

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

PROOF OF CLAIM

In re:
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.

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.

Name of Creditor and Address: the person or other entity to whom the debtor owes money or property
If necessary, please cross out pre-printed address and write in change of address.

ALBRECHT, CHAD O
2288 E 3025 NO
NORTH LOGAN, UT 84341

21836931023482

CLAIM FILED
JACKSONVILLE, FLORIDA
MAY 20 2010

CLERK, U.S. BANKRUPTCY COURT

If you have already filed a proof of claim with the Bankruptcy Court or BMC, you do not need to file again.

Creditor Telephone Number **(435) 232-7145**

Check box if address is ~~MIDDLE DISTRICT OF FLORIDA~~

THIS SPACE IS FOR COURT USE ONLY

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

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

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

Claim Number (if known):

Filed on: _____

Payment Telephone Number ()

1. AMOUNT OF CLAIM AS OF DATE CASE FILED \$ **5,640.00**

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:

Money Paid to lock in Interest Rate for future loan

(See instructions #2 and #3a on reverse side.)

3. LAST FOUR DIGITS OF ANY NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR: **TASK# 689541**

3a. Debtor may have scheduled account as: **#9541**

4. SECURED CLAIM

(See instruction #4 on reverse side.)

Secured Claim Amount: \$ _____

Check the appropriate box if your claim is secured by a lien on property or a right of set off and provide the requested information

Nature of property or right of setoff:

Describe:

Real Estate Motor Vehicle Other _____

Value of Property: \$ _____

Annual Interest Rate: _____ % if any: \$ _____

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

DO NOT include the priority portion of your claim here.

5. PRIORITY CLAIM

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.

Unsecured Priority Claim Amount: \$ **2,425.00**

Include **ONLY** the priority portion of your unsecured claim here.

You **MUST** 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) (_____).

* 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. SUPPORTING DOCUMENTS: Attach redacted copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of evidence of perfection of a security interest. (See definition of "redacted" on reverse side.) If the documents are not available, please explain.

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.

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

The original of this completed proof of claim form must be sent by mail, hand, courier or overnight delivery (facsimile, telecopy or other electronic means NOT accepted), so that it is actually received on or before 5:00 p.m. prevailing Eastern Time on June 15, 2010, the Bar Date (as defined in the Bar Date Notice).

THIS SPACE FOR COURT USE ONLY

By Regular Mail to:

BMC Group, Inc.
Attn: Taylor, Bean & Whitaker Mortgage Corp. Claim Processing
PO Box 3020
Chanhassen, MN 55317-3020

By Hand, Courier, Or Overnight Delivery to:

BMC Group, Inc.
Attn: Taylor, Bean & Whitaker Mortgage Corp. Claim Proces:
18750 Lake Drive East
Chanhassen, MN 55317

T, B & W Mortgage Corp.



01581

DATE
MAY 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.

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CHAD O. ALBRECHT

NOV. 19, 2009

DEAR TAYLOR, BEAN, & WHITAKER,

ON MAY 12, 2009 I LOCKED IN
A LOAN (9 Month) FOR \$376,000. In Order
to Secure the Amount And Rate I
Paid \$5,640.00. The expiration date of
the lock was February 6, 2010, Since
You Will not be able to Service
my Loan, I AM Requesting A
Refund of \$5,640.00.

Thank You,



NAME: chad Albrecht

Phone: 435. 232. 7145

email: chad@albrechtfamily.com

Address: { chad Albrecht
↳ { Dept. of Management
Utah State University
3555 OLD Main Hill
Logan, Ut. 84322



check: #231 is Attached (front & Back)

Social Security #: 529-41-6094

063113222
05/15/2009
31000855

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

60631132221 05/15/2009
58000855

CHAD D ALBRECHT 00-00		231
JERRY L ALBRECHT		81-7890200
1764 N 500 W #104 434 232-7148		
LOGAN, UT 84341		
Date <u>MAY 12, 2009</u>		
Pay to the Order of	<u>TAYLOR BEAN & WHITAKER</u>	\$ <u>5,640.00</u>
<u>Five thousand dollars six hundred & forty</u>		<u>00</u> Dollars
 DESERET FIRST CREDIT UNION 100 North Main Logan, Utah 84301		
For		
⑆324078909⑆ 750719381⑆0231⑆0000564000⑆		

⑆324078909⑆ 750719381⑆0231⑆0000564000⑆

063113222 20090515
31000000

DEPOSIT TO THE CREDIT OF
THE WITHIN NAMED PAYEE
COLONIAL BANK
8030377314

COLONIAL BANK BRANCO FL
851539 7
063113222

↓ Do not endorse or write below this line. ↓

063113222

CHECK # 231, \$5,640.00

5/12/2009 5:55:59 PM



TBW

**Taylor, Bean & Whitaker
PIPELINE LOAN LOCK-IN CONFIRMATION**

Please note: Loan is subject to repricing if loan detail submitted during lock process does not match actual loan parameters.

Application Number: 3383637

Correspondent: 104330

Document Number: 100

Borrower Information: Chad O. Albrecht

Property Address: 2288 East 3025 North NORTH LOGAN UT, 84341

Property County: CACHE

Date of Registration: 5/12/2009

Lock Date: 5/12/2009

Expiration Date: 2/6/2010

Loan Type: (1030)Conv 30

Term: 360 (months)

Loan Amount: \$ 376,000.00

Appraisal Amount: \$ 470,000.00

Interest Rate: 4.750 %

L.T.V.: 80.00 %

Pre Feature Price: 98.84

Post Feature Price: 98.68

Loan Purpose: Refinance - Change in Rate/Term-No Cash Out

Occupancy Status: PRIMARY

Property Status: Existing

Property Type: Single Family Residence

Doc Type: Full Doc

FICO: 780

CLTV: 80

Buy Down: N

DTI: 0

Insured: N

Interest Only: N

MARGIN 0.000

MERS MIN# 100029500033836374

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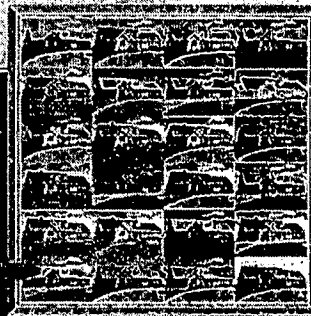
Price Disclosure:

UT = -0.16



Taylor, Bean & Whitaker

Perfecting the Art of Mortgage Lending



Extended Lock Deposit Form

Please complete and include this form with upfront money within 5 business days.

Taylor, Bean & Whitaker
315 NE 14th Street
Ocala, FL 34470
C/O Barbara Garlisi

Borrower's Name: CHAD O. ALBRECHT

Application Number: 3383637

Lock Date: 05 - 12 - 2009

Lock Term: 270

Dollar Amount: \$ 5,640⁰⁰

Loan Amount: \$ 376,000⁰⁰

Your contact information:

Name: LEE KARREN

Telephone number: 435 - 787 - 0991 Ext 2502

Company Address: 1610 N. MAIN

City: LOGAN State: UT Zip: 84341

Failure to submit the lock fee in the specified time period will result in cancellation of the lock and the loan will revert to a "float" status.

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):

Chad O. Albrecht

Name and address where notices should be sent:

Chad O. Albrecht
2288 EAST 3025 No.
North Logan, Utah 84341

Telephone number:

435-232-7145

CLAIM FILED
JACKSONVILLE, FLORIDA

JAN 29 2010

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

Court Claim Number: (If known)

Filed on:

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

CLERK, U. S. BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

Telephone number:

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.

1. Amount of Claim as of Date Case Filed: \$ 5,640.00

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: Money Paid to Lock-in Interest Rate for future loan. (See instruction #2 on reverse side.)

3. Last four digits of any number by which creditor identifies debtor: Task # 689541

3a. Debtor may have scheduled account as: # 9541 (See instruction #3a on reverse side.)

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:

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: \$ 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:

\$ 2,425.00

*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. 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: 01/22/2010

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.

CHAD O. ALBRECHT

[Handwritten Signature]

FOR COURT USE ONLY

T, B & W Mortgage Corp.



00827

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

TAYLOR, BEAN & WHITAKER
MORTGAGE CORPORATION,

Chapter 11

Case No. 3:09-bk-07047-JAF
Jointly Administered

Debtor.

CHAD O. ALBRECHT /

**NOTICE OF DEADLINE REQUIRING FILING OF PROOFS OF CLAIM
ON OR BEFORE JUNE 15, 2010, AT 5:00 P.M. EASTERN STANDARD TIME**

PLEASE TAKE NOTE THAT:

1. **CASE FILING:** On August 24, 2009, TAYLOR, BEAN & WHITAKER MORTGAGE CORPORATION ("TBW") filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code.

2. **PROTECTION AFFORDED TO THE DEBTOR:** Under the Bankruptcy Code the Debtor is granted certain protections against creditors. A creditor is anyone to whom the Debtor owes money or property. Creditors are prohibited from taking any actions to collect money or property from the Debtor. CREDITORS WHO OWE AMOUNTS TO THE DEBTOR ARE REQUIRED TO PAY SUCH AMOUNTS, EVEN IF THE DEBTOR OWES MONEY OR PROPERTY TO THE CREDITORS; AND CREDITORS MAY NOT SET OFF AMOUNTS THEY OWE TO THE DEBTOR AGAINST THE AMOUNT OWED BY THE DEBTOR TO THEM WITHOUT SPECIFIC AUTHORIZATION FROM THE COURT. If unauthorized actions are taken by a creditor against the Debtor, the Court may penalize the creditor. A creditor who is considering taking action against the Debtor, or property of the Debtor, may wish to consult an attorney. The staff of the clerk of the Court is not permitted to give legal advice.

3. **ENTRY OF THE BAR DATE ORDER:** By order of this Court entered on February 22, 2010 (the "**Bar Date Order**"), the last date and time for each person or entity (including individuals, partnerships, corporations, joint ventures, trusts and, governmental units) to file proofs of claim against the Debtor is **June 15, 2010, at 5:00 p.m. Eastern Time** (the "**Bar Date**"). The Bar Date and the procedures set forth below for the filing of proofs of claims apply to all claims against the Debtor that arose on or prior to the filing of the Chapter 11 Petition (August 24, 2009) (the "**Petition Date**"). Nothing herein is intended to affect the bar date for claims against Home America Mortgage, Inc. and REO Specialists, LLC.

4. **WHO MUST FILE A PROOF OF CLAIM:** You MUST file a proof of claim if you have a claim that arose on or prior to the applicable Petition Date and it is not one of those types of claims described in Section 5 below. Acts or omissions of the Debtor that occurred on or prior to the filing of the Chapter 11 Petition may give rise to claims against the Debtor notwithstanding that such claims may not have matured or become fixed or liquidated prior to such date. Under Section 101(5) of the Bankruptcy Code and as used herein, the word "claim" means: (a) right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, legal, equitable, secured, or unsecured; or (b) right to an equitable remedy for breach of performance if such breach gives rise to a right of payment, whether on not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured or unsecured.

5. **WHO NEED NOT FILE A PROOF OF CLAIM:** You should not file a proof of claim if:

A. You have already properly filed a proof of claim against the Debtor utilizing a claim that substantially conforms to the attached proof of claim form or to the Official Form No. 10;

B. Your claim is listed on the Debtor's Schedules (as defined below) and is not described in the Debtor's Schedules as "disputed," "contingent," or "unliquidated."

C. Your claim is listed on the Debtor's Schedule (as defined below) and you do not dispute the amount or nature of your claim as set forth in the Debtor's Schedules;

D. You are asserting a claim under Section 507(a) of the Bankruptcy Code as an administrative expense of the Debtor's Chapter 11 case;

E. Your claim has already been paid by the Debtor with authorization of the Court;

F. You are a Debtor in these cases having a claim against another Debtor or any majority owned non-debtor subsidiary of any of the Debtors;

G. You are seeking to assert only stock ownership interests in the Debtor, provided, however, that any stockholder holding any type of claim, or alleging damages or asserting causes of action based upon or arising from a stock interest, must file a proof of claim by the General Bar Date; or

H. You hold a claim that has been allowed by an order of the Court entered on or before the Bar Date.

YOU SHOULD NOT FILE A CLAIM IF YOU DO NOT HAVE A CLAIM AGAINST THE DEBTOR, OR IF THE CLAIM YOU HELD ON OR PRIOR TO THE FILING OF THE CHAPTER 11 PETITION HAS BEEN PAID. THE FACT THAT YOU HAVE RECEIVED THIS NOTICE DOES NOT MEAN THAT YOU HAVE A CLAIM OR THAT THE DEBTOR OR THE COURT BELIEVES THAT YOU HAVE A CLAIM.

6. **WHAT TO FILE:** If you should file a proof of claim, your filed proof of claim must (a) be written in ENGLISH language, (b) be denominated in lawful currency of the United States, (c) conform substantially with the enclosed proof of claim form or to the Official Form No. 10, and (d) include supporting documentation (if voluminous, attach a summary). If a proof of claim is not enclosed herewith, you may obtain a proof of claim form from any bankruptcy court, your lawyer, from certain business stores, or from BMC Group, Inc. www.bmcgroup.com/tbwmortgage or by calling BMC Group, Inc. at 888-909-0100 or by email at info@bmcgroup.com. **YOU SHOULD ATTACH TO YOUR COMPLETE PROOF OF CLAIM FORM COPIES OF ANY WRITINGS UPON WHICH YOUR CLAIM IS BASED.**

7. **WHERE AND WHEN TO FILE:** Except as provided for herein, proofs of claim must be filed so as to be received on or before 5:00 p.m. Eastern Time on June 15, 2010 at the following address (the "**Claims Docketing Center**"):

By regular mail to BMC Group, Inc. Attn: Taylor Bean & Whitaker Mortgage Corp. Claims Processing, P.O. Box 3020, Chanhassen, MN 55317-3020 or by hand, courier, or overnight delivery to BMC Group, Inc. Attn: Taylor Bean & Whitaker Mortgage Corp. Claims Processing, 18750 Lake Drive East, Chanhassen, MN 55317.

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A proof of claim will be deemed timely filed if the original proof of claim is actually received by the Claims Docketing Center on or before the Bar Date. Proofs of claim may not be sent via facsimile, telecopy, or other electronic means.

8. EXECUTORY CONTRACTS AND UNEXPIRED LEASES: If you wish to submit a rejection damages claim arising from the Debtor's rejection of an executory contract or unexpired lease during this Chapter 11 case, such proof of claim must be filed by the later of (a) thirty days after the effective date of rejection of such executory contract or unexpired lease provided by an order of the Court or (b) the Bar Date. Any other claims arising on or prior to the filing of Chapter 11 Petition with respect to any leases or contracts of the Debtor must be filed by the Bar Date.

9. CONSEQUENCES OF FAILURE TO FILE PROOF OF CLAIM BY THE BAR DATE: Unless otherwise excused pursuant to the terms of this Order and subject to applicable defenses and claims with respect to why the claim should not be deemed untimely, any holder of a claim who files a proof of claim after the Bar Date shall be deemed to have an untimely filed claim. As a consequence, such holder may be precluded: (a) from sharing in any distribution from the Debtor's estate on account of such claim; (b) from voting on any plan or reorganization in this case; and (c) from receiving further notices regarding such claim.

10. THE DEBTOR'S SCHEDULES AND ACCESS THERETO: You may be listed as the holder of a claim against the Debtor in the Debtor's Schedules of Liabilities, as the same may be amended from time to time (as amended, the "**Debtor's Schedules**"). To determine if and how you are listed on the Debtor's Schedules, if a proof of claim is enclosed herewith, please refer to the proof of claim form near the top of the right-hand side of the first page for scheduled claim information.

Copies of the Debtor's Schedules and the Bar Date Order may be viewed at www.bmcgroup.com/tbwmortgage. Copies of the Debtor's Schedules may also be examined by interested parties between the hours of 8:30 and 4:00 p.m., Eastern Time, at the office of the Clerk of the Bankruptcy Court, 300 North Hogan Street, Suite 3-350, Jacksonville, Florida 32202 or by appointment during the regular business hours at the offices of the Debtor's attorneys, Stichter Riedel Blain & Prosser, P.A., 110 East Madison Street, Suite 200, Tampa, Florida 36602.

FURTHER INFORMATION: If you have any questions concerning the filing, amount, nature or processing of a proof of claim, please call BMC Group, Inc, at 888-909-0100 or email info@bmcgroup.com. **YOU SHOULD CONSULT YOUR ATTORNEY REGARDING ANY OTHER INQUIRIES, SUCH AS WHETHER YOU SHOULD FILE A PROOF OF CLAIM. DO NOT ATTEMPT TO CONTACT THE COURT FOR ADVICE.**

DATED: February 26, 2010

**BY ORDER OF THE COURT:
Jerry A. Funk, United States Bankruptcy Judge**