

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.

Robert and Evelyn G. Morgan
9 Foothills Lane
Tularosa, Nm 88352

CLAIM FILED
JACKSONVILLE, FLORIDA

JUN 01 2010

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 **(575) 921-4395**

Check box if address is where notice is to be sent

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 \$ **789.74**

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: **Refund of Escrow Funds**
Withdrawn and not paid to Insurance Co.

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

3. LAST FOUR DIGITS OF ANY NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR: **0303**

3a. Debtor may have scheduled account as:

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 set off and provide the requested information

Secured Claim Amount: \$ _____

DO NOT include the priority portion of your claim here.

Nature of property or right of setoff:

Unsecured Claim Amount: \$ _____

Describe:

Real Estate Motor Vehicle Other _____

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

Value of Property: \$ _____

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

Basis for Perfection: _____

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: \$ **789.74**

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).

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).

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).

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

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

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).

By Regular Mail to:

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

By Hand, Courier, Or Overnight Delivery to:

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

THIS SPACE FOR COURT USE ONLY

T, B & W Mortgage Corp.



01649

DATE
5-27-10

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.

Evelyn G. Morgan

[Signature]

Evelyn G. Morgan

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9 Foothills Lane
Tularosa, NM 88352

May 27, 2010

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

To BMC Group, Inc. and Whom it may concern,

A claim is requested for a refund of funds withdrawn from our Taylor, Bean & Whitaker (TBW) escrow account that was never presented for payment to our then current insurance holder, USAA, nor refunded and sent to our current mortgage holder, Bank of America. On July 27, 2009, our account statement with TBW reflects a withdrawal of \$789.74 as a payment towards our then current insurance holder USAA for a renewal of our policy due August 2009. USAA was never paid the \$789.74 for our then current insurance policy, even though our TBW statement reflects this withdrawal for payment on our behalf. A statement from USAA has been enclosed to show no payment was received from TBW as of statement date September 5, 2009. Due to the payment never being made to USAA, or being sent along with our escrow balance to Bank of America, this has caused us to have a shortage in our current escrow balance and we are forced to pay a higher monthly payment. We were informed by a TBW employee on October 30, 2009 that TBW did not make the insurance payment as all payments being made was stopped and funds were frozen 2-3 months prior to August due to the bankruptcy. We are requesting a claim for the \$789.74 that is due to us for this payment not made to USAA.

Sincerely,



Evelyn G. Morgan

Enclosures (3)



Taylor, Bean & Whitaker

Loan 0303 CONTACT US HELP LOGOUT

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

Payment History

Please give us your feedback

Click on a transaction number to view the details.

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

No.	Due Date	Paid Date	Payment Amount	Description
1	09/01/09	08/08/09	130,420.19	TRF SERV
2	08/01/09	08/03/09	1,025.08	ACH
3	08/01/09	07/27/09	-789.74	T&I Dis

Amount Received	Balances	
Trans No:		
Principal:	0.00	130,694.92
Curtailment:	0.00	
(Add'l. Principal)		
Interest:	0.00	
Tax & Insurance:	-789.74	12.04
Misc Insurance:	0.00	
Subsidy:	0.00	0.00
Late Charge:	0.00	0.00
Unapplied:	0.00	0.00
Misc Fee:	0.00	0.00
Return Check Fee:	0.00	0.00
Loss Draft Fee:	0.00	0.00

* Refund of (\$789.74)
Insurance \$
not paid to USAA

close

4	07/01/09	07/01/09	1,025.08	ACH
5	06/01/09	06/01/09	1,025.08	ACH
6	05/01/09	05/01/09	1,025.08	ACH
7	05/01/09	04/22/09	-403.45	T&I Dis
8	05/01/09	04/22/09	-32.92	T&I Dis
9	04/01/09	04/01/09	1,028.08	ACH
10	03/01/09	03/02/09	1,028.08	ACH
11	02/01/09	02/02/09	1,028.08	ACH
12	01/01/09	01/02/09	1,028.08	ACH
13	12/01/08	12/01/08	1,028.08	ACH
14	12/01/08	11/19/08	-403.46	T&I Dis
15	12/01/08	11/19/08	-32.92	T&I Dis
16	11/01/08	11/03/08	1,028.08	ACH
17	10/01/08	10/01/08	1,028.08	ACH
18	09/01/08	09/02/08	1,028.08	ACH
19	09/01/08	08/07/08	-669.01	T&I Dis
20	08/01/08	08/01/08	1,028.08	ACH
21	08/01/08	07/09/08	5.44	TAX
22	07/01/08	07/01/08	1,028.08	ACH
23	06/01/08	06/02/08	1,028.08	ACH

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9 Foothills Lane
Tularosa, NM 88352

May 28, 2010

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

To Whom It May Concern,

A Request Is submitted that this claim and any supporting documents submitted with it remain confidential to protect our privacy.

Sincerely,

A handwritten signature in black ink that reads "Evelyn G. Morgan". The signature is written in a cursive style with a large initial "E" and a long, sweeping underline.

Evelyn G. Morgan