

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

Chapter 11

TAYLOR, BEAN & WHITAKER
MORTGAGE CORP.,

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

Debtor.
_____ /

**ORDER GRANTING DEBTOR'S MOTION TO
SELL NON-ESSENTIAL PROPERTY FREE AND CLEAR OF LIENS,
CLAIMS AND ENCUMBRANCES PURSUANT TO 11 U.S.C. §363 AND
RULE 6004 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE**

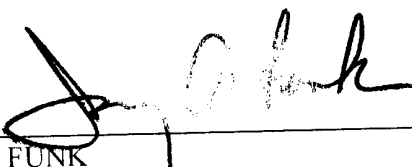
THIS CASE came on for hearing on October 15, 2009, upon the Debtor's Motion to Sell Non-Essential Property Free and Clear of Liens, Claims and Encumbrances Pursuant to 11 U.S.C. §363 and Rule 6004 of the Federal Rules of Bankruptcy Procedure (Doc. No. 340) (the "**Motion**")¹; the Objection to Debtor's Motion for Order Approving Abandonment of Property and to Sell Non-Essential Property filed by Tennessee Department of Financial Institutions (Doc. No. 442) (the "**Tennessee Objection**"); and the Limited Objection to Debtor's Motion for Order Approving Abandonment of Property and Debtor's Motion to Sell Non-Essential Property Free and Clear of Liens, Claims and Encumbrances filed by Dell Marketing, L.P. ("**Dell**") (Doc. No. 450) (the "**Dell Objection**"). For the reasons stated orally and recorded in open court, which shall constitute the decision of the Court, it is

ORDERED:

¹ Unless otherwise defined, capitalized terms shall have the same meaning ascribed to them in the Motion.

1. The Motion is granted on the terms and conditions set forth herein.
2. The Debtor shall not sell any Non-Essential Property that contains any confidential borrower information. However, the Debtor is authorized to sell Non-Essential Property consisting of computer equipment that has been properly cleansed of any confidential borrower information.
3. The Tennessee Objection is overruled on the terms and conditions set forth herein.
4. The Dell Objection is sustained in part and overruled in part on the terms and conditions set forth herein. The Debtor shall not sell, without Dell's consent, which consent shall not be unreasonably withheld, any Non-Essential Property that is subject to Dell's reclamation demand filed on September 19, 2009 as Docket No. 182.
5. Except as modified herein, the Debtor is authorized to sell the Non-Essential Property pursuant to the procedures set forth in the Motion.
6. Employees of Navigant Capital Advisors, LLC shall be given access and allowed entry into any location leased or owned by the Debtor in order to carry out the provisions of this Order.

DATED: October 26, 2009 in Jacksonville, Florida.



JERRY A. FUNK
United States Bankruptcy Judge

CERTIFICATE OF NOTICE

District/off: 113A-3
Case: 09-07047

User: cartes
Form ID: pdfdoc

Page 1 of 1
Total Noticed: 2

Date Rcvd: Oct 26, 2009

The following entities were noticed by first class mail on Oct 28, 2009.

cr +Dell Marketing, L.P., c/o Keith Fendrick, Holland & Knight LLP, P.O. Box 1288,
Tampa, FL 33601-1288

cr +Tennessee Dept. of Financial Institutions, c/o TN Atty General, Bankr. Div., PO Box 20207,
Nashville, TN 37202-4015

The following entities were noticed by electronic transmission.

NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 28, 2009

Signature:

