

10/3/01

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

JAMES A. KNAUER as the Court )  
Appointed Receiver for HEARTLAND )  
FINANCIAL SERVICES, INC., and )  
JMS INVESTMENT GROUP, LLC, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
JONATHAN ROBERTS FINANCIAL )  
GROUP, INC., ALLIANCE CAPITAL )  
MANAGEMENT CORP., ANDOVER )  
SECURITIES, CORPORATION, and )  
FFP SECURITIES, INC., )  
 )  
Defendants. )  
 )

Cause No: IP01-1168-C-T/G

**MOTION FOR EXTENSION OF TIME**

Come now the Defendants, Jonathan Roberts Financial Group, Inc. and Alliance Capital Management Corporation (hereinafter "Jonathan Roberts/Alliance") by counsel, and respectfully move the Court for an extension of time in which to answer or otherwise respond to Plaintiff's Complaint. In support of said motion the Defendants would show the Court as follows:

1. That pursuant to Local Rule 6.1 and agreement of counsel Jonathan Roberts/Alliance's Answer is currently due on October 4, 2001.
2. Given the fact that the Plaintiff's Complaint incorporates by reference the Complaints in United States Securities and Exchange Commission v. Payne, et al., Case No. IP00-1265-C-T/G and Knauer, et al. v. Payne, et al., Cause No. IP00-1629-C-T/G, and

the volume of factual claims and attached documents, the individual counsel requires additional time to respond to the Complaint.

3. The Defendants will be filing with the Court a motion to dismiss many of the claims presented in the Plaintiff's Complaint. In order to reduce redundant briefing, the respective counsel for the Defendants are cooperating in their briefing. However, the drafting of such a joint motion has been delayed due to the exchanging of briefs and different answer deadlines for the completion thereof.

4. That the Defendants Jonathan Roberts/Alliance respectfully request an additional seven (7) days in which to answer or otherwise respond to the Plaintiff's Complaint.

5. That Plaintiff's counsel was unable to be reached regarding said motion for Extension of Time.

WHEREFORE, the Defendants, Jonathan Roberts Financial Group, Inc. and Alliance Capital Management Corporation, respectfully request an extension of time of seven (7) days, in which to answer or otherwise respond to Plaintiff's Complaint and for all other just and proper relief in the premises, or to and including October 11, 2001.

Respectfully submitted,

LOCKE REYNOLDS LLP



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Thomas E. Wheeler, II  
Attorney I.D. No. 13800-49

Attorneys for the Defendants  
Jonathan Roberts Financial Group, Inc.  
and Alliance Capital Management Corp.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served by United States Mail, first-class, postage prepaid on the following counsel of record this 2 day of Sept, 2001:

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