

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

**PROOF OF CLAIM**

In re:  
**Home America Mortgage, Inc.**

Case Number:  
**3:09-bk-10023-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.

**Sovereign Bank, as Agent  
c/o Robert A. Soriano, Esq.  
625 E. Twiggs Street, #100  
Tampa, FL 33602**

**RECEIVED  
MAY 14 2013  
BMC GROUP**

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 ( )  Check box if address is where notice is to be sent.

Name and address where payment should be sent (if different from above):  
**Robert L. Fitzpatrick  
Mail Code: CT1-FRM-02-01, 1010 Farmington Avenue  
West Hartford, CT 06107**

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): **1366**  
Filed on: **4/20/2010**

**1. AMOUNT OF CLAIM AS OF DATE CASE FILED** \$ **See Addendum attached hereto**  
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:** Money loaned (See instructions #2 and #3a on reverse side.)

**3. LAST FOUR DIGITS OF ANY NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR:** 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: \$ \_\_\_\_\_ Annual Interest Rate: \_\_\_\_\_ % if any: \$ \_\_\_\_\_ Basis for Perfection: \_\_\_\_\_  
Secured Claim Amount: \$ \_\_\_\_\_ **DO NOT** include the priority portion of your claim here  
Unsecured Claim Amount: \$ **145,781,302.17**  
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).  
 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).  
 Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).  
 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).  
 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) ( \_\_\_\_\_ ).  
\* 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  
Chanhassen, MN 55317-3020  
By Hand, Courier, Or Overnight Delivery to:  
BMC Group, Inc.  
Attn: Taylor, Bean & Whitaker Mortgage Corp. Claim Processing  
18675 Lake Drive East  
Chanhassen, MN 55317

**THIS SPACE FOR COURT USE ONLY**

DATE: **April 9, 2013** SIGNATURE: *[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.**

ADDENDUM TO AMENDMENT TO CLAIM # 1366 OF SOVEREIGN BANK, N.A.

Sovereign Bank, N.A., for itself and as agent for a group of banks (collectively, "Sovereign"), amends its original proof of claim to reflect (a) the results of settlements with Sovereign and (i) Taylor, Bean & Whitaker Mortgage Corp., as debtor in possession ("TBW"), and the Official Committee of Unsecured Creditors, approved by the Court on July 21, 2011, and (ii) The Taylor, Bean & Whitaker Plan Trust (the "Trust"), approved by the Court on March 12, 2012 (collectively, the "Settlements"); and (b) a settlement in an adversary proceeding brought in this Court by Ocala Funding, LLC, an affiliate of the Trust ("Ocala"), Case No. 3:12-bk-04524; Adversary Proceeding No. 3:12-ap-00650.

Sovereign's original proof of claim in the amount of \$168,231,302.17 was filed in TBW's chapter 11 case (claim #1362) as secured and as unsecured in the chapter 11 cases of Home America Mortgage, Inc. ("HAM") (claim #1366) and REO Specialists LLC ("REO") (claim #1365).

The Settlements provided payments to Sovereign that reduced its total claim and satisfied its secured claim against TBW, leaving only general unsecured claims against TBW, HAM, and REO. They also provided that Sovereign would have allowed unsecured claims in the amount of \$136,781,301.17 in TBW Class 8, REO Class 3, and HAM Class 3, as those terms are defined in the Third Amended and Restated Joint Plan of Liquidation for TBW, HAM, and REO.

On October 5, 2012, Ocala sued Sovereign, alleging that it and not TBW had paid Sovereign approximately \$22.4 million on TBW's behalf and demanded the return of those monies as a fraudulent transfer. That lawsuit was settled in an agreement approved by this Court on February 14, 2013, pursuant to which Sovereign paid Ocala \$9 million.

As a result of the payment to Ocala, Sovereign's TBW Class 8, REO Class 3, and HAM Class 3 claims are now \$145,781,302.17.

Robert A. Soriano  
Tel. 813.318.5757  
Fax 813.318.5900  
sorianor@gtlaw.com

May 13, 2013

**VIA UPS**

BMC Group Inc.  
Taylor, Bean & Whitaker Mortgage  
Claims Processing  
18675 Lake Drive East  
Chanhassen, MN 55317

**Re: Sovereign Bank / TBW**

Dear Sir or Madam:

Enclosed please find, for filing, the original and two copies each of the amended Proofs of Claim with respect to *In re Taylor, Bean & Whitaker Mortgage Corp.*, *In re Home America Mortgage, Inc.*, and *In re REO Specialists, LLC*. I have also included a self-addressed, stamped envelope for return of the file-stamped copies.

If you have any questions, please do not hesitate to contact me.

Sincerely,

  
Robert A. Soriano

RAS/hlr

Enclosure

cc: Bertin C. Emmons (w/encl.)

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BOSTON  
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LAS VEGAS  
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LOS ANGELES  
MEXICO CITY\*  
MIAMI  
MILAN\*\*  
NEW JERSEY  
NEW YORK  
ORANGE COUNTY  
ORLANDO  
PALM BEACH COUNTY  
PHILADELPHIA  
PHOENIX  
ROME\*\*  
SACRAMENTO  
SAN FRANCISCO  
SHANGHAI  
SILICON VALLEY  
TALLAHASSEE  
TAMPA  
TEL AVIV\*  
TYSONS CORNER  
WARSAW\*  
WASHINGTON, D.C.  
WHITE PLAINS

\*OPERATES AS  
GREENBERG TRAURIG MAHER LLP

\*\*OPERATES AS  
GREENBERG TRAURIG, S.C.

\*A BRANCH OF  
GREENBERG TRAURIG, P.A.  
FLORIDA, USA

\*\*STRATEGIC ALLIANCE

\*OPERATES AS  
GREENBERG TRAURIG GRAZSIAK S.P.K.

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ROBERT A. SORIANO  
(813) 318-5700 5715  
GREENBERG TRAUIG  
625 E TWIGGS ST  
TAMPA FL 33602

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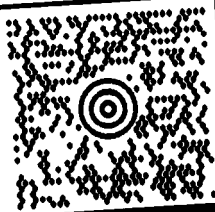
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ATTN: CLAIMS PROCESSING  
(877) 332-5739  
BMC GROUP INC.  
18675 LAKE DRIVE EAST  
CHANHASSEN MN 55317

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