

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA

FILED  
U.S. DISTRICT COURT  
INDIANAPOLIS DIVISION

01 JUN 21 PM 3:07

JAMES A. KNAUER as the Court Appointed )  
Receiver for HEARTLAND )  
FINANCIAL SERVICES, INC., and JMS )  
INVESTMENT GROUP, LLC, )

Plaintiff, )

v. )

KENNETH R. PAYNE, )  
DANIEL G. DANKER, CONSTANCE )  
BROOKS-KIEFER, JOHANN M. SMITH, )  
AERO TECHNOLOGIAS, Ltd., )  
ATLAS INCOME FUND, LLC, )  
BMC INVESTMENT GROUP, )  
LLC, CARRIBEAN FEDERAL TRUST, Ltd., )  
CARRIBEAN FEDERAL TRUST SERVICES, )  
Ltd., CARRIBEAN FINANCIAL SERVICES, )  
CARRIBEAN INVESTMENTS )  
INTERNATIONAL, Ltd., )  
CELTIC CENTRE II, )  
Ltd., CHARMAR, Ltd., )  
DOLPHIN INTERNATIONAL )  
DEVELOPMENT, Ltd., DOLPHIN )  
PENINSULA PARTNERS, FIRST FIDELITY )  
TRUST, Ltd., FIRST INTERNATIONAL )  
LIMITED, HEARTLAND )  
INTERNATIONAL TRUST SERVICES, Ltd., )  
HEARTLAND MONEY MANAGEMENT OF )  
FLORIDA, INC., INTERNATIONAL )  
LEISURE CENTERS, INC., KJL, Ltd. OF )  
BELIZE, LINCOLN FIDELITY ESCROW )  
SERVICES, MDS INVESTMENTS, Ltd., )  
PMK, Ltd., PROVIDENT BANK, )  
RMP, Ltd., TERENS, Ltd., )  
21<sup>ST</sup> CENTURY BANKING GROUP, Ltd., )  
21<sup>ST</sup> CENTURY INTERNATIONAL BANK )  
& TRUST, Ltd. OF GRENADA, )  
21<sup>ST</sup> CENTURY INTERNATIONAL )  
ADVISORS, INC., 21<sup>ST</sup> CENTURY )  
INTERNATIONAL ADVISORS OF )  
BERMUDA, Ltd., 21<sup>ST</sup> CENTURY )

CAUSE NO. IP-00-1629 C-T/G

SOUTHERN DISTRICT  
OF INDIANA  
LAURA A. BRIGGS  
CLERK

INTERNATIONAL ADVISORS OF )  
 IRELAND, Ltd., 21<sup>ST</sup> CENTURY )  
 PERSONNEL, LLC, UNIVERSAL )  
 FINANCIAL SERVICES, LTD. and )  
 JOHN DOES 1-20, )  
 )  
 Defendants. )  
 )

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**PLAINTIFF'S SECOND MOTION FOR EXTENSION OF TIME  
 TO RESPOND TO DEFENDANT, CONSTANCE BROOKS-KIEFER'S,  
 MOTION TO DISMISS**

Comes now the Plaintiff, James A. Knauer ("Plaintiff"), by counsel, and respectfully moves the Court for a second thirty (30) day extension of time up to, and including, Monday, July 23, 2001, in which to respond to Defendant, Constance Brooks-Kiefer's, Motion to Dismiss. In support of his motion, the Plaintiff would show the Court as follows:

1. On or about May 7, 2001 Plaintiff was served with Defendant, Constance Brooks-Kiefer's ("Defendant"), Motion to Dismiss.
2. Plaintiff's response to Defendant's Motion is presently due on June 21, 2001, and said time has not yet expired.
3. Counsel for the Plaintiff has spoken with counsel for the Defendant and has received communications from another defendant that may lead to the resolution of many of the claims in this lawsuit.
4. The Plaintiff reasonably requires additional time in order to pursue the potential resolution of these issues.
5. The Plaintiff believes that at this time it is in the best interest of the Receivership and in the creditors of Heartland Financial Services to devote Receivership resources to attempt

to resolve the issues between the Plaintiff and the Defendant, rather than in responding to the pending motion to dismiss.

6. Counsel for the Plaintiff has spoken with counsel for the Defendant and is authorized to represent that the Defendant has no objection to this request for a thirty (30) day extension of time to respond to the Defendants' pending motion to dismiss.

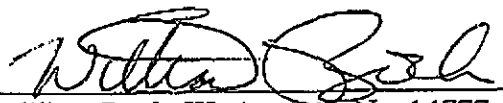
7. The Plaintiff requests a thirty (30) day extension of time up to, and including, Monday, July 23, 2001, in which to respond to Defendant's Motion to Dismiss.

8. The extension of time requested herein has not been requested for the purpose of delay and will not prejudice any party herein.

WHEREFORE, the Plaintiff, James A. Knauer, by counsel, respectfully requests that the Court grant a thirty (30) day extension of time up to, and including, Monday, July 23, 2001, in which to respond to Defendant's Motion to Dismiss, and for all other relief proper in the premises.

Respectfully submitted,

**KROGER, GARDIS & REGAS, LLP**

By:   
William Bock, III, Attorney No. 14777-49  
Counsel for James A. Knauer, Plaintiff

**KROGER, GARDIS & REGAS, LLP**  
111 Monument Circle, Suite 900  
Indianapolis, Indiana 46204-5125  
Telephone: (317) 692-9000  
Facsimile: (317) 264-6832

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing has been served upon the following parties by placing a copy of the same in the United States Mail, first class postage pre-paid, on this 21<sup>st</sup> day of June, 2001:

Stephen W. Dillon  
Ross G. Thomas  
Dillon Law Office  
3601 North Pennsylvania Street  
Indianapolis, Indiana 46205-3435

Kenneth Payne  
Federal Medical Center  
Reg. No. & Qtrs.: 06422-028  
PMB 4000  
Rochester, Minnesota 55903-4000



William Bock, III