

UNITED STATES BANKRUPTCY COURT

Middle District of Florida

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): Gomez, May, Schutte, Yeggy, Bieber & Wells, Attorneys at Law

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

Name and address where notices should be sent:

c/o Charles W. McBurney, Jr. 76 S. Laura Street, Suite 590 Jacksonville, FL 32202

CLAIM FILED JACKSONVILLE, FLORIDA

Court Claim Number: (if known)

Telephone number: (904) 798-0002

JUN 03 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: \$ 76,465.92

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.

2. Basis for Claim: Funds held in trust (See instruction #2 on reverse side.)

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

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

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

Wages, salaries, or commissions (up to \$11,725\*) 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).

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: \$

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

Up to \$2,600\* 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:

\$

\*Amounts are subject to adjustment on 4/1/13 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:

FOR COURT USE ONLY

Date: 05/28/2010

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.

T, B & W Mortgage Corp.



Handwritten signature of Charles W. McBurney, Jr., attorney for creditor

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

**FUNDING SHEET**

Table Funded

Loan Number: 3412483  
 Borrower Name: Larry Johnston  
 Property State: IA  
 Flood Number: 0908708001  
 MIN Number: 100029500034124837  
 Interest Rate: 6.7500  
 CLTV: 95.8280

Loan Type: FHA  
 Amortization Term: 360  
 FICO Score: 0  
 Date of Closing: 7/10/2009  
 Date of Disbursement: 7/18/2009  
 Debt to Income Percent: 0

Loan Amount	Par Premium (808)	Other Credit (204)	Land Equity (205)	Other Credit (206)
77,647.00	1,584.78	397.66		
Less Total Escrows	Less Interim Interest (901)			
564.00	207.91			
		Total Disbursed	78,867.63	

**NETTED FEES:**

805	Lender's Inspection Fee	
806	Mortgage Ins App Fee	
807	Assumption Fee	
809/902	Funding Fee/UPMIP PMI	1,147.50
810	Buydown Funds	
814	Tax Service Fee	73.00
815	Administration Fee	525.00
905	MIP Refund	-544.87
1303	Wire/MERS Fee to TBW	22.50
1304		
1305		
1306		
1307		
<b>TOTAL</b>		<b>\$ 1,223.33</b>

Net Buy Price 102.041  
 Exp Date 7/17/2009  
 Par Premium 1,584.78  
 Origination  
 Discount  
**TOTAL 1,584.78**  
 Check #  
 Check #  
 Check #  
 Check #

FHA  
VA

**TOTAL DUE \$ 77,634.20**

**BANK/BROKER**  
 Peoples Advantage Mortgage LLC  
 2858 N. Pine Street  
 Davenport, IA 52806

**SETTLEMENT AGENT**  
 GOMEZ, MAY, CARTEE & SCHUTTE  
 2322 E. KIMBERLY ROAD, STE 120W  
 (563) 359-3581

**FUNDING METHOD**

Wire

**TBW FUNDING AGENT:**

Deirdra Best

Wire Details

Bank Name Valley Bank  
 ABA # 073902180  
 For Credit To Gomez, May, Schutte, Yeggy Belber  
 Account # 1024884  
 2nd Bank Name  
 2nd Bank Account #  
 Additional Info



\*1212053412483\*

EXHIBIT "B"

Show Back << Rotate Rotate >> + - Close Window

**229185**  
 JOHNSTON LARRY REP  
 July 15, 2009  
 \$ 73,403.02  
 DOLLARS  
 PAY TO THE ORDER OF TAYLOR BEAN & WHITAKER  
 Seventy Three Thousand Four Hundred Sixty Five and 00/100  
 TAYLOR BEAN & WHITAKER  
 MEMO PAYOFF FIRST MORTGAGE *7061902*  
 #229185# 00739021800 102 488 4# #0007346592#

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TAYLOR, BEAN & WHITAKER  
 07/16/09 OPERATOR: 29  
 FOR DEPOSIT ONLY  
 0097152845  
 3079966400

**LAW OFFICE OF CHARLES W. MCBURNEY, JR.**

**ATTORNEY AND COUNSELOR AT LAW**

76 S. LAURA STREET, SUITE 590  
JACKSONVILLE, FLORIDA 32202

Charles W. McBurney, Jr.

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Stacy A. Geiger

TELEPHONE 904 / 798-0002

FAX NO. 904 / 798-3757

E-MAIL [cmcburney@bellsouth.net](mailto:cmcburney@bellsouth.net)

[www.attorneymcburney.com](http://www.attorneymcburney.com)

May 28, 2010

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

Re: Taylor, Bean & Whitaker Mortgage Corp.  
Case No. 3:09-bk-07047-JAF  
Middle District of Florida / Jacksonville Division  
Our Client: Gomez, May, Schutte, Yeggy, Bieber & Wells

Ladies/Gentlemen:

Enclosed please find the original Proof of Claim to be filed in the above-referenced case. Also enclosed is a copy of the Proof of Claim to be date stamped and returned to us in the self-addressed, postage prepaid envelope.

Thank you for your assistance in this matter.

Yours truly,



Jan Bradley, Legal Assistant

CWM/jb  
Enclosures