


UNITED STATES BANKRUPTCY COURT <u>Middle</u> DISTRICT OF <u>Florida</u>		PROOF OF CLAIM
Name of Debtor: <u>Taylor Bean & Whitaker</u>	Case Number	
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): <u>Michael Smedley</u>	<input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input checked="" type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case. <input type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.	THIS SPACE IS FOR COURT USE ONLY
Name and address where notices should be sent: <u>Michael Smedley</u> <u>35 Sienna Circle</u> <u>Lvyland, PA 18974</u> Telephone number: <u>215.364.5255</u>		
Last four digits of account or other number by which creditor identifies debtor: _____		Check here <input type="checkbox"/> replaces if this claim <input type="checkbox"/> amends a previously filed claim, dated: _____ CLAIM FILED JACKSONVILLE, FLORIDA
1. Basis for Claim <input type="checkbox"/> Goods sold <input type="checkbox"/> Services performed <input type="checkbox"/> Money loaned <input type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input checked="" type="checkbox"/> Other <u>overpayment</u>	<input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. § 1114(a) <input type="checkbox"/> Wages, salaries, and compensation (fill out below) Last four digits of your SS #: _____ Unpaid compensation for services performed from _____ to _____ (date) (date)	
2. Date debt was incurred: <u>8/13/09</u>	3. If court judgment, date obtained:	
4. Classification of Claim. Check the appropriate box or boxes that best describe your claim and state the amount of the claim at the time case filed. See reverse side for important explanations.		
Unsecured Nonpriority Claim \$ _____ <input type="checkbox"/> Check this box if: a) there is no collateral or lien securing your claim, or b) your claim exceeds the value of the property securing it, or if c) none or only part of your claim is entitled to priority.	Secured Claim <input checked="" type="checkbox"/> Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral: <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other _____ Value of Collateral: \$ <u>700,000</u> Amount of arrearage and other charges at time case filed included in secured claim, if any: \$ _____	
Unsecured Priority Claim <input type="checkbox"/> Check this box if you have an unsecured claim, all or part of which is entitled to priority. Amount entitled to priority \$ _____ Specify the priority of the claim: <input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B) <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,000)* 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). <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).	<input type="checkbox"/> Up to \$2,225* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(____). *Amounts are subject to adjustment on 4/1/07 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.	
5. Total Amount of Claim at Time Case Filed: \$ <u>2406.14</u> 0.00		
<input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.		
6. Credits: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.	THIS SPACE IS FOR COURT USE ONLY	
7. Supporting Documents: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary.		
8. Date-Stamped Copy: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.		
Date	Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any): <u>Michael Smedley</u>	T, B & W Mortgage Corp.  00925

Smedley, Michael J.

From: trumarkfinancialcreditunionbillpayer@customercenter.net
Sent: Wednesday, August 12, 2009 8:39 PM
To: Smedley, Michael J.
Subject: Your payment to Taylor,Bean & Whitaker Mortgage has been sent

Importance: High

The following payment has been sent:

Bill: Taylor,Bean & Whitaker Mortgage
Account Number: xx12734
Payment Amount: \$2,258.64
Date Debited From Your Account: 08/13/2009
Date Sent to Biller: 08/12/2009
Estimated Date Posted by Biller: 08/13/2009

Taylor,Bean & Whitaker Mortgage has not supplied posting information for this payment. The posted date above is an estimate based on our past experience with Taylor,Bean & Whitaker Mortgage.

*Note: If the word Draft appears as the date the payment was debited from your account, we could not send your biller an electronic payment and sent a paper check instead. Your account will be debited after the biller deposits the check and it is paid by your financial institution.

To stop receiving reminders like this, you can access Bill Payer at <https://www.trumarkonline.org/home> and change your reminder settings for this biller.

Please do not reply to this message. Replies to this address are routed to an unmonitored mail box. If you have a question about your bill, please contact Taylor,Bean & Whitaker Mortgage directly. For all other questions, please go to <https://www.trumarkonline.org/home> and contact us using the instructions in your online bill payment service.

If you feel you've received this message in error, please forward the message to spamcomplaint@customercenter.net.

=====
Please do not delete this section.

Email_ID:#900226712302218096880_
=====

Smedley, Michael J.

From: Smedley, Michael J.
Sent: Monday, August 17, 2009 5:02 PM
To: Smedley, Michael J.
Subject: Taylor Bean Balance



Taylor, Bean & Whitaker

PERFECTING THE ART OF MORTGAGE LENDING[®]

Welcome Michael Smedley

[My Account](#) [Logout](#)

[Taylor, Bean, & Whitaker](#) > [Homeowners](#) > [My Mortgage](#)

Home Page

My Mortgage

You are **Michael Smedley**

[Account Settings](#)

Your loan 2912734

Account Balances

Principal Balance	\$0.00
Escrow Balance	\$2,406.14
Interest Paid YTD	\$10,689.57
Insurance Paid YTD	\$0.00
Late Charges YTD	\$0.00
Monthly Payment	\$2,258.64
Interest Rate	5.625%

[SEE MORE](#)

My Messages

You may be eligible for additional monthly savings on your loan. If you have fallen behind on your mortgage payments, [click here](#) to explore your Payment Assistance options. Otherwise, [click here](#) if you want to apply for a refinance.

My Appraisal

[View Appraisal Site](#)

Appraisal Report Documents

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Smedley, Michael J.

From: Smedley, Michael J.
Sent: Tuesday, August 04, 2009 4:46 PM
To: Smedley, Michael J.
Subject: Taylor Bean Payoff

Loan 2912734

CONTACT US

HELP

LOGOUT



Taylor, Bean & Whitaker

- Welcome
- Payment Information
- Loan Balances
- Payment History
- Payment Options
- Account Information
- Statements Documents

Payoff Request

Please give us your feedback

Apply for a Refinance

Update My Insurance Information

Delinquent and need help?

REO Properties FOR SALE

Make a payment at any Western Union Location

eStatements

Frequently Asked Questions

Amortization Table

Refinance? New Loan?

Call 1-877-754-6847

Need Counseling or Other Resources?

Customer Contact Center
Loaninfo@taylorbean.com
1-888-225-2164

M-F 9AM - 8 PM and Sat 8 AM - 5 PM (EST)

Payment History

Click on a transaction number to view the details.

No.	Due Date	Paid Date	Payment Amount	Description
1	08/01/09	08/04/09	320,900.38	Final Pmt
2	08/01/09	07/15/09	0.00	3rd Party CFree
3	08/01/09	07/15/09	48.00	3rd Party CFree
4	07/01/09	07/13/09	2,258.64	3rd Party CFree
5	06/01/09	06/12/09	2,258.64	3rd Party CFree
6	05/01/09	05/13/09	2,258.64	3rd Party CFree
7	04/01/09	04/13/09	2,258.64	3rd Party CFree
8	03/01/09	03/13/09	2,258.64	3rd Party CFree
9	02/01/09	02/13/09	2,258.64	3rd Party CFree
10	01/01/09	12/31/08	2,258.64	3rd Party CFree
11	12/01/08	11/24/08	2,258.64	3rd Party CFree

February 2, 2010

TB&W
c/o BMC Group
Claims Processing
P. O. Box 302
Chanhassen, MN 55317-3020

To Whom It May Concern:

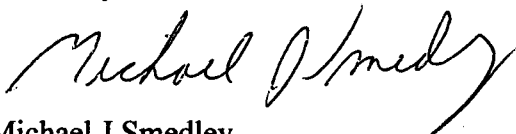
I used to have a mortgage with TB&W and right before they collapsed in August 2009 I refinanced with another lender. Since I had set up an automatic transfer from my bank account to TB&W for prompt payments, a payment mistakenly went out to TB&W after I had closed with them. I realized this the day after it occurred, which unfortunately for me was the day TB&W froze all activity. I have been contacting representatives from TB&W since August 2009 and have gotten no help. I realize that my refund is very small in the scale of TB&W's problems, but to my family it is an immense amount of money that we need. My loan details are as follows:

Original Loan #2912734 on 8/13/09 amount \$2258.64. I just noticed on the TB&W website that for some reason that loan has a new number, which is 3409047.

In addition, there is the matter of the interest owed back to me due to the loan pay off date being different from the actual pay off date. That amount is \$147.50.

In summary, Taylor, Bean & Whitaker owes me \$2406.14. I have enclosed the Proof of Claim forms and supporting documentation. Please forward my refund to me at 35 Sienna Circle, Ivyland PA 18974. Should you have any questions or require additional information, I can be reached at 215.364.5255.

Sincerely,



Michael J Smedley