

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

In re: Bank of America Home Affordable
Modification Program (HAMP) Contract
Litigation

Civil Action No. 1:10-md-02193-RWZ

**DEFENDANT’S MOTION TO EXTEND TIME TO MOVE FOR FURTHER
PROTECTIVE ORDER REGARDING DEPOSITION CONFIDENTIALITY.**

Defendant Bank of America, N.A. (“BANA”), for itself and as successor by merger to BAC Home Loans Servicing, L.P., submits this motion seeking a 9 day extension of time to move the Court for a further protective order regarding confidentiality of certain deposition transcripts. As grounds for this motion, BANA states as follows:

1. Plaintiffs deposed BANA employees Tawnya Schoolitz and Jinja Martin, and Urban Lending Solutions employee Christopher Orris, on May 9, 2012, May 24, 2012, and May 31, 2012, respectively. On June 20, 2012 and July 9, 2012, pursuant to the terms of the Stipulated Protective Order entered in this case on May 16, 2011 (“Protective Order”) [Dkt. No. 56], BANA designated certain portions of each deposition transcript as Confidential Information.

2. On July 11, 2012, Plaintiffs informed BANA that they objected to its confidentiality designations. Pursuant to the Protective Order and Local Rule 37.1, BANA and Plaintiffs conferred in an attempt to resolve the dispute. The parties could not reach a resolution, however. On August 1, 2012, Plaintiffs informed BANA that they continued to dispute that the designated testimony should be treated as Confidential Information under the Protective Order, and the Local Rule 37.1 conference was concluded.

3. Pursuant to ¶ 15 of the Protective Order, BANA is to file a motion for the court to affirm its designations of deposition transcripts as Confidential Information by August 15, 2012.

4. In order to accommodate travel and vacation schedules of counsel and client representatives, BANA hereby moves to extend its time to file the motion by nine days, to and including August 24, 2012.

5. BANA has sought Plaintiffs' consent to this motion, but as of this filing has not received a response to its requests.

WHEREFORE, BANA respectfully requests that the Court extend its time to file the motion to affirm its designations of deposition transcripts as confidential information until August 24, 2012.

Dated: August 15, 2012

Respectfully submitted,

Bank of America, N.A., for itself and as
successor by merger to BAC Home Loan
Servicing, L.P.,

By its attorneys,

/s/ James W. McGarry

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LOCAL RULE 7.1(a)(2) CERTIFICATION AND CERTIFICATE OF SERVICE

I certify pursuant to Local Rule 7.1(a)(2) that the moving party has sought to confer in good faith with interim co-lead counsel for Plaintiffs on the matter set forth herein and that such counsel has not provided a response to this inquiry.

I further certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on August 15, 2012.

/s/ James W. McGarry_____