

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

IN RE:)
)
TOPGALLANT LINES, INC.,) CHAPTER 7 BANKRUPTCY
) CASE NO. 89-41996
DEBTOR)
)
JAMES L. DRAKE, JR., TRUSTEE,)
)
PLAINTIFF)
)
v.) ADVERSARY PROCEEDING
) NUMBER 91-4141
FRANK K. PEEPLES, SOUTHEASTERN)
MARITIME CO., INC., PEEPLES)
INDUSTRIES, INC., AMERICAN)
MARITIME CO., INC., HEAVY LIFT)
INC., EAST COAST TERMINAL CO.,)
INC., CENTRAL EQUIPMENT CO.,)
INC., WOODCHIPS EXPORT CO.,)
INC., CHATHAM SHIPPING AGENCY)
CO., INC., BULK TERMINAL)
MANAGEMENT CORP., INC., PORT)
ROYAL TERMINAL CORP., INC.,)
SOUTHERN BULK IND., INC.,)
TERMINAL SUPPLY CORP., INC.,)
MATERIAL HANDLING &)
ENGINEERING, INC., CHATHAM)
SERVICE CORP., INC., FALCON)
TOWING & BARGE CO., INC.,)
SECURITY TERMINAL CO., INC.,)
DARYN PEEPLES BERRINGER,)
ASHLEY B. PEEPLES, FRANK K.)
PEEPLES, JR., JOHN R. BENTON,)
DEBRA M. STROUSE, ELIZABETH)
C. PEEPLES, and FLEET FACTORS)
CORP., INC., d/b/a AMBASSADOR)
FACTORS,)
)
DEFENDANTS)

ORDER

A request has been made to extend the deadline for all parties to file reply briefs to the responses to the motions for

summary judgment. Those requests have been considered and will be denied by this order.

The Court is this day entering orders on the motions for summary judgment. These motions posed complex factual and legal questions which have been carefully studied and resolved by the order on summary judgment.

Rather than extend the deadline to permit responses to responses to motions for summary judgment, the Court suggests that the parties might instead invest their efforts, wherever appropriate, in motions for reconsideration which must be filed within ten (10) days from the date of the entry of the order on summary judgment. Upon request, the Court will extend the deadline for filing such motions for an additional period of twenty (20) days following the ten (10) days allowed by the Federal Rules of Bankruptcy Procedure.

If any such motions are filed, the Court intends to schedule a hearing to carefully consider such motions. Any party who seriously believes that there is no remaining question of fact as to any of the unresolved issues in this case will be given a forum to present such an argument orally and with ample opportunity to exhibit the evidentiary basis from the record which supports such an argument. Any party who requests an extension of the deadline for filing a motion for reconsideration should certify in its motion that it seriously intends to urge such a motion and that the additional time is necessary to enable the party to prepare the written pleadings which are necessary to properly advance the motion.

Now, therefore it is hereby

ORDERED that the motions to extend the deadline for filing responses to dispositive motions is DENIED.

DATED this 29th day of February, 1996.

JAMES D. WALKER, JR., Judge
United States Bankruptcy Court

CERTIFICATE OF SERVICE

I, Cheryl L. Spilman, certify that a copy of the attached and foregoing was mailed to the following:

JAMES L. DRAKE, JR.
Post Office Box 9149
Savannah, Georgia 31412

RICHARD A. ROMINGER
2 East Bryan Street, Suite 1300
Savannah, Georgia 31401

RICHARD JENNINGS
Post Office Box 15306
Savannah, Georgia 31416

WALTER C. HARTRIDGE
Post Office Box 2139
Savannah, Georgia 31498-1001

JOHN M. TATUM
Post Office Box 1567
Savannah, Georgia 31498-1567

This 1st day of March, 1996.

Cheryl L. Spilman
Deputy Clerk
United States Bankruptcy Court