

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):

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

Name and address where notices should be sent:

Kenneth and Lisa O'Reilly
11288 Rainbow Woods Loop Spring Hill Fl. 34609
Telephone number: 352-263-1112 or 352-666-6924

Court Claim Number: (If known)

Filed on:

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

Same as above.

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.

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

Telephone number:

1. Amount of Claim as of Date Case Filed: \$ 17,681.77

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.

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.

Specify the priority of the claim.

2. Basis for Claim: Escrow after payoff

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: 3493 of Loan # 1503493 mortgage

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).

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.

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

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

Value of Property: Annual Interest Rate: CLAIM FILED JACKSONVILLE, FLORIDA

Amount of arrearage and other charges as of time case filed included in secured claim, JAN 19 2010

Amount of Secured Claim: Amount Unsecured: CLERK, U. S. BANKRUPTCY COURT MIDDLE DISTRICT OF FLORIDA

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:

\$

\*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.

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.

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

If the documents are not available, please explain:

Date: 1/13/10

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.

Lisa O'Reilly

FOR COURT USE ONLY

T. B & W Mortgage Corp.



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**INSTRUCTIONS FOR PROOF OF CLAIM FORM**

*The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules.*

**Items to be completed in Proof of Claim form****Court, Name of Debtor, and Case Number:**

Fill in the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the bankruptcy debtor's name, and the bankruptcy case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is located at the top of the notice.

**Creditor's Name and Address:**

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

**1. Amount of Claim as of Date Case Filed:**

State the total amount owed to the creditor on the date of the Bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

**2. Basis for Claim:**

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if the trustee or another party in interest files an objection to your claim.

**3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:**

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

**3a. Debtor May Have Scheduled Account As:**

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

**4. Secured Claim:**

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

**5. Amount of Claim Entitled to Priority Under 11 U.S.C. §507(a).**

If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS, below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

**6. Credits:**

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

**7. Documents:**

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). If the claim is based on the delivery of health care goods or services, see instruction 2. Do not send original documents, as attachments may be destroyed after scanning.

**Date and Signature:**

The person filing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules specifying what constitutes a signature. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

**DEFINITIONS****Debtor**

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

**Creditor**

A creditor is a person, corporation, or other entity owed a debt by the debtor that arose on or before the date of the bankruptcy filing. See 11 U.S.C. §101 (10)

**Claim**

A claim is the creditor's right to receive payment on a debt owed by the debtor that arose on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

**Proof of Claim**

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

**Secured Claim Under 11 U.S.C. §506(a)**

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car.

A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

**Unsecured Claim**

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

**Claim Entitled to Priority Under 11 U.S.C. §507(a)**

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

**Redacted**

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax-identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

**Evidence of Perfection**

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

**INFORMATION****Acknowledgment of Filing of Claim**

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system ([www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov)) for a small fee to view your filed proof of claim.

**Offers to Purchase a Claim**

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. §101 *et seq.*), and any applicable orders of the bankruptcy court.



## Taylor, Bean & Whitaker

*Mortgage Corp.*

1417 North Magnolia Ave

Ocala, Florida 34475

Bus. 888-225-2164

Fax 888-329-9270

Web: [www.taylorbean.com](http://www.taylorbean.com)

August 03, 2009

Kenneth M O Reilly Sr & Lisa M O Reilly  
11288 Rainbow Woods Loop  
Spring Hill, FL 34609

Re: Paid In Full  
Loan Number: 1503493  
Property Address: 11288 RAINBOW WOODS LOOP

Dear Kenneth M O Reilly Sr & Lisa M O Reilly:

Please accept this letter as confirmation that the above referenced home loan was paid in full on 7/31/2009. We have enclosed a copy of the loan history for your records.

Please be aware of the following:

### **Escrow Account - Property Taxes and Homeowner's Insurance**

You are now responsible for all tax and insurance payments. Please consult your insurance agent and/or local tax authority for more information.

### **Escrow Account - Remaining Funds**

If applicable, any remaining escrow account funds will be sent to the above mailing address, via US mail, within 30 days of the payoff date. If you have a new mailing address, please visit our web site at [www.taylorbean.com](http://www.taylorbean.com) and select "My Mortgage" to update your mailing address, or you may contact us at 1-888-225-2164 to speak with one of our Customer Relations Representatives.

Please be aware if you placed a stop payment on a check or if a check was presented and then returned to you unpaid within the last 90 days, these funds may need to be returned to us. If this situation applies, please contact our Cashiering Department at 1-888-225-2164 ext. 11312 prior to cashing your escrow refund check.

### **Lien Release Information**

The document necessary to release our lien in the public records will be prepared and sent to the County Recorder as soon as possible. Upon receipt of the recorded document, we will post the information to our records and the original document will be sent to you.

If you have any questions regarding the pay off of your loan, please visit us on the web at [www.taylorbean.com](http://www.taylorbean.com) or contact our Customer Relations Department at 1-888-225-2164. If we may be of service in the future, please contact our Origination office at 1-877-754-6847.

Sincerely,

Customer Relations  
Taylor, Bean & Whitaker Mortgage Corp.

enclosure(s)

Cpiflv2.3

## Loan Activity Report

August 3, 2009

Loan # 1503493

Tran Code	Due Date /Date Paid	Amount Paid	Interest Paid	Principal/ Curtailment	T&I Paid	Misc Ins	Late Chrg/ Ret Chk Chrg	Subsidy Amount	Unapplied Amount	Misc Fee /Loss Draft	Principal Bal /Tax&Ins Bal
MFP	06/01/09	.00	.00	.00	.00	.00	.00	.00	-5.00	5.00	205,930.14
	06/30/09			.00			.00			.00	2,841.52
DIS	06/01/09	-84.21	.00	.00	-84.21	.00	.00	.00	.00	.00	205,930.14
	07/07/09			.00			.00			.00	2,757.31
DIS	06/01/09	-2,634.45	.00	.00	-2,634.45	.00	.00	.00	.00	.00	205,930.14
	07/22/09			.00			.00			.00	122.86
LDP	06/01/09	203,309.74	.00	.00	.00	.00	.00	.00	.00	.00	205,930.14
	07/28/09			.00			.00			203,309.74	122.86
LDP	06/01/09	25,330.05	.00	.00	.00	.00	.00	.00	.00	.00	205,930.14
	07/28/09			.00			.00			25,330.05	122.86
LDD	06/01/09	-228,639.79	.00	.00	.00	.00	.00	.00	.00	.00	205,930.14
	07/29/09			.00			.00			-228,639.79	122.86
PIF	06/01/09	228,639.79	3,282.00	205,930.14	17,558.91	.00	1,953.93	.00	-95.19	10.00	.00
	07/31/09			.00			.00			.00	17,681.77
<b>Totals:</b>		<b>260,952.94</b>	<b>32,125.08</b>	<b>211,373.00</b>	<b>15,342.93</b>	<b>0.00</b>	<b>1,953.93</b>	<b>0.00</b>	<b>0.00</b>	<b>158.00</b>	
				<b>.00</b>			<b>0.00</b>			<b>-0.00</b>	

To whom it may concern,

My husband and I (Kenneth & Lisa O'Reilly) had a mortgage with Taylor Bean, and Whitiker. In May of '09" it was determined that my home has sink holes and my insurance company (State Farm) totaled my house. We received two checks in our name and Taylor Beans name. One check was for \$203,309.74 and the other was for \$25,330.05. My husband and I decided to pay off our mortgage so both checks were endorsed and sent to Taylor Bean on July 17th 09. Taylor Bean was given a letter as well from us stating we wanted the mortgage paid in full. Taylor Bean cashed both checks on July 30th 09 and sent us a letter stating our mortgage was paid in full as of July 31 2009. Enclosed in this Fax is the Letter

and the last page of the Loan Activity Report that shows there was \$17,681.77 left over from those checks that we have not received. Your help in this matter would be greatly appreciated.

Lisa O'Reilly

Kenneth and Lisa O'Reilly  
11288 Rainbow Woods Loop  
Spring Hill Fl. 34609

(352) 666-6924 Home #

(352) 263-4056 Cell # Lisa's

(352) 263-1112 Cell # Kenneth's

Loan # 1503493



STATE FARM FLORIDA INSURANCE COMPANY

WINTERHAVEN, FL  
FIRE-ECF-TAMPA 19-055 L700

BANK OF AMERICA, N.A. 64-1278/611  
ATLANTA, GA

1 19 268232 J

CLAIM NO 59-D240-753  
LOSS DATE 04-08-2009

INSURED O'REILLY, KENNETH

DATE 07-14-2009  
MM DD YYYY

\*\*\*\*\*EXACTLY  
TWO HUNDRED THREE THOUSAND THREE HUNDRED NINE AND 74/100 DOLLARS

\$\*\*\*203,309.74

Pay to the  
Order of: KENNETH M. O'REILLY & LISA M. O'REILLY & TAYLOR BEAN & WHITAKER  
MORTGAGE CORP ITS SUCC AND/OR ASSIGNS ATIMA  
11288 RAINBOW WOODS LOOP  
SPRING HILL FL 34609-9146

NOT NEGOTIABLE

*[Handwritten Signature]*  
AUTHORIZED SIGNATURE

GREEN DROP-OUT APPEARS ON FACE OF DOCUMENT

VOID IF GREEN COLORED BACKGROUND IS MISSING

SECURED DOCUMENT WATERMARK APPEARS ON BACK, HOLD AT 45° ANGLE FOR VIEWING

⑈ 1917268232⑈ ⑆0611127881: 329 903 9695⑈

⑈1917268232⑈

MUST BE ENDORSED BY ALL PAYEES

*John O. Kelly*

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This Notice Only Applies to Lenders and Service Providers  
By endorsing this payment for our services, you agree not to use or disclose any personal information received from us unless necessary for the services we requested

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TAYLOR, BEAN & WHITAKER  
07-28-09 OPERATOR

1001-13224  
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COLONIAL BANK ORLANDO FL  
072809  
06631132224  
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STATE FARM FLORIDA INSURANCE COMPANY

WINTERHAVEN, FL  
FIRE-ECF-TAMPA 19-055 L629

BANK OF AMERICA, N.A. 64-1278/611  
ATLANTA, GA

1 19 173355 J

CLAIM NO 59-D240-753  
LOSS DATE 04-08-2009

INSURED O'REILLY, KENNETH

DATE 06-04-2009  
MM DD YYYY

\*\*\*\*\*EXACTLY  
TWENTY-FIVE THOUSAND THREE HUNDRED THIRTY AND 05/100 DOLLARS

\$\*\*\*\*\*25,330.05

Pay to the  
Order of: KENNETH M. O'REILLY & LISA M. O'REILLY & TAYLOR BEAN & WHITAKER  
MORTGAGE CORP ITS SUCC AND/OR ASSIGNS ATIMA  
11288 RAINBOW WOODS LOOP  
SPRING HILL FL 34609-9146

NOT NEGOTIABLE

AUTHORIZED SIGNATURE

GREEN DROPOUT APPEARS ON FACE OF DOCUMENT

VOID IF GREEN COLORED BACKGROUND IS MISSING

SECURED DOCUMENT WATERMARK APPEARS ON BACK. HOLD AT 45° ANGLE FOR VIEWING

⑈ 1917173355⑈ ⑆ 061112788⑆ 329 903 9695⑈

⑈ 000253305⑈

MUST BE ENDORSED BY ALL PAYEES

*John O'Reilly*  
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This Notice Only Applies to Payers and Service Providers:

By endorsing this payment for your services, you agree not to use or disclose any personal customer information received from us unless necessary for the service we requested

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1701 05068

TAYLOR, BEALL & WHITAKER  
07/28/09 OPERATOR 48

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COLONIAL BANK ISLANDS P.L.C.  
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