

**Motion of Susan Lawson, as Trustee for the Lawson Trust, Dated June 24, 1994, for an Order Pursuant to Rule 9006 (b)(1) Enlarging the Period to Submit a Proof of Claim (the “Lawson Extension Motion”)**

On December 31, 2008, Susan Lawson, as Trustee of the Lawson Trust (“Lawson”) filed a motion (the “Lawson Lift Stay Motion”) seeking relief from the automatic stay to (i) pursue a pending Florida State Court action (the “Action”) against Debtor WCI Communities, Inc., non-Debtor Chicago Title Insurance Company, and non-Debtor Lexon Insurance Company, and (ii) if successful in the Action, recover her \$300,000 escrow deposit from the non-Debtor defendants. The Debtors filed their objection to the Lawson Lift Stay Motion on January 28, 2009, and the Committee filed a joinder to the Debtors’ objection the same day.<sup>1</sup>

By the Lawson Extension Motion, Lawson requests that the Court enlarge the time for Lawson to file its proof of claim, if any, until 30 days after resolution of the Action. Lawson alleges that if Lawson is successful in the Action and recovers its deposit from the non-Debtor defendants, it will not need to file a proof of claim.

Lawson maintains that it should not be required to file a claim at this point, because that would force Lawson to participate in the alternative dispute resolution procedure proposed by the Debtors (the “ADR Procedure”). Lawson alleges that the ADR Procedure is detrimental to Lawson because it does not allow for any pre-mediation discovery and it will not be binding on the Debtors or the non-Debtor defendants in the Action. Lawson further alleges that the claims process in the Debtors’ cases will assist the Debtors’ estates in defeating Lawson’s claims in the Action because of the unavailability of witnesses and continued delays related to the Debtors’ bankruptcy proceedings.

Finally, Lawson alleges there will be little or no prejudice to the Debtors if the deadline for it to file a proof of claim is extended pending resolution of the Action since (i) the Debtors have not yet put forward a plan of reorganization, and (ii) if Lawson is successful, its claim will be paid from non-estate funds by the non-Debtor defendants.

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<sup>1</sup> A summary of the Lawson Lift Stay Motion was posted to the Committee website.