

January 3, 2011

Donovan C. Augustin
402 Glendale Road
Collegetown, PA 19426

FILED
JACKSONVILLE, FLORIDA
JAN 06 2011
CLERK, U.S. BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

Clerk of the Court
Bryan Simpson United States Courthouse
300 North Hogan Street, Suite 3-350
Jacksonville, FL 32202

RE: Debtor's Omnibus Objection #9: Claims for which Debtors are not Liable

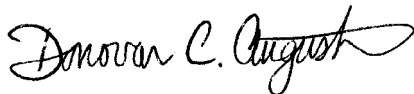
To Whom It May Concern:

I am writing to file my objection with the Clerk of the Court regarding Debtor's Omnibus Objection #9. Per Exhibit A of Document #2245, my name was listed as creditor #2.

I'd like to note that my initial claim filing, dated June 3, 2010, included a Mortgage Loan Transfer Notice that I had received from Taylor, Bean & Whitaker Mortgage Corp. This document contained the mortgage identification number for my loan. For the records of the Court and to further support my claim, I have also enclosed with this letter my monthly billing statement from TB&W. This statement includes my loan number which was 7130782. This was the second billing statement I had received from TB&W and it showed an escrow amount of \$400.59 from my first payment. Per the Initial Escrow Account Disclosure Statement that I had obtained from GMH Mortgage Services LLC as part of the documentation from my refinance before my loan was sold to Freddie Mac and assigned to TB&W, the initial escrow deposit reflected \$4,331 which is the amount of my claim. However, this balance was not carried forward from the sale of my loan to Freddie Mac per the attached billing statement from TB&W. The Initial Escrow Account Disclosure Statement was included as support for my initial claim and is also enclosed with this letter for reference.

Thank you for your consideration in this matter!

Kind Regards,



Donovan C. Augustin

Cc: Edward J. Peterson, Esquire
Stichter, Riedel, Blain & Prosser, P.A.
110 E. Madison Street, Suite 200
Tampa, FL 33602

MONTHLY BILLING STATEMENT

Mortgage Division

1417 North Magnolia Avenue
 Ocala, Florida 34475
 888 225-2164

General Billing Info:

Statement Date: 08/11/2009
 Loan Number: 7130782
 Interest Rate: 4.875%
 Payment Due Date: 09/01/2009
 Regular Monthly Payment: \$1,607.18
 Total Payment(s) Due: \$1,607.18
 Unpaid Late Charges: \$0.00
 Unpaid NSF Fees: \$0.00
 Other Unpaid Fees/Charges: \$0.00
Total Due: \$1,607.18

Account Balances:

Principal Bal. on 08/11/2009 \$227,719.66
 Escrow Bal. on 08/11/2009 \$400.59
 Interest Paid Year to Date \$926.25
 Taxes Paid Year to Date \$0.00
 Insurance Paid Year to Date \$0.00
 Late Charges Paid Year to Date \$0.00

Customer Service Info:

Customer Service Inquiries:
 (888) 225-2164
 (352) 671-0250
 View Account Information online:
 www.TaylorBean.com
 Customer Service Hours:
 9:00 am - 8:00 pm EST
 Monday through Friday
 E-mail us:
 Loaninfo@taylorbean.com

Insurance Information:

Ins Co Name: Erie Insurance Group
 Ins Policy No.: Q563114874

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Return Service Requested 203 3
 Donovan C Augustin & Tracy A Augustin
 402 Glendale Rd
 Collegeville, PA 19426-1763

Recent Activity:

Date	Description	Principal Amount	Interest Amount	Escrow Amount	Other Funds	Late Charge	Total
08/10/2009	Regular Payment	\$280.34	\$926.25	\$400.59	\$0.00	\$0.00	\$1,607.18

TRANSFERRED to:
CENLAR
 1-866-430-9689
 beg. 9/11
make pymt. to:

Thank you for your prompt payment!

In observance of Labor Day, TB&W offices will be closed on September 7th, 2009.

Detach Here

Loan #: 7130782

Property Address:

402 Glendale Rd
 Collegeville, PA 19426

Customer:

Donovan C Augustin & Tracy A Augustin
 402 Glendale Rd
 Collegeville, PA 19426-1763

Undesignated additional funds will be applied first to advances or fees due and then to principal.

PAYMENT DUE DATE: 09/01/2009
 Regular Monthly Payment: **\$1,607.18**
 Total Amount Due: **\$1,607.18**
 Amount Due if Received After 09/16/2009: **\$1,607.18**

MORTGAGE PAYMENT COUPON

Please allow 7-14 days for delivery via mail.

Extra Principal Paid:

Extra Escrow Paid:

Late Charge Paid:

Enter Total Amount Paid:

Taylor, Bean & Whitaker Mortgage Corp
 P.O. Box 628204
 Orlando, FL 32862-8204



INITIAL ESCROW ACCOUNT DISCLOSURE STATEMENT

Borrower Name(s) and Address:
 Donovan C Augustin, Tracy A Augustin
 402 Glendale Rd
 Collegetown, PA 19426

Servicer's Name, Address, and Toll-Free Number:
 GMH MORTGAGE SERVICES LLC
 10 CAMPUS BOULEVARD
 NEWTOWN SQUARE, PENNSYLVANIA 19073
 (877) 507-2006

THIS IS AN ESTIMATE OF ACTIVITY IN YOUR ESCROW ACCOUNT DURING THE COMING YEAR BASED ON PAYMENTS ANTICIPATED TO BE MADE FROM YOUR ACCOUNT.

YOUR MONTHLY BIWEEKLY MORTGAGE PAYMENT FOR THE COMING YEAR WILL BE \$ 1,607.18 OF WHICH \$ 1,206.59 WILL BE FOR PRINCIPAL AND INTEREST INTEREST ONLY, AND \$ 400.59 WILL GO INTO YOUR ESCROW ACCOUNT.

Period	Payments to Escrow Account	Payments from Escrow Account	Description	Escrow Account Balance
Initial Deposit:				\$ 4,331.00
08/01/09	400.59			4,731.59
09/01/09	400.59	548.00	HAZARD INSURANCE	
09/01/09		3,783.00	OTHER	801.18
10/01/09	400.59			1,201.77
11/01/09	400.59			1,602.36
12/01/09	400.59			2,002.95
01/01/10	400.59			2,403.54
02/01/10	400.59			2,804.13
03/31/10	400.59	89.00	CITY PROPERTY TAX	
03/31/10		387.00	COUNTY PROPERTY TAX	2,728.72
04/01/10	400.59			3,129.31
05/01/10	400.59			3,529.90
06/01/10	400.59			3,930.49
07/01/10	400.59			4,331.08

Cushion selected by servicer \$ 801.18 Total disbursements \$ 4,807.00

PLEASE KEEP THIS STATEMENT FOR COMPARISON WITH THE ACTUAL ACTIVITY IN YOUR ACCOUNT AT THE END OF THE ESCROW ACCOUNTING COMPUTATION YEAR.

Donovan C Augustin 6/18/09
 Borrower Donovan C Augustin Date

Tracy A Augustin 6/18/09
 Borrower Tracy A Augustin Date

Borrower _____ Date

Borrower _____ Date

Borrower _____ Date

Borrower _____ Date

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION
PROOF OF CLAIM

In re: **TAYLOR, BEAN & WHITAKER MORTGAGE CORP.**
Case Number: **3:09-bk-07047-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.
DONOVAN C. and TRACY A. AUGUSTIN
402 GLENDALE ROAD
COLLEGEVILLE, PA 19426

FILED
FLORIDA
JAN 07 2010
BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE
Clerk, U.S. Bankruptcy Court
already filed a proof of claim with the Court or BMC, you do not need to file again.
THIS SPACE IS FOR COURT USE ONLY

Creditor Telephone Number (610) 489-4945 Check box if address is where Notice is to be sent.
Name and address where payment should be sent (if different from above):
Same as above
 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 \$ **4,331.00**
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: **FUNDS HELD IN ESCROW ACCOUNT**
(See Instructions #2 and #3a on reverse side.)
3. LAST FOUR DIGITS OF ANY NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR: **9301**
3a. Debtor may have scheduled account as: **N/A**

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: \$ **N/A**
Unsecured Claim Amount: \$
Amount of arrearage and other charges as of time case filed included in secured claim.
DO NOT include the priority portion of your claim here.

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: \$ **4,331.00**
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
18750 Lake Drive East
Chanhassen, MN 55317
DATE: **6/3/2010**
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.
DONOVAN C. AUGUSTIN, HOME OWNER

THIS SPACE FOR COURT USE ONLY
T, B & W Mortgage Corp.

01704

June 3, 2010

Donovan C. Augustin
402 Glendale Road
Collegeville, PA 19426

BMC Group, Inc.
Attn: Taylor, Bean & Whitaker Mortgage Corp. Claim Processing
18750 Lake Drive East
Chanhassen, MN 55317

RE: Proof of Claim – Summary

To Whom It May Concern:

My wife and I refinanced our mortgage loan last summer. The new loan was subsequently sold to Freddie Mac and assigned to Taylor, Bean & Whitaker ("TBW") for servicing. After TBW declared bankruptcy, our loan was then assigned to a new servicer, Cenlar. However, our initial escrow deposit (from the refinance) was never transferred to Cenlar. As a result, Cenlar paid our property taxes last fall on our behalf. We are currently in the process of reimbursing them as our monthly escrow payments were increased in 2010 due to the shortage in our escrow account.

Attached for your review are copies of: 1) our initial escrow account disclosure statement from the closing of our refinanced loan which supports the amount of our claim, 2) a mortgage loan transfer notice received from TBW, 3) a notification of assignment, sale or transfer of our mortgage loan received from Freddie Mac, and 4) our annual escrow account disclosure statement from Cenlar which provides evidence that the initial escrow deposit was never transferred from TBW.

Thank you for your consideration in this matter!

Kind Regards,



Donovan C. Augustin

Case 3:09-bk-07047-JAF Doc 2393 Filed 01/06/11 Page 6 of 9
Taylor, Bean & Whitaker Mortgage Corp.

MORTGAGE LOAN TRANSFER NOTICE

In this Notice, the terms "we", "us" or "our" mean the new creditor identified below. The terms "you" and "your" mean the mortgage loan borrower(s) identified below.

We are sending you this Notice because we are required by law to notify you that your mortgage loan identified below has been sold or transferred to us. We are the new creditor of your mortgage loan.

Date of this Notice: **July 29, 2009**

Mortgage Loan Borrower Name(s): **Donovan C Augustin**

Property Address: **402 Glendale Rd
Collegeville, Pa 19426-1763**

Mortgage Loan Information:

Date of Loan: **06/18/2009**

Original Amount of Loan: **\$228,000.00**

Address of Mortgaged Property: **402 Glendale Rd
Collegeville, Pa 19426-1763**

Mortgage Identification Number (MIN): **1008056-0001001430-8**

Please note the following information regarding the transfer of your mortgage loan:

1. The identity (name), address and telephone number of the new creditor:

**Taylor, Bean & Whitaker Mortgage Corp.
101 Ne 2Nd St.
Ocala, FI 34470
(352) 351-1109**

2. The date of the transfer of your mortgage loan: **07/27/2009**
3. How to reach an agent or party having authority to act on behalf of the new creditor:

The mailing address and telephone number to reach the mortgage company servicing your mortgage loan is:

**Taylor, Bean & Whitaker Mortgage Corp.
101 Ne 2Nd St.
Ocala, FI 34470
(352) 351-1109**

4. The instrument representing the indebtedness of your mortgage loan (promissory note) is not a recordable document, but the promissory note is in our possession or held on our behalf by our custodian. The security instrument (mortgage or deed of trust) that secures the repayment of your promissory note is, however, recorded in the public land records for Montgomery, PA.
5. Additional information:

This Notice does not identify or otherwise change the address where you send your mortgage loan payments



If there is any change in the address for your mortgage loan payments, you will be notified of such change separately and apart from this notice.

You can also look up the current servicer of your mortgage loan by accessing MERS® Servicer ID at www.mers-servicerid.org, or by dialing the toll-free MERS® Servicer Identification System at 888-679-6377.



We make home possible®

August 19, 2009

Donovan C Augustin
Tracy A Augustin
402 Glendale Rd
Collegeville PA 19426-1763

S0000005579



Notification of Assignment, Sale or Transfer of Your Mortgage Loan

The purpose of this notice is to inform you that your mortgage loan was sold to Freddie Mac or to Freddie Mac as trustee for a trust holding your mortgage loan on July 27, 2009. This notice provides you with information on how to contact the servicer having authority to act on behalf of Freddie Mac or the trust holding your mortgage.

Selling mortgages to Freddie Mac is a standard part of the mortgage business for many of the nation's mortgage lenders. The sale of your mortgage loan to Freddie Mac does not affect any term or condition of the Mortgage, Deed of Trust or Note and this notice requires no action on your part. We recommend that you keep a copy of this notice with your other mortgage documents. The transfer of ownership of your mortgage loan has not been publicly recorded.

Freddie Mac provides funds to lenders by purchasing the mortgage loans they make, providing a continuous source of mortgage funds that allows homebuyers to obtain financing. Through our mortgage servicers, we maintain requirements for the mortgages we purchase that help keep borrowers in their homes whenever possible. These activities allow us to fulfill our mission of providing liquidity, stability and affordability to the nation's residential housing market.

Freddie Mac does not service your loan. It is important that you send your monthly payments directly to the servicer of your mortgage, at the address on your mortgage statement, and not to Freddie Mac. All correspondence and inquiries concerning your mortgage loan should be addressed to your servicer. We rely on mortgage servicers to manage your mortgage on our behalf and work directly with you. Your servicer has authority to act on behalf of Freddie Mac with regard to the administration of your mortgage loan and respond to any questions about your mortgage loan.

As of the date of this notice, the servicer of your mortgage loan is Taylor, Bean & Whitaker Mortgage Corp.. You may contact your servicer by calling (888) 225-2164. Your servicer may also have a website with information that will be helpful to you.

Please do not send mortgage payments to Freddie Mac. Payments received by Freddie Mac may be returned to you and this may result in late charges and your account becoming past due. Freddie Mac is not responsible for late charges or other consequences of misdirected payments.

In the event you find it necessary to contact Freddie Mac, you may telephone us at 1-800-Freddie (1-800-373-3343). Written inquiries should be addressed to 8200 Jones Branch Drive, McLean VA, 22102, Attention: Consumer Care Unit, Mail Stop C1K.

12/21/09

#BWNDXCT
 #3000031809940124#

DONOVAN C AUGUSTIN
 TRACY AUGUSTIN
 402 GLENDALE RD
 COLLEGEVILLE PA 19426

19485/FH/B/G9

LOAN NO: 0031809940
 www.loanadministration.com
 TOLL FREE 1-866-305-6949

Please see the enclosed insert "Understanding Your Escrow Account Disclosure Statement". This handy guide is intended to help you understand your statement and answer some commonly asked questions about your escrow analysis.

ANNUAL ESCROW ACCOUNT DISCLOSURE STATEMENT

As you know, we are required to maintain an escrow account which is used to pay your real estate taxes and/or insurance premiums. This account must be analyzed annually to determine whether enough funds are being collected monthly, and whether the account has a shortage or surplus based on the anticipated activity.

PRESENT LOAN PAYMENT

Your present payment consists of:	Principal & Interest (P&I)	\$1,206.59
	Escrow Deposit	\$400.59
	Optional Insurance	\$0.00
	Other	\$0.00
Less:	Buydown/Assistance Payment	\$0.00
Total Loan Payment		\$1,607.18

ANTICIPATED ANNUAL DISBURSEMENTS

These are the escrow items we anticipate we will collect for or pay on your behalf in the upcoming 12 month period. The dollar amount shown may be the last amount actually paid for that item, or may project the next amount due as defined by Federal law. Based on these anticipated disbursements, the amount of your escrow deposit is calculated and displayed here.

Bills due in the upcoming year:	CITY TAX	\$428.55	
	TAXES	\$3,657.38	
	HAZARD INS	\$577.00	
Total Anticipated Annual Disbursements:		\$4,662.93	One-Twelfth/Monthly Amount: \$388.57

ACCOUNT HISTORY

The following statement of activity in your escrow account from 08/09 through 01/10 displays actual activity as it occurred in your escrow account during that period. If you received Account Projections with a prior analysis, they are included again here for comparison.

Month	Payments		Disbursements		Description	Projected Escrow Account Balance	Actual Escrow Account Balance
	Projected	Actual	Projected	Actual			
					Beginning Balance	\$.00	\$400.59
September		400.59 *		577.00 *	HAZARD INS	.00	224.18
October		400.59 *		3,657.38 *	SCHOOL TAX	.00	3,032.61-
November		400.59 *				.00	2,632.02-
December		400.59 *				.00	2,231.43-
January		400.59 E			E	.00	1,830.84-

An asterisk (*) beside an amount indicates a difference from projected activity either in the amount or the date. The letter E beside an amount indicates that the payment or disbursement has not yet occurred, but is estimated to occur as shown.

ACCOUNT PROJECTIONS

The following estimate of activity in your escrow account from 02/10 through 01/11 is provided for your information. All payments we anticipate receiving as well as disbursements we anticipate making on your behalf are included, along with the Projected Escrow Account Balance, derived by carrying forward your current actual escrow balance. The Required Escrow Account Balance displays the amount actually required to be on hand as specified by Federal law, State law and your loan documents, and may include a cushion of up to 1/6th of your Annual Disbursements. Please retain this statement for comparison with

***** CONTINUED ON REVERSE SIDE *****

**** CONTINUATION ****

the actual activity in your account at the end of the next escrow account computation year.

Month	Anticipated Amount		Description	Projected Escrow Account Balance	Required Escrow Account Balance
	To Escrow	From Escrow			
			Beginning Balance	\$1,830.84-	\$2,720.08
February	388.57			1,442.27-	3,108.65
March	388.57			1,053.70-	3,497.22
April	388.57	428.55	R.E. TAX	1,093.68-	3,457.24
May	388.57			705.11-	3,845.81
June	388.57			316.54-	4,234.38
July	388.57			72.03	4,622.95
August	388.57	3,657.38	SCHOOL TAX	3,196.78-	1,354.14
August		577.00	HAZARD INS	3,773.78-	777.14
September	388.57			3,385.21-	1,165.71
October	388.57			2,996.64-	1,554.28
November	388.57			2,608.07-	1,942.85
December	388.57			2,219.50-	2,331.42
January	388.57			1,830.93-	2,719.99

Your Projected Escrow Account Balance as of 01/31/10 is \$1,830.84-. Your Required Beginning Escrow Balance according to this analysis should be \$2,720.08.

This means your escrow account is under-funded by a total of \$4,550.92. You have a Deficiency of \$1,830.84, and a Shortage of \$2,720.08. Per Federal law, the Deficiency may be collected from you over 2 months or more unless it is less than 1 month's deposit. If so, we may require payment within 30 days. The Shortage may be collected from you over 12 months or more unless it is less than 1 month's deposit. If so we may require payment within 30 days. We will collect the Deficiency and the Shortage over 12 months.

Once during this period, your Required Escrow Account Balance should be reduced to \$777.14, as shown in August. This amount represents the cushion selected by us as allowed by your loan contract, Federal and State law.

NEW LOAN PAYMENT

Your new payment consists of:	Principal & Interest (P&I)	\$1,206.59
	Escrow Deposit	\$388.57
	Deficiency/Shortage/Surplus	\$379.24
	Optional Insurance	\$0.00
	Other	\$0.00
Less:	Buydown/Assistance Payment	\$0.00

New Loan Payment Beginning 02/01/10 \$1,974.40

Important note to our Automatic Draft Customers: Any additional principal deductions you have previously authorized are not included in the above listed new payment amount. However, until we are otherwise advised, the authorized additional principal amount will continue to be withdrawn from your account.

Should you have any questions about this Escrow Analysis, please call our Customer Service Department toll-free at 1-866-305-6949.

26055400 00466081E0000E

Central Loan Admin & Reporting
P.O. Box 11733
Newark NJ 07101-4733

If you choose to pay your escrow shortage of \$4,550.92 in full, your new loan payment amount will be \$1,595.16. Please include your loan number on your check and make it payable to Central Loan Admin & Reporting and send to:

Name: DONOVAN C AUGUSTIN
TRACY AUGUSTIN

Loan Number: 0031809940 Shortage Amount: \$4,550.92

S H O R T A G E