

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re	:	Chapter 11
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DITECH HOLDING CORPORATION, <i>et al.</i> ,	:	Case No. 19-10412 (JLG)
	:	
Debtors. <sup>1</sup>	:	(Jointly Administered)
	:	Related Docket No. 3094
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ORDER GRANTING THE CONSUMER CLAIMS TRUSTEE'S THIRTY-NINTH  
OMNIBUS OBJECTION TO PROOFS OF CLAIM (INSUFFICIENT LEGAL BASIS  
UNSECURED CONSUMER CREDITOR CLAIMS) WITH RESPECT TO THE CLAIMS OF  
JAMES & PATRICIA LAPINSKI (CLAIM NOS. 2625, 2687)

Upon the Consumer Claims Trustee's *Thirty-Ninth Omnibus Objection to Proofs of Claim (Insufficient Legal Basis Unsecured Consumer Creditor Claims)*, filed on December 15, 2020 (the "**Objection**")<sup>2</sup> (ECF No. 3094), for an order (i) disallowing and expunging, among others, Claim Nos. 2625 and 2687 (the "**Claims**") of James and Patricia Lapinski (the "**Claimants**"), and (ii) granting related relief, all as more fully set forth in the Objection; and

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<sup>1</sup> On September 26, 2019, the Court confirmed the Third Amended Joint Chapter 11 Plan of Ditech Holding Corporation and Its Affiliated Debtors (ECF No. 1404) (the "Third Amended Plan"), which created the Wind Down Estates. On February 22, 2022, the Court entered the Order Granting Entry of Final Decree (I) Closing Subsidiary Cases; and (II) Granting Related Relief (ECF No. 3903) (the "Closing Order"). Pursuant to the Closing Order, the chapter 11 cases of the following Wind Down Estates were closed effective as of February 22, 2022: DF Insurance Agency LLC (6918); Ditech Financial LLC (5868); Green Tree Credit LLC (5864); Green Tree Credit Solutions LLC (1565); Green Tree Insurance Agency of Nevada, Inc. (7331); Green Tree Investment Holdings III LLC (1008); Green Tree Servicing Corp. (3552); Marix Servicing LLC (6101); Mortgage Asset Systems, LLC (8148); REO Management Solutions, LLC (7787); Reverse Mortgage Solutions, Inc. (2274); Walter Management Holding Company LLC (9818); and Walter Reverse Acquisition LLC (8837). Under the Closing Order, the chapter 11 case of Ditech Holding Corporation (the "Remaining Wind Down Estate") (Case No. 19-10412 (JLG)) remains open and, as of February 22, 2022, all motions, notices and other pleadings relating to any of the Wind Down Estates are to be filed in the case of the Remaining Wind Down Estate. The last four digits of the Remaining Wind Down Estate's federal tax identification number is (0486). The Remaining Wind Down Estate's principal offices are located at 2600 South Shore Blvd., Suite 300, League City, TX 77573.

<sup>2</sup> Capitalized terms not otherwise herein defined shall have the meanings assigned to them in the Objection.

the Bankruptcy Court having jurisdiction to consider the Objection and the relief requested therein in accordance with 28 U.S.C. §§ 157(a)-(b) and 1334 and the Amended Standing Order of Reference M-431, dated January 31, 2012 (Preska, C.J.); and in consideration of the Objection and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Bankruptcy Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the relief requested in the Objection having been provided in accordance with the Claims Procedures Order; and such notice having been adequate and appropriate under the circumstances, and the Claimants having filed a responses to the Objection (ECF Nos. 3185, 4099, 4234, and 4274) (collectively, the “**Response**”); and the Consumer Claims Trustee having filed a reply to the Response (ECF No. 4244) (the “**Reply**”); and the Bankruptcy Court having held a hearing to consider the relief requested in the Objection on September 29, 2022 (the “**Hearing**”); and the Court having determined, for the reasons stated on the record at the Hearing that the legal and factual bases set forth in the Objection and the Reply establish just cause for the relief granted herein and to sustain the Objection and to deny the relief requested in the Response; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT,

1. The relief requested in the Response is denied, and the Objection is sustained to the extent set forth herein.
2. The Claims are disallowed and expunged.
3. The Consumer Claims Trustee, Epiq and the Clerk of the Bankruptcy Court are authorized to take all actions necessary or appropriate to give effect to this order.
4. The Bankruptcy Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation and/or enforcement of this Order.

5. The terms and conditions of this Order are effective immediately upon entry.

Dated: October 23, 2022  
New York, New York

/s/ *James L. Garrity, Jr.*

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HONORABLE JAMES L. GARRITY, JR.  
UNITED STATES BANKRUPTCY JUDGE