

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): Mark A. Burgess
Name and address where notices should be sent: Mark A. Burgess, 583 Wisley Way, Ringssold, GA. 30736
Telephone number: 423-802-3302 or 706-937-2026

Name and address where payment should be sent (if different from above): Same as above
Telephone number:

1. Amount of Claim as of Date Case Filed: \$2,340.23 + 8.00 = 2,348.23
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.

2. Basis for Claim: Escrow Check Bounced + Bank Charged Fee
3. Last four digits of any number by which creditor identifies debtor: 6724
3a. Debtor may have scheduled account as: Acct # 2010316

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: Bounced Escrow Check Issued by Taylor Bean
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: 2340.23 + 8.00 =
Amount of Secured Claim: \$ 2348.23 Amount Unsecured: \$

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.
Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).
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).
Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5).
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).
Taxes or penalties owed to governmental units - 11 U.S.C. §507 (a)(8).
Other - Specify applicable paragraph of 11 U.S.C. §507 (a)().
Amount entitled to priority: \$ 2348.23

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:
Date: 11/20/09
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.
CLAIM FILED
JACKSONVILLE, FLORIDA
T, B & W Mortgage Corp.
00277

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

September 2, 2009

Taylor, Bean & Whitaker Mortgage Corporation
315 NE 14th Street
Ocala, Florida 34470
Reference: Escrow Refund for Loan Number 2010316

To Whom It May Concern:

Attached you will find the returned escrow refund for loan 2010316 which bounced in the amount of \$2,340.23. We also have enclosed the fee charge by our bank in the amount of \$8.00.

This is extremely distressful to us. I called Mike Carrier and he told me to f_____ off which is totally unacceptable. He was contacted using the information provided on the Internet as a loan officer with Platinum Community Bank.

This is our money that we paid for our escrow. If we do not receive a revised check fed expressed to us, we will file a class action lawsuit along with the thousands of other people who are in our same situation. We already have an attorney and have contacted the State of Florida about this issue with Taylor, Bean and Whitaker.

I hope that you see the urgency with this matter and the distress that it has caused our family.

We would appreciate your prompt response in this matter and the issuance of another check with a refund of \$8 which we were charged by Regions Bank.

We can be contacted at (423) 802-3302. We would appreciate a phone call about this matter.

Sincerely,

Mark and Gretchen Burgess
583 Wisley Way
Ringgold, GA 30736

P.S. We are not going to let this issue die. There are over 160,000 loans that Taylor Bean & Whitaker handles and hundreds of complaints about bounced escrow checks. We expect a refund check no later than one week from receipt of this letter.

September 7, 2009

Federal Deposit Insurance Corporation
Receiver: Platinum Community Bank
1601 Bryan Street
Dallas, Texas 75201
Attention: Claims Agent

Reference: Bounced Escrow Refund for Loan Number 2010316 with Taylor, Bean & Whitaker

To Whom It May Concern:

Attached you will find the returned escrow refund for loan 2010316 which bounced in the amount of \$2,340.23. We also have enclosed the fee charge by our bank in the amount of \$8.00.

This is extremely distressful to us. I called Mike Carrier from Platinum Community Bank and he told me to f ___ off which is totally unacceptable. He was contacted using the information provided on the Internet as a loan officer with Platinum Community Bank.

This is our money that we paid for our escrow. If we do not receive a revised check fed expressed to us, we will file a class action lawsuit along with the thousands of other people who are in our same situation. We already have an attorney and have contacted the State of Florida and Georgia about this issue with Taylor, Bean and Whitaker.

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We would appreciate your prompt response in this matter and the issuance of another check with a refund of \$8 which we were charged by Regions Bank.

We can be contacted at (423) 802-3302. We would appreciate a phone call about this matter.

Sincerely,

Mark and Gretchen Burgess
583 Wisley Way
Ringgold, GA 30736

8881000
08/28/2009
020162
This is a LEGAL COPY of your
check. You can use it the same
way you would use the original.
Check.
RETURN REASON-X
REFER TO IMAGE

08/28/2009 08/28/2009
002200632445

MARK SUMMERS & ONEYCHEN BURGESS
833 WILLY WAY
BIRMINGHAM, GA 30734
320015811 08-25-09 101 4009
0000904015
398615
TAYLOR, BEAN & WHITAKER
MEMBER OF THE
NATIONAL ASSOCIATION OF
REALTORS
115 W. 1st Street
Columbus, Georgia 31902
Phone: (706) 325-1111
Fax: (706) 325-1112
www.tbw.com
TAYLOR, BEAN & WHITAKER
REALTORS
398615
RETURN REASON-X
REFER TO IMAGE

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