

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

In re:)	CHAPTER 11
)	
Taylor, Bean & Whitaker Mortgage Corp.)	CASE NO. 3:09-BK-07047-JAF
REO Specialists, LLC, and)	CASE NO. 3:09-BK-10022-JAF
Home America Mortgage, Inc.)	CASE NO. 3:09-BK-10023-JAF
)	
Debtors.)	JOINTLY ADMINISTERED UNDER CASE
)	NO. 3:09-BK-07047-JAF
)	
)	

MOTION OF INTEGRITY FIELD SERVICES, INC. FOR FINAL DETERMINATION OF TRADE CREDITOR CLASSIFICATION

Now comes Integrity Field Services, Inc. (“IFS”), by and through the undersigned counsel, and hereby moves this Court, pursuant to the Court’s *Order Approving: (I) Procedures for the Solicitation and Tabulation of Votes to Accept or Reject the Plan and Limited Waiver of Local Rule 3018-1; (II) Related Notice and Objection Procedures; (III) Procedures to Determine Holders of Claims in TBW Class 9; and (IV) Waiver of Local Rule 3071-1(b)* [Docket No. 2137] entered on November 10, 2010, for final determination whether IFS should be properly classified as a Trade Creditor, as defined in Article 4.H.1 of Debtors Taylor, Bean & Whitaker Mortgage Corp., REO Specialists, LLC, and Home America Mortgage Inc.’s (“Debtors”) *Second Amended and Restated Joint Plan of Liquidation of the Debtors and the Official Committee of Unsecured Creditors* [Docket No. 2143] (the “Plan”). In support of this Motion, the Movant states:

1. On September 14, 2010, the Court approved the settlement amongst the Debtors,

the FDIC and the Official Committee of Unsecured Creditors (the “Committee”) by entry of its *Order Approving Settlement Agreement, as Amended, By and Among Taylor, Bean & Whitaker Mortgage Corp., the Federal Deposit Insurance Corporation, as Receiver of Colonial Bank, and the Official Committee of Unsecured Creditors* [Docket No. 1936] (the “FDIC Settlement Agreement”).

2. Pursuant to the FDIC Settlement Agreement, the Plan provides for TBW Class 9, General Unsecured Claims (Trade Creditors) Against TBW (“TBW Class 9”).

3. TBW Class 9 is impaired under the Plan and consists of Holders of Trade Claims (“Trade Creditors”).

4. Under the Plan, Trade Claims means Allowed Unsecured Claims for goods and Services provided to or performed for or on behalf of TBW but specifically excluding Claims of (a) any insider of TBW; (b) any institutional or non-institutional lender to TBW, including but not limited to warehouse and non-warehouse-line lenders and lenders asserting security interests in mortgage loans; and (c) any institutional or non-institutional investor in mortgage loans (or related debt or equity securities).

5. The Debtors and the Committee published their determination of which unsecured creditors are entitled to treatment as a Trade Creditor by filing a notice in the docket of this bankruptcy case on December 7, 2010.

6. IFS was not included on the list of unsecured creditors entitled to treatment as a Trade Creditor.

7. Upon information and belief, IFS is a Trade Creditor of TBW and should be included on the list of unsecured creditors entitled to treatment as a Trade Creditor.

WHEREFORE, IFS respectfully requests the Court enter an Order granting this Motion; determining IFS to be an unsecured creditor entitled to treatment as a Trade Creditor; and granting such other and further relief as may be just and proper.

Respectfully submitted,

/s/ John S. Sarrett

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **MOTION OF INTEGRITY FIELD SERVICES FOR FINAL DETERMINATION OF TRADE CREDITOR CLASSIFICATION** was served electronically via the Court's CM/ECF system this 21st day of December, 2010 upon the following:

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/s/ John S. Sarrett _____