

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-10022-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.

**SIXTY THIRD OMNIBUS OBJECTION TO CLAIMS**  
**(Claims are Partially and/or Fully Satisfied)**

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

**This objection seeks to disallow and/or reduce 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 August 14, 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 Plan Trust<sup>1</sup> (the “Plan Trust”) on behalf of the Debtor, Taylor, Bean & Whitaker Mortgage Corp. (“TBW”), 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 and/or reduce the Claims for the following reason:

**Exhibit A: Claims have been Satisfied in Full or in Part.** The Plan Trustee objects to the Claims listed on Exhibit A, which are for professional services relating to certain foreclosure actions instituted by or otherwise related to the Debtor, on the basis that the Claimants have been paid in full or in part by the new servicer of the respective mortgage loan after TBW transferred its servicing interest to another servicer following the shutdown of TBW on August 5, 2009. Further, and upon information and belief, some or all of the Claimants may have filed charging liens in order to receive payment for their professional services and should not also be paid those amounts from the Debtor’s estate.

The Plan Trustee requests that the Claims be treated as noted above, and believes that these Claims should be disallowed and/or reduced 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.**

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

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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* [ECF# 3240] (the “Plan”), August 10, 2011, the Debtors and the Official Committee of Unsecured Creditors have been replaced, in most part and according to the terms of the Plan, by the Taylor, Bean & Whitaker Plan Trust (the “Plan Trust”).

**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: August 10, 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  
James D. Gassenheimer  
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**In re: Taylor, Bean & Whitaker Mortgage Corp., et al.**  
**Jointly Administered Under Case No. 3:09-bk-07047-JAF**  
**OMNIBUS 63: EXHIBIT A - PAID TBW CLASS 9 PROFESSIONAL SERVICES CLAIMS**

Creditor Name / Address	Case Number	Claim Number	Total Claim Dollars*	Claim Type**	Modified Claim Amount*	Claim Type**
1 BARRON & STADFELD, P C 100 CAMBRIDGE STREET SUITE 1310 BOSTON, MA 02114	09-07047	3034	\$3,836.88 \$12,450.50	(S) (U)	\$0.00 \$0.00	(S) (U)
2 BROCK & SCOTT PLLC 1315 WESTBROOK PLAZA DR STE 100 WINSTON-SALEM, NC 27103	09-07047	2317	\$14,385.64	(U)	\$0.00	(U)
3 CODILIS & ASSOCIATES PC 15W030 NORTH FRONTAGE RD BURR RIDGE, IL 60527	09-07047	3023	\$203,660.25	(U)	\$0.00	(U)
4 DRAPER & GOLDBERG PLLC 44050 ASHBURN SHOPPING PLZ #195-651 ASHBURN, VA 20147-7915	09-07047	3041	\$14,477.63	(U)	\$0.00	(U)
5 ELLIS PAINTER RATTATEREE & ADAMS LLP DAVID ADAMS 2 EAST BRYAN STREET 10TH FLOOR SAVANNAH, GA 30401	09-07047	2619	\$14,979.50	(U)	\$0.00	(U)
6 ELLIS PAINTER RATTATEREE & ADAMS LLP DAVID ADAMS 2 EAST BRYAN STREET 10TH FLOOR SAVANNAH, GA 30401	09-07047	3044	\$10,207.08	(U)	\$0.00	(U)
7 ELLIS PAINTER RATTERREE & ADAMS LLP 2 E BRYAN ST 10TH FLOOR SAVANNAH, GA 31401	09-07047	2618	\$37,579.07	(U)	\$0.00	(U)
8 FISHER & SHAPIRO LLC 2121 WAUKEGAN RD STE 301 BANNOCKBURN, IL 60015	09-07047	1709	\$21,140.00	(U)	\$0.00	(U)
9 LAW OFFICES OF DANIEL C CONSUEGRA ATTN: BANKRUPTCY DEPARTMENT 9204 KING PALM DRIVE TAMPA, FL 33619	09-07047	1933	\$540,108.52	(U)	\$0.00	(U)
10 LERNER, SAMPSON & ROTHFUSS 120 EAST FOURTH ST, 8TH FLOOR CINCINNATI, OH 45202	09-07047	2560	\$35,403.85	(U)	\$0.00	(U)
11 ORLANS MORAN PLLC C/O ORLANS ASSOCIATES PC PO BOX 5041 TROY, MI 48007	09-07047	476	\$42,642.15	(U)	\$0.00	(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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Creditor Name / Address	Case Number	Claim Number	Total Claim Dollars*	Claim Type**	Modified Claim Amount*	Claim Type**
12 PHELAN HALLINAN & SCHMIEG LLP ATTN JUDITH T ROMANO ESQUIRE 1617 JFK BLVD SUITE 1400 PHILADELPHIA, PA 19103	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	1487	\$60,379.71	(U)	\$0.00	(U)
13 PHELAN HALLINAN & SCHMIEG PC ATTN JUDITH T ROMANO ESQ 400 FELLOWSHIP ROAD MOUNT LAUREL, NJ 08054	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	1499	\$24,841.86	(U)	\$0.00	(U)
14 PIERCE & ASSOCIATES PC ONE NORTH DEARBORN SUITE 1300 CHICAGO, IL 60602	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	1635	\$12,723.42	(U)	\$0.00	(U)
15 SHAPIRO & CEJDA LLC FKA SHAPIRO & CEJDA LLP 770 NE 63RD OKLAHOMA CITY, OK 73105	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	2572	\$4,564.10	(U)	\$0.00	(U)
16 SHAPIRO & DENARDO LLC 3600 HORIZON DR STE 150 KING OF PRUSSIA, PA 19406	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	2313	\$2,795.38	(U)	\$0.00	(U)
17 SHAPIRO & DIAGREPONT LLC FKA SHAPIRO & DIAGREPONT LLP 3510 N CAUSEWAY BLVD STE 600 METAIRIE, LA 70002	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	2312	\$9,921.60	(U)	\$0.00	(U)
18 SHAPIRO & INGLE LLP 8520 CLIFF CAMERON DR STE 300 CHARLOTTE, NC 28269	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	1723	\$7,044.52	(U)	\$0.00	(U)
19 SHAPIRO & INGLE LLP FKA SHAPIRO & PICKETT LLP 10130 PERIMETER PKWAY, STE 400 CHARLOTTE, NC 28216	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	1932	\$36,096.81	(U)	\$0.00	(U)
20 SHAPIRO & KIRSCH LLP 555 PERKINS EXT FL 2 MEMPHIS, TN 38117-4421	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	1717	\$52,699.35	(U)	\$0.00	(U)
21 SHAPIRO & MASSEY LLC FKA SHAPIRO & MASSEY LLP 1910 LAKELAND DR STE B JACKSON, MS 39216	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	1719	\$7,088.00	(U)	\$0.00	(U)
22 SHAPIRO & MOCK LLC FKA SHAPIRO & MOCK LLP 6310 LAMAR AVE STE 235 MISSION, KS 66202-4284	09-07047 TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	2607	\$6,222.40	(U)	\$0.00	(U)

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

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(U) - Unsecured

**In re: Taylor, Bean & Whitaker Mortgage Corp., et al.**  
**Jointly Administered Under Case No. 3:09-bk-07047-JAF**  
**OMNIBUS 63: EXHIBIT A - PAID TBW CLASS 9 PROFESSIONAL SERVICES CLAIMS**

Creditor Name / Address	Case Number	Claim Number	Total Claim Dollars*	Claim Type**	Modified Claim Amount*	Claim Type**
23 SHAPIRO & MORLEY LLC FKA SHAPIRO & MORLEY LLP 707 SABLE OAKS DR STE 250 SOUTH PORTLAND, ME 04106	09-07047	1720	\$2,450.00	(U)	\$0.00	(U)
24 SHAPIRO & SUTHERLAND LLP 5501 NE 109TH CT STE N VANCOUVER, WA 98662	09-07047	1721	\$9,596.43	(U)	\$0.00	(U)
25 SHAPIRO & SWERTFEGER LLP 2872 WOODCOCK BOULEVARD STE 100 ATLANTA, GA 30341	09-07047	2569	\$123,469.22	(U)	\$0.00	(U)
26 SHAPIRO & WEISMAN LC 13801 RIVERPOINT DR STE 502 MARYLAND HEIGHTS, MO 63043	09-07047	1714	\$19,336.58	(U)	\$0.00	(U)
27 SHAPIRO & ZIELKE, LLP 12550 W FRONTAGE RD STE 200 BURNSVILLE, MN 55337	09-07047	1722	\$950.00	(U)	\$0.00	(U)
28 SHAPIRO BROWN & ALT LLP 236 CLEARFIELD AVE, STE 215 VIRGINIA BEACH, VA 23462	09-07047	2922	\$61,589.99	(U)	\$0.00	(U)
29 SHAPIRO DICARO & BARAK LLC FKA SHAPIRO & DICARO LLP 250 MILE CROSSING BLVD, STE 1 ROCHESTER, NY 14624	09-07047	1715	\$124.00	(U)	\$0.00	(U)
30 SHAPIRO FISHMAN & GACHE LLP 4630 WOODLAND CORPORATE BLVD STE 100 TAMPA, FL 33614	09-07047	1935	\$123,935.60	(U)	\$0.00	(U)
31 SHAPIRO VAN ESS PHILLIPS & BARRAGATE LLP 4805 MONTGOMERY RD, STE 320 NORWOOD, OH 45212	09-07047	1710	\$33,441.96	(U)	\$0.00	(U)
32 SHAPIRO, VAN ESS & SHERMAN LLP FKA PERRY & SHAPIRO LLP 3300 N CENTRAL AVE STE 2200 PHOENIX, AZ 85012-2582	09-07047	1718	\$40,300.58	(U)	\$0.00	(U)
33 TROTT & TROTT PC MARCY J FORD 31440 NORTHWESTERN HWY STE 200 FARMINGTON HILLS, MI 48334	09-07047	3354	\$52,171.88	(U)	\$0.00	(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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In re: Taylor, Bean & Whitaker Mortgage Corp., et al.  
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**OMNIBUS 63: EXHIBIT A - PAID TBW CLASS 9 PROFESSIONAL SERVICES CLAIMS**

Creditor Name / Address	Case Number	Claim Number	Total Claim Dollars*	Claim Type**	Modified Claim Amount*	Claim Type**
<b>Totals:</b>			\$3,836.88	(S)	\$0.00	(S)
			\$1,638,777.58	(U)	\$0.00	(U)

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

\*\***(A)** - Administrative  
**(P)** - Priority

**(S)** - Secured  
**(U)** - Unsecured