

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

<p>In re:</p> <p>TAYLOR, BEAN & WHITAKER MORTGAGE CORP.,</p> <p>Debtor.</p>	<p>Chapter 11</p> <p>Case No. 03:09-bk-07047-JAF</p>
<p>NICHOLAS A. CALLAHAN, JULIE WHITEAKER, ERIC E. ANDERSON, CHRIS ESCANDON, CHARLES VAN HARTSELL III, DEBRA ORLANDO, DEZI TEIANN JESSOP, WILLIAM P. HICKEY III, and TANJANIKA CARTER, on behalf of themselves and all others similarly situated,</p> <p>Plaintiffs,</p> <p>v.</p> <p>TAYLOR, BEAN & WHITAKER MORTGAGE CORP.,</p> <p>Defendant.</p>	<p>Adv. Proc. No. 3:09-ap-00439-JAF</p>

**DEBTOR/DEFENDANT’S UNOPPOSED MOTION FOR EXTENSION
OF TIME TO SERVE ANSWER OR OTHER RESPONSIVE PLEADING**

TAYLOR, BEAN & WHITAKER MORTGAGE CORP., the Debtor and
Debtor in Possession in this Chapter 11 case and the named Defendant in this adversary
proceeding (“TBW” or the “**Debtor/Defendant**”), requests an extension of time within

which to serve an answer or other pleading in response to the *Adversary Class Action Complaint* (the “**Complaint**”) filed by the Plaintiffs, upon the following grounds:

1. The Plaintiffs filed the Complaint and obtained issuance of the Summons in an Adversary Proceeding in this proceeding on the same date that the Debtor/Defendant filed its Voluntary Petition for Relief.
2. Faced with the daunting challenges of this large, complicated case, the Debtor/Defendant has not had sufficient time within which to formulate defenses and a responsive pleading.
3. Prior to filing this Motion, the Debtor/Defendant through its counsel consulted with the Plaintiffs’ Jacksonville counsel, who has no opposition to an extension of time and consented to a 15-day extension of time within which to file an answer or other responsive pleading.
4. Through counsel, the Debtor/Defendant has approached the Plaintiffs regarding the handling and disposition of this adversary proceeding in the wider context of this Chapter 11 case. Counsel anticipates that ensuing discussions will lead to an appropriate manner of handling this proceeding that will promote efficiency and minimize disruption on other matters in the Chapter 11 case, while at the same time ensuring the protection of the rights of the Plaintiffs, including similarly situated former employees of the Debtor/Defendant.

WHEREFORE, the Debtor/Defendant respectfully requests that the Court (A) grant this Motion; (B) extend for 15 days the time within which to serve an answer or other responsive pleading, without prejudice to the Debtor/Defendant’s right to seek

further extensions and without prejudice to the Debtor/Defendant's right as appropriate to seek abatement of this adversary proceeding; and (C) grant other and further relief as is just and proper.

/s/ Russell M. Blain

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ATTORNEYS FOR DEBTOR/DEFENDANT

TAYLOR, BEAN & WHITAKER MORTGAGE CORP.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing
*Debtor/Defendant's Motion for Extension of Time to Serve Answer or Other Responsive
Pleading* have been furnished by the Court's CM/ECF electronic mail system and/or by
electronic mail to:

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on this 23rd day of September, 2009.

/s/ Russell M. Blain
Attorney