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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

-----X  
In re : Chapter 11  
 :  
LandAmerica Financial Group, Inc. et al., : Case No. 08-35994 (KRH)  
 :  
Debtors. : (Jointly Administered)  
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**AMENDED PROPOSED AGENDA FOR THE 11<sup>th</sup> OMNIBUS  
HEARING SCHEDULED FOR OCTOBER 26, 2009**

**A. Introduction**

Set forth below is the **Amended** proposed agenda for the 11th Omnibus Hearing scheduled for October 26, 2009 beginning at 11:00 a.m. (the “Proposed Agenda”).

The information contained in the **Amended** Proposed Agenda reflects documents received in our offices as of the date hereof. Counsel for the Debtors has served a copy of this **Amended** Proposed Agenda in accordance with the Amended Order Establishing Omnibus Hearing Dates and Authorizing Certain Electronic Notice, Case Management and Administrative Procedures (entered on December 23, 2008 at Docket No. 435).

**Changes to the Proposed Agenda filed on October 22, 2009 (Docket No. 2318) are indicated in bold.**

The matters set for hearing are divided into the following categories for the purposes of this Proposed Agenda:

- A. Introduction
- B. Uncontested, Agreed or Settled Matters (11 Matters)
- C. Continued or Adjourned Matters (0 Matters)
- D. Contested Matters (10 Matters)
- E. Adversary Proceedings (0 Matters)

**B. Uncontested, Agreed or Settled Matters**

1. Motion of Conveca Associates Limited Partnership for Leave to File Late Proof of Claim filed by Robert S. Westermann of Hirschler Fleischer, P.C. on behalf of Conveca Associates Limited Partnership. (Docket No. 2139).

Responses Filed: None.

Replies Filed: None.

Related Filings: Notice of Motion and Notice of Hearing filed by Robert S. Westermann of Hirschler Fleischer, P.C. on behalf of Conveca Associates Limited Partnership (Docket No. 2140).

Status: The hearing on this matter will go forward.

2. Notice of Debtors' Objection to Claim Number 1900 filed by Sandler Lasry Laube Byer & Valdez, LLP filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 2062).

Responses Filed: None.

Replies Filed: None.

Related Filings: None.

Status: The hearing on this matter will go forward.

3. Notice of Debtors Objection to Claim Number 1996 filed by Christine Dewing filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 2063).

Responses Filed: None.

Replies Filed: None.

Related Filings: None.

Status: The hearing on this matter will go forward.

4. Eighth Omnibus Objection of LandAmerica Financial Group, Inc. and LandAmerica 1031 Exchange Services, Inc. to the Allowance of Certain Claims filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 1982).

Responses Filed: Objection filed by New England Business Media. (Docket No. 2047).

Replies Filed: None.

Related Filings: Notice of Objection to Claim filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 1983).

Status: The hearing on this matter will go forward.

5. Tenth Omnibus Objection of LandAmerica Financial Group, Inc. and LandAmerica 1031 Exchange Services, Inc. to the Allowance of Claims filed Against Non-Debtor Entities filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 1986).

Responses Filed: Objection filed by Martie Dewbre. (Docket No. 2048).

Replies Filed: None.

Related Filings: Notice of Objection to Claim filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 1987).

Status: The hearing on this matter will go forward.

6. Debtors' Motion for Order Pursuant to 11 U.S.C. §§ 363 and 554 and Bankruptcy Rule 9019(a) Authorizing LandAmerica Financial Group, Inc. to Enter Into a First Amendment to Sublease Agreement with Capital One

Services, Inc., a Stipulation with FSP Innsbrook Corp. Terminating a Lease of Nonresidential Real Property, and a New Lease of Nonresidential Real Property and Providing Related Relief filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 2142).

Responses Filed: None.

Replies Filed: None.

Related Filings: Notice of Motion and Notice of Hearing filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 2143).

Status: The hearing on this matter will go forward.

7. Motion of LandAmerica Financial Group, Inc. and LandAmerica 1031 Exchange Services, Inc. for Order Pursuant to Bankruptcy Rule 3003(c)(3) Establishing the Deadline for Officers and Directors to File Proofs of Claim filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 2191).

Responses Filed: None.

Replies Filed: None.

Related Filings: Notice of Motion and Notice of Hearing on Motion for Order Pursuant to Bankruptcy Rule 3003(c)(3) Establishing the Deadline for Officers and Directors to File Proofs of Claim (Docket No. 2192).

Status: The hearing on this matter will go forward.

8. Motion of Debtor Pursuant to Local Bankruptcy Rule 9013-1 for an Order Scheduling an Expedited Hearing on Debtor's Motion to File Certain Documents Under Seal filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica 1031 Exchange Services, Inc. (Docket No. 2252).

Responses Filed: None.

Replies Filed: None.

Related Filings: Notice of Motion and Notice of Hearing on Motion Pursuant to Local Bankruptcy Rule 9013-1 for an Order Scheduling an Expedited Hearing on the motion to File

Certain Documents Under Seal and Debtor's Motion to File Certain Documents Under Seal (Docket No. 2253).

Status: The hearing on this matter will go forward.

9. Debtor's Motion to File Certain Documents Under Seal filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica 1031 Exchange Services, Inc. (Docket No. 2251).

Responses Filed: None.

Replies Filed: None.

Related Filings: Debtor's Motion for Order: (A) Approving (I) the Sale of Certain Securities, and (II) the Marketing and Sale Process of Additional Securities; and (B) Granting Related Relief filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica 1031 Exchange Services, Inc. (Docket No. 2232).

Notice of Motion and Notice of Hearing on (1) Motion of Debtor Pursuant to Local Bankruptcy Rule 9013-1 for an Order Scheduling an Expedited Hearing on Debtor's Motion to File Certain Documents Under Seal, and (2) Debtor's Motion to File Certain Documents Under Seal filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica 1031 Exchange Services, Inc. (Docket No. 2253).

Status: In the event Debtors' motion to expedite is granted, the hearing with respect to this matter will go forward.

10. Second Application for Approval of Compensation and Reimbursement of Expenses Pursuant to Section 503(b)(4) for Attorneys for Type A Test Case Plaintiff filed by Elizabeth L. Gunn of DurretteBradshaw, PLC on behalf of Matthew B Luxenberg, Trustee of the Matthew B. Luxenberg Revocable Family Trust. (Docket No. 2132).

Responses Filed: None.

Replies Filed: None.

Related Filings: Notice of Second Application and Hearing on Application for Approval of Compensation and Reimbursement of Expenses Pursuant to Section 503(b)(4) for Attorneys for Type A Test Case Plaintiff

filed by Elizabeth L. Gunn of DuretteBradshaw, PLC on behalf of Matthew B Luxenberg, Trustee of the Matthew B. Luxenberg Revocable Family Trust. (Docket No. 2133).

Status: The hearing on this matter will go forward.

### C. Continued or Adjourned Matters

11. American Capital's Motion for Rule 2004 Examination of the Debtor. (In re LandAmerica Assessment Corporation, Case No. 09-31453, Docket No. 34).

Responses Filed: Debtor's Objection To American Capital Ltd.'s Motion for Rule 2004 Examination filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Assessment Corporation. (Docket No. 44).

Replies Filed: Reply to Debtor's Objection to American Capital, Ltd.'s Motion for Rule 2004 Examination filed by Kristen E. Burgers of Venable LLP on behalf of American Capital, Ltd. (Docket No. 46).

Related Filings: Notice of American Capital's Motion for Rule 2004 Examination of the Debtor and Opportunity to Object. (Docket No. 35).

Status: **The parties will request a continuance of this matter.**

### D. Contested Matters

12. Motion of the Debtor Pursuant to Local Bankruptcy Rule 9013-1 for an Order Scheduling an Expedited Hearing on the Debtors Motion for Order: (A) Approving (I) the Sale of Certain Securities, and (II) the Marketing and Sale Process of Additional Securities; and (B) Granting Related Relief filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica 1031 Exchange Services, Inc. (Docket No. 2233).

Responses Filed: None.

Replies Filed: None.

Related Filings: Notice of Motion and Notice of Hearing of Motion Pursuant to Local Bankruptcy Rule 9013-1 for an Order Scheduling an Expedited Hearing and Order on the Debtor's Motion for Order: (A) Approving (I) The Sale of Certain Securities, and (II) The Marketing and Sale

Process of Additional Securities; and (B) Granting Related Relief filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 2243).

Status: The hearing on this matter will go forward.

13. Debtor's Motion for Order: (A) Approving (I) the Sale of Certain Securities, and (II) the Marketing and Sale Process of Additional Securities; and (B) Granting Related Relief filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica 1031 Exchange Services, Inc. (Docket No. 2232).

Responses Filed: **Limited Objection of Matthew B. Luxenberg to Debtor's Motion for Order: (A) Approving (I) the Sale of Certain Securities, and (II) the Marketing and Sale Process of Additional Securities; and (B) Granting Related Relief (Docket No. 2330).**

Replies Filed: None.

Related Filings: Notice of Motion and Notice of Hearing filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 2243).

Status: In the event that the Motion for Expedited hearing is granted, the hearing on this matter will go forward.

14. Renewed Motion for Relief from Stay filed by Douglas Scott of Douglas A. Scott, PLC on behalf of Grandview Condominium Unit Owners Assoc., Inc. and Robert F. Kelly & Joan P. Kelly. (Docket No. 2124).

Responses Filed: Debtors' Response and Objection to Renewed Motion for Relief from Stay filed by Grandview Condominium Owners Association, Inc., Ronald T. Kelly, and Joan P. Kelly filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 2248).

Replies Filed: None.

Related Filings: Motion for Relief from Stay and Memorandum of Points and Authorities filed by Douglas Scott of Douglas A. Scott, PLC on behalf of Grandview Condominium Unit Owners Assoc., Inc. and Robert F. Kelly & Joan P. Kelly. (Docket No. 1212).

Debtors' Response and Objection to the Motion for Relief from Stay filed by Grandview Condominium Owners Association, Inc., Ronald T. Kelly, and Joan P. Kelly filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 1298).

Order Denying Motion for Relief from Stay. (Docket No. 1481).

Notice of Motion and Notice of Hearing filed by Douglas Scott of Douglas A. Scott, PLC on behalf of Grandview Condominium Unit Owners Assoc., Inc. (Docket No. 2130).

Status: The preliminary hearing on this matter will go forward.

15. Motion for Relief from Stay Re: HST Investments, LP with Notice of Hearing, filed by Robert S. Westermann of Hirschler Fleischer, P.C. on behalf of HST Investments, LP. (Docket No. 1339).

Responses Filed: The Debtor's (Southland Title Corporation) Response and Objection to the Motion of HST Investments, LP for Relief from the Automatic Stay filed by John H. Maddock III of McGuireWoods LLP on behalf of Debtor. (Docket No. 1559).

Replies Filed: None.

Related Filings: None.

Status: The hearing on this matter which was continued from the 8<sup>th</sup> Omnibus hearing will go forward.

16. Seventh Omnibus Objection of LandAmerica Financial Group, Inc. and LandAmerica 1031 Exchange Services, Inc. to the Allowance of Certain Claims Inconsistent with Books and Records filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 1980).

Responses Filed: Objection filed by Gena Foster. (Docket No. 2097).

Letter Response filed by Edward C. Boone (Docket No. 2178).

Replies Filed: None.

Related Filings: Notice of Objection to Claim filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 1981).

Status: The hearing on this matter will go forward.

17. Ninth Omnibus Objection of LandAmerica Financial Group, Inc. and LandAmerica 1031 Exchange Services, Inc. to the Allowance of Claims filed Against Non-Debtor Entities filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 1984).

Responses Filed: Response of Creditor Hewson/Westside, LLC in Opposition to Ninth Omnibus Objection to Allowance of Claims Filed Against Non-Debtor Entities filed by Nancy K. Swift of Buchalter Nemer on behalf of HEWSON/WESTSIDE, LLC. (Docket No. 2246).

Replies Filed: None.

Related Filings: Notice of Objection to Claim filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 1985).

Status: The hearing on this matter will go forward.

18. Debtors' Eleventh Omnibus Objection to the Allowance of Certain Claims filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 2074).

Responses Filed: Response to Eleventh Omnibus Objection filed by Donna J. Hall of Samuel I. White, P.C. on behalf of Laura Peters and Cohelan & Khoury. (Docket No. 2238).

Response to and Opposition to Debtors' Eleventh Omnibus Objection to the Allowance of Certain Claims [Docket Nos. 2074, 2075], and Motion for Order Approving of Late Filed Proof of Claim filed by Charles L. Williams of Butler Williams & Skilling, P.C. on behalf of Patrick Stanton. (Docket No. 2245).

Exception to Expunging of Claim Based on Late Filing filed by Louis J. De Maio (Docket No. 2257).

Objection to Expungement of the Claim of Kenneth E.

Dzien Claim Number 1388 (04/02/09) [Proposed Order Exhibit B-1, Page 1] filed by Kenneth E. Dzien (Docket No. 2259).

Replies Filed: None.

Related Filings: Notice of Objection to Claim filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 2075).

Status: The hearing on this matter will go forward.

19. Response to and Opposition to Debtors' Eleventh Omnibus Objection to the Allowance of Certain Claims, and Motion for Order Approving of Late Filed Proof of Claim filed by Charles L. Williams of Butler Williams & Skilling, P.C. on behalf of Patrick Stanton. (Docket No. 2245).

Responses Filed: None.

Replies Filed: None.

Related Filings: None.

Status: The hearing on this matter will go forward.

20. Texas Department of Insurance's Motion and Memorandum to Determine Non-Applicability of the Automatic Stay, or, in the alternative, Motion for Relief from Stay and Notice of Motion and Hearing filed by Abigail R. Ryan of The Texas Attorney General's Office on behalf of Texas Department of Insurance. (Docket No. 2105).

Responses Filed: **Debtors' Response and Objection to Texas Department of Insurance's Motion and Memorandum to Determine Non-Applicability of the Automatic Stay, or, In the Alternative, Motion for Relief From Stay (Docket No. 2319).**

Replies Filed: None.

Related Filings: **Texas Department of Insurance's Motion and Memorandum to Determine Non-Applicability of the Automatic Stay, or, in the Alternative, Motion for Relief from Stay (Docket No. 2315).**

Status: The preliminary hearing on this matter will go forward.

21. Motion to Amend Informal Proof of Claim and Memorandum in Support Thereof filed by Kristen E. Burgers of Venable LLP on behalf of American Capital, Ltd. (In re LandAmerica Assessment Corporation, Case No. 09-31453, Docket No. 53).

Responses Filed: Debtor's Response and Objection to American Capital Ltd.'s Motion to Amend Informal Proof of Claim (Docket No. 2307).

Replies Filed: None.

Related Filings: Notice of Motion and Notice of Hearing filed by Kristen E. Burgers of Venable LLP on behalf of American Capital, Ltd. (Docket No. 54).

Status: The hearing on this matter will go forward.

22. TCAM Core Property Fund, LP's Motion for Allowance and Request for Immediate Payment of Administrative Expense Claim; Declaration of Megan Faircloth in Support Thereof filed by Douglas Scott of Douglas A. Scott, PLC on behalf of TCAM Core Property Fund, LP. (Docket No. 2122).

Responses Filed: Debtors' Response and Objection to TCAM Core Property Fund, LP's Motion for Allowance and Request for Immediate Payment of Administrative Expense Claim filed by John H. Maddock III of McGuireWoods LLP on behalf of Southland Title of San Diego. (Docket No. 2247).

Replies Filed: **Reply to Debtors' Response and Objection to TCAM Core Property Fund, LP's Motion for Allowance and Request for Immediate Payment of Administrative Expense Claim; Supplemental Declaration of Megan Faircloth in Support Thereof (Docket No. 2317).**

Related Filings: Declaration of Megan Faircloth. (Docket No. 2123).

Notice of Motion and Notice of Hearing filed by Douglas Scott of Douglas A. Scott, PLC on behalf of TCAM Core Property Fund, LP. (Docket No. 2131).

**Supplemental Declaration of Megan Faircloth (Docket No. 2323).**

Status: The hearing on this matter will go forward.

**E. Adversary Proceedings**

None.

Dated: October 23, 2009

Richmond, Virginia

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