

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

TAYLOR BEAN & WHITAKER MORTGAGE
CORP., *et al.*,

Debtor.

Case No.: 3:09-bk-07047-JAF

Chapter 11

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,

Adv. Pro. No. 09-ap-00439-JAF

Plaintiffs,

v.

TAYLOR BEAN & WHITAKER MORTGAGE
CORP.,

Defendant¹.

**ORDER DENYING TBW'S MOTION TO
DISMISS ADVERSARY CLASS ACTION COMPLAINT**

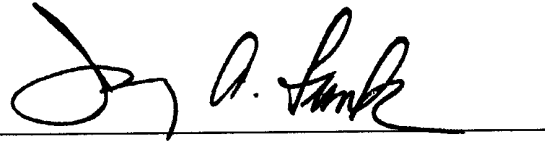
This proceeding came before the Court on the Motion to Dismiss Adversary Class Action Complaint, filed on January 20, 2010 (Doc. No. 28), by defendant Taylor Bean & Whitaker Mortgage Corp. ("TBW"). Consistent with the Findings of Fact and Conclusions of Law entered simultaneously herewith, it is

¹ "Defendant" is defined in Plaintiffs' Adversary Class Action Complaint as "Taylor Bean & Whitaker Mortgage Corp., d/b/a Maslow Insurance Agency, LLC, d/b/a Security One Valuation Services, LLC, d/b/a Platinum Community Bank and other related entities."

ORDERED:

TBW's Motion to Dismiss Adversary Class Action Complaint is denied.

DATED this 27th day of September, 2010, in Jacksonville, Florida.

A handwritten signature in black ink, appearing to read "Jerry A. Funk", written over a horizontal line.

JERRY A. FUNK
United States Bankruptcy Judge

CERTIFICATE OF NOTICE

District/off: 113A-3
Case: 09-00439

User: pathy
Form ID: pdfdoc

Page 1 of 1
Total Noticed: 2

Date Rcvd: Sep 28, 2010

The following entities were noticed by first class mail on Sep 30, 2010.

inv +Committee of Unsecured Creditors, c/o James D. Gassenheimer, 200 South Biscayne Blvd.,
Suite 1000, Miami, FL 33131-5344

crcm +James D Gassenheimer, Berger Singerman, P.A., 200 South Biscayne Boulevard, Suite 1000,
Miami, FL 33131-5319

The following entities were noticed by electronic transmission.

NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

pla Charles Van Hartsell III
 pla Chris Escandon
 pla Debra Orlando
 pla Dezi Teiann Jessop
 pla Eric E. Anderson
 pla Julie Whiteaker
 pla Nicholas A. Callahan
 pla Tanjanika Carter
 dft Taylor Bean & Whitaker Mortgage Corp.
 pla William P. Hickey III

TOTALS: 10, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 30, 2010

Signature:

