

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
Jointly Administered Under
Case No. 3:09-bk-07047-JAF
RE: DE 5007

Debtors.

**BANK OF AMERICA'S SECOND *EX PARTE* AGREED MOTION FOR EXTENSION
OF TIME TO RESPOND TO OBJECTION TO CLAIM**

Bank of America, National Association ("Bank of America"), as successor in interest through merger to LaSalle Bank, National Association and LaSalle Global Trust Services, on its own behalf and in its capacity as Collateral Agent, Indenture Trustee, Depository, Custodian and in other capacities with respect to Ocala Funding, LLC, by and through undersigned counsel and pursuant to Federal Rule of Bankruptcy Procedure 9006(b), files this Second *Ex Parte* Agreed Motion for Extension of Time to Respond to Objection to Claim (the "Second Agreed Motion") seeking a second sixty (60) day extension to August 7, 2012 to respond to the Objection to the Administrative Expense Portion of Claim No. 3063 Filed by Bank of America, N.A. as Indenture Trustee, Collateral Agent, Custodian and Depository Agent for Ocala Funding, LLC (the "Claim Objection") filed by Neil F. Luria, Plan Trustee of the Taylor, Bean & Whitaker Plan Trust, on March 8, 2012 [DE 5007]. In support of this Second Agreed Motion, Bank of America states:

1. On August 24, 2009 (the “Petition Date”), the Debtors filed voluntary petitions for relief under Chapter 11 of the United States Bankruptcy Code, 11 U.S.C. § 101 et seq. (the “Bankruptcy Code”).

2. On July 21, 2011, the Court entered the Order Confirming the Third Amended and Restated Joint Plan of Liquidation of the Debtors and the Official Committee of Unsecured Creditors.

3. On March 8, 2012, the Plan Trustee filed the Claim Objection with a negative notice legend pursuant to Local Rule 2002-4. The original deadline for Bank of America to respond to the Claim Objection was Monday, April 9, 2012.

4. On April 4, 2012, Bank of America filed an *Ex Parte* Agreed Motion for Extension of Time to Respond to Objection to Claim (the “Agreed Motion”) [DE 5130].

5. On April 5, 2012, this Court entered an Order granting the Agreed Motion [DE 5143] and extending the deadline for Bank of America to respond to the Claim Objection through and including June 8, 2012.

6. Bank of America and the Plan Trustee are currently discussing a potential consensual resolution of the Claim Objection. Accordingly, Bank of America hereby seeks a further sixty-day extension of time to respond to the Claim Objection, through and including August 7, 2012, in order to avoid needless litigation and related costs and expenses for both Bank of America and the Plan Trustee.

7. Rule 9006(b) of the Federal Rules of Bankruptcy Procedure allows the Court to extend for cause any deadline provided for by the rules or a Court order.

8. The discussions between Bank of America and the Plan Trustee constitute “cause” for extension of the deadline to respond to the Claim Objection under Bankruptcy Rule 9006(b).

9. The Plan Trustee agrees to the relief requested in this Second Agreed Motion.

10. In light of the nature of the relief requested and the agreement of the Plan Trustee, Bank of America submits that no hearing on this Second Agreed Motion is necessary.

WHEREFORE, Bank of America respectfully requests that the Court enter an order granting this Second Agreed Motion, extending the deadline for Bank of America to respond to the Claim Objection through and including August 7, 2012, and granting such other and further relief as the Court deems just and proper.

Dated: June 8, 2012
Miami, Florida

Respectfully Submitted,

HUNTON & WILLIAMS, LLP

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as Collateral Agent, Indenture Trustee, and
Custodian*

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/s/ Kevin M. Eckhardt

Kevin M. Eckhardt (FBN 412902)

Frank Emory (pro hac vice admission)

Patrick Robson (pro hac vice admission)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 8, 2012, I electronically filed the foregoing with the Clerk of Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or *pro se* parties via transmission of Notice of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

/s/ Kevin M. Eckhardt

Kevin M. Eckhardt