

FILED
JACKSONVILLE, FLORIDA

JUN 04 2012

CLERK, U. S. BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

June 1st 2012

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

CC: Alisa Paige Mason Esq.
Berger Singerman LLP
1450 Brickell Ave, Suite 1900
Miami FL, 33131

From: Daniel Greenstein
3651 Jasmine Ave #110
Los Angeles, CA 90034
Phone number: 310 866 0823
E-mail: danny.gr@gmail.com
(Claim no 273)

Case Name: Taylor, Bean & Whitaker
Mortgage Corp/
REO Specialists LLC, and
Home America Mortgage, INC.
Chapter 11 case

Case no: 3:09-bk-07047-JAF

RE: Forty Fourth Omnibus Objection to Claims

I have received your correspondence dated May 4th 2012 in which you propose to reject my claim on the basis that it has been fully paid.

I would like to request that my claim not be disposed as I have never received the funds. I was a mortgage customer of Taylor Bean and Whitaker at the time they went bankrupt. A few days before their bankruptcy they did their annual routine review of my escrow account and found that my account had a surplus of \$5,322.63. They issued a check to me, but by the time the check reached me and was deposited in my Wells Fargo bank account their checks were no longer being respected by the issuing bank (Platinum Community Bank).

My loan was transferred to a new servicer (Cenlar), but the balance of my escrow account did not include the above \$5,322.63, so in essence that money was somehow "lost".

I've been pursuing this matter with Cenlar, John Felix from Freddie Mac, and with the Florida bankruptcy court since 2009, but have not received any kind of reimbursement yet from anyone. Needless to say that this had been a real ordeal. I know there are many other homeowners in

the same situation that received reimbursement checks months ago.

I am attaching to this letter a copy of the bounced check (as returned to me), and the letter I received from Wells Fargo informing me that TBW's account has "Insufficient funds".

I'm also attaching a report that I recently requested from Cenlar that shows the history of my loan and includes the period of time it was serviced at TBW. I marked the entry that shows the escrow review with a circle.

I'm pleading with the court to please end this ordeal and return these funds to me.

Should you have any questions, please don't hesitate to contact me. My contact details are at the top of this letter.

My sincere thanks,

Daniel Greenstein.

LOAN HISTORY

Below are the Transactions on File for the Loan

[illegible]

Prevention Contact Center
AC A0143-043
P.O. Box 7406
San Francisco, CA 94120-7406

9/02/09

DANIEL GREENSTEIN
3651 JASMINE AVE APT 110
LOS ANGELES CA 90034-5093

Re: Account Number: XXX-XXX9265

Dear Customer:

We are delaying the availability of the funds from the check(s) described below because we believe the check(s) may not be paid. The reason for the hold and the date on which the funds will be available for withdrawal are also described below:

Deposit Date/ Total Deposit Amount	Amount Delayed	Hold Reason/ Date Funds Will Be Available
08/27/09	\$5,322.63	Insufficient funds at inquiry time 09/11/09

We will be holding these funds until the date(s) indicated above. A hold means that although the check amount is credited to your account, the funds are not available for your use (please refer to the last page of this letter for more information about a hold on your account). To avoid overdrawing your account and incurring overdraft fees, during this time please do not make withdrawals or write checks against these funds.

If the check(s) listed above is returned, we will mail a notice to you the same day and deduct the amount of the check(s) from your account. A deposit item return fee will also be deducted from your account for each check returned (unless your account does not assess a fee for returned checks). Please refer to your Account Fee and Information Schedule for the amount of the fee.

We understand the inconvenience that can occur when a check is returned. If you have questions regarding the availability of funds, please refer to the information on the last page of this letter or contact one of our representatives at the telephone number printed on your monthly account statement.

We appreciate your business and thank you for banking with Wells Fargo.

Sincerely,

Prevention Contact Center

122105278
09/04/2004
3430027142

This is a LEGAL COPY
of your check. You can
use it the same way
you would use the
original check.

RETURN REASON-J
ENDORSEMENT
IRREGULAR

Case 3:09-bk-07047-JAF Doc 5413 Filed 06/04/12 Page 5 of 5
[122105278] 09/03/2004
3530842532

Platinum Community Bank
TAYLOR, BEAN & WHITAKER
Marquette Corporation
815 NE 12th Street
Ocala, Florida 34470
Branch (888) 888-8888

NOT RETURNED NOT PAID:
NSF
☐ ACCT. CLOSED
☐ UNCOLLECTED FUNDS
☐ REFER TO MAKER
☒ OTHER

RETURN REASON-J
ENDORSEMENT IRREGULAR
Para: Figure

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