



UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

RESIDENTIAL CAPTIAL, LLC

Case No. 12-12020

GMAC Mortgage USA Corporation

Case No. 12-12031

PATI REAL ESTATE HOLDINGS, LLC

Case No. 12-12047

AMENDED OBJECTION TO CONFIRMATION OF PLAN

Creditor, DEBORAH D. BENNETT for her AMENDED OBJECTION TO CONFIRMATION OF PLAN of the above listed Chapter 11 plan respectively shows the court the following:

1. GMAC signed a consent decree dated April 13, 2011 with THE FEDERAL RESERVE, The OFFICE of THRIFT SERVICES, and The OFFICE of COMPTROLLER of CURRENCEY and The FEDERAL DEPOSIT INSURANCE COMMITTEE (FDIC).
2. GMAC in the consent decree acknowledged that it has violated rules and regulations of the Federal Regulatory Agencies.
3. GMAC was part of a monetary settlement as a result of the consent decree entitling debtor to monetary compensation.
4. NOTWITHSTANDING the consent decree GMAC instituted a non-judicial foreclosure in the State of Arkansas in 2011. Creditor filed a lawsuit in the Pulaski County Circuit Court against GMAC et al Case No. 60cv-11-3063.



5. The case is still pending as the court has not issued an appealable order in this case.
6. RESIDENTIAL CAPITOL INC instituted a bankruptcy order in this court as well as GMAC and PATI REAL ESTATE HOLDINGS.
7. In March 2012, THE FORTY-NINE STATES ATTORNEY GENERAL, THE U.S. DEPARTMENT OF JUSTICE, THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE UNITED STATES TREASURY DEPARTMENT instituted a law suit against Ally Bank, the former owner of GMAC and Residential Capitol, City Bank, Bank of America, Wells Fargo and JP Morgan Chase. A consent decree was issued on April 12, 2012 by THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA.
8. NOTWITHSTANDING the bankruptcy case and the case in the United States District Court GMAC without permission of this court or the trustee GMAC assigned debtors mortgage to PATI REALESTATE holdings in the records of the CIRCUIT CLERK in PULASKI COUNTY, ARKANSAS REAL ESTATE SECTION INSTRUMENT NUMBER 2008076959.
9. PATI REALESTATE holdings instituted a civil lawsuit against creditor in THE CIRCUIT COURT PULASKI COUNTY ARKANSAS case no. 60CV-12-3653.
10. PATI REALESTATE cannot file this case as it did not have a proper assignment, did not have permission of the trustee, did not have permission of this court, did not have permission from the District Court of Columbia and was prohibited from filing a new case due to ARKANSAS RULE OF CIVIL PROCEDURE 12(h)(8).

11. Creditor, Deborah Bennett was never listed by Residential Capital, GMAC or Pati Real Estate Holdings as a creditor.
12. Creditor was never given notice of the purchase by Ocwen Financial Corporation and Walter Investment Management Corp of the assets of Residential Capital et al.
13. The cause of action which plaintiff filed against GMAC in 2011 listed above was not stayed or adjudicated in the bankruptcy court.
14. In fact, GMAC allegedly assigned Creditor Mortgage to Pati Real Estate Holdings without the permission of the bankruptcy court or the trustee. Pati Real Estate Holdings, LLC did not have permission of the Bankruptcy Court or the Trustee to accept the assignment.
15. Creditor reserves the right and request the court to allow her to institute the proper adversary proceedings against the debtors in this court.
16. For the above reasons, creditor files her amended objections to the debtors Chapter 11 Plan.

WHEREFORE, creditor, DEBORAH BENNETT prays that her amended objection for the confirmation of the debtors Chapter 11 plan be sustained.

Sincerely,

Deborah D. Bennett

CERTIFICATE OF SERVICE

I certify that a copy of the above and forgoing was mailed to MORRISON & FOERSTER LLP, 1290 Avenue of the Americas New York, New York 10104, Counsel for Debtors and Debtors in Possession and KRAMER LEVIN NAFTALIS & FRANKEL LLP, 1177 Avenue of the Americas New York, New York 10036, Counsel for the Official Committee of Unsecured Creditors and Brian Powers SILVERMAN ACAMPORA, LLP 100 Jericho Quadrangle Suite 300 Jericho, NY 11753 on this 7th day of November 2013.

DEBORAH D. BENNETT