

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):  
Denise K. Adams

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

Name and address where notices should be sent:

Denise K. Adams  
1362 Old Water Oak Point Road, Pasadena, MD 21122

**CLAIM FILED**  
JACKSONVILLE, FLORIDA

Court Claim Number: \_\_\_\_\_  
(If known)

Telephone number:  
(410) 720-5220

JAN 19 2010

Filed on: \_\_\_\_\_

Name and address where payment should be sent (if different from 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: \$ 3,821.41

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.

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

2. Basis for Claim: Escrow check bounced  
(See instruction #2 on reverse side.)

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).

3. Last four digits of any number by which creditor identifies debtor: 9754

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: Escrow Funds

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: \_\_\_\_\_

Amount of Secured Claim: \$ 3,341.41 Amount Unsecured: \$ 480.00

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

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

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

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:

\$ 3,341.41

\*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:  
01/16/2010

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.

*Denise K. Adams*

FOR COURT USE ONLY

T, B & W Mortgage Corp.



00738

**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)

**Escrow Refund Check**

Enclosed please find a check issued in connection with your Taylor, Bean & Whitaker Mortgage Corp. loan. You should have recently received documentation from us notifying you of a forthcoming check from your escrow account and the reason. You may also view the documentation online. Simply log on to your account, select the "See More" option and access the "Statement/Documents" tab.

If you have any questions or if we may be of any other service, 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, Monday-Friday 9:00am – 8:00pm or Saturday 8:00am – 5:00pm EST.

We appreciate your business,

Customer Relations  
Taylor, Bean & Whitaker Mortgage Corp.

Enc. (1)



BRANCH BANKING AND TRUST  
 FOR QUESTIONS - CALL  
 (800) 395-4086

09/04/2009  
 Page 1 - L  
 0005157103328

0407-12-01-00 24807  
 RICHARD NEILSON ADAMS  
 DENISE ADAMS  
 1362 WATER OAK POINT RD  
 PASADENA MD 21122-2398

*Received  
 9/12/09*



Your account has been charged for return  
 deposited item fees.

REASON  
 REFER TO MAKER

SEQ #  
 022387

ITEM AMOUNT  
 3,341.41

1 Item(s) charged totaling \$3,341.41  
 1 Item(s) charged a fee totaling \$10.00

\*053101121\*  
 09/04/2009  
 000003107576053

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

RETURN REASON-S  
 REFER TO MAKER

0071000301\*  
 09/03/2009  
 6314971000

80076790  
 3107576053

005310121 09/03/2009  
 3107576053

THIS IS A LEGAL COPY of  
 your check. You can use it  
 the same way you would use  
 the original check.

TAYLOR BEAN & WHITAKER  
 Branch Operations  
 319 NE 14th Street  
 Ocala, Florida 32701  
 Branch/Check-Deposit/Printing Amount

Platinum Community Bank NO. 398855

Three Thousand Three Hundred Forty One and 41/100

Returned Not Paid  
 August 12, 2009 \$3,341.41

DENISE ADAMS  
 1362 OLD WATER OAK POINT  
 PASADENA MD 21122  
 310368171 09-01-09 101 402 01

398855 4:071974453 0000904015 0000334141

0000334141 4:071974453 0000904015 398855

**NOTICE APPLIES TO CONSUMER ACCOUNTS ONLY**  
**Check 21 Disclosure for Return of Substitute Check**

Some or all of the checks you receive back from us may be substitute checks. A new federal law permits banks to replace an original check with a "Substitute Check." A Substitute Check is a copy of the original check but is treated the same as the original check for all purposes. The Substitute Check will be an accurate copy of the front and back of the original check and contain the words: "This is a legal copy of your check. You can use it the same way you would use the original check."

If you lose money because you received a substitute check, you may have the right to file a claim for an expedited refund if:

- I. The substitute check was incorrectly charged to your account;
- II. You lost money as a result of the substitute check being charged to your account; and
- III. You need the original check or a better copy of the original check to demonstrate that we incorrectly charged your account.

You may make a claim by calling us at 1-800-682-6921, or by visiting your local BB&T branch location. You must make your claim within 40 calendar days of the later of; the date that we delivered the account statement showing the charge that you are disputing, or the date on which we made the substitute check available to you. Refunds are limited up to the amount of the substitute check, plus interest if your account earns interest. If there is a valid reason that you cannot make your claim by the required day you may be given additional time. Your expedited claim must:

- 1. Describe why you think the charge to your account was incorrect;
- 2. Estimate how much money you have lost because of the substitute check charge;
- 3. Explain why the substitute check is not sufficient to show whether or not the charge to your account was correct; and
- 4. Provide us with a copy of the substitute check or give us information that will help us to accurately identify the substitute check.

We will investigate your claim promptly. If we conclude that we incorrectly charged your account, we will provide a refund for your loss up to the amount of the substitute check, plus interest if your account earns interest, within one business day of making that decision. If we conclude that we correctly charged your account, we will send you a notice that explains the reason for our decision and include either the original check or a better copy of the original check than the one you already received. If we have not made a decision on your claim within 10 business days after you submitted it, we will provisionally refund the amount of your claim, up to \$2,500, plus interest. If we have not issued our decision by the 45th day after you have submitted your claim, we will refund any remaining amount over the \$2,500, plus interest. If we refund your account, we will send you a notice on the next business day that tells you the amount of your refund and the date on which you may withdraw that amount. Normally, you may withdraw your refund on the business day after it is credited to your account. In limited cases, we may delay your ability to withdraw up to the first \$2,500 of the refund until the earlier of these two dates:

- 1) The day after we determine that your claim is valid; or
- 2) The 45th calendar day after the day that you submitted your claim.

We may reverse any refund and interest that we have given you if we later determine that the substitute check was correctly charged to your account. If we reverse a refund, we will send you within one business day the original check or a better copy of the original check than the one you previously received and explain why the substitute check was correctly charged to your account, and the amount and date of the reversal. Your rights under this section are governed by the "Check 21 Act" and any implementing regulations.

\*053101121\* 09/04/2009  
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