

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.

**ORDER SUSTAINING OBJECTION TO CLAIM NUMBER 1186 FILED BY
JEFF & PATRICIA CHRISTIAN, AS SET FORTH IN THE PLAN
TRUSTEE'S FIFTY FOURTH OMNIBUS OBJECTION TO CLAIMS**

THIS CASE is before the Court for consideration of the objection to claim number 1186 filed by Jeff and Patricia Christian, as set forth in the Plan Trustee's *Fifty Fourth Omnibus Objection to Claims* [D.E. 5390] (the "Objection") dated June 1, 2012, filed by Neil F. Luria as Plan Trustee (the "Plan Trustee") for the Taylor, Bean & Whitaker Plan Trust¹ (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 as follows:

1. The Objection was served upon Jeff & Patricia Christian (the "Claimants") on June 4, 2012 [Certificate of Mailing, D.E. 5429].

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of the Debtors and the Official Committee of Unsecured Creditors* [D.E. 3240], August 10, 2011, the Debtors have been replaced by the Taylor, Bean & Whitaker Plan Trust.

2. The Claimants filed a response to the Objection on June 15, 2012 [D.E. 5525] which was subsequently stricken on June 18, 2012, pursuant to the Court's *Order Striking Response to Objection to Claim(s), Multiple Claims, Fifty Fourth Omnibus Objection to Claims* [D.E. 5548].

3. As of December 4, 2012, a check of the electronic entries docketed in this case confirms that no further responses to the Objection have been filed with the Court. The Court, having considered the Objection, noting that no further responses were entered on the docket from the Claimants, and being otherwise fully advised in the premises, thereupon

ORDERS as follows:

1. The Objection, as it relates to Claim No. 1186 filed by Jeff & Patricia Christian, is sustained.
2. Claim No. 1186 filed by Jeff & Patricia Christian is disallowed in its entirety.
3. The Court retains jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.

DATED this 14 day of January, 2013, in Jacksonville, Florida.



Jerry A. Funk
United States Bankruptcy Judge