

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

IN RE:

CHAPTER 11

TAYLOR, BEAN & WHITAKER  
MORTGAGE CORP.,

CASE NO. 3:09-bk-07047-JAF  
Re: DEs 20, 350, 426, 589

Debtor.

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**BANK OF AMERICA'S THIRD UNOPPOSED MOTION  
FOR EXTENSION OF TIME TO FILE STATEMENT ON APPEAL**

Bank of America, National Association, as successor in interest through merger to LaSalle Bank, National Association and LaSalle Global Trust Services, and in its capacity as Collateral Agent, Indenture Trustee, and Custodian ("Bank of America") with respect to Ocala Funding, LLC, by and through its undersigned counsel, hereby moves the Court for a third extension of time for filing the designation of items to be included in the record on appeal, the statement of issues to be presented and the written request for the transcript (collectively, "Statement") and says:

1. On September 29, 2009, the court entered an order approving a stipulation between the debtor and Federal Home Loan Mortgage Corporation ("Freddie Mac") which arose out of Freddie Mac's motion for relief from the automatic stay [DEs 350, 20].
2. On October 9, 2009, Bank of America filed a notice of appeal of the order [DE 426].
3. In accordance with Federal Rule of Bankruptcy Procedure 8006, the Statement was due on October 19, 2009. The due date for the Statement was extended to November 12, 2009 pursuant to an order entered on November 3, 2009 [DE 589].

4. The undersigned counsel for Bank of America continues to work in good faith with counsel for Freddie Mac and counsel for the debtor to reach a consensual resolution of the appeal. The undersigned believes that a consensual resolution may be reached within the next few days. Good cause therefore exists for a short extension of time for Bank of America to prepare and file the Statement.

5. Bank of America seeks a seven (7) day extension for the filing of the Statement so that it will now be due on November 19, 2009.

6. Such an enlargement of time is permissible under Federal Rule of Bankruptcy Procedure 9006(b).

**CERTIFICATE OF GOOD FAITH CONFERENCE**

The undersigned certifies that he has conferred in good faith with Jason Johnson, counsel for Freddie Mac, and Russ Blain, counsel for the debtor, regarding the requested extension and has confirmed that they do not oppose the relief sought in this motion.

WHEREFORE Bank of America respectfully requests the entry of an order granting this motion and granting such other and further relief as is just and proper.

DATED: November 12, 2009.

TESSITORE LAW FIRM

/s/ Michael A. Tessitore

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Special Counsel for Bank of America, N.A.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy hereof has been served either electronically or by United States Mail on the 12<sup>th</sup> day of November, 2009 to the following:

Edward J. Peterson, III, Esq. and Russell M. Blain, Esq. (counsel to the Debtor), Stichter, Riedel Blain & Prosser, P.A., 110 East Madison Street, Suite 200, Tampa, FL 33602

Debtor: Taylor Bean & Whitaker Mortgage Corp., 315 N.E. 14<sup>th</sup> Street, Ocala, FL 34470

Elena Escamilla, Esq., Office of the United States Trustee, 135 W. Central Blvd., Suite 620, Orlando, FL 32801

Federal Home Loan Mortgage Corporation, c/o Jason W. Johnson, Lowndes Drosdick, Doster, Kantor & Reed, 215 North Eola Drive, Orlando, Florida 32801

/s/ Michael A. Tessitore