

FILED
JACKSONVILLE, FLORIDA

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

OCT - 4 2012

CLERK, U. S. BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

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.: 309-bk-07047-JAF

Applicable Debtor.

**MOTION TO CONTINUE SCHEDULING CONFERENCE SET
FOR NOVEMBER 16, 2012 AT 10:00 A.M.**

COMES NOW, KAREN O. GAFFNEY, ESQUIRE, the undersigned attorney for the Claimants, JOHN A. BIRD and TERRI L. BIRD, and files this Motion to Continue the Scheduling Conference Set for November 16, 2012, at 10:00 a.m. scheduled in the above-captioned cause by the Court to allow the parties to discuss the nature and basis of their claims and defenses and the possibilities for a prompt settlement of the objections filed and in support thereof states the following in support of:

1. The undersigned attorney received notification of the Court's Scheduled Conference set for November 16, 2012, at 10:00 a.m. via U.S. Mail Regular Delivery on September 24, 2012.

2. The undersigned attorney has a calendar conflict that prevents her for appearing before the Court regarding the Court's Scheduled Conference set for November 16, 2012, at 10:00 a.m. in Jacksonville, Florida.
3. The undersigned is scheduled to appear for the taking of Videotaped Deposition in Citrus County, Florida commencing on November 15, and November 16, 2012, at 9:00 a.m. in Circuit Court Case No. 2010-CA-4525, in and for Citrus County, Florida, in the case styled: *New Vue, LLC D/B/A New Horizons Village, v. Citrus County Association for Retarded Citizens, Inc.* See, Exhibit "A" attached hereto and made a part of this Motion.
4. The Videotaped Deposition scheduled for November 15 and November 16, 2012 at 9:00 a.m. was previously set by Plaintiff's counsel in that cause for October 9 and October 10, 2012, and the same was set unilaterally without coordination of the event with all parties and therefore, the deposition had to re-scheduled that would allow all parties, counsels of record, and the deponent to be present, in so much as, various individuals taking part in this event will be traveling from all areas of Florida to participate in this discovery.
5. The undersigned attorney requests that this Court continue this matter until such time as the undersigned attorney for the Claimants, JOHN A. BIRD and TERRI L. BIRD, is able to appear before this Honorable Court and properly represent her clients in the Scheduled Conference to address their claim.
6. This Motion is made in good faith and is not intended to delay the Court from conducting the Scheduled Conference in this matter in a timely fashion.

WHEREFORE, the undersigned attorney for the Claimants, JOHN A. BIRD and TERRI L. BIRD, hereby requests that the Court continue the Scheduling Conference set for November 16, 2012, at 10:00 a.m. in this cause until such time as all parties and/or their representatives are able to be present before the Court.

Respectfully submitted,

KAREN O. GAFFNEY, P.A.
205 West Dampier Street
Inverness, FL 34450
Telephone: (352) 726-9222
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Attorney for Claimants, Bird.
Primary: karengaffney@tampabay.rr.com
Secondary: paulamanning@tampabay.rr.com

BY:



KAREN O. GAFFNEY, ESQUIRE
Florida Bar No.: 500682

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing instrument was furnished by U.S. Regular Mail Delivery on this 1st day of October, 2012 to: Alisa Paige Mason, Esquire, Berger Singerman, LLP, 1450 Brickell Avenue, Suite 1900, Miami, FL 33131.



KAREN O. GAFFNEY, ESQUIRE

IN THE CIRCUIT COURT FOR THE FIFTH JUDICIAL CIRCUIT
IN AND FOR CITRUS COUNTY, FLORIDA

NEW VUE, LLC, d/b/a
NEW HORIZONS VILLAGE,

Plaintiff,

vs.

CASE NO. 2010-CA-4525

CITRUS COUNTY ASSOCIATION
FOR RETARDED CITIZENS, INC.,

Defendant.

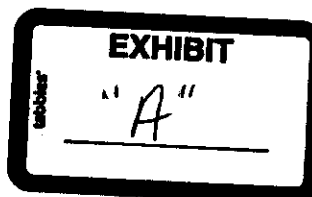
AMENDED NOTICE OF TAKING VIDEOTAPED DEPOSITION
(Rescheduled from 10/09/12 and 10/10/12 to 11/15/12 and 11/16/12)

TO: ONIER LLOPIZ
MARGARET H. MEVERS
Lydecker/Diaz
1221 Brickell Avenue, 19th Floor
Miami, FL 33131

KAREN O. GAFFNEY
Karen O. Gaffney, P.A.
205 West Dampier Street
Inverness, FL 34450

YOU WILL PLEASE TAKE NOTICE that the undersigned counsel for Plaintiff, New Vue, LLC, d/b/a New Horizons Village, pursuant to *Fla. R. Civ. P.* 1.310, will take the deposition of CHESTER V. COLE, a/k/a CHET COLE, on Thursday and Friday, November 15 and 16, 2012, beginning at 9:00 a.m., at Prestige Court Reporting, Inc., 225 N. Osceola Avenue, Inverness, FL 34450. The deposition will be taken upon oral examination and audiovisual means before a court reporter from Prestige Court Reporting and videographer provided by Prestige Court Reporting.

The examination shall continue from day to day until completed, and the deponent is required to appear at the time and place stated and be examined pursuant to law. The deposition is being taken for the purpose of discovery, for use at trial, or for



any other purposes as are permitted under *Florida Rules of Civil Procedure* and other applicable law.

PLEASE GOVERN YOURSELF ACCORDINGLY.

DATED: September 18, 2012.

Respectfully submitted,



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and

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(863) 683-7462 Facsimile

Attorneys for Plaintiff,
New Vue, LLC, d/b/a New Horizons Village

CERTIFICATE OF E-SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail this 18th day of September, 2010, to the following:

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NOTICE TO PERSONS WITH DISABILITIES

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Gray Robinson, P.A. at 301 East Pine Street, Suite 1400, Orlando, FL 32801, telephone (407) 843-8880 within two (2) working days of your receipt of this notice. If you are hearing impaired, call (TDD) 1-800-955-8771, or Voice (V) 1-800-955-8770, via Florida Relay Service.

c: Prestige Court Reporting, Inc.
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Telephone (352) 860-1266
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