

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

<p>In re:</p> <p>TAYLOR, BEAN &amp; WHITAKER  MORTGAGE CORP.,  REO SPECIALISTS, LLC, and  HOME AMERICA MORTGAGE, INC.,</p> <p>Debtors.</p>	<p>Chapter 11</p> <p>Case No. 3:09-bk-07047-JAF  Case No. 3:09-bk-10022-JAF  Case No. 3:09-bk-10023-JAF</p> <p><i>Jointly Administered Under  Case No. 3:09-bk-07047-JAF</i></p>
<p><i>This Motion relates to all three Debtors.</i></p>	

**DEBTORS' MOTION TO ADJOURN,  
CONTINUE, AND RESCHEDULE HEARING  
ON CONFIRMATION AND RELATED MATTERS**

TAYLOR, BEAN & WHITAKER MORTGAGE CORP. (the “**Debtor**” or “**TBW**”),  
REO SPECIALISTS, LLC (“**REO Specialists**”), and HOME AMERICA MORTGAGE,  
INC. (“**HAM**,” and together with TBW and REO Specialists, the “**Debtors**”), as Debtors  
and as Debtors in Possession in these jointly administered Chapter 11 cases, respectfully  
request that the Court adjourn and continue the hearing on plan confirmation and other  
matters related to confirmation and reschedule that hearing for a later date. As a result of  
positive developments that have occurred in the process of soliciting acceptances for the  
Plan, the Debtors believe that, with additional time, they can resolve most of the remaining  
potential confirmation issues. Confirmation is presently scheduled for January 19, 2011, at  
10:00 a.m. (having been rescheduled from 9:30 a.m.). The Debtors do not request

cancellation of that hearing but propose to utilize the scheduled hearing to apprise the Court of the status of the resolution of confirmation issues and to discuss and determine the timing of a rescheduled confirmation hearing. The grounds for the proposed continuance and rescheduling are as follows:

1. On August 24, 2009, TBW filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code. On November 25, 2009, REO Specialists and HAM filed voluntary petitions for relief under Chapter 11. The cases are being jointly administered pursuant to order of the Court. The Debtors have continued to manage their properties and assets as debtors in possession pursuant to Sections 1107(a) and 1108 of the Bankruptcy Code and orders of this Court.

2. By notice dated September 1, 2009, the United States Trustee in the TBW case appointed the members of the Official Committee of Unsecured Creditors (the “**Committee**,” and, together with the Debtors, the “**Plan Proponents**”) pursuant to Section 1102 of the Bankruptcy Code (Doc. No. 203) and amended its appointment by notice dated December 11, 2009 (Doc. No. 761).

3. No trustee or examiner has been appointed in any of these cases.

4. The Plan Proponents filed their *Joint Plan of Liquidation of the Debtors and the Official Committee of Unsecured Creditors* and their accompanying *Disclosure Statement Pursuant to Section 1125 of the Bankruptcy Code*. The Debtors subsequently filed their *Second Amended and Restated Joint Plan of Liquidation of the Debtors and the Official Committee of Unsecured Creditors* (Doc. No. 2143) (the “**Plan**”) and their *Second Amended and Restated Disclosure Statement* (Doc. No. 2144) (the “**Disclosure**”).

**Statement”).**

5. After notice and a hearing, the Court entered its order approving the Disclosure Statement, fixing the time for filing acceptances or rejections of the Plan, and scheduling a hearing to consider the Plan on January 19, 2010, at 9:30 a.m. (Doc. No. 2190) (the start time for which, as stated above, has subsequently been rescheduled for 10:00 a.m.). The Court also entered its order approving procedures for the solicitation and tabulation of ballots, related notice and objection procedures, and other matters relative to confirmation (Doc. No. 2137).

6. Following approval of the Disclosure Statement, the Debtors diligently undertook the solicitation of acceptances of the Plan. At the direction of the Debtors, copies of the Plan, the Disclosure Statement, and the Court’s approval order, together with ballots, were furnished to all creditors and parties in interest. Numerous parties completed and submitted ballots.

7. At the time the solicitation process began, issues with various constituencies remained for resolution. In an effort to avoid litigation of confirmation objections, the Debtors, through their Chief Restructuring Officer and counsel, have worked diligently and expeditiously with these constituencies in an effort to reach amicable resolutions. Negotiations with the major constituencies have moved in a positive direction during the time period leading up to the filing of this Motion, sufficiently so that the Debtors are cautiously optimistic that many of these issues can be handled consensually, confirmation issues avoided, objections resolved, and consensual confirmation achieved.

8. In connection with these negotiations, the Debtors have been in ongoing

discussions with the various constituencies in these cases, believe that these constituencies are aware of the benefits that would be achieved from adjourning and rescheduling confirmation, and know of no objection or opposition to the proposed adjournment and rescheduling.

9. The confirmation process in these cases, from the filing of the initial plan and disclosure statement to the present, has gone forward expeditiously and without delay. The proposed adjournment and rescheduling of confirmation will not unduly delay the administration of these cases. The Debtors seek adjournment and rescheduling with the good-faith intention of seeking confirmation of the Plan and not in any way for purposes of delaying the administration of these cases.

WHEREFORE, the Debtors respectfully request that this Court grant this Motion; adjourn and continue the hearing on confirmation; reschedule the hearing on confirmation for a future date to be determined subject to availability of time on the Court's calendar and in consultation with the constituencies in these cases; correspondingly reschedule the dates for the Plan Proponents to take various actions with respect to confirmation; reschedule other matters that are to be considered in conjunction with confirmation; and provide such other and further relief as is just and proper.

*/s/ Russell M. Blain*

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