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## **CERTIFICATE OF SERVICE**

I hereby certify that on November 14, 2008, a true and correct copy of the foregoing document was served via e-mail (i) upon the parties listed below, and (ii) upon the parties that receive electronic notice in this case pursuant to the Court's ECF filing system.

/s/ John D. Penn  
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**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

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IN RE: : Civil Action No. 08-259  
: :  
SCOTIA DEVELOPMENT LLC., *et. al.*, : Bankruptcy Case No.  
: 07-20027-C11  
: :  
Debtors. : :  
: :  
: :  
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**ORDER GRANTING AGREED MOTION  
TO ESTABLISH BRIEFING SCHEDULE**

On the date shown below, came on to be considered the Agreed Motion to Establish a Briefing Schedule (the “Agreed Motion”). The Court, after review of the Agreed Motion and for good cause, finds and concludes that the Agreed Motion should be granted.

IT IS THEREFORE ORDERED:

- (a) Appellants joint brief in opposition to the Appellees’ motion to dismiss this appeal shall be filed on or before December 19, 2008;
- (b) Appellees joint reply brief in further support of their motion to dismiss this appeal shall be filed on or before January 30, 2009;
- (c) If the Court concludes that oral argument on the motion to dismiss is necessary, the argument shall be held on February 18, 2009 at 9:00 a.m.

Dated: November \_\_, 2008

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Chief Judge Hayden Head  
United States District Court