

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.,

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.

**AGREED ORDER RESOLVING OBJECTION TO CLAIM NO. 188 FILED BY
CARLETTA G PASSO**

THIS MATTER came before the Court on the 17th day of May, 2012 at 10:00 a.m., upon the objection to Claim No. 188 filed by Carletta G. Passo contained within the *Seventeenth Omnibus Objection to Claims* (D.E. 3548) (the “Seventeenth Omnibus Objection”) dated August 9, 2011 and 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and the Official Committee of Unsecured Creditors* (D.E. 3240), August 10, 2011, the Debtors and the Committee have been replaced by the Taylor, Bean & Whitaker Plan Trust.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, (collectively, the “Objector”) are substituted in as the objecting party in this matter.

1. The Seventeenth Omnibus Objection objected to Claim No. 188 on the basis that Claim No. 188 (the "Claim") filed by Carletta G. Passo was (a) for vacation of which the Debtor had no record and (b) amounts that would be settled and paid via a WARN Act Settlement Agreement.

2. Ms. Passo filed her Response to the Seventeenth Omnibus Objection on August 25, 2011 (D.E. 3964) and asserted that she was actually owed \$1,188.00 in unpaid vacation.

3. The Objector has agreed to allow the Claim at the original amount of \$1,074.00 as a priority unsecured claim.

The Court having considered the Seventeenth Omnibus Objection, the Response and the representations made by counsel for the Plan Trustee, and having noted the agreement between Ms. Passo and the Objector with regard to the objection to Claim No. 188, hereby

ORDERS as follows:

1. The Seventeenth Omnibus Objection with respect to Claim No. 188 is resolved.
2. Claim No. 188 is allowed in the amount of \$1,074.00 as an unsecured priority claim.

DATED this 12 day of June, 2012, in Jacksonville, Florida.



Jerry A. Funk
United States Bankruptcy Judge

Copies furnished to:
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