

10/25/01

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

COPY

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

Plaintiff, )

CAUSE NO. IP01-1168-C-T/K

v. )

JONATHON ROBERTS FINANCIAL )  
GROUP, INC., )  
ALLIANCE CAPITAL MANAGEMENT )  
CORP., )  
ANDOVER SECURITIES INC., )  
FSC SECURITIES, CORPORATION, and )  
FFP SECURITIES, INC., )

Defendants. )

**PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO RESPOND TO  
DEFENDANT FFP SECURITIES, INC.'S MOTION TO DISMISS**

Comes now the Plaintiff, James A. Knauer, as the Court-Appointed Receiver for Heartland Financial Services, Inc. and JMS Investment Group, LLC ( "Plaintiff"), by counsel, and respectfully moves the Court for a thirty (30) day extension of time up to, and including, Wednesday, November 28, 2001, in which to respond to FFP Securities Inc.'s Motion to Dismiss Plaintiff's Complaint ("Motion to Dismiss"). In support of his Motion, the Plaintiff would show the Court as follows:

1. On or about October 8, 2001 Plaintiff was served with the Defendant, FFP Securities, Inc.'s ("Defendant FFP"), Motion to Dismiss.

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2. On or about October 12, 2001 Plaintiff was served with Defendants Jonathan Roberts Financial Group, Inc. and Alliance Capital Management Corporation's Motion to Dismiss (the "Roberts/Alliance Motion to Dismiss")

3. Plaintiff's response to the Roberts/Alliance Motion to Dismiss is presently due on Monday October 29, 2001, and said time has not yet expired.

4. On or about October 14, 2001, Plaintiff was served with Defendant FFP's Joinder of FFP Securities, Inc. in the Motion to Dismiss and Brief in Support of Jonathan Roberts Financial Group, Inc./Alliance Capital Management Corporation.

5. As Defendant FFP is now a joined party to the Roberts/Alliance Motion to Dismiss, Plaintiff's response to Defendant FFP's Motion to Dismiss is presently due on Monday October 29, 2001.

6. Counsel for the Plaintiff reasonably requires additional time in order to fully frame his response to the Roberts/Alliance Motion to Dismiss.

7. The Plaintiff reasonably requests a thirty (30) day extension of time up to, and including, Wednesday, November 28, 2001, in which to respond to the Roberts/Alliance Motion to Dismiss in which Defendant FFP is now a joined party and to the FFP 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.

9. Representative for the Plaintiff's counsel has spoken with counsel for each of the aforementioned Defendants and is authorized to represent that those Defendants' have no objection to this request for a thirty (30) day extension of time to respond to the pending Roberts/Alliance Motion to Dismiss.

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, Wednesday, November 28, 2001, in which to respond to the Roberts/Alliance 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

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**CERTIFICATE OF SERVICE**

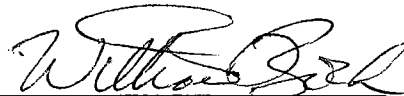
The undersigned hereby certifies that the foregoing has been served upon the following parties by placing a copy of the same in the United States Mail, first class postage pre-paid, on this 25<sup>th</sup> day of October, 2001:

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