

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

IN RE: )  
 )  
 COLONIAL BANCGROUP, INC., )  
 )  
 Debtor. )  
 )  
 COLONIAL BANCGROUP, INC., )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 BRANCH BANKING AND TRUST )  
 COMPANY, )  
 )  
 Defendant and )  
 Third-Party Plaintiff, )  
 )  
 v. )  
 )  
 FEDERAL DEPOSIT INSURANCE, )  
 CORPORATION, as Receiver )  
 for Colonial Bank and in )  
 its Corporate Capacity, )  
 )  
 Third-Party Defendant. )

CIVIL ACTION NO.  
 2:11cv824-MHT  
 (WO)

ORDER

This matter is before the court on plaintiff Colonial BancGroup, Inc.'s motion to stay this action it brought against defendant Branch Banking and Trust, Co. Based on the representations of the parties made during an on-the-

record telephone conference held on October 19, 2011, it is ORDERED that plaintiff Colonial BancGroup, Inc.'s motion to stay (doc. no. 2) is denied.

It is further ORDERED that:

(1) The parties have until November 16, 2011, to file motions for summary judgment. Any opposition briefs and evidentiary materials are due by December 7, 2011, and any replies to the opposition are due by December 14, 2011.

(2) Any pending motion for summary judgment is set for oral argument on January 20, 2012, at 10:30 a.m. at the Frank M. Johnson, Jr. United States Courthouse Complex, Courtroom 2FMJ, One Church Street, Montgomery, Alabama.

DONE, this 20th day of October, 2011.

          /s/ Myron H. Thompson            
UNITED STATES DISTRICT JUDGE