

1/11/02

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, )

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 (ONE DAY) TO RESPOND TO  
DEFENDANT FSC SECURITIES CORPORATION'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 an additional one (1) day extension of time up to, and including, Monday, January 14, 2002, in which to respond to the Motion to Dismiss by FSC Securities Corporation ("Motion to Dismiss"). In support of his motion, the Plaintiff would show the Court as follows:

1. On or about October 12, 2001 Plaintiff was served with Defendant, FSC Securities Corporation's ("Defendant"), Motion to Dismiss.

2. Plaintiff's response to Defendant's Motion is presently due on Friday, January 11,

4010

2002, and said time has not yet expired.

3. Counsel for the Plaintiff reasonably requires additional time in order to fully frame his response to Defendant's Motion to Dismiss.

4. The Plaintiff requests an additional one (1) day extension of time up to, and including, Monday, January 14, 2002, in which to respond to Defendant's Motion to Dismiss.

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

6. Plaintiff's counsel has communicated with counsel for the Defendant and at the time of filing of this motion has received no objection to this request for an additional one (1) day extension of time to respond to the Defendant's pending Motion to Dismiss.

WHEREFORE, the Plaintiff, James A. Knauer, as the Court-Appointed Receiver for Heartland Financial Services, Inc. and JMS Investment Group, LLC, by counsel, respectfully requests that the Court grant an additional one (1) day extension of time up to, and including, Monday, January 14, 2002, 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: 

Reynolds B. Brissenden, Attorney No. 19989-49  
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 11<sup>th</sup> day of January, 2002:

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