

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION
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In re: Chapter 11 Case

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

Case No. 3:09-bk-07047-JAF
Case No. 3:09-bk-1022-JAF
Case No. 3:09-bk-10023-JAF

Jointly Administered Under
Case No. 3:09-bk-07047-JAF

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In re:

TAYLOR, BEAN & WHITAKER
MORTGAGE CORP.,
Applicable Debtor.

Case No. 3:09-bk-07047-JAF

ORDER ON OBJECTION TO CLAIM NO. 116 FILED BY ROBERT LARocca

THIS MATTER came before the Court on the 2nd day of December, 2011 at 10:00 a.m., on the objection to Claim No. 116 filed by Robert LaRocca contained within the *Twenty-Fifth Omnibus Objection to Claims* (D.E. 3541) (the "Objection") dated August 9, 2011. The Objection was filed by the Official Committee of Unsecured Creditors (the "Committee") under negative notice in accordance with Local Rules 2002-4 and 3007-1 on behalf of the Debtor, Taylor, Bean & Whitaker Mortgage Corp., now the Taylor, Bean & Whitaker Plan Trust (the Committee, together with the Debtor and the Plan Trust, will be referred to as the "Objector"¹). The Objector represents that:

¹ As of the effective date of the *Third Amended and Restated Joint Plan of Liquidation of the Debtors and the Official Committee of Unsecured Creditors* (D.E. 3240), August 10, 2011, the Debtors and the Committee have been replaced by the Taylor, Bean & Whitaker Plan Trust. The Plan Trust and its Trustee, Neil F. Luria, are substituted in as the objecting party in this matter for the Objector.

1. The Objector objected to Claim No. 116 on the basis that Claim No. 116 was advanced by a member of the WARN Act Class and would be resolved by the WARN Act Settlement.

2. Robert LaRocca filed his Response (D.E. 3615) to the Objection and asserted that Claim No. 116 should be allowed in full.

3. The Court approved the WARN Act Settlement Agreement and the Motion to approve such Settlement Agreement (D.E. 4143) orally at the December 2, 2011 hearing.

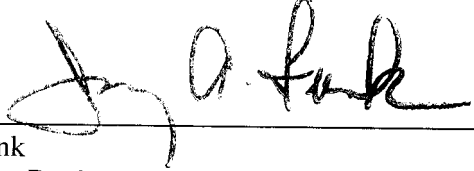
4. Mr. LaRocca did not appear at the December 2, 2011 Scheduling Conference on the Objection and his Response to the Objection.

The Court, having considered the Objection, the Response, and the representations made by counsel for the Plan Trustee that Mr. LaRocca was a member of the WARN Act Class and was receiving a distribution under the WARN Act Settlement, hereby

ORDERS as follows:

1. The Objection to Claim No. 116 is resolved.
2. Claim No. 116 is stricken and disallowed in its entirety.

DATED this 9 day of January, 2012, in Jacksonville, Florida.



Jerry A. Funk
United States Bankruptcy Judge

Copies furnished to:
Robert LaRocca
15 Glengary Road
Palm Beach Gardens, FL 33418