

UNITED STATES BANKRUPTCY COURT

MIDDLE DISTRICT OF FLORIDA

JACKSONVILLE DIVISION

FILED
JACKSONVILLE, FLORIDA

JAN 7 2011

CLERK, U. S. BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

Joni Cox-Tanner

Creditor/Defendant

VS.

In re: Chapter 11

TAYLOR, BEAN & WHITAKER
MORTGAGE CORP:

CASE NO. 3:09-BK-7047JAF

HOME AMERICA MORTGAGE,
INC.

CASE NO. 3:09-BK-10023-JAF

REO SPECIALTIES, LLC

CASE NO. 3:09-BK-10022-JAF

Debtors/Plaintiffs

_____ /

DEFENDANT'S OBJECTION TO ORDER 2343

GRANTING STALKING HORSE PROTECTIONS AND AUCTION

FOR THE SALE OF CERTAIN MORTGAGE LOANS FREE AND CLEAR OF

ALL LIENS, CLAIMS AND INTEREST

Homeowner and Taylor Bean and Whitaker Mortgage victim, Joni Cox-Tanner respectfully requests that the Court set forth a motion of objection to order 2343.

The Stalking Horse bidder and protections therein are a scheme usually entered into court to "cover up" or "hide" all factual truth about the sale of the debtor's assets.

The Stalking Horse protections should be denied due to the fact of alleged criminal activity by Taylor Bean and Whitaker, and CEO/Owner, Lee Bentley Farkas. (Please see attached Federal charges on CEO/Owner Lee Bentley Farkas). The charges of a CEO and Owner of a company charged with misappropriating funds clearly reveal a pattern of an “alleged” scheme or plan to confuse Creditors and loan holders. “If a party-in-interest files an objection, then the court must hold a contested hearing under Bankruptcy Rule 9014”.

Stalking Horse protections are not in the best interest of all parties, especially the homeowner victims who have had payments misappropriated and lost and lack of records which validate original “legal”, not “alleged” ownership of all Taylor Bean and Whitaker loans. The protection places an unjust burden on homeowner victims to pay for or lose their homes due to “alleged” **(and soon to be proven with factual and identifiable evidence)** criminal conduct of Taylor Bean and Whitaker employees, directors and owners.

I, Joni Cox-Tanner, homeowner victim and of voting status as an unsecured creditor of Taylor Bean and Whitaker, et al, request at this time for debtor’s representation to provide and reveal to the court the independent appraisal of all assets conducted and would like Judge Funk to be presented the factual information so he may determine if the process was done according to and within the guidelines of the Federal Laws of Chapter 11 Bankruptcy Court.

If this court approves all assets free and clear of all liens and protections within the “Stalking Horse” bid, this Court will allow Taylor Bean and Whitaker to walk away from all factual criminal revelations, prior to the Criminal Case of Lee Bentley Farkas. This will give the innocent creditors and homeowners lack of transparency in the sale as well as integrity of the process which a Federal Court should be “unbiased”, and support the victim in this case just as he allows “possible alleged criminal behavior and relationships of the Court Trustee and Official Committee of the Unsecured Creditors.

This Federal Court has the knowledge and power to construe such a release on the sale of assets. The 363 Stalking Horse Free and Clear sale is an intentional use to backdoor all claims against Taylor Bean and Whitaker, et al.

I, request the court to consider creating a process for resolving disputed claims due to alleged criminal behavior and violations incurred by the victims as an act of violating citizens civil and legal rights. I believe the sale suggested should not include holders of claims against Taylor Bean and Whitaker, et al. By the honesty and integrity of the victims of criminal negligence produced by Taylor Bean and Whitaker, et al, the Court has been presented with factual evidence of possible and “alleged” criminal behavior patterning by the Debtor, The Debtor’s Legal Council, The Trustee of this Court and the appointment and retention of such said violating substance within the Official Committee of Unsecured Creditors.

PRAYER UPON THE COURT

I, Joni Cox-Tanner, homeowner victim of Taylor Bean and Whitaker, et al pray on this court as well as the Honorable Judge Funk to construe and resolve the action of Free and Clear upon the sale of Assets. A Creditor’s claim should be taken into serious consideration before a company which allegedly “laundered” money from one of their businesses to another, et al, restoring integrity, justice and civility to all victims who suffered greatly at the hand of Taylor Bean and Whitaker, et al.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via U.S. mail to: Elena Escamilla, Trial Attorney, Office of the United States Trustee. U.S. Department of Justice Florida Bar No: 898414, 135 W. Central Blvd., Suite 620 Orlando FL. 32801 and served to via U.S. mail to: Edward J. Peterson, III (FBN 014612) **STRICHTER, RIEDEL, BLAIN & PROSSER, P.A. (Attorneys for the Debtor/Plaintiff)** 110 East Madison Street, Suite 200 Tampa, FL 33602.



Joni Cox-Tanner
Creditor/Defendant
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AFFIDAVIT

STATE OF TEXAS §

COUNTY OF MIDLAND §

This instrument was acknowledged before me on the 16th day of January, 2011, by

Joni L. Cox-Tanner in the capacity stated therein.


Notary Public, State of Texas