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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

In re: SOUTH EDGE, LLC, Debtor.	**Civil Case No.: 2:11-cv-00240-PMP-RJJ** Bankruptcy Case No. 10-32968-bam Chapter 11
SOUTH EDGE, LLC, Appellant, v. JPMORGAN CHASE BANK, N.A.; CREDIT AGRICOLE CORPORATE AND INVESTMENT BANK; and WELLS FARGO BANK, N.A., Appellees.	**JPMORGAN CHASE BANK, N.A.'S OBJECTION TO MOTION OF SOUTH EDGE, LLC FOR ORDER SHORTENING TIME FOR RESPONSES TO THE CONCURRENTLY FILED MOTION TO RESTORE AN APPELLATE BRIEFING SCHEDULE**

JPMorgan Chase Bank, N.A. ("JPMorgan"), in its capacity as one of the appellees in the captioned appeal, submits this Objection to the Motion of South Edge, LLC for

Order Shortening Time for Responses to the Concurrently filed Motion to Restore an Appellate Briefing Schedule (the "Emergency Motion").

Notwithstanding its assertions to the contrary, there is no "emergency" that warrants the Court entering an order shortening time with regards to the *Motion of South Edge, LLC to Restore an Appellate Briefing Schedule* [D.E. 26] (the "Restoration Motion"). South Edge, which purports to continue to act through counsel engaged by its owners, has failed to demonstrate any cause to expedite either the briefing or any hearing on the Restoration Motion. Therefore, the Emergency Motion should be denied.[1]

South Edge has not sought to expedite the appeal of Judge Markell's orders. South Edge simply filed a notice of appeal within the statutory period and filed its statement of issues and designation of record within the relevant statutory timeframes. South Edge chose not to file post-trial motions, and it also did not seek a stay of Judge Markell's orders pending its appeal to this Court. Now that the Court has decided to give the Chapter 11 trustee a reasonable period of time to determine how she wishes to proceed with the Appeal, South Edge, without even attempting to comply with the standards for reconsideration, requests expedited relief on a motion that prejudices the Chapter 11 trustee and all other parties-in-interest. Rather than respecting the Court's order vacating the Court's prior order and granting the Trustee a relatively brief period of time in which to apprise this Court of her position with respect to the appeals [*see* D.E. 22], South Edge, instead prefers to second guess the Court's judgment and seeks to inappropriately expedite the issues pending before the Court.

[1] As a consequence of Judge Markell's order directing the appointment of a Chapter 11 Trustee, the movants herein have no authority with respect to the appeal and as a result, the Emergency Motion and Restoration Motion should be denied on that basis alone. JPMorgan reserves all rights with respect to the authority and standing of the movants as to the appeal and generally.

By vacating the Scheduling Order, the Court recognized the importance of providing Ms. Nelson with sufficient time to confer with her counsel, review the Appeal and make a decision whether or not to move forward with the Appeal, and gave her a reasonable period of time to do so. By the Restoration Motion, South Edge, like the Members did in the Intervention Motion, [*see* D.E. 6], is seeking an advisory opinion from the Court extinguishing the Trustee's authority to act on behalf of South Edge (in this case, to prosecute the Appeal or not). The fundamental problem with South Edge's approach is that the issue of the Trustee's authority is not presently before the Court. Until such time that Ms. Nelson decides how to proceed with respect to the Appeal, the issue of her right to continue to prosecute the appeal -- standing -- is simply not before the Court. One way to appreciate this point is to consider the possibility that the Trustee elects to prosecute the appeal. What is the issue then, whether Klee Tuchin or the Trustee's counsel writes the brief for South Edge?

Despite the importance of permitting the Chapter 11 trustee to fulfill her statutory obligations, South Edge has not provided the Court with any cognizable reason to expedite briefing or consideration of the Reconsideration Motion should the Court ultimately decide to hear the motion.

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Therefore, JPMorgan respectfully requests that the Court deny the Emergency Motion and schedule briefing and consideration of the Restoration Motion on regular notice.[2]

Dated: March 1, 2011

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[2] JPMorgan reserves all rights to respond to the Restoration Motion in the event the Court decides to hear the motion, as directed by this Court or in accordance with any future order.