

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

VITO J. FENELLO, JR.)	
and BEVERLY H. FENELLO,)	
)	
Plaintiffs,)	
)	CIVIL ACTION FILE
)	NO. 1:11-cv-04139-WSD
v.)	
)	
SHUPING, MORSE & ROSS, LLP;)	
BANK OF AMERICA, N.A., and)	
THE BANK OF NEW YORK MELLON)	
(as Trustee for CWALT, Inc.),)	
)	
Defendants.)	
_____)	

MOTION TO EXCEED PAGE LIMITATION

Pursuant to Local Rule 7.1(d), Defendants Bank of America, N.A. and The Bank of New York Mellon, as Trustee for CWALT, Inc. (“BNYM”) (collectively “Defendants”), by and through their undersigned counsel, hereby move for authorization to file their *Motion to Dismiss and Incorporated Memorandum of Law* in excess of the stated page limitation of twenty-five (25) pages. This request is made due to *Pro Se* Plaintiffs’ Complaint being comprised of over 20 pages of often confusing legal and factual assertions and numerous theories of liability

spread among 13 separate causes of action that required individual analysis and briefing by Defendants.

This 7th day of December, 2011.

/s/ Andrew G. Phillips

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*Attorneys for Defendants Bank of America,
N.A. and The Bank of New York Mellon as
Trustee for the Certificate Holders of
CWALT, Inc.*

I further certify that I prepared this document in 14 point Times New Roman font and complied with the margin and type requirements of this Court.

/s/ Andrew G. Phillips
Andrew G. Phillips

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[PROPOSED] ORDER

This matter is before the Court on the Motion to Exceed Page Limitations filed by Defendants Bank of America, N.A. and The Bank of New York Mellon (“Defendants”).

Having considered said motion and the argument presented, it appears that good cause exists to allow Defendants’ *Motion to Dismiss and Incorporated Memorandum of Law* to exceed the page limit.

It is therefore ORDERED, ADJUDGED and DECREED that the Motion to Exceed Page Limit is GRANTED.

So ORDERED, this ____ day of _____, 2011.

William S. Duffey, Jr.
Judge, United States District Court