

THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

FIRST GUARANTY MORTGAGE
CORPORATION, *et al.*,¹

Liquidating Debtors.

Chapter 11

Case No. 22-10584 (CTG)

(Jointly Administered)

Ref. Docket No. 806

**ORDER GRANTING SECOND OMNIBUS OBJECTION TO MISCLASSIFIED
CLAIMS (SUBSTANTIVE)**

Upon consideration of the Liquidating Trustee's *Second Omnibus Objection to Misclassified Claims (Substantive)* (the "Objection");² and the United States District Court for the District of Delaware having jurisdiction over this matter pursuant to 28 U.S.C. § 1334, which was referred to this Court under 28 U.S.C. § 157 pursuant to the *Amended Standing Order of Reference from the United States District Court for the District of Delaware*, dated February 29, 2012; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), and that the Court may enter a final order consistent with Article III of the United States Constitution; and the Court having found that venue of this proceeding and the Objection in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found that notice of the Objection was appropriate under the circumstances and no other notice need be provided; and the Court

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's tax identification number in the jurisdiction were: First Guaranty Mortgage Corporation (9575); and Maverick II Holdings, LLC (5621). The location of the corporate headquarters and the service address for First Guaranty Mortgage Corporation is 13901 Midway Road, Suite 102-334, Dallas, TX 75244.

² Capitalized terms not defined in this Order shall have their meanings as set forth in the Objection.



having reviewed the Objection and all documents filed in support of or opposition thereto; and the Court having heard the statements of counsel at any hearing before the Court; and upon the record in this matter; and after due deliberation thereon; and the Court having determined that just cause has been established for the relief granted herein, it is hereby ORDERED as follows:

1. The Objection is granted as set forth herein.
2. Any Response to the Objection that has not otherwise been withdrawn or resolved, or with respect to which the hearing on the Objection has not been adjourned, is hereby overruled.
3. The Objection, as it relates to Claim number 268 of M3COM of Virginia, Inc. and Claim number 292 of The Perpetual Financial Group, Inc., is adjourned to a date to be determined.
4. The Misclassified Claims identified on **Exhibit A** attached hereto are hereby either reclassified as general unsecured claims or disallowed and expunged in their entirety as set forth on **Exhibit A**.
5. The official claims register shall be modified in accordance with this Order.
6. Each claim that is the subject of the Objection (together with the objection to such claim set forth in the Objection and any applicable Response thereto) constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate order with respect to each such claim. Any stay of this Order pending appeal by any of the claimants subject to this Order shall only apply to the contested matter that involves such claimant and shall not act to stay the applicability or finality of this Order with respect to the other contested matters addressed hereby.
7. All rights of the Liquidating Trustee to object to any claim (including the claims that are the subject of the Objection) at a later date on any basis are reserved and preserved.

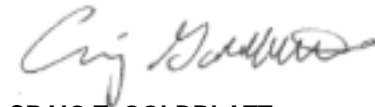
8. All rights of the Liquidating Trustee to use any available defenses, under section 502 of the Bankruptcy Code or otherwise, and to set off or recoup against, or otherwise reduce all or any part of, any claim (including the claims that are the subject of the Objection) are reserved and preserved.

9. The terms and conditions of this Order shall be effective and enforceable immediately upon its entry.

10. The Liquidating Trustee, the Debtors, and all other parties are authorized to take all actions necessary to effectuate the relief granted in this Order.

11. This Court shall retain jurisdiction over all affected parties with respect any matters, claims, or rights arising from or related to the implementation or interpretation of this Order.

Dated: May 26th, 2023
Wilmington, Delaware



CRAIG T. GOLDBLATT
UNITED STATES BANKRUPTCY JUDGE

Exhibit A

Misclassified Claims

(1) Name of Claimant	(2) Claim Number	(3) Claim Amount	Claim Classification Status	Modified Claim Amount and/or Classification Status
Advantage Appraisals	141	\$1,111.70	Priority	General Unsecured Claim
Black Box Network Services	316	\$2,996.22	Admin Priority	Priority (\$442.33) General Unsecured Claim (\$2,553.89)
Chiusano, Joseph	78	\$15,150.00	Priority	Disallowed
CIS Financial Services, Inc. dba CIS Home Loans	277	\$24,518.81	Priority	Disallowed
Citrix Systems Inc.	287	\$7,500.00	Admin Priority	General Unsecured Claim
Ellsworth Homes, Inc.	87	\$1,000.00	Priority	General Unsecured Claim (\$650.00)
Evesham Mortgage, LLC	325	\$420,000.00	Admin Priority	Disallowed
Fastapp, Inc.	86	\$4,375.00	Admin Priority	General Unsecured Claim
Incenter Appraisal Management, LLC	156	\$4,425.00	Admin Priority	General Unsecured Claim
Indecomm Holdings, Inc.	154	\$3,472.19	Admin Priority	General Unsecured Claim
Johnson, Stelisha L	173	\$5,000.00	Priority	General Unsecured Claim
Mortgage Financial Group, Inc.	59	\$5,048.96	Admin Priority	General Unsecured Claim

(1) Name of Claimant	(2) Claim Number	(3) Claim Amount	Claim Classification Status	Modified Claim Amount and/or Classification Status
Optiv Security Inc.	261	\$35,256.00	Admin Priority	General Unsecured Claim
Richey May Advisory, LLC	215	\$1,967.50	Admin Priority	General Unsecured Claim
Samuels Appraisals, LLC	15	\$682.00	Priority	General Unsecured Claim
Shannon, Christopher	129	\$85.00	Priority	General Unsecured Claim
Spain, Cindy	74	\$120.00	Priority	General Unsecured Claim