

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

In re:

TAYLOR, BEAN & WHITAKER  
MORTGAGE CORP.,  
REO SPECIALISTS, LLC, and  
HOME AMERICA MORTGAGE, INC.,

Debtors.

Chapter 11 Case

Case No. 3:09-bk-07047-JAF  
Case No. 3:09-bk-10022-JAF  
Case No. 3:09-bk-10023-JAF

Jointly Administered Under  
Case No. 3:09-bk-07047-JAF

\_\_\_\_\_  
In re:

TAYLOR, BEAN & WHITAKER  
MORTGAGE CORP.,

Applicable Debtor.

Case No. 3:09-bk-07047-JAF

**CERTIFICATE OF NO RESPONSE OR  
SETTLEMENT AND REQUEST FOR ENTRY OF ORDER**

Neil F. Luria as Plan Trustee (“Plan Trustee”) for the Taylor, Bean & Whitaker Plan Trust (“TBW”)<sup>1</sup> (the “Plan Trust”), by and through undersigned counsel, filed the *Motion for Authority to Distribute Proceeds to Federal Deposit Insurance Corporation, as Receiver for Colonial Bank* (the “Motion”) [ECF No. 7374] on June 17, 2013, pursuant to Bankruptcy Rule 9019 and Local Rule 2002-4. The Trustee hereby represents:

1. On June 18, 2013, the Motion was timely served on all interested parties. The Motion provided all interested parties the right and opportunity to file a response to the Motion no later than 21 days after the date of service of the Motion.
2. Accordingly, the deadline for responses to the Motion was July 9, 2013.

<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 No. 3240], August 10, 2011, the Debtors have been replaced for the most part by the Plan Trust.

3. On July 16, 2013, a check of the electronic entries docketed in this case confirms that no objections to or requests for hearing on the Motion have been filed with the Court. Further, no objections or responses to the Motion have been received by the undersigned attorney.

**WHEREFORE**, the Trustee seeks the entry of an order, in the form that accompanies this certificate, granting the relief requested in the Motion.

Dated: July 16, 2013.

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By: /s/ Debi Evans Galler  
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In re:

TAYLOR, BEAN & WHITAKER  
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Applicable Debtor.

Case No. 3:09-bk-07047-JAF

**ORDER GRANTING MOTION FOR AUTHORITY  
TO DISTRIBUTE PROCEEDS TO FEDERAL DEPOSIT  
INSURANCE CORPORATION, AS RECEIVER FOR COLONIAL BANK**

**THIS CAUSE** came before the Court without hearing on the Motion for Authority to Distribute Proceeds to Federal Deposit Insurance Corporation, as Receiver for Colonial Bank (the "Motion")[ECF No. 7374].

The Court, having considered the Motion, having been advised that there are no objections to the Motion, and finding that good and sufficient notice of the Motion was provided to all interested parties, and being otherwise fully advised in the premises, does thereupon

**ORDER** as follows:

1. The Motion is **GRANTED**.
2. The Trustee is authorized to disburse \$3,222,121.00 to Federal Deposit Insurance Corporation, as Receiver for Colonial Bank.

3. The motion, objection, or other matter was served upon all interested parties with the Local Rule 2002-4 negative notice legend informing the parties of their opportunity to object within 21 days of the date of service.

4. No party filed an objection within the time permitted.

5. The Court therefore considers the matter to be unopposed.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013, in Jacksonville, Florida.

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Jerry A. Funk  
United States Bankruptcy Judge