

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

IN RE:

TAYLOR, BEAN & WHITAKER  
MORTGAGE CORPORATION, et al.,

CASE NO.: 3:09-bk-7047-JAF  
Chapter 11

Debtors.

---

**ORDER DENYING CLAIMANT'S MOTION FOR RECONSIDERATION**

This case is before the Court on Claimant's, John Crain, Request for Federal Bankruptcy Judicial Ruling Clarification of Order # [7646] Signed on 9/23/13 of Final Evidentiary Hearing of John Crain of Neil F. Luria, Plan Trustee Regarding Hearing on November 16, 2012, and Request to Provide Pertinent Information to Said Court, as well as (Any/All) Creditors, Affected Tax Payers and the Plan Trustee, Neil F. Luria and Navigant Consulting (Acting as an Investigative Firm Representing the Public Sector) Pertaining to the Above Referenced Cases Regarding Paul S. Singerman and Berger Singerman Respectfully (the "Motion"). (Doc. 7675). The Court will construe this Motion as a motion for reconsideration of the Court's Order Sustaining Objection to Claim No. 1227 Filed by John and Julie Crain entered on September 23, 2013 (Doc. 7646).

The reconsideration of disallowed claims is governed by 11 U.S.C. § 502(j) and Federal Rule of Bankruptcy Procedure 3008.<sup>1</sup> Section 502(j) states, in relevant part, that "[a] claim that has been allowed or disallowed may be reconsidered for cause." A determination of the presence

---

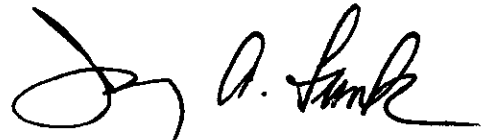
<sup>1</sup> Rule 3008 provides that "[a] party in interest may move for reconsideration of an order allowing or disallowing a claim against the estate."

or absence of cause is within the “sound discretion” of the court. Matter of Fox, 64 B.R. 148, 152 (Bankr. N.D. Ohio 1986). Furthermore, “[i]t is incumbent upon the [movants] who seek to have an order reconsidered to allege in their [motion] facts justifying the reconsideration of the order.” McLeod v. Boone, 91 F.2d 71, 74 (9th Cir. 1937). Upon review of the Claimant’s Motion and exhibits attached to the Motion, the Court concludes that Claimant failed to allege facts justifying reconsideration. See Docs. 7675, 7675-1, 7675-2, 7675-3, 7675-4, 7675-5, 7675-6, 7675-7, 7675-8, 7675-9, 7675-10, 7675-11, 7675-12, 7675-13. For this reason, the Motion is denied and to the extent the Motion seeks any other relief, it is also denied.

Accordingly, it is **ORDERED**:

1. Claimant’s Motion (Doc. 7675) is denied.
2. To the extent the Motion seeks any other relief, it is denied.

DATED this 6 day of January, 2014 in Jacksonville, Florida.



---

**Jerry A. Funk**  
**United States Bankruptcy Judge**

Attorney, Alisa Paige Mason, is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of entry of the order.