

100143 05-19-2011

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

CASE NO 3 09-bk-07047-JAF

In re  
Taylor, Bean & Whitaker Mortgage Corp ,

Debtor /

AFFIDAVIT IN SUPPORT OF  
THE MOTION TO MODIFY AUTOMATIC STAY

BEFORE ME, this day personally appeared Carla W Nicholas, (Affiant)

who upon oath, deposes on personal knowledge and says

1 This Affidavit is submitted in support of the Motion for Relief From Stay filed in this action by Movant, SELENE FINANCE LP, AS SERVICER FOR TAYLOR, BEAN & WHITAKER MORTGAGE CORP , its Successors and/or Assigns

2 My name is Carla W Nicholas and I am a Vice President for the Movant In that capacity, I am familiar with the books and accounts of the Movant and have examined all books, records, and documents kept by the Movant concerning the transaction alleged in the Motion All of these books, records and documents are kept by the Movant in the regular course of its business and are made at or near the time of transaction using information transmitted by persons with personal knowledge of the facts It is the regular practice of the Movant to make and keep these books, records and documents The books, records, and documents, which the Affiant has examined, are in the custody, and under the supervision and control of the Affiant, and are complete, accurate and correct Furthermore, Affiant has personal knowledge of the matters contained in the books, records and documents

3 My responsibilities include, but are not limited to, handling delinquent bankruptcy

1021:44 05-19-2011

accounts, ascertaining amounts due and payable, and otherwise handling collections

4. I have personal knowledge of the facts contained in this Affidavit. Specifically, I have personal knowledge of the facts regarding the sums of money which are due and owed by the home owner, Coda C Roberson, III, pursuant to the Note and Mortgage which are the subject matter of this action.

5 Said Note and Mortgage in favor of TAYLOR, BEAN & WHITAKER MORTGAGE CORP. has an outstanding principal balance of  
\$473,719.50

6. Coda C Roberson, III, the owner of the property, defaulted under the Note and Mortgage by failing to pay the payment due in October 2006 and all subsequent payments.

7. The arrearage is \$148,231.30, breakdown as follows:

\$82,963.30                      \$2,370.38 x 35 (October 15, 2006 to August 15, 2009)

\$65,268.00                      \$3,108.00 X 21 (September 15, 2009 to May 15, 2011)

\$148,231.30 TOTAL

8 The sum set forth in Paragraph 5 above remains due and owing and unpaid. This account does not include the attorneys' fees incurred by Butler and Hosch, P.A. in this action.

9 The Note and Mortgage, and Supplemental Riders, if any, attached to the Motion and signed by Coda C Roberson, III, are genuine, authentic and true copies of the originals.

10. Movant employed the services of the law firm of Butler & Hosch, P.A. in this action against the Debtor, and is obligated to pay Butler & Hosch, P.A. a reasonable fee for its services, along with all costs and expenses in this action.

11. I have read the Motion and know from my own personal knowledge that the

10:21:45 05-19-2011

allegations and facts contained therein are true, accurate and correct.

FURTHER AFFIANT SAYETH NOT

*[Signature]*  
Affiant

*Larter Nicholas*  
Print or Type Name

JURAT

State of *Texas*  
County of *Harris*

Subscribed and sworn to (or affirmed) before me on  
this *11<sup>th</sup>* day of *May*, 2011,  
by *Larter Nicholas*  
provided to me the basis of satisfactory  
evidence to be the person(s) who appeared before me

Signature *[Signature]*

Notary Public  
My Commission Expires

