

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

In re:

Chapter 11

TAYLOR, BEAN & WHITAKER  
MORTGAGE CORP.,  
REO SPECIALISTS, LLC, and  
HOME AMERICA MORTGAGE, INC.

Case No. 3:09-bk-07047-JAF  
Case No. 3:09-bk-10022-JAF  
Case No. 3:09-bk-10023-JAF

Debtors.

Jointly Administered Under  
Case No. 3:09-bk-07047-JAF

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APPLICABLE DEBTOR

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

TAYLOR, BEAN & WHITAKER  
MORTGAGE CORP.

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**LIMITED OMNIBUS OBJECTION TO MOTIONS FOR IN CAMERA  
INSPECTION AND TO COMPEL PRODUCTION OF DOCUMENTS  
FILED BY SANDY SMITH AND JONI COX-TANNER  
(RELATES TO DKT. NOS. 2088 AND 2108)**

TAYLOR, BEAN & WHITAKER MORTGAGE CORP. (“**Debtor**” of “**TBW**”) hereby files this Limited Omnibus Objection to Motions (Dkt. Nos. 2088 and 2108, the “**Motions**”) For In Camera Inspection and To Compel Production of Documents filed by Sandy Smith (“**Ms. Smith**”) and Joni Cox-Tanner (“**Ms. Cox-Tanner**”) (collectively, the “**Movants**”), on the following grounds:

1. As a preliminary matter, the Debtor will provide to each of the Movants (both of whom have defaulted on their mortgages) copies of their loan files in its possession, custody, and control. The loans for both Ms. Smith and Ms. Cox-Tanner have been service released, and the subsequent servicers may be in possession of additional documents, including the originals of the loan files.

2. The Debtor objects to the Motions to the extent that they request any information beyond what is located in the Movants' respective loan documents and in the Debtors' possession, custody or control.

3. Contrary to what is alleged in the Motion, the Freedom of Information Act does not apply to the Debtor. TBW is not an agency within the meaning of the Freedom of Information Act and therefore is not subject to its provisions. *See, e.g., Public Citizen Health Res. Group v. Department of Health, Educ. & Welfare*, 668 F. 2d 537 (DC Cir. 1981) (finding that a medical foundation that acted under a contract with the Department of Health, Education & Welfare was not an agency subject to FOIA).

4. Additionally, an *in camera* inspection is not necessary or appropriate. Indeed, TBW is willing to make copies of the loan files available to the Movants.

5. Finally, without limitation, the "affidavit" referenced in Ms. Smith's motion is improper, as the acknowledgement is that of Ms. Cox-Tanner.

WHEREFORE, premises considered, the Debtor requests that the Court sustain this limited objection and grant such other and further relief to which it may be entitled.

Dated: November 18, 2010

/s/ Edward J. Peterson, III  
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