

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

APPEAL CASE NO.: 12-14073-EE

JONATHAN E. PERLMAN, ESQ.,
as court-appointed Receiver of
Creative Capital Consortium, LLC,
et al.,

Appellant,

v.

BANK OF AMERICA, N.A.,

Appellee.

**APPELLANT'S UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE BRIEF**

Jonathan E. Perlman, Esq., Appellant v. Bank of America, N.A., Appellee – 11th Circuit Docket No. 12-14073-EE

Counsel certifies that the following persons have an interest in the outcome of this appeal:

A Creative Capital Concept\$, LLC – Receivership Entity

BAC North America Holding Company

BANA Holding Corporation

Bank of America, N.A., Appellee

Bank of America Corporation

Blum, W. Barry - counsel for Appellant

Cimo, David, - counsel for Appellant

Contreras-Martinez, Carmen. – counsel for Appellant

Creative Capital Consortium, LLC – Receivership Entity

Culleiton, Joseph E. – counsel for Appellee

G\$Trade Financial, Inc. – Receivership Entity

Genovese Joblove & Battista, P.A. - counsel for Appellant

Gonzalez, Juan A. – counsel for Appellee

Hackett, Mary J. - counsel for Appellee

Hopkins, James M. – United States Magistrate Judge

Hurley, Daniel T.K. - the Honorable District Court Judge

Josephs Jack, P.A. – counsel for Appellant, predecessor to The Joseph Law Firm

Jonathan E. Perlman, Esq., Appellant v. Bank of America, N.A., Appellee – 11th Circuit Docket No. 12-14073-EE

Josephs, Michael R. - counsel for Appellant

Kaufman, Dora Faye – counsel for Appellee

Lemoie, David - counsel for Appellant

Liebler, Gonzalez & Portuondo, P.A.- counsel for Appellee

NB Holdings Corporation

Perlman, Jonathan E.- Appellant (court-appointed Receiver)

Pickens, Dustin N. - counsel for Appellee

Reed Smith, LLP – counsel for Appellee

Reverse Auto Loan, LLC – Receivership Entity

Root, Gretchen Wood Ruff – counsel for Appellee

The Dream Makers Capital Investments, LLC – Receivership Entity

The Josephs Law Firm – counsel for Appellant

United Investment Club, LLC – Receivership Entity

Unity Entertainment Group, Inc. – Receivership Entity

Watterson, Kim M. – counsel for Appellee

Wealth Builders Circle, LLC – Receivership Entity

Jonathan E. Perlman, Esq., Appellant v. Bank of America, N.A., Appellee – 11th Circuit Docket No. 12-14073-EE

**APPELLANT'S UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE BRIEF**

Appellant, Jonathan E. Perlman, Esq., as Court-Appointed Receiver, by and through undersigned counsel, and pursuant to Local Rules 31-1 and 31-2 hereby respectfully moves the Court to grant Appellant an extension of time in which to file the Appellant's opening brief in this Court; and for good cause would respectfully show:

1. This appeal is from the district court's order denying the Receiver's motions for reconsideration pursuant to Fed. R. Civ. P. 59(e) and 60(b) entered on July 2, 2012.
2. The Receiver filed a Notice of Appeal on July 24, 2012. Consequently, the Receiver/Appellant's opening brief in this Court is due on September 17, 2012.
3. The Receiver respectfully requests that the time for filing and serving of the opening brief be extended to, and including, October 8, 2012.
4. There have been no prior requests for extensions of time filed by the Receiver. Moreover, the extension of time will not prejudice the time within which Appellee may file a reply brief, nor will it prejudice or extend the date of submission of this case.

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5. The Receiver has proceeded with due diligence in preparing the opening brief. The Receiver requests an extension of time within which to file the opening brief, however, on the grounds that this appeal arises from the same case or controversy as an earlier appeal filed by the Receiver on June 22, 2012, *Jonathan E. Perlman, Esq. v. Bank of America*, Docket No. 12-13436-EE.¹ Accordingly, the Receiver will be seeking consolidation of the appeals allowing for both appeals to be addressed in a single brief.

6. The additional time requested will allow for the appeals to be duly consolidated and is in the interest of promoting judicial economy.

7. Further, the extension is requested so that justice may be done in this cause, and not for delay.

8. Counsel for the Receiver has conferred with counsel for the Appellee who has indicated that the Appellee has no objection to the relief requested herein.

WHEREFORE, the Receiver/Appellant, requests that the time for filing and serving the opening brief in the above cause be extended to October 8, 2012.

¹ Pursuant to this Court's Order of August 2, 2012, the Receiver/Appellant's opening brief in the earlier appeal, Case No. 12-13436-EE, is due on October 8, 2012.

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Dated this 3rd day of September, 2012.

Respectfully submitted,

By: /s/ W. Barry Blum

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Attorneys for Appellant, Jonathan E.

Perlman, Esq., court-appointed Receiver

Jonathan E. Perlman, Esq., Appellant v. Bank of America, N.A., Appellee – 11th Circuit Docket No. 12-14073-EE

CERTIFICATE OF COMPLIANCE WITH FED. R. APP. P. 32(a)

1. This Motion for Extension of Time to File Brief of Appellant Jonathan E. Perlman, Esq, Receiver, complies with the page-volume limitation of Fed. R. App. P. 27(d)(2) because this motion does not exceed 20 pages.

2. This Motion for Extension of Time to File Brief of Appellant Jonathan E. Perlman, Esq., Receiver, complies with the typeface requirements of Fed. R. App. 32(a)(5) and the type style requirements of Fed. R. App. 32(a)(6) because this motion has been prepared in a proportionally spaced typeface using Microsoft Word 2007 in 14-point Times New Roman font.

s/W. Barry Blum
*Attorneys for Appellant, Jonathan E. Perlman, Esq.,
court-appointed Receiver*

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CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on September 3, 2012, pursuant to Fed. R. App. P. 25(d), the foregoing was electronically filed with the Clerk of the Court using CM/ECF. I also certify that the forgoing document is being served this day on all counsel of record identified on the attached Service List, either via transmission of Notices of Electronic Filing generated by CM/ECF, by U.S. mail those counsel or parties who are not authorized to receive electronically Notices of Electronic Filings.

By: /s/ W. Barry Blum
Attorney

Jonathan E. Perlman, Esq., Appellant v. Bank of America, N.A., Appellee – 11th Circuit Docket No. 12-14073-EE

SERVICE LIST

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