


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
<i>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.</i>		
Name of Creditor (the person or other entity to whom the debtor owes money or property): ROBERT J. and MARY E. GUZMAN		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.
Name and address where notices should be sent: ROBERT J. & MARY E. GUZMAN PO Box 633, Winlock, WA. 98596-0633		Court Claim Number: _____ (If known)
Telephone number: 360-785-4998	CLAIM FILED JACKSONVILLE, FLORIDA	Filed on: _____
Name and address where payment should be sent (if different from above): FEB 12 2010 CLERK, U. S. BANKRUPTCY COURT MIDDLE DISTRICT OF FLORIDA		<input type="checkbox"/> 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:		<input type="checkbox"/> Check this box if you are the debtor or trustee in this case.
1. Amount of Claim as of Date Case Filed: \$ 1792.75	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.	Specify the priority of the claim.	
If all or part of your claim is entitled to priority, complete item 5.	<input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).	
<input checked="" type="checkbox"/> 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.	<input type="checkbox"/> 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).	
2. Basis for Claim: INSUFFICIENT FUNDS ON CHECK (See instruction #2 on reverse side.)	<input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5).	
3. Last four digits of any number by which creditor identifies debtor: 8792	<input checked="" type="checkbox"/> 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).	
3a. Debtor may have scheduled account as: NA (See instruction #3a on reverse side.)	<input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507 (a)(8).	
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.	<input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507 (a) ____.	
Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input checked="" type="checkbox"/> Other	Amount entitled to priority: \$ 1792.75	
Describe:	*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.	
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: \$ 1518.75 Amount Unsecured: \$ 274.00 interest		
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:	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
ROBERT J. GUZMAN	MARY E. GUZMAN MARY E. GUZMAN	T, B & W Mortgage Corp.  00918

January 28, 2010

**PROOF OF CLAIM
U.S. Bankruptcy Court
Middle District of Florida
Jacksonville District**

**RE: TAYLOR, BEAN & WHITTAKER*
LOAN #2598792
ROBERT J. AND MARY E. GUZMAN**

PROOF OF CLAIM

Dear Trustee:

On July 2, 2009, TB&W funded a refinanced mortgage for our home. During escrow it was disclosed that we were to receive an overage in payments to HUD for Mortgage Insurance in the amount of \$1,518.75.

In August 2009 we received check number 390196 for the amount of \$1,233.41 for the "Escrow Refund." On August 25, 2009 we were notified by Timberland Bank that check number 390106, from TB&W, in the amount of \$1,233.41 had been returned for Insufficient Funds.

Due to the discrepancy in amounts we were in open dialog with TB&W and when the check was returned were told that all funds were frozen.

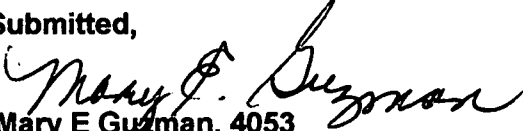
We have made two calls per month since August 2009 and we have just been informed that TB&W had filed Bankruptcy and we would have to file a Proof of Claim in order to recover our own funds.

We are requesting the following:

\$1,233.41 (original check)
285.34 (difference from Escrow Settlement Charges)
\$1,518.75
274.00 (simple 3% Interest for 6 months)
\$1,792.75 (TOTAL REQUESTED FROM BANKRUPTCY COURT)

We believe these to be secured monies. TB&W had already received these funds from us for Mortgage Insurance to be secured by our impound account. What little we know of this situation comes from newspapers and financial journals, and of course hear say. No matter the reason for TB&W's issues, we still feel our entitlements are just and merit a high degree of priority.

Respectfully and Truthfully Submitted,


Robert J Guzman, 3519 and Mary E Guzman, 4053
148 Wandering Lane
Winlock, WA 98596
360-785-4998

* Henceforth known as TB&W

Loan Activity Report

July 15, 2009

Loan # 2598792

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
REG	01/01/09	1,367.12	985.49	186.29	195.34	.00	.00	.00	.00	.00	189,028.08
	01/05/09			.00			.00			.00	1,173.54
DIS	02/01/09	-77.71	.00	.00	-77.71	.00	.00	.00	.00	.00	189,028.08
	01/07/09			.00			.00			.00	1,095.83
REG	02/01/09	1,367.12	984.52	187.26	195.34	.00	.00	.00	.00	.00	188,840.82
	02/05/09			.00			.00			.00	1,291.17
DIS	03/01/09	-77.71	.00	.00	-77.71	.00	.00	.00	.00	.00	188,840.82
	02/05/09			.00			.00			.00	1,213.46
REG	03/01/09	1,367.12	983.55	188.23	195.34	.00	.00	.00	.00	.00	188,652.59
	03/05/09			.00			.00			.00	1,408.80
DIS	04/01/09	-77.71	.00	.00	-77.71	.00	.00	.00	.00	.00	188,652.59
	03/09/09			.00			.00			.00	1,331.09
DIS	04/01/09	-716.79	.00	.00	-716.79	.00	.00	.00	.00	.00	188,652.59
	04/06/09			.00			.00			.00	614.30
REG	04/01/09	1,367.12	982.57	189.21	195.34	.00	.00	.00	.00	.00	188,463.38
	04/06/09			.00			.00			.00	809.64
DIS	05/01/09	-77.71	.00	.00	-77.71	.00	.00	.00	.00	.00	188,463.38
	04/07/09			.00			.00			.00	731.93
REG	05/01/09	1,367.12	981.58	190.20	195.34	.00	.00	.00	.00	.00	188,273.18
	05/05/09			.00			.00			.00	927.27
DIS	06/01/09	-77.71	.00	.00	-77.71	.00	.00	.00	.00	.00	188,273.18
	05/08/09			.00			.00			.00	849.56
REG	06/01/09	1,367.12	980.59	191.19	195.34	.00	.00	.00	.00	.00	188,081.99
	06/05/09			.00			.00			.00	1,044.90
DIS	07/01/09	-77.71	.00	.00	-77.71	.00	.00	.00	.00	.00	188,081.99
	06/08/09			.00			.00			.00	967.19
REG	07/01/09	1,438.00	979.59	192.19	266.22	.00	.00	.00	.00	.00	187,889.80
	07/01/09			.00			.00			.00	1,233.41
DIS	08/01/09	-76.77	.00	.00	-76.77	.00	.00	.00	.00	.00	187,889.80
	07/07/09			.00			.00			.00	1,156.64
PIF	08/01/09	189,029.16	978.59	187,889.80	76.77	.00	.00	.00	.00	84.00	.00
	07/14/09			.00			.00			.00	1,233.41
Totals:		<u>205,066.15</u>	<u>13,789.53</u>	<u>190,312.00</u>	<u>880.62</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>84.00</u>	
				<u>.00</u>			<u>0.00</u>			<u>0.00</u>	

1,233.41
↓
~~1,233.41~~
Refund



**Taylor, Bean
& Whitaker**

Mortgage Corp.

1417 North Magnolia Ave

Ocala, Florida 34475

Bus. 888-225-2164

Fax 888-329-9270

Web: 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 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)

Mortgage Corporation
315 NE 14th Street
Ocala, Florida 34470
Escrow Disbursement Clearing Account

70-7445-719

CHECK NO.
390196

One Thousand Two Hundred Thirty Three and 41/100

Dollars

DATE

AMOUNT

August 3, 2009

\$1,233.41

THE
DEB

ROBERT J GUZMAN & MARY E GUZMAN
PO BOX 633
WINLOCK WA 98596

WINLOCK-547

AUG 10 2009

325170754

Jessica Hays

AUTHORIZED SIGNATURE

⑈390196⑈ ⑆071974453⑆ 0000904015⑈

122000166
08/25/2009
6424634578

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

6002/LT/80 4303330012
325170754

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

Platinum Community Bank
NO. 390196

CHECK NO. 390196

One Thousand Two Hundred Thirty Three and 41/100

August 3, 2009

ROBERT J GUZMAN & MARY E GUZMAN
PO BOX 633
WINLOCK WA 98596

310704380 08-20-09 199 4553 01

⑈390196⑈ ⑆071974453⑆ 0000904015⑈

Not Paid
Reason

Jessica Hays

AUTHORIZED SIGNATURE

⑈390196⑈

⑆071974453⑆

⑈0000904015⑈

⑈0000123341⑈

12200061 06/20/2009
 6227350481
 071000301 06/20/2009
 641279535

071000301 06/24/2009
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 122000166 06/24/2009
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 122000166 06/25/2009
 6424634578

ENDORSE HERE

Margaret
 06/22/09

DO NOT WRITE, STAMP OR SIGN BELOW THESE LINES

ERB-CHI 08242009
 101 4553 01

>325170754< 06/24/2009
 4303330012
 >325170754< 06/24/2009
 00591710652

TRC=7180

A Security Features:

- Full Face Hologram
- Micro Machine Readable Lines
- Void Penetration
- Watermark
- Security Thread
- Randomly Placed Microprint
- Laser Security Thread
- Security Thread

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↓ Do not endorse or write below this line ↓