

June 1st, 2012

This is in response to Case# 3:09-bk-07047-JAF
Taylor, Bean & Whitaker
Forty Fifth Omnibus Objection to Borrowers Claims

Claim # 1634
Shannon S. Wirtjes
34882 Annie Circle
Elizabeth, CO 80107

FILED
JACKSONVILLE, FLORIDA
JUN 04 2012
CLERK, U. S. BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

I Object to your objection of my claim and recommendation of Disposal.

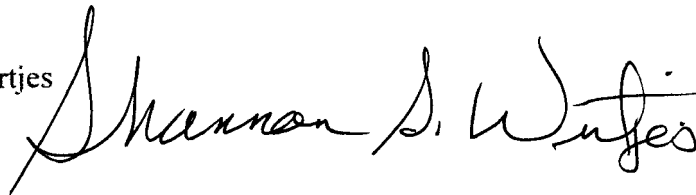
I do not understand why 100 of us were singled out of the thousands of claims, especially when it is obvious that most of these objected claims are, like mine, claims for a single misplaced (by TB&W) mortgage payment during the shut down of the company.


I have contacted both successive servicers and no where has this claim been applied to my loan from TB&W. I have confirmation from my bank of these funds leaving my account on August 13th, 2009 and not crediting back. I had several escrow account shortages during the first few months after the transfer because these funds had not been transferred and applied accordingly. I am enclosing, once again, my bank confirmation information and payment history from the major servicer of my loan. If the funds were forwarded by the Plan Trustee, they never made it towards my loan account.

I don't know what more I can do to prove my claim. I don't believe anyone is looking out for the borrowers here. We are being accused of fraud, taking double monies from this fiasco. Why aren't the borrowers the innocents here??? We are just caught in another mortgage mess.

Sincerely,

Shannon S. Wirtjes



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. § 803.		<input type="checkbox"/> 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.			
Shannon S. Wirtjes 34882 Annie Circle PO Box 365 Elizabeth, CO 80107			
Creditor Telephone Number 303-646-3244 <input checked="" type="checkbox"/> Check box if address is where Notice is to be sent.		THIS SPACE IS FOR COURT USE ONLY	
Name and address where payment should be sent (if different from above):			
Payment Telephone Number ()		<input type="checkbox"/> Check this box if you are the debtor or trustee in this case.	
		<input type="checkbox"/> 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 \$ <u>1881.34</u>			
<input type="checkbox"/> 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. <input type="checkbox"/> All or part of your claim is entitled to priority; complete item 5.			
<input type="checkbox"/> 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: <u>mortgage payment not applied to loan</u>		3. LAST FOUR DIGITS OF ANY NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR: <u>7104 8037</u>	
4. SECURED CLAIM (See instruction #4 on reverse side.)		3a. Debtor may have scheduled accounts:	
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: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> 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: \$ _____ Amount of arrearage and other charges as of time case filed included in secured claim: \$ _____	
5. PRIORITY CLAIM			
<input checked="" type="checkbox"/> 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: \$ <u>1881.34</u> (include ONLY the priority portion of your unsecured claim here.)	
You MUST specify the priority of the claim:			
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).		<input checked="" type="checkbox"/> Up to \$5,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(2).	
<input type="checkbox"/> 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).		<input checked="" type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).	
<input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(9).		<input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507(a): _____	
* Amounts are subject to adjustment on 4/1/10 and every 5 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).		THIS SPACE FOR COURT USE ONLY	
By Regular Mail to: BMC Group, Inc. Attn: Taylor, Bean & Whitaker Mortgage Corp. Claims Processing 4000 E. Hwy. Denver, Colorado 80231		By Hand, Courier, Or Overnight Delivery to: BMC Group, Inc. Attn: Taylor, Bean & Whitaker Mortgage Corp. Claims Processing 1875 Lakewood East Denver, CO 80231	
		T. B & W Mortgage Corp.  01604	
DATE <u>5-24-10</u>	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 (to be same as number 1, different from the notice address above). Attach copy of power of attorney, if any. <u>Shannon S. Wirtjes</u>		

Bill History

Bill Detail

Biller Name	Account	Amount	Pay Date	Confirmation	Status
Taylor.Bean & Whitaker Mortgage *18037	*00613	\$1881.34	08/13/2009	973YN-BD68K	Paid

The funds for your payment to Taylor.Bean & Whitaker Mortgage were withdrawn from your *00613 account on 08/13/2009. Taylor.Bean & Whitaker Mortgage received your payment electronically on 08/13/2009.

If you have a question about your bill or about crediting the payment to your biller account, please contact Taylor.Bean & Whitaker Mortgage directly.



First Bank & Trust Co.

Loan 1618037



CONTACT US



HELP



LOGOUT

- Welcome
- Payment Information
- Loan Balances
- Payment Options
- Account Information
- Statements Documents

8-13-09 1881.34

Conf# 9737K-BD68K

Payment History

Please give us your feedback

Click on a transaction number to view the details.

No.	Due Date	Paid Date	Payment Amount	Description
1	08/01/09	08/13/09	245,056.18	TRF SERV
2	07/01/09	07/14/09	1,881.34	3rd Party CFree
3	07/01/09	06/10/09	0.00	3rd Party CFree
4	06/01/09	06/10/09	1,950.28	3rd Party CFree
5	06/01/09	05/19/09	-1,132.04	T&I Dis
6	05/01/09	05/12/09	1,881.34	3rd Party CFree
7	04/01/09	04/14/09	0.00	Unexp Fed Funds
8	04/01/09	04/14/09	1,822.00	3rd Party CFree
9	04/01/09	03/17/09	0.00	3rd Party CFree
10	03/01/09	03/17/09	914.00	3rd Party CFree
11	03/01/09	03/03/09	914.00	3rd Party CFree
12	02/01/09	02/19/09	-1,132.04	T&I Dis
13	02/01/09	02/03/09	0.00	Equity Accel
14	02/01/09	02/03/09	1,823.00	Equity Accel
15	02/01/09	01/05/09	0.00	Equity Accel
16	01/01/09	01/05/09	1,823.00	Equity Accel
17	01/01/09	12/03/08	0.00	Equity Accel
18	12/01/08	12/03/08	1,823.00	Equity Accel
19	12/01/08	11/05/08	616.50	Equity Accel
20	12/01/08	11/05/08	0.00	Equity Accel
21	11/01/08	11/05/08	1,823.00	Equity Accel
22	11/01/08	10/02/08	0.00	Equity Accel
23	10/01/08	10/02/08	1,823.00	Equity Accel
24	10/01/08	09/08/08	-1,165.00	T&I Dis

Apply for a Refinance

Update My Insurance Information

Delinquent and need help?

REO Properties FOR SALE

Make a payment at any Western Union Location

eStatements

Frequently Asked Questions

Amortization Table

Refinance? New Loan? Call 1-877-754-6647

Phoned TB&W 9-18-09

1-877-680-5583

fax Bank confirmation 9-18-09



Ocwen Loan Servicing, LLC
 P.O. Box 24737
 West Palm Beach, FL 33416-4737
 (Do not send any correspondence or payments to the above address)

WWW.OCWEN.COM

Loan#: 71558183

Customer Name(s): Shannon Wirjtes

Chk / Ref. Number	Date Payment Due	Date Payment Received	Date Assessed / Transaction Date	Description	Amount Applied/ Assessed	Principal Application	Interest Application	Escrow Application	Optional Products	Late Charges	Fees/ Other (See Description)	Suspense Application	Principal Balance	Escrow Balance	Suspense Balance
				Beginning Balance							0.00		243,125.96	0.00	0.00
			01/10/2010	Loan Disbursement	243,125.96		0.00	0.00		0.00	0.00		243,125.96	0.00	0.00
				Escrow Account Adjustment	-128.77	0.00	0.00	-128.77		0.00	0.00		243,125.96	-128.77	0.00
1580	02/01/2010	02/16/2010		Payment	1,881.34	306.29	1,190.30	384.75		0.00	0.00		242,819.67	255.98	0.00
	03/01/2010	03/15/2010		Payment	1,881.34	307.79	1,188.80	384.75		0.00	0.00		242,511.88	640.73	0.00
	04/01/2010	04/07/2010		Payment	1,881.34	309.29	1,187.30	384.75		0.00	0.00		242,202.59	1,025.48	0.00
	04/01/2010	04/12/2010		Payment Reversal	-1,881.34	-309.29	-1,187.30	-384.75		0.00	0.00		242,511.88	640.73	0.00
		04/12/2010		Payment Returned	1,881.34	0.00	0.00	0.00		0.00	0.00		242,511.88	640.73	0.00
	04/01/2010	04/14/2010		Payment	1,881.34	309.29	1,187.30	384.75		0.00	0.00		242,202.59	1,025.48	0.00
		05/03/2010		Escrow Payment Received	401.23	0.00	0.00	401.23		0.00	0.00		242,202.59	1,426.71	0.00
	05/01/2010	05/13/2010		Payment	1,831.34	310.81	1,185.78	334.75		0.00	0.00		241,891.78	1,761.46	0.00
			05/13/2010	Prior Payment Shortage	-14.28	0.00	0.00	0.00		0.00	-14.28		241,891.78	0.00	0.00
			05/17/2010	Escrow Refund	-97.76	0.00	0.00	-97.76		0.00	0.00		241,891.78	1,663.70	0.00
			05/20/2010	Tax Disbursement-ELBERT COUNTY	-1,139.68	0.00	0.00	-1,139.68		0.00	0.00		241,891.78	524.02	0.00
			06/14/2010	Prior Payment Shortage	14.28	0.00	0.00	0.00		0.00	14.28		241,891.78	524.02	0.00

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This communication is from a debt collector attempting to collect a debt; any information obtained will be used for that purpose. However, if the debt is in active bankruptcy or has been discharged through bankruptcy, this communication is not intended as and does not constitute an attempt to collect a debt.

NMJS # 1852



Ocwen Loan Servicing, LLC
 P.O. Box 24737
 West Palm Beach, FL 33416-4737
 (Do not send any correspondence or payments to the above address)

WWW.OCWEN.COM

Loan#: 7158183

Customer Name(s): Shannon Wirtjes

Chk / Ref Number	Date Payment Due	Date Payment Received	Date Assessed / Transaction Date	Description	Amount Applied/ Assessed	Principal Application	Interest Application	Escrow Application	Option Products	Late Charge	Fees/ Other (Sec Description)	Suspense Application	Principal Balance	Escrow Balance	Suspense Balance
		010													
	06/01/2010	06/14/2010		Payment	1,783.62	312.33	1,184.26	287.03	0.00	0.00	0.00	0.00	241,579.48	811.05	0.00
	07/01/2010	07/14/2010		Payment	1,783.62	313.86	1,182.73	287.03	0.00	0.00	0.00	0.00	241,265.59	1,098.08	0.00
	08/01/2010	08/13/2010		Payment	1,783.62	315.39	1,181.20	287.03	0.00	0.00	0.00	0.00	240,950.20	1,385.11	0.00
	09/01/2010	09/14/2010		Payment	1,783.62	316.94	1,179.65	287.03	0.00	0.00	0.00	0.00	240,633.26	1,672.14	0.00
			09/23/2010	Insurance Disbursement STATE FARM	-1,208.00	0.00	0.00	-1,208.00	0.00	0.00	0.00	0.00	240,633.26	464.14	0.00
	10/01/2010	10/13/2010		Payment	1,783.62	318.49	1,178.10	287.03	0.00	0.00	0.00	0.00	240,314.77	751.17	0.00
	11/01/2010	11/12/2010		Payment	1,783.62	320.05	1,176.54	287.03	0.00	0.00	0.00	0.00	239,994.72	1,038.20	0.00
	12/01/2010	12/14/2010		Payment	1,783.62	321.62	1,174.97	287.03	0.00	0.00	0.00	0.00	239,673.10	1,325.23	0.00
	01/01/2011	01/14/2011		Payment	1,783.62	323.19	1,173.40	287.03	0.00	0.00	0.00	0.00	239,349.91	1,612.26	0.00
			02/07/2011	Tax Disbursement-ELBERT COUNTY	-1,137.60	0.00	0.00	-1,137.60	0.00	0.00	0.00	0.00	239,349.91	474.66	0.00
	02/01/2011	02/14/2011		Payment	1,783.62	324.77	1,171.82	287.03	0.00	0.00	0.00	0.00	239,025.14	761.69	0.00
	03/01/2011	03/11/2011		Payment	1,783.62	326.36	1,170.23	287.03	0.00	0.00	0.00	0.00	238,698.78	1,048.72	0.00
	04/01/2011	04/12/2011		Payment	1,783.62	327.96	1,168.63	287.03	0.00	0.00	0.00	0.00	238,370.82	1,335.75	0.00
	05/01/2011	05/02/2011		Payment	1,801.85	329.57	1,167.02	287.03	18.23	0.00	0.00	0.00	238,041.25	1,622.78	0.00
				Escrow Payment Received	100.00	0.00	0.00	100.00	0.00	0.00	0.00	0.00	238,041.25	1,722.78	0.00

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WWW.OCWEN.COM

Loan#: 71558183

Customer Name(s): Shannon Wirtjes

Check / Ref. Number	Date Payment Received	Date Assessed / Transaction Date	Description	Amount Applied/ Assessed	Principal Application	Interest Application	Escrow Application	Optional Products	Late Charges	Fees/ Other Application Descriptions	Suspense Application	Principal Balance	Escrow Balance	Suspense Balance
		05/20/2011	Tax Disbursement-ELBERT COUNTY	-1,137.60	0.00	0.00	-1,137.60	0.00	0.00	0.00	0.00	238,041.25	585.18	0.00
		05/31/2011	Escrow Refund	-4.68	0.00	0.00	-4.68	0.00	0.00	0.00	0.00	238,041.25	580.50	0.00
06/01/2011	06/08/2011		Payment	1,805.09	331.18	1,165.41	290.27	18.23	0.00	0.00	0.00	237,710.07	870.77	0.00
07/01/2011	07/06/2011		Payment	1,805.09	332.80	1,163.79	290.27	18.23	0.00	0.00	0.00	237,377.27	1,161.04	0.00
08/01/2011	08/12/2011		Payment	1,805.09	334.43	1,162.16	290.27	18.23	0.00	0.00	0.00	237,042.84	1,451.31	0.00
09/01/2011	09/13/2011		Payment	1,805.09	336.07	1,160.52	290.27	18.23	0.00	0.00	0.00	236,706.77	1,741.58	0.00
		09/22/2011	Insurance Disbursement -STATE FARM	-1,065.00	0.00	0.00	-1,065.00	0.00	0.00	0.00	0.00	236,706.77	676.58	0.00
10/01/2011	10/13/2011		Payment	1,805.09	337.71	1,158.88	290.27	18.23	0.00	0.00	0.00	236,369.06	966.85	0.00
11/01/2011	11/14/2011		Payment	1,805.09	339.37	1,157.22	290.27	18.23	0.00	0.00	0.00	236,029.69	1,257.12	0.00
12/01/2011	12/13/2011		Payment	1,805.09	341.03	1,155.56	290.27	18.23	0.00	0.00	0.00	235,688.66	1,547.39	0.00
01/01/2012	01/09/2012		Payment	1,805.09	342.70	1,153.89	290.27	18.23	0.00	0.00	0.00	235,345.96	1,837.66	0.00
		02/06/2012	Tax Disbursement-ELBERT COUNTY	-927.92	0.00	0.00	-927.92	0.00	0.00	0.00	0.00	235,345.96	909.74	0.00
02/01/2012	02/10/2012		Payment	1,805.09	344.38	1,152.21	290.27	18.23	0.00	0.00	0.00	235,001.58	1,200.01	0.00
03/01/2012	03/12/2012		Payment	1,805.09	346.06	1,150.53	290.27	18.23	0.00	0.00	0.00	234,655.52	1,490.28	0.00
04/01/2012	04/12/2012		Payment	1,805.09	347.76	1,148.83	290.27	18.23	0.00	0.00	0.00	234,307.76	1,780.55	0.00
05/01/2012	05/08/2012		Payment	1,805.09	349.46	1,147.13	290.27	18.23	0.00	0.00	0.00	233,958.36	2,070.82	0.00

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NMLS # 1852



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WWW.OCWEN.COM

Loan#: 71558183

Customer Name(s): Shannon Wirtjes

Check / Ref. Number	Date Payment Received	Date Assessed / Transaction Date	Description	Amount Applied/ Assessed	Principal Application	Interest Application	Escrow Application	Option Products	Late Charges	Fees/ Other (See Description)	Suspense Application	Principal Balance	Escrow Balance	Suspense Balance
	012	012										0		
		05/21/2012	Tax Disbursement-ELBERT COUNTY	-927.92	0.00	0.00	-927.92	0.00	0.00	0.00	0.00	233,958.30	1,142.90	0.00
		05/23/2012	Escrow Refund	-703.02	0.00	0.00	-703.02	0.00	0.00	0.00	0.00	233,958.30	439.88	0.00
			Ending Balance						0.00	0.00		233,958.30	439.88	0.00

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P.O. Box 24737
West Palm Beach, FL 33416-4737
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WWW.OCWEN.COM

Item	When Charged	Item	When Charged
Late Fee	If your payment is not received before the grace period expires as stated in your loan documents.	Returned Check Fee	If your bank returns a check unpaid for any reason (such as insufficient funds in the account-NSF, payment has been stopped, not properly endorsed, incorrect information, etc.)
Tax Backsearch Fee	If Ocwen has been advised that the taxes on a non-escrowed loan are delinquent, this fee is charged to investigate what taxes are owed.	Broker's Price Opinion	If you become delinquent on your loan, this fee may be charged for determining the value and condition of the property, using a certified Real Estate Agent.
Bankruptcy Fees and/or Costs	If your loan is involved in bankruptcy proceedings, these fees will be charged once the loan is referred to a law firm to represent Ocwen in regards to the bankruptcy.	Prepayment Penalty Fee	You may have taken out a loan with a prepayment penalty. This is an amount that is charged if you pay off your loan early by refinancing or selling your property or if payments of principal are made before they are due.
Assumption Cost	If your loan is assumed by a third-party (for example, if you transfer your property), this cost may be charged for the underwriting, preparation and processing of necessary documents and for attorney fees.	Loan Modification Fee	If you request that your loan terms be modified as part of any agreed upon resolution of a loan delinquency, this fee may be charged for preparation and processing of necessary documents and for attorney costs.
Subordination Fee	If you agree to a resolution that requires the position of the lien securing the loan to be subordinated (ie, lowered) in relation to another lien, this fee may be charged for preparation and processing of necessary documents to be filed.	Partial Release Fee	If you or a third party requests a release of a portion of the property from the lien, this fee may be charged for preparing and recording the partial release.
Satisfaction Fee	If you pay off your loan, this fee may be charged to cover the expense of recording the release / satisfaction of the loan as determined by the applicable county / town.	Certified Mail Fee	If you become delinquent on your loan, this fee may be charged to send you a Notice of Default via Certified Mail.
Property Inspection Fee	If you become delinquent on your loan, this fee may be charged for an inspection of the property to make sure that it is still in good condition.	Foreclosure Attorney Fee	If you become delinquent on your loan and foreclosure is required, this fee may be charged for services rendered by Ocwen's legal counsel who handle the foreclosure case. Ocwen utilizes recognized industry guidelines, such as Fannie Mae and Freddie Mac, to assist in establishing acceptable limitations for attorney fees.
Foreclosure Costs	If you become delinquent on your loan and foreclosure is required, these fees and costs may be charged for expenses and court costs incurred by Ocwen to complete the legal requirements associated with a foreclosure action.		

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NMLS # 1852

10/10/2012
 10/10/2012
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10/10/2012

LOAN NO. 0030980812
 WWW.FIDELITYMORTGAGE.COM
 TOLL FREE 1-888-430-6666

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

The records indicate that your services recently were transferred to a new servicer. As a result, we are required to provide you with this Annual Escrow Account Disclosure Statement.

ANNUAL ESCROW ACCOUNT DISCLOSURE STATEMENT

The following statement of activity in your escrow account from 01/09 through 01/10 displays actual activity as it occurred in your escrow account during that period. If you received account projections and 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			
December		384.75 *			Beginning Balance	0.00	384.75
October		769.50 *				.00	769.50
November		384.75 *			10/10 - HAZARD INS	.00	769.50
January		384.75 *				.00	769.50
February		384.75 *				.00	769.50
March		384.75 *			1/10/10 - P & S TAX	.00	769.50
April		384.75 *			1/10/10 - TRANSFER BAL	.00	769.50
May		384.75 *				.00	769.50

* Actual activity. Balances at month end indicate a difference from projected activity either in the amount or timing.

If you have any questions about this Record, please call our Customer Service Department at 1-888-430-6666.