

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 SUSTAINING FORTY SIXTH OMNIBUS OBJECTION TO CLAIMS**

THIS MATTER came before the Court without a hearing, upon the *Forty Sixth Omnibus Objection to Claims* [D.E. 5244] (the “Forty Sixth Omnibus Objection”) dated May 4, 2012, filed by Neil F. Luria as Plan Trustee (“Plan Trustee”) for the Taylor, Bean & Whitaker Plan Trust<sup>1</sup> (the “Plan Trust”) on behalf of the Debtor, Taylor, Bean & Whitaker Mortgage Corp., under negative notice in accordance with Local Rules 2002-4 and 3007-1. The Plan Trustee represents that:

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<sup>1</sup> 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of the Debtors and the Official Committee of Unsecured Creditors* [D.E. 3240], August 10, 2011, the Debtors have been replaced by the Plan Trust. The Plan Trust and its Trustee, Neil F. Luria, are the objecting party in this matter.

4403447-1

1. The Forty Sixth Omnibus Objection was served on May 4, 2012, upon all interested parties identified in the Forty Sixth Omnibus Objection [(Certificate of Service, D.E. 5252)].

2. The Forty Sixth Omnibus Objection provided all claimants the right and opportunity to file a response to the objection no later than 30 days from the date of service of the objection. Accordingly, the deadline to respond was June 4, 2012.

3. On June 19, 2012, a check of the electronic entries docketed in this case confirms that three responses<sup>2</sup> have been filed to the Forty Sixth Omnibus Objection.


The Court, having considered the Forty Sixth Omnibus Objection, noting that two responses were filed, and being otherwise fully advised in the premises, thereupon

**ORDERS** as follows:

1. The Forty Sixth Omnibus Objection is hereby SUSTAINED with respect to the claims listed on Exhibit A to this Order for the claimants' failure to respond.

2. The Court retains jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.

DATED this 25 day of June, 2012, in Jacksonville, Florida.



Jerry A. Funk  
United States Bankruptcy Judge

<sup>2</sup> Claimants Russell and Karen Foster filed a response [D.E. 5361]. Claimant Georgia Christy filed a response [D.E. 5363]. Claimants Jeffrey and Karen Smith filed a response [D.E. 5443] on June 5, 2012, one day after the deadline to respond.

**In re: Taylor, Bean & Whitaker Mortgage Corp., et al.**  
**Jointly Administered Under Case No. 3:09-bk-07047-JAF**  
**OMNIBUS 46: EXHIBIT A - PARTIALLY PAID BORROWER CLAIMS**

Creditor Name / Address	Case Number	Claim Number	Total Claim Dollars*	Claim Type**	Modified Claim Amount*	Claim Type**
1 ANDERSON, WAYNE L 25732 S YELLOW PINE DR CHANNAHON, IL 60410	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	647	\$0.00 \$3,164.29	(P) (U)	\$0.00 \$128.72	(P) (U)
2 ANTHONY, KENNETH F 3322 E BELLEVIEW ST PHOENIX, AZ 85008	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	674	\$476.23	(U)	\$20.00	(U)
3 BARBARA C REYES & DEREKI CONTRERAS 720 E 20 ST HIALEAH, FL 33013	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	1084	\$272.74	(U)	\$10.00	(U)
4 BOVA, JESSE & SUSAN 676 LEMOYNE AVE EXT WASHINGTON, PA 15301	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	595	\$0.00 \$1,275.65	(P) (U)	\$0.00 \$37.27	(P) (U)
5 BROWNRIDGE, CECIL L 202 MORRISTOWN RD EDENTON, NC 27932	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	915	\$1,344.12	(U)	\$10.00	(U)
6 BUENDIGER, PAUL H & KAIE M 35240 ALICE DR RICHVILLE, MN 56576	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	937	\$4,743.40	(U)	\$4,743.40	(U)
7 CHRISTIAN, JENNIE R 1689 JERSEY DR FAYETTEVILLE, NC 28314	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	853	\$0.00 \$276.36	(P) (U)	\$0.00 \$10.00	(P) (U)
8 FINLEY, BRUCE E 18100 NEW DENNISON MARION, IL 62959	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	1033	\$12,082.60	(U)	\$17.25	(U)
9 GADDIS-BURT, LETRECE 3136 HIDDEN FOREST CV MONTEVALLO, AL 35115	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	1118	\$511.81	(U)	\$108.00	(U)
10 GROBER, LOUISE H & ROBERT D 33 OLD MILL RD WOODBRIIDGE, CT 06525	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	223	\$6,119.98	(U)	\$50.00	(U)
11 HOOVER, CHRISTINE B 1059 MAPLE ST TALLMADGE, OH 44278	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	534	\$782.17	(U)	\$19.00	(U)
12 JIMMY CABRERA & ANNA ALONSO 9811 BAYBORO BRIDGE DR TAMPA, FL 33626	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	572	\$0.00 \$1,782.79	(S) (U)	\$0.00 \$10.00	(S) (U)
13 JOHNSTON, JOAN ELIZABETH 15060 CHAPARRAL LOOP E PEYTON, CO 80831	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	661	\$18,886.52	(U)	\$18,715.58	(U)

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

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

**In re: Taylor, Bean & Whitaker Mortgage Corp., et al.**  
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**OMNIBUS 46: EXHIBIT A - PARTIALLY PAID BORROWER CLAIMS**

Creditor Name / Address	Case Number	Claim Number	Total Claim Dollars*	Claim Type**	Modified Claim Amount*	Claim Type**
14 KVECK, MICHAEL 32 LAKE METONGA TRL GRANT PARK, IL 60940	09-07047	863	\$0.00 \$3,579.79	(P) (U)	\$0.00 \$358.75	(P) (U)
15 LECHLITER, CHAD 913 COLONIAL VILLAGE MARTINSBURG, WV 25401	09-07047	851	\$0.00 \$1,258.41	(S) (U)	\$0.00 \$51.52	(S) (U)
16 MCGRAW, ELIZABETH ADAIR & BRYAN 5346 OLD LEMAY FERRY RD IMPERIAL, MO 63052	09-07047	2918	\$1,165.69	(U)	\$40.00	(U)
17 MONTGOMERY, THADDUS F 3640 TAILWIND DRIVE COLORADO SPRINGS, CO 80911-1232	09-07047	606	\$2,565.00	(U)	\$1,134.00	(U)
18 MOORE, MELVIN G 321 HOWARD ST ARDMORE, OK 73401	09-07047	635	\$295.00	(U)	\$295.00	(U)
19 MUZZARELLI, ERIC 826 OLD HUNTER RUN BYRON, IL 61010	09-07047	587	\$1,844.29	(U)	\$34.15	(U)
20 RESCIGNO, ANTHONY G 17 HARBOUR WAY MONMOUTH BEACH, NJ 07750	09-07047	898	\$3,660.02	(U)	\$59.96	(U)
21 SNOKE, MARY CHARLYNN PO BOX 5431 BEND, OR 97708-5431	09-07047	3287	\$0.00 \$2,196.73	(S) (U)	\$0.00 \$150.00	(S) (U)
22 VANARSDALE, JANICE 1609 INGRID LANE CHICAGO HEIGHTS, IL 60411-3104	09-07047	1197	\$148.99	(U)	\$10.00	(U)
23 VETTER, CARL ALAN 6831 JUDSON AVE LAS VEGAS, NV 89156	09-07047	1641	\$0.00 \$3,197.68	(S) (U)	\$0.00 \$197.68	(S) (U)
<b>Totals:</b>			\$0.00 \$0.00 \$71,430.26	(S) (P) (U)	\$0.00 \$0.00 \$26,210.28	(S) (P) (U)

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

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(P) - Priority(S) - Secured  
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