UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

In re: RICHARD LOTFY AND SHARI LOTFY, Debtors	Chapter 13 Case No. 08-40106-JBR

MOTION TO VACATE DISMISSAL

The above Chapter 13 case was filed on January 14, 2008. On or about February 15, 2008 Debtors and the Chapter 13 Trustee entered into an agreement to extend timelines and for the Debtors to file additional documentation.

The documents that need to be updated are dependant on the proof of claims that are filed by the IRS and Mass DOR. Debtors' counsel has been working with Debtors, their accountant, and the IRS to get all the documentation in order.

Debtors' counsel was under the mistaken belief that an additional extension had been requested and granted in this matter.

The error was due to Counsel's inadvertence, and through no fault of the Debtors.

As such, Counsel respectfully requests that the Order of Dismissal be vacated as a significant portion of the missing documentation is being filed simultaneous to this Motion.

Respectfully submitted,
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/s/ Rosaleen J. Clayton
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5/13/2008 ALLOWED.