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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)
-----X

**AMENDED PROPOSED AGENDA FOR THE OMNIBUS
HEARING SCHEDULED FOR JANUARY 12, 2009**

A. Introduction

Set forth below is the amended proposed agenda for the Omnibus Hearing scheduled for **January 12, 2009** beginning at **10:00 a.m.** (the “Amended 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).

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

- A. Introduction
- B. Uncontested, Agreed or Settled Matters (5 Matters)
- C. Continued or Adjourned Matters (0 Matters)
- D. Contested Matters (6 Matters)
- E. Adversary Proceedings (16 Matters)

B. Uncontested, Agreed or Settled Matters

- 1. Motion to Incur Debt with Notice of Hearing, filed by Allan S. Buffenstein of McCandlish Holton, P.C. on behalf of Getty Realty Corp. (Docket No. 473).

Responses Filed: None.

Replies Filed: None.

Related Filings: None.

Status: The hearing with respect to this matter will go forward.

- 2. Application to Employ Protiviti, Inc. as Financial Advisor filed by Mary Angela House of Akin Gump Strauss Hauer & Feld, LLP on behalf of Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. (Docket No. 520).

Responses Filed: None.

Replies Filed: None.

Related Filings: Notice of Motion and Notice of Hearing on Application to Employ Protiviti, Inc. (Docket No. 525).

Status: The hearing with respect to this matter will go forward.

3. Application to Employ Akin Gump Strauss Hauer & Feld LLP as Attorney and Counselor for the Official Committee of Unsecured Creditors of Akin Gump Strauss Hauer & Feld, LLP on behalf of Official Committee of LandAmerica 1031 Exchange Services, Inc. filed by Mary Angela House of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. (Docket No. 521).

Responses Filed: None.

Replies Filed: None.

Related Filings: Notice of Motion and Notice of Hearing on Application to Employ Akin Gump Strauss Hauer & Feld LLP (Docket No. 525).

Status: The hearing with respect to this matter will go forward.

4. Application to Employ The Garden City Group, Inc. as Communications Agent filed by Mary Angela House of Akin Gump Strauss Hauer & Feld, LLP on behalf of Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. (Docket No. 522).

Responses Filed: None.

Replies Filed: None.

Related Filings: Notice of Motion and Notice of Hearing on Application to Employ The Garden City Group, Inc. (Docket No. 525).

Status: The hearing with respect to this matter will go forward.

5. Application to Employ Tavenner & Beran, PLC as Counsel for the Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. filed by Lynn L. Tavenner of Tavenner & Beran, PLC on behalf of Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc (Docket No. 523).

Responses Filed: None.

Replies Filed: None.

Related Filings: Notice of Motion and Notice of Hearing to Employ Tavenner & Beran, PLC (Docket No. 525).

Status: The hearing with respect to this matter will go forward.

6. Motion to Authorize Requirement to Provide Access to Confidential or Privileged Information filed by Mary Angela House of Akin Gump Strauss Hauer & Feld, LLP on behalf of Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. (Docket No. 479).

Responses Filed: None.

Replies Filed: None.

Related Filings: Notice of Motion and Notice of Hearing on Motion of the Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. for an Order clarifying Requirement to Provide Access to Confidential or Privileged Information. (Docket No. 480).

Status: The hearing with respect to this matter will go forward.

C. Continued or Adjourned Matters

None.

D. Contested Matters

7. Application to Employ Sandler O’Neill & Partners as financial Advisors to Debtors filed by Dion W. Hayes of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 527).

Responses Filed: A. Response to Application to Employ Sandler O’Neill (Limited Objection) filed by Martha E. Hulley of LeClair Ryan on behalf of The Official Committee of Unsecured Creditors. (Docket No. 582).

Replies Filed: None.

Related Filings: Notice of Motion and Notice of Hearing on Application to Employ Sandler O’Neill & Partners (Docket No. 528).

Status: The hearing with respect to this matter will go forward.

8. Motion of the Debtor Pursuant to Local Bankruptcy Rule 9013-1 for an Order Scheduling an Expedited Hearing on the Joint Motion of Debtor and the LES Committee for Order Establishing Scheduling Protocol for Adversary

Proceedings and for Related Relief filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 575).

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. 576).

Status: The hearing with respect to this matter will go forward.

9. Joint Motion of Debtor and LES Committee for Order Establishing Protocol for Adversary Proceedings filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 574).

Responses Filed: A. Limited Objection filed by Ronald Allen Page Jr. of Cantor Arkema, P.C. on behalf of Howard Finkelstein. (Docket No. 588).

B. Response of Health Care REIT, Inc. to the Joint Motion of Debtor and Committee for Order Establishing Scheduling Protocol for Adversary Proceedings filed by Rosa J. Evergreen of Arnold & Porter LLP on behalf of Health Care REIT, Inc. (Docket No. 603).

C. Objection to Joint Motion of Debtor and LES Committee for Order Establishing Scheduling Protocol for Adversary Proceedings filed by C. Thomas Ebel of Sands Anderson Marks & Miller on behalf of CDC Glendale, LP, CDC Rural, LP. (Docket No. 616).

D. Exhibit A and Exhibit B to Objection of CDC-Glendale LP and CDC-Rural LP to Joint Motion of Debtor and LES Committee for Order Establishing Scheduling Protocol for Adversary Proceedings (Re: related document 616) filed by C. Thomas Ebel of Sands Anderson Marks & Miller on behalf of CDC Glendale, LP, CDC Rural, LP. (Docket No. 617).

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. 576).

Status: In the event the Motion of the Debtor Pursuant to Local Bankruptcy Rule 9013-1 for an Order Scheduling Expedited Hearing on the Joint Motion of Debtor and LES Committee for Order Establishing Scheduling Protocol for Adversary Proceedings and for Related Relief (Docket No. 575) is granted; the hearing with respect to this matter will go forward.

10. Joint Motion for an Order Scheduling an Expedited Hearing on the Joint Cross Motion for an Order Establishing a Scheduling Protocol for Adversary Proceedings filed by David J. Ervin of Kelley, Drye & Warren, LLP on behalf of Chino Spectrum Center, LLC, Chino Wings, LLC, Lisa L. Dobson, Michael W. Dobson, Barbara W. Dobson, Ralph Dobson, LubExpress Land Company, Inc., LubExpress Operating Company, Westminster Peak L.P., Westminster Summit, L.P., NMC Summit, LLC, Tower Summit Colorado, LLC.(Docket No. 611).

Responses Filed: None

Replies Filed: None.

Related Filings: Notice of Hearing on Motion for an Order Scheduling an Expedited Hearing on the Joint Cross Motion for an Order Establishing Scheduling Protocol for Adversary Proceedings and the Joint Cross Motion filed by David J. Ervin of Kelley, Drye & Warren, LLP on behalf of Chino Spectrum Center, LLC, Chino Wings, LLC, Lisa L. Dobson, Michael W. Dobson, Barbara W. Dobson, Ralph Dobson, LubExpress Land Company, Inc., LubExpress Operating Company, Westminster Peak L.P., Westminster Summit, L.P., NMC Summit, LLC, Tower Summit Colorado, LLC. (Docket No. 613).

Status: The hearing with respect to this matter will go forward.

11. Joint Cross Motion and Limited Objection to Joint Motion of Debtor and LES Committee for Order Establishing Scheduling Protocol for Adversary Proceedings filed by David J. Ervin of Kelley, Drye & Warren, LLP on behalf of Lisa L. Dobson, Michael W. Dobson, Barbara W. Dobson, Ralph Dobson,

LubExpress Land Company, Inc., LubExpress Operating Company, Westminster Peak L.P., Westminster Summit, L.P., NMC Summit, LLC, Tower Summit Colorado, LLC, Chino Spectrum Center, LLC, Chino Wings, LLC. (Docket No. 610).

Responses Filed: None

Replies Filed: None.

Related Filings: Motion for Joinder of Millard Refrigerated Services, Inc. in the Joint Cross Motion and Limited Objection of Chino Spectrum Center, LLC, Chino Wings, LLC, Westminster Peak L.P., Westminster Summit, L.P., NMC Summit, LLC, Tower Summit Colorado, LLC, Lubexpress Land Company, Inc., Lubexpress Operating Company, Inc., Lisa L. Dobson, Michael W. Dobson, Barbara W. Dobson and Ralph Dobson to Joint Motion of Debtor and LES Committee for Order Establishing Scheduling Protocol for Adversary Proceedings filed by David J. Ervin of Kelley, Drye & Warren, LLP on behalf of Millard Refrigerated Services, Inc.(Docket No. 615).

Notice of Hearing on Motion for an Order Scheduling an Expedited Hearing on the Joint Cross Motion for an Order Establishing Scheduling Protocol for Adversary Proceedings and the Joint Cross Motion filed by David J. Ervin of Kelley, Drye & Warren, LLP on behalf of Chino Spectrum Center, LLC, Chino Wings, LLC, Lisa L. Dobson, Michael W. Dobson, Barbara W. Dobson, Ralph Dobson, LubExpress Land Company, Inc., LubExpress Operating Company, Westminster Peak L.P., Westminster Summit, L.P., NMC Summit, LLC, Tower Summit Colorado, LLC. (Docket No. 613).

Status: In the event the Joint Motion for an Order Scheduling an Expedited Hearing on the Joint Cross Motion for an Order Establishing a Scheduling Protocol for Adversary Proceedings filed by David J. Ervin of Kelley, Drye & Warren, LLP on behalf of Chino Spectrum Center, LLC, Chino Wings, LLC, Lisa L. Dobson, Michael W. Dobson, Barbara W. Dobson, Ralph Dobson, LubExpress Land Company, Inc., LubExpress Operating Company, Westminster Peak L.P., Westminster Summit,

L.P., NMC Summit, LLC, Tower Summit Colorado, LLC.(Docket No. 611) is granted; the hearing with respect to this matter will go forward.

12. Motion to Compel Substitution of LES on Certain Documents filed by Annemarie G. McGavin of Buchanan Ingersoll & Rooney, P.C. on behalf of Jeffrey Stone, as Trustee of the March Family Trust. (Docket No. 295).

Responses Filed: (Motion to Compel was originally heard on an expedited basis. Notice of Hearing did not require parties opposing the Motion to Compel to file a response.)

- A. Objection filed by Mary Angela House of Akin Gump Strauss Hauer & Feld, LLP on behalf of Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. (Docket No. 420).

Replies Filed: None.

Related Filings: None.

Status: This matter was continued from the December 16, 2008 Omnibus Hearing. The hearing with respect to this matter will go forward on January 12, 2009.

13. Motion for Turnover and Assignment of Note filed by Richard C. Maxwell of Woods Rogers PLC on behalf of CLA Real Estate Investments, LLC, Kendall Square, LLC, PC Real Estate Investors, LLC. (Docket No. 415).

Responses Filed: A. Debtor's Response in Opposition to Movant's Motion for Turnover and Assignment of Note filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 580).

- B. Objection to Motion by Kendall Square, LLC, CLA Real Estate Investments, and PC Real Estate Investments for Turnover and Assignment of Note filed by Mary Angela House of Akin Gump Strauss Hauer & Feld, LLP on behalf of Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. (Docket No. 581).

Replies Filed: None.

Related Filings: Notice of Motion and Notice of Hearing filed by Richard C. Maxwell of Woods Rogers PLC. on behalf of CLA Real Estate Investments, LLC, Kendall Square, LLC, PC Real Estate Investors, LLC (Docket No. 416).

Status: The hearing with respect to this matter will go forward.

**Howard Finkelstein v. LandAmerica 1031 Exchange Services, Inc.
Adversary Proceeding Case No.: 08-03171-KRH**

14. Motion for Summary Judgment filed by Ronald Allen Page Jr. of Cantor Arkema, P.C. on behalf of Howard Finkelstein. (Bankruptcy Case No. 08-35994 Docket No. 524).

Motion for Summary Judgment filed by Ronald Allen Page Jr. of Cantor Arkema, P.C. on behalf of Howard Finkelstein.(Adversary Proceeding Case No.: 08-03171 docket No. 6)

- Responses Filed: A. Objection to Plaintiff's Motion for Partial Summary Judgment filed by Mary Angela House of Akin Gump Strauss Hauer & Feld, LLP on behalf of Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. (Docket No. 9).
- B. Debtor's Response in Opposition to Plaintiff's Motion for Partial Summary Judgment with Respect to Plaintiff's Complaint Seeking Declaratory, Injunctive, and Other Relief Including the Return of Note and Mortgage Held by Debtor filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica 1031 Exchange Services, Inc. (Docket No. 10).

Replies Filed: Reply to Objection of the Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. and Debtor's Response in Opposition to Motion for Partial Summary Judgment filed by Ronald Allen Page Jr. of Cantor Arkema, P.C. on behalf of Howard Finkelstein. (Docket No. 11)

Related Filings: Notice of Motion and Notice of Hearing, Proposed Order (Attachments to Motion for Summary Judgment filed by Ronald Allen Page Jr. of Cantor Arkema, P.C. on behalf of Howard Finkelstein). (Docket No. 524).

Status: The hearing with respect to this matter will go forward.

E. Adversary Proceedings

**Lubexpress Land Company, Inc. et al v. LandAmerica 1031 Exchange
Adversary Proceeding Case No.: 08-03146**

15. Complaint against LandAmerica 1031 Exchange Services, Inc. filed by Craig A. Wolfe of Kelley Drye & Warren LLP, David J. Ervin of Kelley, Drye & Warren, LLP, Lubexpress Operating Company, Inc. on behalf of Lubexpress Land Company, Inc., Lubexpress Operating Company, Inc. (Docket No. 1).

Responses Filed: A. Answer to Complaint filed by Mary Angela House of Akin Gump Strauss Hauer & Feld, LLP on behalf of Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. (Docket No. 25).

To the extent a responsive pleading is required, Debtors have extension to file an answer or other responsive pleading.

Related Filings: Summons and Notice of Pre-Trial Conference Issued to LandAmerica 1031 Exchange Services, Inc. (Docket No. 5)

Status: The Pre-Trial Conference scheduled for January 12, 2009 will go forward.

16. Motion for Preliminary Injunction and to Consolidate Hearing with the Trial on the Merits Pursuant to Federal Rules of Bankruptcy Procedure 7065(a)(1) and (2) filed by David J. Ervin of Kelley, Drye & Warren, LLP on behalf of Lubexpress Land Company, Inc., Lubexpress Operating Company, Inc. (Docket No. 7).

Responses Filed: A. Response to Motion for Preliminary Injunction and to Consolidate Hearing with Trial on the Merits filed by Mary Angela House of Akin Gump Strauss Hauer & Feld, LLP on behalf of Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. (Docket No. 15).

B. Memorandum of LandAmerica 1031 Exchange Services, Inc. in Opposition to Various Adversary

Proceeding Plaintiffs' Motions Seeking Emergency Injunctive Relief) filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica 1031 Exchange Services, Inc. (Docket No. 20).

Replies Filed: None.

Related Filings: None.

Status: This matter was continued from the December 16, 2008 Omnibus Hearing. The hearing with respect to this matter will go forward on January 12, 2009.

**Millard Refrigerated Services, Inc. v. LandAmerica 1031 Exchange Services, Inc.
Adversary Proceeding Case No.: 08-03147**

17. Complaint against LandAmerica 1031 Exchange Services, Inc. filed by Craig A. Wolfe of Kelley Drye & Warren LLP, David J. Ervin of Kelley, Drye & Warren, LLP on behalf of Millard Refrigerated Services, Inc.. (Docket No. 1).

Responses Filed: A. Answer to Complaint filed by Mary Angela House of Akin Gump Strauss Hauer & Feld, LLP on behalf of Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. (Docket No. 28).

To the extent a responsive pleading is required, Debtors have extension to file an answer or other responsive pleading.

Related Filings: Exhibits to Complaint (Docket Nos. 3, 6, 8).

Summons and Notice of Pre-Trial Conference Issued to LandAmerica 1031 Exchange Services, Inc. (Docket No. 7).

Status: The Pre-Trial Conference scheduled for January 12, 2009 will go forward.

18. Motion for Preliminary Injunction and Related Relief filed by David J. Ervin of Kelley, Drye & Warren, LLP on behalf of Millard Refrigerated Services, Inc. (Docket No. 10).

Responses Filed: A. Response to Motion for a Preliminary Injunction and to Consolidate Hearing with Trial on the Merits filed by Mary Angela House of Akin Gump Strauss Hauer & Feld, LLP on behalf of Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. (Docket No. 18).

B. Memorandum of LandAmerica 1031 Exchange Services, Inc. in Opposition to Various Adversary Proceeding Plaintiffs' Motions Seeking Emergency Injunctive Relief filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica 1031 Exchange Services, Inc. (Docket No. 23).

Replies Filed: None.

Related Filings: None.

Status This matter was continued from the December 16, 2008 Omnibus Hearing. The hearing with respect to this matter will go forward on January 12, 2009.

**Frontier Pepper's Ferry, LLC v. LandAmerica 1031 Exchange Services, Inc.
Adversary Proceeding Case No.: 08-03148**

19. Amended Complaint against LandAmerica 1031 Exchange Services, Inc. filed by Ronald Allen Page Jr. of Cantor Arkema, P.C. on behalf of Frontier Pepper's Ferry, LLC. (Docket No. 9).

Responses Filed: To the extent a responsive pleading is required, Debtors have extension to file an answer or other responsive pleading.

Related Filings: Summons and Notice of Pre-Trial Conference Issued to LandAmerica 1031 Exchange Services, Inc. (Docket No. 5).

Status: The Pre-Trial Conference scheduled for January 12, 2009 will go forward.

**Health Care REIT, Inc. v. LandAmerica 1031 Exchange Services, Inc.
Adversary Proceeding Case No.: 08-03149**

20. Complaint against LandAmerica 1031 Exchange Services, Inc. filed by Rosa J. Evergreen of Arnold & Porter LLP, Michael Bernstein of Arnold & Porter, Nicholas M. DePalma of Arnold & Porter LLP, Randall K. Miller of Arnold & Porter LLP, Health Care REIT, Inc., LandAmerica 1031 Exchange Services, Inc. on behalf of Health Care REIT, Inc. (Docket No. 1).

Responses Filed: To the extent a responsive pleading is required, Debtors have extension to file an answer or other responsive pleading through January 19, 2009.

Related Filings: A. Summons and Notice of Pre-Trial Conference Summons Issued to LandAmerica 1031 Exchange Services, Inc. (Docket No. 7).

Status: The Pre-Trial Conference scheduled for January 12, 2009 will go forward.

21. Motion for Temporary Restraining Order and Preliminary Injunction filed by Rosa J. Evergreen of Arnold & Porter LLP on behalf of Health Care REIT, Inc. (Docket No. 3).

Responses Filed: A. Memorandum of LandAmerica 1031 Exchange Services, Inc. in Opposition to Motion of Plaintiff Health Care REIT, Inc. for Temporary Restraining Order and Preliminary Injunction filed by Aaron G. McCollough of McGuireWoods LLP on behalf of LandAmerica 1031 Exchange Services, Inc. (Docket No. 12).

B. Objection to Motion for Temporary Restraining Order and Preliminary Injunction filed by Martha E. Hulley of LeClair Ryan on behalf of Official Committee of Unsecured Creditors of LandAmerica Financial Group, Inc. (Docket No. 15).

C. Response to Motion of Plaintiff Health Care REIT, Inc. for Temporary Restraining Order and Preliminary Injunction filed by Mary Angela House of Akin Gump Strauss Hauer & Feld, LLP on behalf of Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. (Docket No. 24).

Replies Filed: Notice Of Supplemental Authority In Support Of Health Care REIT's Motion for TRO and Preliminary Injunction

filed by Rosa J. Evergreen of Arnold & Porter LLP on behalf of Health Care REIT, Inc. (Docket No. 26).

Related Filings: None.

Status: This matter was continued from the December 16, 2008 Omnibus Hearing. The hearing with respect to this matter will go forward on January 12, 2009.

Arbor Oaks I, LLC and Arbor Oaks II, LLC v. LandAmerica 1031 Exchange Services, Inc. Adversary Proceeding Case No.: 08-03151

22. Complaint against LandAmerica 1031 Exchange Services, Inc. filed by Philip C. Baxa of MercerTrigiani, Arbor Oaks I, LLC and Arbor Oaks II, LLC on behalf of Arbor Oaks I, LLC and Arbor Oaks II, LLC. (Docket No. 1).

Responses Filed: A. Answer to Complaint filed by Mary Angela House of Akin Gump Strauss Hauer & Feld, LLP on behalf of Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. (Docket No. 20).

- B. Answer and Affirmative Defenses of LandAmerica 1031 Exchange Services, Inc. to the Complaint filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica 1031 Exchange Services, Inc. (Docket No. 21).

Related Filings: Summons and Notice of Pre-Trial Conference Issued to LandAmerica 1031 Exchange Services, Inc. (Docket No. 7).

Status: The Pre-Trial Conference scheduled for January 12, 2009 will go forward.

23. Motion for Temporary Restraining Order or in the Alternative, Preliminary Injunction and Memorandum filed by Philip C. Baxa of MercerTrigiani on behalf of Arbor Oaks I, LLC and Arbor Oaks II, LLC. (Docket No. 4).

Responses Filed: A. Response to Motion of Arbor Oaks I, LLC and Arbor Oaks II, LLC for Temporary Restraining Order and Preliminary Injunction filed by Mary Angela House of Akin Gump Strauss Hauer & Feld, LLP on behalf of

Official Committee of Unsecured Creditors of
LandAmerica 1031 Exchange Services, Inc.
(Docket No. 13).

- B. Memorandum of LandAmerica 1031 Exchange Services, Inc. in Opposition to Various Adversary Proceeding Plaintiffs' Motions Seeking Emergency Injunctive Relief filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica 1031 Exchange Services, Inc. (Docket No. 14).

Replies Filed: Declaration of Kurt L. Wallach and Marilyn G. Wallach In Support of Motion for Temporary Restraining Order, filed by Philip C. Baxa of MercerTrigiani on behalf of Arbor Oaks I, LLC and Arbor Oaks II, LLC.
(Docket No. 15).

Related Filings: None.

Status: This matter was continued from the December 16, 2008 Omnibus Hearing. The hearing with respect to this matter will go forward on January 12, 2009.

**Chino Spectrum Center, LLC, et al. v. LandAmerica 1031 Exchange Services, Inc.
Adversary Proceeding Case No. 08-03152**

24. Complaint against LandAmerica 1031 Exchange Services, Inc. filed by Craig A. Wolfe of Kelley Drye & Warren LLP, David J. Ervin of Kelley, Drye & Warren, LLP, Chino Wings, LLC on behalf of Chino Spectrum Center, LLC, Chino Wings, LLC. (Docket No. 1).

Responses Filed: A. Answer to Complaint filed by Mary Angela House of Akin Gump Strauss Hauer & Feld, LLP on behalf of Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc.
(Docket No. 29).

- B. Answer and Affirmative Defenses of LandAmerica 1031 Exchange Services, Inc. to the Complaint filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica 1031 Exchange Services, Inc.
(Docket No. 30).

Related Filings: Summons and Notice of Pre-Trial Conference Issued to LandAmerica 1031 Exchange Services, Inc. (Docket No. 8).

Status: The Pre-Trial Conference scheduled for January 12, 2009 will go forward.

25. Motion of Plaintiffs Chino Spectrum Center, LLC and Chino Wings for a Preliminary Injunction and to Consolidate Hearing with the Trial on the Merits pursuant to FED. R. Bankr. P. 7065(a) (1) and (2) filed by David J. Ervin of Kelley, Drye & Warren, LLP on behalf of Chino Spectrum Center, LLC, Chino Wings, LLC. (Docket No. 3).

Responses Filed: A. Response to Preliminary Injunction and to Consolidate Hearing with Trial on the Merits filed by Mary Angela House of Akin Gump Strauss Hauer & Feld, LLP on behalf of Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. (Docket No. 19).

B. Memorandum of LandAmerica 1031 Exchange Services, Inc. in Opposition to Various Adversary Proceeding Plaintiffs' Motions Seeking Emergency Injunctive Relief filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica 1031 Exchange Services, Inc. (Docket No. 24).

Replies Filed: None.

Related Filings: Declaration Of Greg Swedelson filed by David J. Ervin of Kelley, Drye & Warren, LLP on behalf of Chino Spectrum Center, LLC, Chino Wings, LLC. (Docket No. 5).

Status: This matter was continued from the December 16, 2008 Omnibus Hearing. The hearing with respect to this matter will go forward on January 12, 2009.

Westminster Peak L.P. et al v. LandAmerica 1031 Exchange Services, Inc.
(Adv. Proc. Case No.: 08-03153)

26. Complaint against LandAmerica 1031 Exchange Services, Inc. filed by Craig A. Wolfe of Kelley Drye & Warren LLP, David J. Ervin of Kelley, Drye &

Warren, LLP, on behalf of Westminster Peak L.P., Westminster Summit L.P., NMC Summit, LLC, Tower Summit Colorado, LLC. (Docket No. 1).

Responses Filed: A. Answer to Complaint filed by Mary Angela House of Akin Gump Strauss Hauer & Feld, LLP on behalf of Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. (Docket No. 26).

B. Answer and Affirmative Defenses of LandAmerica 1031 Exchange Services, Inc. to the Complaint filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica 1031 Exchange Services, Inc. (Docket No. 27).

Related Filings: Amended Summons and Notice of Pre-Trial Conference Issued to LandAmerica 1031 Exchange Services, Inc. (Docket No. 12).

Status: The Pre-Trial Conference scheduled for January 12, 2009 will go forward.

27. Motion for Preliminary Injunction and to Consolidate Hearing with the Trial on the Merits Pursuant to Federal Rules of Bankruptcy Procedure 7065(a) (1) and (2) filed by David J. Ervin of Kelley, Drye & Warren, LLP on behalf of NMC Summit, LLC, Tower Summit Colorado, LLC, Westminster Peak L.P., Westminster Summit, L.P (Docket No. 6).

Responses Filed: A. Response to Motion for a Preliminary Injunction and to Consolidate Hearing with Trial on the Merits filed by Mary Angela House of Akin Gump Strauss Hauer & Feld, LLP on behalf of Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. (Docket No. 17).

B. Memorandum of LandAmerica 1031 Exchange Services, Inc. in Opposition to Various Adversary Proceeding Plaintiffs' Motions Seeking Emergency Injunctive Relief filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica 1031 Exchange Services, Inc. (Docket No. 21).

Replies Filed: None

Related Filings: None.

Status: This matter was continued from the December 16, 2008 Omnibus Hearing. The hearing with respect to this matter will go forward on January 12, 2009.

Bernadette Aiello and Benjamin Aiello, Trustees of the Bernadette Aiello Living Trust v. LandAmerica 1031 Exchange Services, Inc., Adversary Proceeding Case No.: 08-03154

28. Complaint against LandAmerica 1031 Exchange Services, Inc. filed by C. Thomas Ebel on behalf of Bernadette Aiello, Benjamin Aiello (Docket No. 1).

Responses Filed: None.

Related Filings: Summons and Notice of Pre-Trial Conference Issued to LandAmerica 1031 Exchange Services, Inc. (Docket No. 3).

Exhibit to Complaint (Docket No. 5).

Status: The Pre-Trial Conference scheduled for January 12, 2009 will go forward.

Gregg Opsahl and Hana Opsahl v. LandAmerica 1031 Exchange Services, Inc. Adversary Proceeding Case No.: 08-03155

29. Complaint against LandAmerica 1031 Exchange Services, Inc. filed by Elizabeth L. Gunn of DuretteBradshaw, PLC, Gregg and Hana Opsahl, LandAmerica 1031 Exchange Services, Inc. on behalf of Gregg Opsahl, Hana Opsahl. (Docket No. 1).

Responses Filed: None.

Related Filings: Summons and Notice of Pre-Trial Conference Issued to LandAmerica 1031 Exchange Services, Inc. (Docket No. 3).

Status: The Pre-Trial Conference scheduled for January 12, 2009 will go forward.

**David Ash, Trustee, v LandAmerica 1031 Exchange Services, Inc. and LandAmerica Financial Group, Inc. and Intervenor Defendant, Official Committee of Unsecured Creditors of Land America 1031 Exchange Services, Inc.
Adversary Proceeding Case No. 08-03167**

30. Motion of David Ash, Trustee for The David Ash Trust Dated January 10, 2008 for an Expedited Hearing and Certification of Expedited Hearing Pursuant to Local Bankruptcy Rule 9013-1(N)). (Docket No. 13).

Responses Filed: A. Objection to Motion of David Ash, Trustee of the David Ash Trust for an Expedited Hearing filed by Mary Angela House of Akin Gump Strauss Hauer & Feld, LLP on behalf of Official Committee of Unsecured Creditors of LandAmerica 1031 Exchange Services, Inc. (Docket No. 16).

- B. Debtor's Response in Opposition to Plaintiff's Motion for an Expedited Hearing and Certification of Expedited Hearing Pursuant to Local Bankruptcy Rule 9013-1(N) filed by John H. Maddock III of McGuireWoods LLP on behalf of LandAmerica Financial Group, Inc. (Docket No. 17).

Replies Filed: None

Related Filings: Notice of Motion and Hearing on (A) Motion of David Ash, Trustee for The David Ash Trust Dated January 10, 2008 for an Expedited Hearing and Certification of Expedited Hearing Pursuant to Local Bankruptcy Rule 9013-1(N), and (B) Motion by David Ash, Trustee of the David Ash Trust Dated January 10, 2008 for a Preliminary Injunction and Related Relief filed by Troy Savenko of Gregory Kaplan, PLC on behalf of David Ash, Trustee. (Docket No. 15).

Status: The hearing with respect to this matter will go forward on January 12, 2009.

31. Motion of David Ash, Trustee of the David Ash Trust, For a Preliminary Injunction and to Consolidate Hearing with the Trial on the Merits Pursuant To Fed. R. Bankr. P. 7065(a) (1) and (2) filed by Troy Savenko of Gregory Kaplan, PLC on behalf of David Ash, Trustee. (Docket No. 12).

Responses Filed: A. None.

Replies Filed: None

Related Filings: Notice of Motion and Hearing on (A) Motion of David Ash, Trustee for The David Ash Trust Dated January 10, 2008 for an Expedited Hearing and Certification of Expedited Hearing Pursuant to Local Bankruptcy Rule 9013-1(N), and (B) Motion by David Ash, Trustee of the David Ash Trust Dated January 10, 2008 for a Preliminary Injunction and Related Relief filed by Troy Savenko of Gregory Kaplan, PLC on behalf of David Ash, Trustee. (Docket No. 15).

Status: In the event the Motion of David Ash, Trustee for The David Ash Trust Dated January 10, 2008 for an Expedited Hearing and Certification of Expedited Hearing Pursuant to Local Bankruptcy Rule 9013-1(N)). (Docket No. 13) is granted, the hearing with respect to this matter will go forward on January 12, 2009.

Dated: January 11, 2009

Richmond, Virginia

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