


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
<i>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.</i>		
Name of Creditor (the person or other entity to whom the debtor owes money or property): CLAIM FILED		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.
Name and address where notices should be sent: Steven Wessels 3514 W. Vasconia Street, Tampa, FL 33629		Court Claim Number: _____ <i>(If known)</i>
Telephone number: (813) 625-5636		Filed on: _____
Name and address where payment should be sent (if different from above): JACKSONVILLE, FLORIDA		<input type="checkbox"/> 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:		<input type="checkbox"/> Check this box if you are the debtor or trustee in this case.
1. Amount of Claim as of Date Case Filed: \$ <u>19,080.00</u>		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.
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.		
2. Basis for Claim: <u>60 days WARN Act pay, sick, personal days 5</u> <i>(See instruction #2 on reverse side.)</i>		<input type="checkbox"/> 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: <u>2566</u>		<input checked="" 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).
3a. Debtor may have scheduled account as: _____ <i>(See instruction #3a on reverse side.)</i>		<input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5).
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: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> 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: \$ _____		<input 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).
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.		<input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507 (a)(8).
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. <i>(See instruction 7 and definition of "redacted" on reverse side.)</i> DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain:		<input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507 (a)(____).
Date: <u>06/14/2010</u>		Amount entitled to priority: \$ <u>10,950.00</u>
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 address above. Attach copy of power of attorney, if any. <i>Steven Wessels</i>		*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.
		FOR COURT USE ONLY T, B & W Mortgage Corp.  03030

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.

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules.

Items to be completed in Proof of Claim form

Court, Name of Debtor, and Case Number:

Fill in the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the bankruptcy debtor's name, and the bankruptcy case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is located at the top of the notice.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the Bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if the trustee or another party in interest files an objection to your claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

3a. Debtor May Have Scheduled Account As:

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

4. Secured Claim:

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. §507(a).

If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS, below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

7. Documents:

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). If the claim is based on the delivery of health care goods or services, see instruction 2. Do not send original documents, as attachments may be destroyed after scanning.

Date and Signature:

The person filing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules specifying what constitutes a signature. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

DEFINITIONS

Debtor

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

Creditor

A creditor is a person, corporation, or other entity owed a debt by the debtor that arose on or before the date of the bankruptcy filing. See 11 U.S.C. §101 (10)

Claim

A claim is the creditor's right to receive payment on a debt owed by the debtor that arose on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

Proof of Claim

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

Secured Claim Under 11 U.S.C. §506(a)

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car.

A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

Unsecured Claim

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

Claim Entitled to Priority Under 11 U.S.C. §507(a)

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

Redacted

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax-identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

Evidence of Perfection

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

INFORMATION

Acknowledgment of Filing of Claim

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system (www.pacer.psc.uscourts.gov) for a small fee to view your filed proof of claim.

Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 *et seq.*), and any applicable orders of the bankruptcy court.

Mail original claim and copies of supporting documentation to:

If by regular mail

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

If by messenger or overnight courier

TB&W Mortgage
c/o BMC Group, Claims Processing
18750 Lake Drive East
Chanhassen, MN 55317

Once filed, a "Filed" stamped copy of the claim will be returned to the claimant within three (3) business days of docketing **I**f the claimant encloses a stamped, self-addressed envelope with a copy of the proof of claim.

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

TAYLOR, BEAN & WHITAKER
MORTGAGE CORPORATION,

Debtor.

Chapter 11

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

**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:

- 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.
- 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.
- 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.
- 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 or 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.

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