

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

Chapter 11 Case

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

Debtors

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

In re:

TAYLOR, BEAN & WHITAKER
MORTGAGE CORP.,

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

Applicable Debtor.

FIFTY SEVENTH OMNIBUS OBJECTION TO CLAIMS
(TBW Borrower Claims—Inconsistent with Books and Records)

**IMPORTANT NOTICE TO CREDITOR:
THIS IS AN OBJECTION TO YOUR CLAIM**

This objection seeks to disallow your claim. Please read this objection carefully to identify which claim/scheduled claim is objected to and what disposition is recommended for your claim.

If you disagree with the objection or the recommended treatment, you must file a written response WITHIN 30 DAYS from June 5, 2012, explaining why your claim should be allowed as presently filed, and you must mail a copy to the undersigned attorneys OR YOUR CLAIM MAY BE DISPOSED OF IN ACCORDANCE WITH THE RECOMMENDATION IN THIS OBJECTION.

Any written response must include the following: (i) the approved case caption and the title of the objection to which the response is directed; (ii) the name of the claimant and the official claim number; (iii) a description of the basis for the amount of its underlying proof of claim or scheduled claim; and (iv) a concise statement setting forth the reasons why the Court should not sustain the objection, including, but not limited to, the specific factual and legal bases upon which the claimant will reply in opposing the objection. Any written response must be filed with the Clerk of the United States

Bankruptcy Court, Bryan Simpson United States Courthouse, 300 North Hogan Street, Suite 3-350, Jacksonville, FL 32202 with a copy to Alisa Paige Mason, Esq., Berger Singerman, LLP, 1450 Brickell Avenue, Suite 1900, Miami, FL 33131-3453.

Neil F. Luria, as Plan Trustee (“Plan Trustee”) for the Taylor, Bean & Whitaker Mortgage Plan Trust¹ (the “Plan Trust”) on behalf of the Debtor, Taylor, Bean & Whitaker Mortgage Corp., by and through undersigned counsel, and pursuant to Federal Rule of Bankruptcy Procedure 3007 and Local Rules 3007-1 and 2002-4, hereby files this omnibus objection (the “Omnibus Objection”) to the claims listed on **Exhibit “A”** (collectively, the “Claims”). The Plan Trustee seeks to disallow the Claims for the following reasons:

Exhibit A: The Claims are Inconsistent with the Debtor’s Books and Records. The Claims listed on Exhibit A assert amounts allegedly owing to certain claimants that are wholly inconsistent with the Debtor’s books and records. Further, each of the Claims listed on Exhibit A fail to include sufficient information to support the amounts asserted in each of the Claims. Accordingly, the Plan Trustee seeks to disallow each of the Claims in their entirety, and provides that Claimants shall receive no distribution from the Plan Trust.

The Plan Trustee requests that the Claims be treated as noted above, and believes that these Claims should be disallowed in accordance with the Bankruptcy Code.

All Claimants that have received this Omnibus Objection should locate their name(s) and Claim(s) on the attached Exhibit “A” which lists the Claimants alphabetically. To the extent that Claimants have any questions regarding any of the information provided in this Omnibus Objection, a TBW Call Center has been created to address all questions. The TBW Call Center telephone number is 888-909-0100 and email is info@bmcgroup.com.

The Plan Trustee reserves the right to amend his objection to any claims set forth herein, to

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 Official Committee of Unsecured Creditors have been replaced by the Taylor, Bean & Whitaker Plan Trust (the “Plan Trust”).

object on additional grounds not set forth herein and/or to object to any further claims not presently set forth herein. By filing this Omnibus Objection, the Plan Trustee does not waive the right to file further objections or to pursue avoidance actions or other causes of action.

WHEREFORE, the Plan Trustee respectfully requests that the Court (1) treat the Claims set forth herein, as recommended by the Plan Trustee, without prejudice to the rights of the Plan Trustee or other interested parties to file further objections or to pursue avoidance actions or other causes of action, and (2) grant such other and further relief as is just and appropriate.

I HEREBY CERTIFY that I am admitted to the Bar of the United States District Court for the Middle District of Florida and I am in compliance with the additional qualifications to practice in this court set forth in Local Rule 2090-1(a).

Dated: June 1, 2012

Respectfully submitted,

BERGER SINGERMAN LLP
*Counsel to Neil F. Luria, Plan Trustee for the
Taylor, Bean & Whitaker Plan Trust*
1450 Brickell Avenue
Suite 1900
Miami, FL 33131
Telephone: (305) 755-9500
Facsimile: (305) 714-4340

By: /s/ Alisa Paige Mason
Alisa Paige Mason
Florida Bar No. 084461
pmason@bergersingerman.com

In re: Taylor, Bean & Whitaker Mortgage Corp., et al.
Jointly Administered Under Case No. 3:09-bk-07047-JAF
OMNIBUS 57: EXHIBIT A

Creditor Name / Address	Case Number	Claim Number	Total Claim Dollars*	Claim Type**	Modified Claim Amount*	Claim Type**
1 BENNETT, JOHN 650 HIDDEN PINES BLVD NEW SMYRNA BEACH, FL 32168	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	992	\$2,400.00	(U)	\$0.00	(U)
2 FRIDDLE, COMFORT C/O JULIE BRACKER BOTHWELL BRACKER & VANN 304 MACY DR ROSWELL, GA 30076	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	3313	\$278,842.08	(U)	\$0.00	(U)
3 JOHN K JAMES SUITE 2 1109 RUSSELL PKWY WARNER ROBBINS, GA 31088	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	1682	\$10,000.00	(U)	\$0.00	(U)
4 KENNEDY, STEPHANIE C/O JULIE BRACKER BOTHWELL BRACKER & VANN 304 MACY DR ROSWELL, GA 30076	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	3314	\$813,700.00	(U)	\$0.00	(U)
5 KOEHLER, KEITH & VERONICA 9442 SE 110TH ST RD BELLEVIEW, FL 34420	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	718	\$1,102.19	(U)	\$0.00	(U)
6 KRAUSE, GREG 807 TILGHAM DR BEL AIR, MD 21015	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	323	\$177,000.00	(U)	\$0.00	(U)
7 PACHECO, JOHN M 4327 JAGUAR LOOP SANTA FE, NM 87507	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	687	\$0.00 \$190,000.00	(S) (U)	\$0.00 \$0.00	(S) (U)
8 PIERCEALL, LAWRENCE A 1922 ELIZA COLYNNE LN KNOXVILLE, TN 37931	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	440	BLANK	(U)	\$0.00	(U)
9 SULEHRIA, PERVAIZ K 3791 SOUTH GIBRALTAR STREET AURORA, CO 80013	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	1359	\$103,000.00	(U)	\$0.00	(U)
10 WATTS, MICHAEL D (PROPRIA PERSONA ALL RIGHTS TACIT) 17550 KATIE LANE SOUTH CHESTERFIELD, VA 23803	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	3432	BLANK	(U)	\$0.00	(U)
Totals:			\$0.00 \$1,576,044.27	(S) (U)	\$0.00 \$0.00	(S) (U)

*Plus, in certain instances, additional contingencies, unliquidated amounts, interest, penalties and/or fees.

**(A) - Administrative
(P) - Priority(S) - Secured
(U) - Unsecured