


<b>UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF FLORIDA JACKSONVILLE DIVISION</b>		<b>PROOF OF CLAIM</b>	
In re: <b>TAYLOR, BEAN &amp; WHITAKER MORTGAGE CORP.</b>		Case Number: <b>3:09-bk-07047-JAF</b>	
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.		<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.	
Name of Creditor and Address: <small>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.</small>		<b>CLAIM FILED</b>	
<b>Stephen &amp; Tressa Catalina, III</b> <b>2213 Decatur Road</b> <b>Lancashire</b> <b>Wilmington, DE 19810</b>		<b>JACKSONVILLE, FLORIDA</b>  <b>JUN 07 2010</b>	
Creditor Telephone Number <b>(302) 439-4629</b> <input checked="" type="checkbox"/> Check box if address is where Notice of Filing is to be mailed.		<b>CLERK, U.S. BANKRUPTCY COURT MIDDLE DISTRICT OF FLORIDA</b>	
Name and address where payment should be sent (if different from above):		<b>SPACE IS FOR COURT USE ONLY</b>	
Payment Telephone Number ( )		<input type="checkbox"/> Check this box if you are the debtor or trustee in this case.	
		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim. Claim Number (if known): Filed on: _____	
<b>1. AMOUNT OF CLAIM AS OF DATE CASE FILED</b> \$ <b>400.00</b>			
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.			
<input 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.			
<b>2. BASIS FOR CLAIM:</b> <b>services NOT performed</b>		<b>3. LAST FOUR DIGITS OF ANY NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR:</b> 3a. Debtor may have scheduled account as: _____	
<b>4. SECURED CLAIM</b> (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. <b>Nature of property or right of setoff:</b> Describe: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other _____ Value of Property: \$ _____ Annual Interest Rate: _____ % if any: \$ _____ Basis for Perfection: _____		Secured Claim Amount: \$ _____ <b>DO NOT</b> include the priority portion of your claim here. Unsecured Claim Amount: \$ _____ Amount of arrearage and other charges as of time case filed included in secured claim, _____	
<b>5. PRIORITY CLAIM</b>			
<input type="checkbox"/> 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: \$ _____ Include <b>ONLY</b> the priority portion of your unsecured claim here.	
<b>You MUST specify the priority of the claim:</b>			
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).		<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).	
<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).		<input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).	
<input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).		<input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507(a) ( _____ ). <small>* 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.</small>	
<b>6. CREDITS:</b> The amount of all payments on this claim has been credited for the purpose of making this proof of claim.			
<b>7. SUPPORTING DOCUMENTS:</b> 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. <b>DATE-STAMPED COPY</b> To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim. <b>DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.</b>			
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).		<b>THIS SPACE FOR COURT USE ONLY</b>	
<b>By Regular Mail to:</b> BMC Group, Inc. Attn: Taylor, Bean & Whitaker Mortgage Corp. Claim Processing PO Box 3020 Chanhassen, MN 55317-3020		<b>By Hand, Courier, Or Overnight Delivery to:</b> BMC Group, Inc. Attn: Taylor, Bean & Whitaker Mortgage Corp. Claim Processing 18750 Lake Drive East Chanhassen, MN 55317	
DATE <b>6/3/2010</b>		<b>T, B &amp; W Mortgage Corp.</b>  01695	
<b>SIGNATURE:</b> 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 above and contact name of attorney, if any.			
<b>Stephen L Catalina III</b>		<b>Tressa M Catalina</b>	

closed 3/12/10

taylorbean.com

loan info @

taylorbean.com  
customer relations

Taylor Bean

315 NE 14<sup>th</sup> St

Okala FL 34470



Jennifer

(352) 671-0250

Taylor Bean &  
Whitaker

4:57pm 11/2/09

Loan # 3368033

WV process

# FAX

## Zimny & Associates, P.A.

*An Independent CPA Firm*

64 Read's Way • New Castle, DE, 19720  
Phone: 302.325.6900 • Fax: 302.325.6909

### PERSONAL and CONFIDENTIAL

Date:	October 30, 2009	# of Pages:	4 (including cover)
TO:	Customer Service	FROM:	Tressa M. Catalina
Company:	Taylor Bean & Whitaker	Company:	Zimny & Associates, P.A.
Fax:	(888) 329-9270	Phone:	(302) 325-6900
Phone :	(888) 225-2164	Fax:	(302) 325-6909
RE:	Need credit for \$400 back		
Remarks:	Urgent <input checked="" type="checkbox"/> For Your Review <input type="checkbox"/> Reply ASAP <input type="checkbox"/> Please Comment <input type="checkbox"/>		

My husband and I tried to assist his parents with refinancing their mortgage a few months ago to help them save some money. We were working with a broker in West Chester, PA called Absolute Mortgage Company. The appraisal had been requested and the broker made us give them a credit card to charge for \$400 for the appraisal. We never received a copy of the appraisal or anything goods or services for the charge. We received a charge on our credit card from your company in the amount of \$400.00.

Initially, I saw the charge on the credit card and had no idea that we were being billed by your company directly and honestly my husband and I did not know what the charge was for since it was a card that we rarely use. I went online and immediately disputed it not even thinking it was for the refinance. Then, when we figured out what it was for, I contacted the credit card company to advise them I knew what it was and they canceled the dispute. Then, your company was shut down for business, frozen accounts, etc., so I tried contacting your company for a credit back and couldn't get anyone to help me and was told that all of your accounts were frozen so they wouldn't be able to do anything until they were un-frozen. We were advised to call back in a month. I couldn't wait. I tried contacting our credit card company again (Chase) and was advised that they are unable to assist us in resolving the matter because they were unable to persuade your company to issue a credit. Since then, I have tried your company again a few times with no one able to help me or knowledgeable about how to help and would not transfer me to a manager. On Wednesday, October 28, 2009, I finally reached someone who said to fax a request for payment to your customer relations department. The woman I spoke to was Andre. She told me that they you are now filing for Bankruptcy in Jacksonville, FL (Court Case # 3:09-BK-07047-JAF) so to fax my request ASAP so they can review my request. We are just looking to receive our money back that we received no goods or service for. Please help!

Unless otherwise indicated, the information in this transmittal is confidential and intended only for the recipient listed above. If you are not the intended recipient or a person responsible for delivering this transmittal to the intended recipient, you are hereby notified that any distribution or copying of this transmittal is prohibited. Scanned: 6/7/2010 11:22:11 PM error, please call us immediately.

Cardmember Service  
Post Office Box 15299  
Wilmington, DE 19850-5299



August 27, 2009

STEPHEN L CATALINA III  
2213 DECATUR RD LANCASHIRE  
WILMINGTON DE 19810-282913

10/28/09 12:04 PM

got hung up on

10/28/09 12:19 PM

Andre

*Customer Relations*  
*fax request for payment*  
*(888) 329-9270*  
*Court case # 3:09 - BK - 0704*  
*JAF*  
*Jacksonville, FL*  
*Bankruptcy court*

RE: 5401683058858231

Dear Stephen L. Catalina III:

We are writing in response to your recent inquiry concerning the charge of \$400.00 from Taylor Bean & Whitaker that posted to your account on May 25, 2009.

After reviewing the circumstances surrounding your dispute, we have determined that we would be unable to assist you in resolving this matter. You originally disputed the charge as unauthorized. We filed a claim with the merchant's bank, in an attempt to recover the funds from the merchant for this transaction. You then emailed us on June 11, 2009 stating that the charge was valid. This amount was then rebilled to your account, the dispute was cancelled, and the funds were returned to the merchant. Unfortunately, at this point, the dispute cannot be reinstated.

We called the merchant at 1-888-225-2164 to make an additional attempt to recover the funds for this transaction. Unfortunately, we were unable to persuade them to issue credit.

Please be assured that we have taken the necessary steps to notify the credit reporting agencies below that your account is in dispute.

Experian (TRW)  
P.O. Box 2002  
Allen, TX 75013  
1-800-397-3742

Options Equifax  
P.O. Box 740123  
Atlanta, GA 30374  
1-800-685-1111

Trans Union  
P.O. Box 2000  
Chester, PA 19022  
1-800-888-4213

However, because this matter has been resolved for our billing purposes and the disputed amount was rebilled to your account, please continue to provide the minimum monthly payment so that your account will remain current.

Scanned: 6/7/2010-1:22:12 PM

We regret that we could not provide a more favorable resolution to this matter. If you resolve this matter through other means, please notify us so that we can update your account records accordingly.

If you have any questions, or if we can help in any other way, please call us at 1-888-489-8452. Serving you is very important to us, and we appreciate your business.

Sincerely,

Joshua Airington  
1-866-514-5958-66179  
12:00-21:00 Monday-Friday  
Financial Service Advisor

Date: 08-19-2009 07:38:50  
From: smccs@chaseonline.chase.com  
Subject: Re: Regarding Your Dispute

**Message:**

August 19, 2009

Dear Stephen,

We are writing in response to your most recent inquiry regarding your account listed below:

Account Number: xxxx-xxxx-xxxx-xx31

05/25/2009 Taylor Bean & Whitak \$400.00

Thank you for your recent inquiry regarding the charges from xxxxxxxxxx that have posted to your account.

Please note that your information has been forwarded to the appropriate department. They will review your account and contact you shortly via regular mail or e-mail.

If you have any further questions, please reply using the Secure Message Center.

Sincerely,

Vaishali Shetty  
E-mail Customer Service Representative

Account is owned by Chase Bank USA, N.A. and may be serviced by its affiliates.

\*\*\*\*\*  
\*\*\*\*\*

- DO YOU KNOW AT CHASE ONLINE YOU CAN ....
- Gain instant access to view and download your credit card information.
- Pay your bill online
- Transfer balances
- Change your address and much more....

If you haven't signed up already, do so at <http://www.creditcardsat Chase.com> .

\*\*\*\*\*  
\*\*\*\*\*

Original Message Follows:  
-----

This charge was associated with a refinance of a mortgage. The mortgage was never refinanced - actually the bank was shut down by the FBI in a raid. I am attaching a document showing the press release dated 8-5-2009. I tried to re-dispute the charge, but it will not allow me to do so online. Please help. The bank which was shut down was Taylor, Bean & Whitaker Mortgage Corp.". We were dealing with a broker (Absolute Mortgage Company) in West Chester, PA. Thank you!

HP Color LaserJet CM2320nf MFP

# Fax Confirmation Report

ZIMNY & ASSOCIATES, P.A.  
302-325-6909  
Oct-30-2009 6:58AM

Job	Date	Time	Type	Identification	Duration	Pages	Result
1827	10/30/2009	6:56:10AM	Send	18883299270	2:34	4	OK

# FAX

Zimny & Associates, P.A.

*An Independent CPA Firm*

64 Read's Way • New Castle, DE, 19720  
Phone: 302.325.6900 • Fax: 302.325.6909

## PERSONAL and CONFIDENTIAL

Date: October 30, 2009 # of Pages: 4 (including cover)

---

TO: Customer Service FROM: Tressa M. Catalina

---

Company: Taylor Bean & Whitaker Company: Zimny & Associates, P.A.

---

Fax: (888) 329-9270 Phone: (302) 325-6900

---

Phone: (888) 225-2164 Fax: (302) 325-6909

---

RE: Need credit for \$400 back

Remarks: Urgent  For Your Review  Reply ASAP  Please Comment

My husband and I tried to assist his parents with refinancing their mortgage a few months ago to help them save some money. We were working with a broker in West Chester, PA called Absolute Mortgage Company. The appraisal had been requested and the broker made us give them a credit card to charge for \$400 for the appraisal. We never received a copy of the appraisal or anything goods or services for the charge. We received a charge on our credit card from your company in the amount of \$400.00.

Initially, I saw the charge on the credit card and had no idea that we were being billed by your company directly and honestly my husband and I did not know what the charge was for since it was a card that we rarely use. I went online and immediately disputed it not even thinking it was for the refinance. Then, when we figured out what it was for, I contacted the credit card company to advise them I knew what it was and they canceled the dispute. Then, your company was shut down for business, frozen accounts, etc., so I tried contacting your company for a credit back and couldn't get anyone to help me and was told that all of your accounts were frozen so they wouldn't be able to do anything until they were unfrozen. We were advised to call back in a month. I couldn't wait. I tried contacting our credit card company again (Chase) and was advised that they are unable to assist us in resolving the matter because they were unable to persuade your company to issue a credit. Since then, I have tried your company again a few times with no one able to help me or knowledgeable about how to help and would not transfer me to a manager. On Wednesday, October 28, 2009, I finally reached someone who said to fax a request for payment to your customer relations department. The woman I spoke to was Andre. She told me that they are now filing for Bankruptcy in Jacksonville, FL (Court Case # 3:09-BK-07047-JAF) so to fax my request ASAP so they can review my request. We are just looking to receive our money back that we received no goods or service for. Please help!

Unless otherwise indicated, the information in this transmittal is confidential and intended only for the recipient listed above. If you are not the intended recipient or a person responsible for delivering this transmittal to the intended recipient, you are hereby notified that any distribution or copying of this transmittal is prohibited. If you have received this transmittal in error, please call us immediately.

Scanned: 6/7/2010-1:22:14 PM

**Tressa Catalina**

**From:** stephen.catalina@wachovia.com  
**Sent:** Tuesday, August 18, 2009 11:30 AM  
**To:** Tressa Catalina  
**Subject:** Fw: lender info  
**Attachments:** TBW Press Release 08052009.doc

"Kevin Vanic"  
<kvanic@absolutemortgageco.com>

To<stephen.catalina@wachovia.com>  
cc

Subject:lender info

08/06/2009 11:06 AM

The information is below and attached, thank you again for you understanding and if there is anything I can do, please do not hesitate to email or call.  
Kevin

## Taylor, Bean & Whitaker Mortgage Corp. IMPORTANT ANNOUNCEMENT

**Subject:**  
**Date:**

**TBW Press Release**  
**August 5, 2009**  
**TBW Press Release**

**TAYLOR BEAN MUST CEASE ALL ORINATION  
OPERATIONS EFFECTIVE IMMEDIATETLY**

[Click Here for Press Release](#)  
**End of Announcement**

*(See attached file: TBW Press Release 08052009.doc)*

*Chase  
dispute*

*Loan was approved -  
lender shut down by  
FBI -*

Scanned: 6/7/2010 10:20:00 AM  
**DELTA FUNDING CORP.**  
www.deltafunding.com • 800-225-5335





## PRESS RELEASE

August 5, 2009

### **TAYLOR BEAN MUST CEASE ALL ORINATION OPERATIONS EFFECTIVE IMMEDIATELY**

**OCALA, FLORIDA – TAYLOR, BEAN & WHITAKER MORTGAGE CORP. ("TBW") RECEIVED NOTIFICATION ON AUGUST 4, 2009 FROM THE U.S DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FREDDIE MAC AND GINNIE MAE (THE "AGENCIES") THAT IT WAS BEING TERMINATED AND/OR SUSPENDED AS AN APPROVED SELLER AND/OR SERVICER FOR EACH OF THOSE RESPECTIVE FEDERAL AGENCIES. TBW HAS UNSUCCESSFULLY SOUGHT TO HAVE THE TERMINATION/SUSPENSION DECISIONS OF EACH OF THOSE AGENCIES REVERSED. AS A RESULT OF THESE ACTIONS, TBW MUST CEASE ALL ORINATION OPERATIONS EFFECTIVE IMMEDIATELY. REGRETTABLY, TBW WILL NOT BE ABLE TO CLOSE OR FUND ANY MORTGAGE LOANS CURRENTLY PENDING IN ITS PIPELINE. TBW IS COOPERATING WITH EACH OF THE AGENCIES WITH RESPECT TO ITS SERVICING OPERATIONS AND EXPECTS TO CONTINUE TO SERVICE MORTGAGE LOANS AS IT RESTRUCTURES ITS BUSINESS IN THE WAKE OF THESE EVENTS. WE UNDERSTAND THAT THIS COULD HAVE A SIGNIFICANT IMPACT ON OUR VALUED EMPLOYEES, CUSTOMERS AND COUNTERPARTIES, AND ARE VERY DISAPPOINTED THAT A LESS DRASTIC OPTION IS UNAVAILABLE.**

Stephen & Tressa Catalina, III  
2213 Decatur Road, Lancashire, Wilmington, DE 19810-2829

*Sent Via Priority Mail with Tracking*

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

June 3, 2010

To Whom It May Concern:

This letter is being sent with our Proof of Claim which apparently had not been filed with your firm as we have been told it has by Taylor, Bean & Whitaker Mortgage Corp. in previous dealings.

On 10/30/09 I faxed information relating to a refinance which was in process during the time which Taylor Bean was shut down. We were notified of the "shut down" on approximately August 6, 2009. My husband & I tried to assist his parents with refinancing their mortgage. We were working with a broker in West Chester, PA called Absolute Mortgage Company and our loan officer was Kevin Vanic. The appraisal had been requested and the broker made us give them a credit card to charge for \$400 for the appraisal. We never received a copy of the appraisal or any goods or services for the charge. We received a charge on our credit card from Taylor Bean in the amount of \$400 dated May 25, 2009.

Initially, I saw the charge on the credit card and had no idea that we were being billed by Taylor Bean directly and honestly my husband and I did not know what the charge was for since it was a card that we rarely use. I went online and immediately disputed it not even thinking it was for the refinance. Then, when we figured out what it was for, I contacted the credit card company to advise them I knew what it was and they canceled the dispute. Then, Taylor Bean was shut down for business, frozen accounts, etc., so I tried contacting Taylor Bean for a credit back and couldn't get anyone to help me and was told that all of your accounts were frozen so they wouldn't be able to do anything until they were un-frozen. We were advised to call back in a month. I couldn't wait. I tried contacting our credit card company again (Chase) and was advised that they are unable to assist us in resolving the matter because they were unable to persuade your company to issue a credit. Since then, I have tried Taylor Bean a few more times with no one able to help me or knowledgeable about how to help and would not transfer me to a manager. On Wednesday, October 28, 2009, I finally reached someone who said to fax a request for payment to your customer relations department. The woman I spoke to was Andre. She told me that Taylor Bean was then filing Bankruptcy in Jacksonville, FL (Court Cast # 3:09-BK-07047-JAF) so to fax my request ASAP so they can review my request. I provided a copy of the charge. The loan number that was started was #3368033.

I have still heard nothing to date. It has been over thirteen months that we have been out our \$400. We are just looking to receive our money back that we received no goods or service for. Please help!

Sincerely,



Tressa M. Catalina

Scanned: 6/7/2010-1:22:16 PM