

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

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	:	Chapter 11
In re:	:	
	:	Case No. 09-13931 (KJC)
ADVANTA CORP., <i>et al.</i>	:	
	:	(Jointly Administered)
Debtors. ¹	:	
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	:	
ADVANTA BANK CORP.	:	
	:	
Plaintiff,	:	
	:	
-against-	:	Adv. Proc. No. 10-50795 (KJC)
	:	
ADVANTA CORP.	:	
	:	
Defendant.	:	
-----	X	

**ADVANTA CORP.’S EMERGENCY MOTION
FOR EXPEDITED HEARING ON MOTION IN LIMINE
TO PRECLUDE CERTAIN TESTIMONY OF MICHAEL I. BRAVERMAN**

Advanta Corp. (“*Advanta*”), by and through its undersigned counsel, moves this Court (the “*Motion to Expedite*”) on an emergency basis for an order expediting consideration of *Advanta’s Motion In Limine To Preclude Certain Testimony of Michael I. Braverman* (the “*Motion*”),² which was filed under seal contemporaneously herewith pursuant to this Court’s

¹ The Debtors, along with the last four digits of each Debtor’s federal tax identification number, are Advanta Corp. (2070), Advanta Investment Corp. (5627), Advanta Business Services Holding Corp. (4047), Advanta Business Services Corp. (3786), Advanta Shared Services Corp. (7074), Advanta Service Corp. (5625), Advanta Advertising Inc. (0186), Advantennis Corp. (2355), Advanta Mortgage Holding Company (5221), Advanta Auto Finance Corporation (6077), Advanta Mortgage Corp. USA (2654), Advanta Finance Corp. (8991), Great Expectations International Inc. (0440), Great Expectations Franchise Corp. (3326), Great Expectations Management Corp. (3328), Advanta Ventures Inc. (5127), BE Corp. (8960), ideablob Corp. (0726), and Advanta Credit Card Receivables Corp. (7955).

² Capitalized terms used herein, but not otherwise defined, shall have the meanings ascribed to them in the Motion.

Protective Order Governing the Production of Confidential Materials [D.I. No. 61]. In support of the Motion to Expedite, Advanta respectfully states as follows:

1. On March 14, 2010, Advanta Bank Corp. (“*ABC*”) -- a wholly-owned indirect subsidiary of Advanta in receivership by the Federal Deposit Insurance Corp. (“*FDIC*”) -- commenced this adversary proceeding (the “*Adversary Proceeding*”) against Advanta seeking declaratory and injunctive relief related to certain net operating loss elections/waivers made by Advanta including in the consolidated group’s 2009 federal income tax return. FDIC now stands in the shoes of ABC in its capacity as ABC’s receiver and seeks to recover \$170 million from Advanta in the Adversary Proceeding. A three day evidentiary hearing on certain pending motions³ is currently scheduled to proceed on August 16-18, 2010 at 10:00 a.m. (Eastern Daylight Time) (the “*Hearing*”).

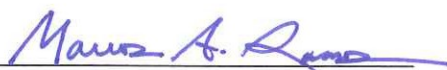
2. On August 6, 2010, the FDIC served the *Expert Report of Michael I Braverman* (the “*Report*”) on Advanta and the Official Committee of Unsecured Creditors. Advanta understands that the FDIC intends to call Braverman as an expert witness at the Hearing.

3. As is set forth more fully in the Motion, based on the Report, the FDIC’s use of Braverman as an expert witness regarding the construction of the TSA and his related conclusions of law are improper. In order for Advanta to effectively raise its objections to Braverman’s improper testimony, the Court should allow the Motion to go forward at the Hearing before Braverman is called to testify.

³ The motions are (i) *ABC’s Emergency Motion for Declaratory and Injunctive Relief in Connection With Amended Complaint* [D.I. No. 9], and (ii) *FDIC-R’s Motion Seeking a Declaration That the Automatic Stay Does Not Apply, or in the Alternative, an Order Granting Relief from the Automatic Stay* [D.I. No. 25].

WHEREFORE, Advanta respectfully requests that this Court enter an order substantially in the form attached hereto as Exhibit A granting the Motion to Expedite and such other relief as is just and proper.

Dated: August 13, 2010
Wilmington, Delaware



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ATTORNEYS FOR ADVANTA CORP.

CERTIFICATE OF SERVICE

I, Zachary I. Shapiro, do hereby certify that on August 13, 2010, I caused a copy of the foregoing *Advanta Corp.'s Emergency Motion for Expedited Hearing on Motion in Limine to Preclude Certain Testimony of Michael I. Braverman* to be served upon counsel for the FDIC and the Official Committee of Unsecured Creditors in the manner listed to below:

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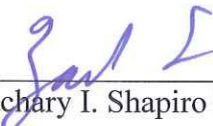
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