

Case 3:09-bk-07047-JAF

In re:

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

FILE
JACKSONVILLE
DEC 27 2011
CLERK, U. S. BANK
MIDDLE DISTRICT


RE: Corrected Thirty Fifth Omnibus Objections to Claims

Doc 4606 filed 12/15/11 and received 12/18/11 by Hawthorne Capital LLC has incorrectly classified funds received by Hawthorne Capital LLC (HC) from Taylor Bean & Whitaker (TBW) as preferred payments under bankruptcy code 547. Hawthorne Capital has been in talks with Jesse Cloyd, representation from Berger Singerman, regarding this issue.

Although payments rendered to HC did occur during the 90 day preference time frame they occurred under the "Course of Ordinary Business" with an unexpired rental lease agreement in place. HC provided a copy of the contract with additional information outlining the regularity of the payments beginning in 2007 to Jesse Cloyd over 2 months ago and are disappointed in the lack of effort displayed by the pursuant to resolve this issue. These transfers were not avoidable as most of the monies were spent on utility bills, property taxes, janitorial and maintenance bills to upkeep the facilities in which TBW was operating.

Hawthorne Capital is in agreement that under bankruptcy laws their claim shall be reduced, but not disallowed, to \$116,800.

Regards,



Hawthorne Capital
nf@hawhtornecre.com

"Our system is screwed up if a bankrupt company can sue another company for providing goods and services under agreed upon contractual terms."

MR Simpson,

RECEIVED
CLERK, U.S. BANKRUPTCY COURT

DEC 27 2011

MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

Please regard this as "filing" with the Clerk of
the United States Bankruptcy Court.

Case Name: TAYLOR BEAN & WHITAKER MORTGAGE CORP

Case Number: 3:09-bk-07047-JAF

3:09-bk-4022-JAF

3:09-bk-10023-JAF

Jointly Administered Under

3:09-bk-07047-JAF