

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

TAYLOR, BEAN & WHITAKER
MORTGAGE CORP.,

Debtor.

Chapter 11

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

**REPORT IDENTIFYING “ELECTING INVESTORS”
UNDER ORDER ESTABLISHING PROTOCOL TO
RESOLVE BORROWER ISSUES**

The Order Establishing Protocol to Resolve Borrower Issues entered on February 24, 2010 (Docket Entry No. 1079) identified 24 investors that owned mortgages affected by the borrower issues addressed in the Order. (Order, paragraph 29, Table 1.) Each of these investors (with the exception of 4 investors—involving about \$7000 of borrower issues—as to which the Debtor has been unable to locate contact information.¹) was served with the Order and afforded the opportunity to become an “Electing Investor” under the procedure set forth in paragraph 35 of the Order as to the Protocol for Issue 1 (Insurance Proceeds/Loss Drafts), Issue 2 (Tax and Insurance Escrow Refunds), and Issue 3 (Bounced Checks Written on the Platinum EDCA). Each of the 20 investors served with the Order in fact did opt to become an Electing Investor as to Issue Nos. 1, 2 and 3, to wit: Ginnie Mae; Freddie Mac; Wells Fargo; Bayview Loan Servicing LLC; 21st Mortgage Corp.; Bank of America; Cole Taylor; FDIC, as Receiver for Colonial Bank; FDIC, as Receiver for Platinum Community Bank; Seaside, TBW; Urban Trust

¹ The 4 investors not served with the Order are Mercantile Bank, Wachovia, Central Mortgage and Five Mile Capital.

Bank; BB&T; MountainView; US AmeriBank; MGC Mortgage; Bank of Camden; Bank of the Internet; UMS and Ocala Funding.²

Paragraph 44 of the Order afforded Electing Investors the opportunity, within a reasonable time, to opt into the Protocol for Issue No. 4 (Net-Funded Loans). Only 3 of the Electing Investors owned mortgages affected by this issue: Ginnie Mae, Freddie Mac and Wells Fargo. As of this date, Ginnie Mae and Wells Fargo have opted in to the Protocol for Issue No. 4. Debtors remains hopeful that Freddie Mac will opt in to Issue No 4 in the future.

This 23rd day of March 2010.

/s/ Jeffrey W. Kelley

Jeffrey W. Kelley (Ga. Bar No. 412296)

J. David Dantzler Jr. (Ga. Bar No.205125)

TROUTMAN SANDERS LLP

Bank of America Plaza

600 Peachtree Street, Suite 5200

Atlanta, GA 30308-2216

Telephone No.: (404) 885-3000

Facsimile No.: (404) 885-3900

Attorneys for Debtor

² Two of the Electing Investors (MGC and UMS) did not transmit their written election within the 10-day period set forth in paragraph 35 of the Order; each was 2 days late. Nevertheless the Debtor intends to treat MGC and UMS as Electing Investors.