

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
_____ /	
TAYLOR, BEAN & WHITAKER MORTGAGE CORP.,	Case No. 3:09-bk-07047-JAF
Applicable Debtor.	
_____ /	

**ORDER DENYING IN PART AS MOOT RL REGI-FL CUTLER
RIDGE, LLC AS SUCCESSOR IN INTEREST TO REGIONS BANK'S
MOTION FOR AN ORDER FOR RELIEF FROM THE AUTOMATIC STAY**

THIS CASE came on for hearing on October 7, 2011, upon the Motion for an Order for Relief from the Automatic Stay (the "**Motion**")¹ (Docket No. 3203) filed by RL REGI-FL Cutler Ridge, LLC, as successor in interest to Regions Bank (the "**Movant**"). The Court having heard argument of counsel, considering the record, finds:

1. That the Debtor does not have an interest in certain units of the real estate (collectively, the "**Real Estate**") that are the subject of the Motion and more particularly described as follows:

CONDOMINIUM UNIT NO. A-302, OF WEST CUTLER
GARDENS, A CONDOMINIUM, ACCORDING TO THE

¹ All capitalized terms not otherwise defined have the meanings ascribed to them in the Motion.

DECLARATION OF CONDOMINIUM, THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 25831, AT PAGE 39, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS APPURTENANT THERETO AS SET FORTH IN SAID DECLARATION AND ANY AMENDMENTS THERETO. TOGETHER WITH PARKING SPACE NO. 248. A/K/A 11110 SW 196 Street, #A-302, Miami, Florida, 33157;

CONDOMINIUM UNIT NO. C-201, OF WEST CUTLER GARDENS, A CONDOMINIUM, ACCORDING TO THE DECLARATION OF CONDOMINIUM, THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 25831, AT PAGE 39, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, TOGETHER WITH ALL APPURTENANCE THERETO, AND AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS OF THE SAID CONDOMINIUM, TOGETHER WITH PARKING SPACE NO. 213. A/K/A 11140 SW 196 Street, #C-201, Miami, Florida, 33157; and

CONDOMINIUM UNIT NO. D-208, OF WEST CUTLER GARDENS, A CONDOMINIUM, ACCORDING TO THE DECLARATION OF CONDOMINIUM, THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 25831, AT PAGE 39, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, TOGETHER WITH ALL APPURTENANCE THERETO, AND AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS OF THE SAID CONDOMINIUM. TOGETHER WITH PARKING SPACE NO. 79. A/K/A 11150 SW 196 Street, #D-208, Miami, Florida, 33157.

2. That said Real Estate is not property of the estate.
3. That the automatic stay in this case does not bar the Movant from continuing to foreclose the lien interest in question on the Real Estate.
4. However, the automatic stay continues to stay any action to obtain a money judgment or any other type of *in personam relief* against the Debtor.

Accordingly, it is hereby

ORDERED that:

1. The Motion is denied in part as moot as to the Real Estate. The Movant shall provide notice of the underlying lawsuit and any hearings therein to the Federal Home Loan Mortgage Corporation, c/o Soha Mody; Associate General Counsel; Litigation Department (Distressed Real Estate); 8200 Jones Branch Drive, MS 202; McLean, Virginia 22102.

2. The hearing on the remaining relief requested in the Motion with respect to the following described property (the "**Zambrano Unit**") is continued to November 4, 2011 at 10:00 a.m.:

CONDOMINIUM UNIT NO. B-412, OF WEST CUTLER GARDENS, A CONDOMINIUM, ACCORDING TO THE DECLARATION OF CONDOMINIUM, THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 25831, AT PAGE 39, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, TOGETHER WITH ALL APPURTENANCE THERETO, AND AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS OF THE SAID CONDOMINIUM. TOGETHER WITH PARKING SPACE NO. 244. A/K/A 11120 SW 196 Street, #B-412, Miami, Florida, 33157

3. All parties reserve their rights with respect to the Motion as it relates to the Zambrano Unit.

DATED in Jacksonville, Florida on October 12, 2011.



JERRY A. FUNK
United States Bankruptcy Judge