

<b>UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF FLORIDA JACKSONVILLE DIVISION</b>	<b>PROOF OF CLAIM</b>
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<b>In re:</b> <b>TAYLOR, BEAN &amp; WHITAKER MORTGAGE CORP.</b>	<b>Case Number:</b> <b>3:09-bk-07047-JAF</b>
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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.

**Neil and Maggie Ziegler**  
**1048 Churchill Drive**  
**Bolingbrook, IL 60440**

CLAIM FILED

JACKSONVILLE, FLORIDA

MAR 03 2011

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

THIS SPACE IS FOR COURT USE ONLY

Creditor Telephone Number (b30) 679-0847  Check box if address is where notice is to be sent.

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

Payment Telephone Number ( )

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: \_\_\_\_\_

**1. AMOUNT OF CLAIM AS OF DATE CASE FILED** \$ 3,475.58

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:** Escrow Funds (See instructions #2 and #3a on reverse side.)

**3. LAST FOUR DIGITS OF ANY NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR:** 6110

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

**Nature of property or right of setoff:**

Describe:

Real Estate  Motor Vehicle  Other \_\_\_\_\_

Value of Property: \$ 200,000 Annual Interest Rate: 7.375 % if any: \$ \_\_\_\_\_ Basis for Perfection: \_\_\_\_\_

Secured Claim Amount: \$ 3475.58 **DO NOT** 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, \_\_\_\_\_

**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: \$ \_\_\_\_\_ 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, teletype 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  
 Chanhassen, MN 55317-3020

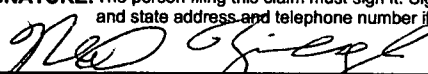
**By Hand, Courier, Or Overnight Delivery to:**  
 BMC Group, Inc.  
 Attn: Taylor, Bean & Whitaker Mortgage Corp. Claim Processing  
 18750 Lake Drive East  
 Chanhassen, MN 55317

**THIS SPACE FOR COURT USE ONLY**

T, B & W Mortgage Corp.



03347

<b>DATE</b> <u>2/22/11</u>	<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 the notice address above. Attach copy of power of attorney, if any. 
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Penalty for presenting fraudulent claim is a fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 AND 3571.



AHM Loan Number: 5000170919 Borrower: NEIL ZIEGLER Property: 1048 CHURCHILL DR 60440  
 TBW Loan Number: 0001306110

Seq: 66 CUR  
 Type: CUR  
 Desc: Payment Amt: 24.98 Prin Bal: 187,281.34 Prin YTD: .00 Bank Code: 01  
 Due Date: 10/01/09 Int Amt: .00 T&I Bal: 119.15- Taxes YTD: .00 Inv Code: 600  
 Tran Date: 9/17/09 T&I Amt: .00 Subsidy Bal: .00 Haz/Flood: .00 Group Cd: 005  
 Act Pd Dt: 9/17/09 Currtail: 24.98 LC Bal: .00 Int on TI: .00 Inv Loan: 0013061100  
 Service Fee: .00 Subsidy: .00 Negam YTD: .00 FnmA Pool: 200605  
 FCL Bnk Fee: .00 LC Amt: .00 Negam YTD: .00 LC YTD: .00 FnmA Type: C  
 Loss Draft: .00 Ret Ck Bal: .00 FCL Bnk Fee: .00 IntDue Flag: N  
 Misc Ins: .00 Unappl Amt: .00 Loss Draft: .00 Tax ID: 0  
 Payee Name: Policy Nbr: 000000 Check Nbr: 000000 Disb Flag:

Bill Code: 0  
 Subsidy Cd: 0  
 Hist Flag: Y  
 Int Misc 4:  
 Trans Flag: N Report Date: 9/17/09 BA ID: 00000 Int Misc 1: 0  
 Prepaid Flag: N Reversed Flag: 00 BA Type ID: 00 Int Misc 2: 0  
 Past Due Flg: N Int Misc 3: 0 Int Misc 6: 0  
 Int Misc 5: Y Int Misc 7: 000000  
 Int Misc 8: .00

Seq: 65 REG  
 Type: REG  
 Desc: Payment Amt: 1,575.02 Prin Bal: 187,306.32 Prin YTD: .00 Bank Code: 01  
 Due Date: 9/01/09 Int Amt: .00 T&I Bal: 119.15- Taxes YTD: .00 Inv Code: 600  
 Tran Date: 9/17/09 T&I Amt: 1,151.15 Haz/Flood: .00 Group Cd: 005  
 Act Pd Dt: 9/17/09 Currtail: 423.87 Subsidy Bal: .00 Int on TI: .00 Inv Loan: 0013061100  
 Service Fee: 39.02 Subsidy: .00 LC Bal: .00 Negam YTD: .00 FnmA Pool: 200605  
 FCL Bnk Fee: .00 LC Amt: .00 Negam YTD: .00 LC YTD: .00 FnmA Type: C  
 Loss Draft: .00 Ret Ck Bal: .00 Msc Fee Bal: .00 IntDue Flag: N  
 Misc Ins: .00 Unappl Amt: .00 FCL Bnk Fee: .00 Tax ID: 0  
 Payee Name: Policy Nbr: 000000 Check Nbr: 000000 Disb Flag:

Bill Code: 0  
 Subsidy Cd: 0  
 Hist Flag: Y  
 Int Misc 4:  
 Trans Flag: N Report Date: 9/17/09 BA ID: 00000 Int Misc 1: 0  
 Prepaid Flag: N Reversed Flag: 00 BA Type ID: 00 Int Misc 2: 0  
 Past Due Flg: Y Int Misc 3: 0 Int Misc 6: 0  
 Int Misc 5: Y Int Misc 7: 000000  
 Int Misc 8: .00

Seq: 64 DIS  
 Type: DIS  
 Desc: Payment Amt: 2,446.73- Prin Bal: 187,306.32 Prin YTD: .00 Bank Code: 01  
 Due Date: 9/01/09 Int Amt: .00 T&I Bal: 543.02- Taxes YTD: .00 Inv Code: 600  
 Tran Date: 8/13/09 Currtail: 2,446.73- Subsidy Bal: .00 Haz/Flood: .00 Group Cd: 005  
 Act Pd Dt: 8/13/09 Subsidy: .00 LC Bal: .00 Int on TI: .00 Inv Loan: 0013061100  
 Service Fee: .00 LC Amt: .00 Negam YTD: .00 LC YTD: .00 FnmA Pool: 200605  
 FCL Bnk Fee: .00 Msc Fee Amt: .00 Negam YTD: .00 FnmA Type: C  
 Loss Draft: .00 Ret Ck Bal: .00 FCL Bnk Fee: .00 IntDue Flag:  
 Misc Ins: .00 Unappl Amt: .00 Loss Draft: .00 Tax ID: 0  
 Payee Name: Will County Tax Collector Policy Nbr: 02082040370000 Check Nbr: 399056 Disb Flag: N

Bill Code: 0  
 Subsidy Cd: 0  
 Hist Flag: Y  
 Int Misc 4:  
 Trans Flag: N Report Date: 8/13/09 BA ID: 32478 Int Misc 1: 0  
 Prepaid Flag: N Reversed Flag: 04 BA Type ID: 04 Int Misc 2: 0  
 Past Due Flg: N Int Misc 3: 0 Int Misc 6: 0  
 Int Misc 5: Int Misc 7: 000000  
 Int Misc 8: .00

AHM Loan Number: 5000170919  
TBW Loan Number: 0001306110

Borrower: NEIL ZIEGLER

Property: 1048 CHURCHILL DR  
BOLINGBROOK, IL 60440

Seq: 63	Payment Amt:	699.00-	Prin Bal:	187,306.32	Prin YTD:	.00	Bank Code:	01
Type: DIS	Prin Amt:	.00	T&I Bal:	1,903.71	Int YTD:	.00	Inv Code:	600
Desc: T&I Dis	Int Amt:	.00	Subsidy Bal:	.00	Taxes YTD:	.00	Group Cd:	005
Due Date: 9/01/09	T&I Amt:	699.00-	LC Bal:	.00	Haz/Flood:	.00	Inv Loan:	0013061100
Act Pd Dt: 8/12/09	Curtail:	.00	Negam Bal:	.00	Int on TI:	.00	Fnma Pool:	200605
Service Fee:	LC Amt:	.00	Ret Ck Bal:	.00	LC YTD:	.00	Fnma Type:	C
FCL Bnk Fee:	Msc Fee Amt:	.00	Unappl Bal:	.00	Negam YTD:	.00	IntDue Flag:	N
Loss Draft:	Ret Ck Amt:	.00	Policy Nbr:	12BJ47380168	Msc Fee Bal:	.00	Tax ID:	0
Misc Ins:	Unappl Amt:	.00	Report Date:	8/12/09	FCL Bnk Fee:	.00	Check Nbr:	398168
Payee Name:	American Family Insurance	Reversed Flag:	BA ID:	52174	Loss Draft:	.00	Disb Flag:	N

Bill Code:	Trans Flag:	Report Date:	BA ID:	52174	Int Misc 1:	0	Int Misc 6:	0
Subsidy Cd:	Prepaid Flag:	Reversed Flag:	N	BA Type ID:	Int Misc 2:	0	Int Misc 7:	000000
Hist Flag:	Y	Past Due Flg:	N	01	Int Misc 3:	0	Int Misc 8:	.00
Int Misc 4:					Int Misc 5:			

Seq: 62	Payment Amt:	24.82	Prin Bal:	187,306.32	Prin YTD:	.00	Bank Code:	01
Type: CUR	Prin Amt:	.00	T&I Bal:	2,602.71	Int YTD:	.00	Inv Code:	600
Desc: ACH	Int Amt:	.00	Subsidy Bal:	.00	Taxes YTD:	.00	Group Cd:	005
Due Date: 9/01/09	T&I Amt:	.00	LC Bal:	.00	Haz/Flood:	.00	Inv Loan:	0013061100
Tran Date: 8/03/09	Curtail:	24.82	Negam Bal:	.00	Int on TI:	.00	Fnma Pool:	200605
Act Pd Dt: 8/03/09	Subsidy:	.00	Ret Ck Bal:	.00	LC YTD:	.00	Fnma Type:	C
Service Fee:	LC Amt:	.00	Unappl Bal:	.00	Negam YTD:	.00	IntDue Flag:	N
FCL Bnk Fee:	Msc Fee Amt:	.00	Policy Nbr:		Msc Fee Bal:	.00	Tax ID:	0
Loss Draft:	Ret Ck Amt:	.00	Report Date:	8/03/09	FCL Bnk Fee:	.00	Check Nbr:	000000
Misc Ins:	Unappl Amt:	.00	Reversed Flag:	N	Loss Draft:	.00	Disb Flag:	
Payee Name:			BA ID:	00000				

Bill Code:	Trans Flag:	Report Date:	BA ID:	00000	Int Misc 1:	0	Int Misc 6:	0
Subsidy Cd:	Prepaid Flag:	Reversed Flag:	N	BA Type ID:	Int Misc 2:	0	Int Misc 7:	000000
Hist Flag:	Y	Past Due Flg:	N	00	Int Misc 3:	0	Int Misc 8:	.00
Int Misc 4:					Int Misc 5:	Y		

Seq: 61	Payment Amt:	1,575.18	Prin Bal:	187,331.14	Prin YTD:	.00	Bank Code:	01
Type: REG	Prin Amt:	.00	T&I Bal:	2,602.71	Int YTD:	.00	Inv Code:	600
Desc: ACH	Int Amt:	1,151.31	Subsidy Bal:	.00	Taxes YTD:	.00	Group Cd:	005
Due Date: 8/01/09	T&I Amt:	423.87	LC Bal:	.00	Haz/Flood:	.00	Inv Loan:	0013061100
Tran Date: 8/03/09	Curtail:	.00	Negam Bal:	.00	Int on TI:	.00	Fnma Pool:	200605
Act Pd Dt: 8/03/09	Subsidy:	.00	Ret Ck Bal:	.00	LC YTD:	.00	Fnma Type:	C
Service Fee:	LC Amt:	.00	Unappl Bal:	.00	Negam YTD:	.00	IntDue Flag:	N
FCL Bnk Fee:	Msc Fee Amt:	.00	Policy Nbr:		Msc Fee Bal:	.00	Tax ID:	0
Loss Draft:	Ret Ck Amt:	.00	Report Date:	8/03/09	FCL Bnk Fee:	.00	Check Nbr:	000000
Misc Ins:	Unappl Amt:	.00	Reversed Flag:	N	Loss Draft:	.00	Disb Flag:	
Payee Name:			BA ID:	00000				

Bill Code:	Trans Flag:	Report Date:	BA ID:	00000	Int Misc 1:	0	Int Misc 6:	0
Subsidy Cd:	Prepaid Flag:	Reversed Flag:	N	BA Type ID:	Int Misc 2:	0	Int Misc 7:	000000
Hist Flag:	Y	Past Due Flg:	N	00	Int Misc 3:	0	Int Misc 8:	.00
Int Misc 4:					Int Misc 5:	Y		



Maggie Ziegler &lt;maggieziegler22@gmail.com&gt;

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**Loan 1306110**

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**LoanInfo** <servicingvmail@taylorbean.com>  
To: Maggie Ziegler <maggieziegler22@gmail.com>

Tue, Feb 9, 2010 at 12:36 PM

Thank you for your recent inquiry regarding your mortgage. In general, there has been a delay in the process of any ACH payments, wire payments, phone payments, equity acceleration payments and checks for the month of August/September. Taylor, Bean & Whitaker is currently working with our attorneys and bankruptcy court to resolve this issue. The bank accounts that were frozen are currently being reconciled prior to any disbursements being made. We will not have an update until the judge reviews and approves the reconciliation. We apologize for the delay and any inconvenience this may have caused.

If you have any questions or if we may be of any other service, please visit us on the web at [www.taylorbean.com](http://www.taylorbean.com) or contact our Customer Relations Team at 1-888-225-2164.

Sincerely,

Customer Relations

Taylor, Bean & Whitaker Mortgage Corp

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**From:** Maggie Ziegler [mailto:maggieziegler22@gmail.com]  
**Sent:** Monday, February 08, 2010 6:04 PM  
**To:** LoanInfo  
**Subject:** Re: Loan 1306110

Please advise if there has been any update as to when the funds will be released by the bankruptcy court for my loan, #1306110.

Thanks,

Maggie Ziegler

On Fri, Jan 29, 2010 at 1:25 PM, LoanInfo <[servicingvmail@taylorbean.com](mailto:servicingvmail@taylorbean.com)> wrote:

Thank you for your recent inquiry regarding your mortgage. We are currently working through the Jacksonville, Florida bankruptcy court to address daily business operations. The bank accounts that were frozen are currently being reconciled prior to any disbursements being made. Unfortunately, we are unable to provide a date when disbursement will be done.

If you have any questions or if we may be of any other service, please visit us on the web at [www.taylorbean.com](http://www.taylorbean.com) or contact our Customer Relations Team at 1-888-225-2164.

Sincerely,

Customer Relations

Taylor, Bean & Whitaker Mortgage Corp.

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**From:** Maggie Ziegler [mailto:[maggieziegler22@gmail.com](mailto:maggieziegler22@gmail.com)]

**Sent:** Thursday, January 28, 2010 8:32 PM

**To:** LoanInfo

**Subject:** Re: Loan 1306110

Please advise if there has been any update to the release of my escrow funds for account 1306110. This has been going on for 5 months and is getting absolutely ridiculous; essentially I feel like my money has been stolen. If there is someone in the bankruptcy court who I can contact directly to request additional information, please provide me with their contact information.

Thank you,

Maggie Ziegler

On Wed, Jan 20, 2010 at 10:07 AM, LoanInfo <[servicingvmail@taylorbean.com](mailto:servicingvmail@taylorbean.com)> wrote:

Thank you for your recent inquiry regarding your mortgage. For security purposes, a response has been posted to your Taylor, Bean & Whitaker online account. You can review this response after you have signed into your online account at [www.taylorbean.com](http://www.taylorbean.com) and selected the SEE MORE tab. The response will be located under the tab at the top of the page labeled "Account Information" and under the heading "Message from Your Mortgage Servicer."

If you have any questions or if we may be of any other service, please visit us on the web at [www.taylorbean.com](http://www.taylorbean.com) or contact our Customer Relations Team at 1-888-225-2164.

Sincerely,

Customer Relations

Taylor, Bean & Whitaker Mortgage Corp.

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**From:** Maggie Ziegler [<mailto:maggieziegler22@gmail.com>]

**Sent:** Tuesday, January 19, 2010 11:58 AM

**To:** LoanInfo

**Subject:** Re: Loan 1306110

I am just following up - please advise the status of my escrow funds being released for loan 1306110. If my new mortgage servicer does not receive this money before 2/1, I will be required to pay an extra \$400 per month out of my own pocket to make up the shortfall. Please get my money to them before 2/1.

Thank you,

Maggie Ziegler

On Tue, Jan 12, 2010 at 9:13 AM, LoanInfo <[servicingvmail@taylorbean.com](mailto:servicingvmail@taylorbean.com)> wrote:

Thank you for your recent inquiry regarding your mortgage. For security purposes, a response has been posted to your Taylor, Bean & Whitaker online account. You can review this response after you have signed into your online account at [www.taylorbean.com](http://www.taylorbean.com) and selected the SEE MORE tab. The response will be located under the tab at the top of the page labeled "Account Information" and under the heading "Message from Your Mortgage Servicer."

If you have any questions or if we may be of any other service, please visit us on the web at [www.taylorbean.com](http://www.taylorbean.com) or contact our Customer Relations Team at 1-888-225-2164.

Sincerely,

Customer Relations

Taylor, Bean & Whitaker Mortgage Corp.

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**From:** Maggie Ziegler [<mailto:maggieziegler22@gmail.com>]  
**Sent:** Tuesday, January 12, 2010 8:16 AM  
**To:** LoanInfo  
**Subject:** Re: Loan 1306110

Can you please provide me with an update on the status of my escrow account? Will the money be released soon by the bankruptcy court? If this money is not released before February 1, I have to start paying an additional \$400 per month to my new servicer to make up the shortfall. I hope that it does not come to this. Please advise.

Thank you,

Maggie Ziegler

On Wed, Dec 30, 2009 at 10:32 AM, LoanInfo <[servicingvmail@taylorbean.com](mailto:servicingvmail@taylorbean.com)> wrote:

<https://mail.google.com/mail/?ui=2&ik=b18958338a&view=pt&q=1306110&qs=true&sea...> 2/20/2011



Thank you for your recent inquiry regarding your mortgage. Unfortunately, there is no update available regarding the release of the escrow accounts. We continue to work through the bankruptcy court to resolve this issue. We apologize for the inconvenience this may have caused.

If you have any questions or if we may be of any other service, please visit us on the web at [www.taylorbean.com](http://www.taylorbean.com) or contact our Customer Relations Team at 1-888-225-2164.

Sincerely,

Customer Relations

Taylor, Bean & Whitaker Mortgage Corp.

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**From:** Maggie Ziegler [mailto:[maggieziegler22@gmail.com](mailto:maggieziegler22@gmail.com)]

**Sent:** Tuesday, December 29, 2009 7:43 PM

**To:** LoanInfo

**Subject:** Loan 1306110

Please provide me with an update on our escrow money. Has it been released by the bankruptcy court? Not only am I out the money out of pocket since we had to pay our property taxes and homeowners insurance, but our new mortgage lender is going to be increasing our payments by \$400 per month if they do not receive this money in the next month. My husband and I should not have to fork out this money out of pocket. Please let me know when we will get our money back.

Thank you,

Maggie Ziegler

1306110

To Whom It May Concern,

Included are documents showing the amount which is owed to us from our Escrow account.

- A check was written to American Family Insurance on 8/12/09 for our homeowner's insurance policy. The check, in the amount of **\$699.00**, bounced.
- A check was written to Will County Tax Collector on 8/13/09 for our property taxes. The check, in the amount of **\$2446.73**, bounced.
- Remaining funds of **\$329.85** were sent to our new mortgage servicer, American Home Mortgage, on 10/16/09. This also bounced.

The total funds due to us from our Escrow account are \$3,475.58. Supporting documents, which we received from American Home Mortgage, are included.

Please also note that I have included email correspondence between myself and Taylor, Bean & Whitaker in which I asked repeatedly about the status of these funds. Please note that TBW did not mention at any point that we needed to file a claim in order to retrieve these funds.

Thank you,

Neil and Maggie Ziegler