

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

THE 1031 TAX GROUP, LLC, et al.,

Case No. 07-B-11448 (MG)

Jointly Administered

Debtors.

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**STIPULATION AND ORDER ADJOURNING HEARING ON TRUSTEE'S
MOTION FOR TRANSFER OF VENUE AND RELATED BRIEFING**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, counsel, respectively, for Gerard McHale, Jr., in his capacity as Chapter 11 trustee (the "Trustee") for The 1031 Tax Group, LLC, *et al.* (the "Debtors"); the Committee of Unsecured Creditors of the estate of the Debtors (the "Committee"); Joseph J. Luzinski, in his capacity as Chapter 11 trustee (the "Virginia Trustee") for IPofA West Oaks Mall, LP, *et al.* in the Chapter 11 bankruptcy proceedings pending in the Eastern District of Virginia, captioned *In re: IPofA West Oaks Mall, LP, et al.*, Case No. 07-33649 through 07-33651 (together, the "Virginia Case"); GCCFC 2006-GG7 Westheimer Mall, LLC ("Lender"); and Doris Eidel, Zeneth Eidel, D. Eidel Realty, LLC, Z. Eidel Realty, LLC, Maury Duff Peck, Charles H. Shorley, Eugene Brughelli, Catherine G. Meeks, Norma E. Register, Jeanette E. Newman and Dawn A. Dunbar (the "Stakeholders"), as follows:

1. The hearings ("Hearings") on the Trustee's Amended Motion of the Chapter 11 Trustee to Transfer Venue of the Richmond Cases to the Southern District of New York (the "Transfer Venue Motion") and on the Virginia Trustee's Motion to Dismiss Contested Matter (the "Motion to Dismiss"), each currently scheduled for February 26, 2008, are adjourned to April 16, 2008 at 10:00 a.m. in Courtroom 723.

2. The agreement to adjourn the Transfer Venue Motion and the Motion to Dismiss is without prejudice to the position of any party and may not be raised or relied upon in connection with any arguments made in support of, or in opposition to, the Transfer Venue Motion or the Motion to Dismiss.

3. The parties acknowledge that upon being “so ordered” by the Court, this Stipulation and Order shall constitute an Order of the United States Bankruptcy Court for the Southern District of New York.

Dated: February 26, 2008

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SO ORDERED:

/s/ Martin Glenn

Honorable Martin Glenn
United States Bankruptcy Judge

Dated: **February 26, 2008**
New York, New York