

UNITED STATES BANKRUPTCY COURT Middle District of Florida, Jacksonville Div.

PROOF OF CLAIM

Name of Debtor:
TAYLOR, BEAN & WHITAKER MORTGAGE CORP.

Case Number:
3:09-bk-07047-JAF

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.

Name of Creditor (the person or other entity to whom the debtor owes money or property):
Stuart Rothman & Harriet Rothman

Check this box to indicate that this claim amends a previously filed claim.

Name and address where notices should be sent:
7814 North Boyd Way Fox Point WI 53217

CLAIM FILED
JACKSONVILLE, FLORIDA

Court Claim Number: _____
(If known)

Telephone number:
(414) 352-0443

OCT 26 2009

Filed on: _____

Name and address where payment should be sent (if different from above):
(AS ABOVE)

CLERK, U. S. BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

Telephone number:

Check this box if you are the debtor or trustee in this case.

1. Amount of Claim as of Date Case Filed: \$ 4,913.47

If all or part of your claim is secured, complete item 4 below, however, if all of your claim is unsecured, do not complete item 4.

If all or part of your claim is entitled to priority, complete item 5.

Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.

5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.

Specify the priority of the claim.

2. Basis for Claim: Refund of escrow funds
(See instruction #2 on reverse side.)

Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).

3. Last four digits of any number by which creditor identifies debtor: 5109

Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. §507 (a)(4).

3a. Debtor may have scheduled account as: _____
(See instruction #3a on reverse side.)

Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5).

4. Secured Claim (See instruction #4 on reverse side.)

Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.

Nature of property or right of setoff: Real Estate Motor Vehicle Other
Describe:

Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. §507 (a)(7).

Value of Property: \$ _____ Annual Interest Rate % _____

Amount of arrearage and other charges as of time case filed included in secured claim,

if any: \$ _____ Basis for perfection: _____

Taxes or penalties owed to governmental units - 11 U.S.C. §507 (a)(8).

Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____

Other - Specify applicable paragraph of 11 U.S.C. §507 (a)().

6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.

7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

Amount entitled to priority:

\$ _____

*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.

Date:
10/20/2009

Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.

FOR COURT USE ONLY

T, B & W Mortgage Corp.



00182

Stuart L. Rothman, Architect
7814 North Boyd Way
Fox Point, Wisconsin 53217
Office (414) 352-0443
Fax (414) 352-3410
Mobile (414) 698-1018
e-mail: rotharch@gmail.com



20 October 2009

TB&W Mortgage
c/o BMC Group, Claims Processing
P.O. Box 3020
Chanhassen MN 55317-3020

To Whom It May Concern:

Taylor Bean & Whitaker held a mortgage on my home until July 2009, when I re-financed with another lender.

There was a balance in my escrow account in the amount of \$4,898.47 at the time the TB&W mortgage was paid. TB&W issued a check to me in that amount dated 17 August 2009. That check was returned to me, noted as "non sufficient funds". A copy of the check and the bank service fee notice are attached herein.

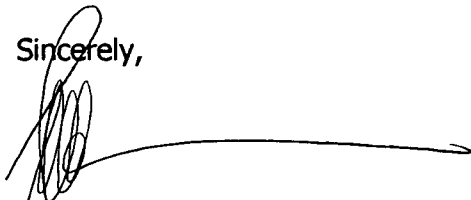
I am requesting immediate return of my money as well as the service fee imposed by my bank:

Escrow funds held in trust.....	4,898.47
Bank service fees for insufficient funds	15.00
Total.....	4,913.47

I have also included the form as proscribed by the bankruptcy court.

Please provide information re: when I can expect my money.

Sincerely,



Stuart L. Rothman

EQUITABLE Bank, S.S.B.
 have CHARGED your account#

Administrative Office 414-475-1690
 06-20-5011 for the following return items on

Wauwatosa, WI 53226
 September 1, 2009

Item No.	DRAWN ON	DRAWN BY	AMOUNT
5	PLATINUM COMMUNITY BANK	TAYLOR, BEAN & WHITAKER	\$ 4,898.47

The return item is enclosed.

The return item is being held at our Administrative office.
 Please contact that office to make arrangement for repayment.
 Upon receipt of payment, the original returned check would be mailed to you

Service Fee	\$ 15.00
TOTAL	\$ 4,913.47

STUART L. ROTHMAN
 HARIET ROTHMAN
 7814 N BOYD WAY
 FOX POINT, WI 53217-3449

- | | | | |
|------------------------------------|-------------------------|------------------------|-------------------------|
| 1. Account Closed | 4. Endorsement | 7. Refer to maker | 10. Exceed Credit Limit |
| 2. Amounts disagree | 5. Non sufficient funds | 8. Signature Irregular | 11. No Account Found |
| 3. Drawn against uncollected funds | 6. Payment stopped | 9. Stale dated | 12. Altered check |

071000301
 08/26/2009
 6516718318

06/25/2009 2275071259

This is a LEGAL COPY of your check. You can use it the same way you would use the original check.

TAYLOR, BEAN & WHITAKER
 Mortgage Corporation
 315 NE 14th Street
 Ocala, Florida 34470
Escrow Disbursement Clearing Account

Platinum Community Bank
 70-7445-718
 NO. 399623
 CHECK NO. 399623

Four Thousand Eight Hundred Ninety Eight and 47/100 Dollars

<p>RAY TO THE ORDER OF:</p> <p>STUART ROTHMAN & HARRIET ROTHMAN 7814 N. BOYD WAY FOX POINT WI 53217</p>	<p>DATE: August 17, 2009</p> <p>AMOUNT: \$4,898.47</p> <p>Because: <i>fraud - forged</i></p> <p>NSF 000 TELLER 064</p>
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320085760 08-26-09 101 5256 53

⑆399623⑆ ⑆071974453⑆ 0000904015⑆

⑆399623⑆ ⑆071974453⑆ 0000904015⑆ ⑆0000489847⑆

Mail original claim and copies of supporting documentation to:

If by regular mail

TB&W Mortgage
c/o BMC Group, Claims Processing
P.O. Box 3020
Chanhassen, MN 55317-3020

If by messenger or overnight courier

TB&W Mortgage
c/o BMC Group, Claims Processing
18750 Lake Drive East
Chanhassen, MN 55317

Once filed, a "Filed" stamped copy of the claim will be returned to the claimant within three (3) business days of docketing **If** the claimant encloses a stamped, self-addressed envelope with a copy of the proof of claim.