

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

**IN RE RICHARD P. LOTFY AND
SHARI D. LOTFY,**

Debtors.

BANKRUPTCY NO. 08-40106

**RICHARD P. LOTFY & SHARI D.
LOTFY**

Plaintiff,

v.

**FEDERAL DEPOSIT INSURANCE
CORPORATION AS RECEIVER FOR
INDYMAC BANK, FSB,**

Defendants.

ADV. PRO. NO. 08-04071

**ASSENTED TO MOTION TO EXTEND TIME FOR FILING
CERTIFICATE OF SERVICE FOR NON-EVIDENTIARY HEARING**

Now comes the Defendant, Federal Deposit Insurance Corporation as Receiver for IndyMac Bank, FSB ("FDIC"), and respectfully requests that this Court extend the time for filing the certificate of service for the Non-Evidentiary Hearing scheduled for July 30, 2009. In support of its Motion the FDIC states the following:

1. The Defendant inadvertently missed the seven (7) deadline for filing the certificate of service for the non-evidentiary hearing which would have been due 6/10/09.
2. The Defendant has contacted Plaintiff's counsel regarding the hearing and counsel for the Plaintiff does not oppose the extension of time to file.
3. The Defendant contends that the Plaintiff will not be prejudiced since the hearing date is set for July 30, 2009.

4. The Defendant is willing to provide the Plaintiff's counsel with additional time to respond.

WHEREFORE, the Defendant, Federal Deposit Insurance Corporation as Receiver for IndyMac Bank, FSB respectfully requests that this Court extend the time for filing the certificate of service for the Non-Evidentiary Hearing scheduled for July 30, 2009.

Respectfully submitted,
Federal Deposit Insurance
Corporation as Receiver for IndyMac
Bank, FSB
By its attorney,

/s/ John T. Precobb
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