

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
Jacksonville Division

In re:

TAYLOR, BEAN & WHITAKER
MORTGAGE CORP.,

CASE NO. 03:9-BK-07047-JAF

Chapter 11

Debtor.

AGREED EX PARTE MOTION TO CONTINUE HEARING ON MOTION TO QUASH OR
ENTER PROTECTIVE ORDER AGAINST SUBPOENA FOR RULE 2004
EXAMINATION DUCES TECUM

Ice legal, P.A. ("Ice"), an interested party herein, through undersigned counsel, hereby moves on an agreed *ex parte* basis to continue the hearing on the "Motion to Quash or Enter Protective Order Against Subpoena for Rule 2004 Examination Ducus Tecum" (defined below) and in support states:

1. Ice has a motion for relief from stay pending before the Court (CP # 8267).
2. On November 12, 2015 Ice served a Subpoena for Rule 2004 Examination (the generally, the "Subpoena") upon Mark C. Holmberg, Esq.
3. Notice of the Served Subpoena was filed on November 23, 2015 (CP # 8323)
4. On November 30, 2015 Holmberg filed his Motion to Quash or Enter Protective Order Against Subpoena for Rule 2004 (CP # 8326, the "Motion to Quash").
5. The hearing on the Motion to Quash is presently set before the Court on January 7, 2016, at 2:30 p.m. (the "Hearing").
6. Ice and Holmberg have agreed to continue the hearing on the Motion to Quash.

7. Continuing the hearing will not prejudice any parties.

WHEREFORE, ICE respectfully requests the entry of an Order re-setting the Hearing and for such other and further relief as the Court deems to be just and equitable.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this date a true and correct copy of the foregoing was served via electronic mail and EM/ECF upon Debtor's counsel, Ed Peterson, Esq., Stichter, Riedel, Blain & Postler, P.A., 110 East Madison Street, Suite 200, Tampa, FL, 33602 (epeterson@srbp.com) by email upon Robert R. Edwards, Esq counsel for Mark C. Holmberg (redwards@rasflaw.com) and upon all other parties entitled to notice via the Court's electronic filing system.

DATED: January 4, 2016

/s/ David R. Softness
David R. Softness, Esq.
(FBN: 513229)
DAVID R. SOFTNESS P.A.
201 South Biscayne Boulevard
Suite 2740
Miami, FL 33131
Tel: 305-341-3111
Email: david@softnesslaw.com

Counsel for Ice Legal, P.A.