

Status Conference, and for such other and further relief as may be just.

Dated: August 18, 2015

/s/ Scott A. Stichter
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Counsel for the Plaintiff Hillsborough Holdings Corp.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the foregoing *Unopposed Motion to Continue Status Conference* has been furnished by the Court's CM/ECF System to all parties receiving electronic notice, and by U.S. Mail on August 18, 2015, to:

Robert L. Welsh
Trial Attorney, Tax Division
U.S. Department of Justice
Post Office Box 14198
Ben Franklin Station
Washington, D.C. 20044

/s/ Scott A. Stichter
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