

FILED
JACKSONVILLE, FLORIDA

JUN 18 2012

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

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

In re:

Chapter 11 Case

**TAYLOR, BEAN & WHITAKER
MORTGAGE CORP.,
REO SPECIALISTS, LLC, and
HOME AMERICAN MORTGAGE, INC.,**

Debtors

**Case No. 3:09-bk-07047-JAF
Case No. 3:09-bk-1022-JAF
Case No. 3:09-bk-10023-JAF**

**Jointly Administered Under
Case No. 3:09-bk-07047-JAF**

In re:

**TAYLOR, BEAN & WHITAKER
MORTGAGE CORP., Claim # 1484**

**Case No. 3:09-bk-07047-JAF
Doc 5390 Filed 06/01/12**

**BERGER SINNGERMAN LLP
Counsel to Neil F. Luria, Plan Trustee for the Taylor, Bean & Whitaker Plan Trust**

RESPONSE TO THE FIFTY FOURTH OMNIBUS OBJECTION TO CLAIMS

(TBW Borrower Claims – Miscellaneous)

COMES NOW, DEAN L. JACOBS and MARCIELLE S. JACOBS, "Jacobs" and file a RESPONSE TO THE FIFTY FORTH OMNIBUS OBJECTION TO CLAIMS, which Claim is number 1484 in the amount of \$3,442.68 (see Attachment A) in the Taylor, Bean & Whitaker Mortgage Corp., hereinafter "TBW" bankruptcy. The Jacobs assert that they paid the taxes on the property in February 2010 for 2009 property taxes due and have paid homeowners insurance on the property that were due from the TBW escrow account. Principle and interest payment was never credited to the investor for the Jacobs' loan upon information and belief (see Exhibit B) therefore; the originally submitted claim is a valid Claim in full (see Exhibit C).

Furthermore, the Objection is meritless and should be denied for three reasons (1) The Objection provides no evidence that a third-party has paid or should have paid the Jacobs'

Claim, in part or in full – indeed no third-party has made such payment and no payment to the Jacobs' knowledge has been made to any investor; (2) It provides insufficient notice for its legal justification because it cites no provision of law that a third-party is legally responsible for partial or full payment of the Claim amount and (3) the evidence indicates that no party other than the TBW was and is responsible for payment of the Jacobs' Claim. As a result, Plan Trustee has not rebutted the presumption of validity created by the filing of the Jacobs' Proof of Claim and the Objection should be overruled and denied. *In re Southern Calif. Plastics, Inc.*, 165 F3d 1243. 1248 (9th Cir. 1999).

Further, the Objection asserts that the Jacobs' Claim has been or should have been paid in part or full after the TBW transferred the servicing of the Jacobs' loan to a third party, in the Jacobs' case, that is Cenlar and then Ocwen. However, the Plan Trustee concedes that it has no written evidence that this is in fact the case. In fact since 2008 (the Jacobs filed a formal QWR to TBW in 2008), the Jacobs have been actively seeking who the investor in their loan is and to date they do not have an answer. The Plan Trustee indicates it has received "verbal confirmation", but provides no evidence – neither by declaration or affidavit – that such verbal confirmation indicates that the Jacobs' Claim has been or should have been paid in part or in full by, presumably, Cenlar and then Ocwen. The Plan Trustee admits that "written confirmation" has not been forthcoming. Accordingly the Plan Trustee has presented no evidence that the basis for the Objection is valid as to the Jacobs' Claim and that the amounts have been partially or fully satisfied as of the date of the Objection.

Nor does the Objection cite a legal basis for its assertion that the new servicer – here Cenlar and then Ocwen were legally obligated to satisfy the Jacobs' Claim. Under Federal Rule of Bankruptcy Procedure 3007(d), the Plan Trustee's Objection must "have been satisfied or released during the case in accordance with the Code, applicable rules, or court order." The Plan Trustee, however, provides no citation to any provision of the Bankruptcy Code, applicable rule or statute, or clause in any contract between TBW and Cenlar or Ocwen that would obligate Cenlar or Ocwen to satisfy the Jacobs' Claim. Absent such information, and the aforementioned (non-existent) evidence, The Plan Trustee cannot meet its burden of rebutting the presumptive validity of the Jacobs' Claim and demonstrating that TBW is not liable to pay the Jacobs' Claim.

Finally, the evidence we have indicates that our new servicer, Ocwen, is not responsible for paying the amount of our Claim and thus far is unable to prove who the investor is in the

Jacobs' Note as evidenced by a foreclosure in the name of Ocwen Loan Servicing, LLC as Servicer for CSFB and attorney for Ocwen admitting that CSFB has nothing to do with the foreclosure. And litigation for over two years still hasn't yielded an investor in the Jacobs' Note. Claimants have spent thousands of dollars in legal fees and endless hours of research to find that they became undisclosed investors when TBW allegedly pledged their Note to multiple investors.

In sum, the Plan Trustee has presented no evidence to rebut the presumption of validity created by the filing of our Proof of Claim, such that the burden remains on the Plan Trustee. It cannot meet that burden. *In re Southern Calif. Plastics, Inc.*, 65 F3d at 1248; *In re Palmdale Hills Property, LLC*, 423 B.R. 655, 665 (9th Cir. BAP 2009) (party objecting to claim has burden of overcoming prima facie case by challenging validity of claim).

The objection asks the Claimant to include the following:

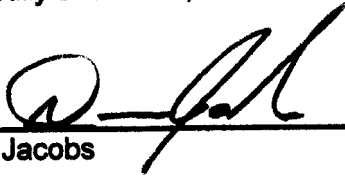
- (i) The approved case caption and the title of the objection to which the response is directed;
- (ii) the name of the claimant and the official claim number;
- (iii) a description of the basis for the amount of its underlying proof of claim or scheduled claim; and
- (iv) a concise statement setting forth the reasons why the Court should not sustain the objection, including, but not limited to, the specific factual and legal bases upon which the claimant will reply in opposing the objection. Any written response filed with the Clerk of the United States Bankruptcy Court, Bryan Simpson United States Courthouse, 300 North Hogan Street, Suite 3-350, Jacksonville, FL 32202 with a copy to Alisa Paige Mason, Esq., Berger Singerman, LLP, 1450 Brickell Avenue, Suite 1900, Miami, FL 33131-3453

The Jacobs have correctly identified all of the above inclusions for information set forth herein and reserve the right to amend their Claim and to file a reply to any additional grounds for objections not set forth herein and /or to further reply to any objections to any further claims not presently set forth herein. By filing this reply to the Omnibus Objection, the Jacobs' do not waive the right to file further replies to objections or to pursue replies to avoidance actions or other causes of action.

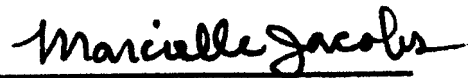
WHEREFORE, the Jacobs respectfully request that the Court (1) deny the Plan Trustee's request to deny the Jacobs' Claim in full and in part and deny with prejudice the rights of the Plan Trustee or other interested parties to file further objections or to pursue avoidance actions or other causes of action, and (2) grant such other and further relief as is just and appropriate.

Dated: June 14, 2012

Respectfully submitted,



Dean L. Jacobs
305 Rolling Hills Place
Parker, CO 80138
(303) 805-0191



Marcielle S. Jacobs
305 Rolling Hills Place
Parker, CO 80138
(303) 805-0191

Dean L. & Marcielle S. Jacobs
305 Rolling Hills Place
Parker, CO 80138
(303) 596-3327
E-mail: marcie.jacobs@yahoo.com

BMC Group, Inc
Taylor, Bean & Whitaker Mortgage Corp Claims Processing
P.O. Box 3020
Chanhassen, MN 55317-3020

April 23, 2010

Dear Sir or Madam,

Please find my POC form attached for Taylor, Bean & Whitaker Mortgage Corp. as related to their Chapter 11 Bankruptcy with a filing date of August 24, 2009 and a Case Docket # of 3:09-bk-07047-JAF (Jointly Administered). The trustee in the bankruptcy is:

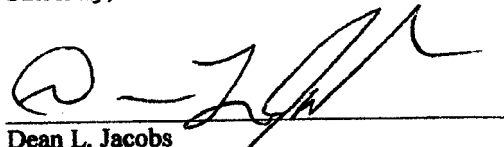
United States Trustee
Elena L. Escamilla, Trial Attorney
Office of the United States Trustee
US Department of Justice
Florida Bar No. 898414
135 W Central Blvd, Suite 620
Orlando, FL 32801

Phone: (407) 648-6301 (Ext 127)
Fax : (401) 648-6323

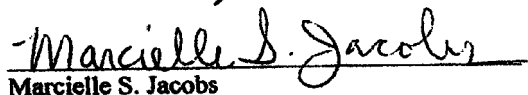
Email : Elena.L.Escamilla@usdoj.gov

The amount we are claiming is an estimate regarding our last payment and the fees and escrow balance held by Taylor, Bean & Whitaker at the time of their bankruptcy filing.

Sincerely,



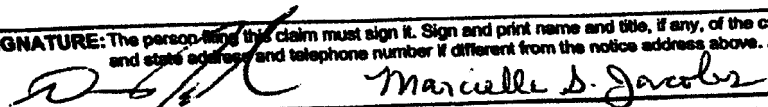
Dean L. Jacobs



Marcielle S. Jacobs

CC: W.J. Barnes, PA
6655 West Sahara Avenue, Suite B200
Las Vegas, NV 89146

" Exhibit A "

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.	
<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. Dean L. Jacobs & Marcielle S. Jacobs 305 Rolling Hills Pl Parker, CO 80138	
Creditor Telephone Number 803 305-0191 <input checked="" type="checkbox"/> Check box if address is where Notice is to be sent.	
Name and address where payment should be sent (if different from above):	
<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:	
Payment Telephone Number ()	
1. AMOUNT OF CLAIM AS OF DATE CASE FILED \$ <u>3442.68</u> 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.	
<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: Escrow & Last Payment P&I #2,238.65 & T&D \$1,204.03	3. LAST FOUR DIGITS OF ANY NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR: <u>2850 31299</u> 3a. Debtor may have scheduled account as:
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: <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 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. 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 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 type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5). <input type="checkbox"/> 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). <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8). <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 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.) 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	
THIS SPACE FOR COURT USE ONLY	
DATE 4-23-2010	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.  Marcielle S. Jacobs

Penalty for presenting fraudulent claim is a fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. 66152 AND 3571.

" Exhibit A "



October 15, 2009

#BWNHNTZ
Dean Jacobs
Marcielle Jacobs
305 Rolling Hills Pl
Parker CO 80138 0000

RE: Loan Number:
Property Address: 305 Rolling Hills Pl
Parker CO 80138

Dear Customer:

Thank you for your recent inquiry regarding your loan.

As a result of the transition of the servicing of the loan from Taylor, Bean & Whitaker to Central Loan Administration and Reporting (Cenlar FSB), some borrower payments have been delayed in the forwarding from Taylor, Bean & Whitaker to Cenlar. As soon as Cenlar is in receipt of your payment, you can be assured it will be applied to your loan promptly. There have been no late fees assessed and no derogatory credit reporting has occurred.

Please do not hesitate to contact us if we can be of further assistance.

Sincerely,

Corporate Research Unit
CR099 036 EMD FI (CR208)

" Exhibit A "

Loan Number _____
 Due Date 07/01/09

Account Projection Summary for 09/09 Through 08/10

Projected T&I Payment:	370.22 (12 payments)		
Current Balance Projected Low Point:		463.55	New Payment Information:
Less the lowest of the following:			Current P&I Payment:
RESPA Allowed Low Point:	740.44		2,338.65
Mtg Document Allowed Low Point:	740.44		T&I Payment:
Low Point Selected By Servicer:	740.44	740.44	370.22
Net Balance:		276.89	1/12 of Shortage:
			23.07
Resulting Shortage:		276.89	
T&I Balance:		1,204.03	
Plus Shortage:		276.89	New Payment Effective: 09/01/09
Required Beginning Balance Projection to Ensure Low Point (incl reserves) of:	740.44 **	1,480.92	<u>2,731.94</u>

You have a shortage of 276.89. This shortage may be collected from you over a period of 12 months or more unless the shortage is less than one month's deposit, in which case we have the additional option of requesting payment within 30 days. WE HAVE DECIDED TO COLLECT IT OVER 12 MONTHS.

An "F" indicates a reserve amount held in the account for a future year disbursement.

Reserves held for items yet to be paid are needed in your escrow account to pay for tax and/or insurance items that were due to be paid prior to the T&I computation period, as indicated.

For further explanation, please call Servicing Department.

Keep this statement for comparison with the actual activity in your account at the end of the next escrow accounting computation year.

" Exhibit A "

July 8, 2009

Taylor, Bean & Whitaker Mortgage Corp.
 1417 North Magnolia Ave
 Ocala, FL 34475-9078
 (888) 225-2164

Loan Number
 Due Date 07/01/09

Property Address:
 305 ROLLING HILLS PLACE
 PARKER CO 80138

DEAN L. JACOBS & MARCIELLE S. JACOBS
 305 ROLLING HILLS PLACE
 PARKER CO 80138

Account Projection Detail for 09/09 Through 08/10

Month	Projected T&I Pmt	Projected T&I Disb	Disb Desc	Current Bal Projection	Required Bal Projection
Starting T&I Balance.....				1,204.03	1,480.92
September	370.22	0.00		1,574.25	1,851.14
October	370.22	0.00		1,944.47	2,221.36
November	370.22	0.00		2,314.69	2,591.58
December	370.22	0.00		2,684.91	2,961.80
January	370.22	0.00		3,055.13	3,332.02
February	370.22	1,426.00	Property Insurance	1,999.35	2,276.24
	0.00	1,508.34	County Taxes	491.01	767.90
March	370.22	0.00		861.23	1,138.12
April	370.22	0.00		1,231.45	1,508.34
May	370.22	0.00		1,601.67	1,878.56
June	370.22	1,508.34	County Taxes	463.55	740.44 **
July	370.22	0.00		833.77	1,110.66
August	370.22	0.00		1,203.99	1,480.88
Totals.....	4,442.64	4,442.68			

" Exhibit A "

July 8, 2009

Taylor, Bean & Whitaker Mortgage Corp.
 1417 North Magnolia Ave
 Ocala, FL 34475-9078
 (888) 225-2164

Loan Number _____
 Due Date 07/01/09

Property Address:
 305 ROLLING HILLS PLACE
 PARKER CO 80138

DEAN L. JACOBS & MARCIELLE S. JACOBS
 305 ROLLING HILLS PLACE
 PARKER CO 80138

Account History for 09/08 Through 08/09

Month	Projected T&I Pmt	Actual T&I Pmt	Projected T&I Disb	Actual T&I Disb	Disb Desc	Projected T&I Balance	Actual T&I Balance
Starting T&I Balance.....						1,411.68	312.11
September	352.92	444.55 *	0.00	0.00		1,764.60	756.66
October	352.92	444.55 *	0.00	0.00		2,117.52	1,201.21
November	352.92	444.55 *	0.00	0.00		2,470.44	1,645.76
December	352.92	444.55 *	0.00	0.00		2,823.36	2,090.31
January	352.92	444.55 *	0.00	0.00		3,176.28	2,534.86
February	352.92	444.55 *	1,189.00	0.00 *	Property Insurance	2,340.20	2,979.41
	0.00	0.00	0.00	1,426.00 *	Property Insurance	2,340.20	1,553.41
	0.00	0.00	1,523.02	1,508.34 *	County Taxes	817.18	45.07
March	352.92	444.55 *	0.00	0.00		1,170.10	489.62
April	352.92	444.55 *	0.00	0.00		1,623.02	934.17
May	352.92	444.55 *	0.00	0.00		1,675.94	1,376.72
	0.00	0.00	0.00	1,508.34 *	County Taxes	1,675.94	-129.62 **
June	352.92	444.55 *	1,523.02	0.00 *	County Taxes	705.84	314.93
July	352.92	444.55 * E	0.00	0.00		1,058.76	759.48
August	352.92	444.55 * E	0.00	0.00		1,411.68	1,204.03
Totals.....	4,235.04	5,334.60	4,235.04	4,442.68			

An asterisk (*) indicates a difference from a previous estimate either in the date or the amount. An "E" indicates estimates for future payments or disbursements.

Your mortgage payment, as of the last T&I Account Disclosure Statement, was 2,783.20. The breakdown was as follows: 2,338.65 Principal and Interest, 444.55 T&I, 0.00 Miscellaneous Insurance, 0.00 Subsidy.

Last year, we anticipated that disbursements from your T&I account would be made during this period equalling 4,235.04. Under RESPA, your low monthly T&I balance should not have exceeded 705.84, or 1/8 of anticipated disbursements. Under your mortgage contract, your low monthly T&I balance should not have exceeded 705.84. Under your servicers selected low point, your low monthly T&I balance should not have exceeded 705.84. The low balance was -129.62**.

Review the difference in the activity that we projected to occur against the actual history. Possibilities for not reaching the low balance may include:

1. A tax bill, insurance bill, or other T&I item was paid at a lower amount than projected, or was paid later than projected.
2. A surplus from a prior year was not eliminated.
3. Unscheduled deposits were made to the T&I account.
4. Unscheduled disbursements were made from the T&I account.

For further explanation, please call Servicing Department.

" Exhibit A "

DECLARATIONS

COLORADO HOMEOWNERS POLICY - GOLD STAR SPECIAL DELUXE FORM (ED 06/94) CO

NON-ASSESSABLE POLICY ISSUED BY AMERICAN FAMILY MUTUAL INSURANCE COMPANY
A MEMBER OF THE AMERICAN FAMILY INSURANCE GROUP, MADISON, WI
PLEASE READ YOUR POLICY

POLICY NUMBER

MORTGAGEE

NAMED INSURED

JACOBS, DEAN & MARCIELLE
305 ROLLING HILLS PL
PARKER, CO 80138-4905

EFFECTIVE

FROM 1/14/2010 TO 2/22/2011

COVERAGES AND LIMITS PROVIDED

001 FAMILY FRAME DWELLING IN TOWN CLASS 5

SECTION I

DWELLING

LIMITS

\$345,000

\$276,000

MARCIELLE S. JACOBS
DEAN L. JACOBS
305 ROLLING HILLS PL
PARKER, CO 80138

02-051/1070

1004

\$1,000

DATE FEB 11 10

\$1,000,000

\$5,000

PAY TO
THE ORDER OF

American Family Insurance

\$ 390.29

Three Hundred Ninety And 29/100

DOLLARS



FirstBank Of Parker
P.O. Box 211
Parker, CO 80134
(800) 984-3444

MEMO 3 months Home Owners ins.

[Handwritten signature]

130.08/mo.

- COMPUTER RELATED & ELECTRON PROB EACL (END 507 ED 10/70)
- FUNGI OR BACTERIA EXCLUSION (END 595 ED 6/02)
- GOLD STAR HOMEOWNERS AMENDATORY (END 587 ED 10/99)
- ACTUAL CASH VALUE WOOD ROOF SURFACE LOSS SETTLEMENT (END 596A ED 11/08)
- COLORADO AMENDATORY HOMEOWNERS (END 584C (CO) ED 11/09)

prem \$ 1561

LATEST BUILDING COST INDEX IS 223

Declarations effective on the date shown above. These declarations form a part of this policy and replace all other declarations which may have been issued previously for this policy. If these declarations are accompanied by a new policy, the policy replaces any which may have been issued before with the same policy number.

AUTHORIZED REPRESENTATIVE

John Selman
President

[Handwritten signature]
Secretary

AGENT 196-302 PHONE (303) 693-0268

Heather Oster Agency
20941 E Smoky Hill Dr Unit G
Aurora, CO 80015-5197

"Exhibit B"

Accountholder:

American Family Insurance
HEATHER K OSTER
20941 E SMOKY HILL RD UNIT G
AURORA, CO 80015-5197
(303) 693-0268
HOSTE2@AMFAM.COM

DEAN & MARCIELLE JACOBS
305 ROLLING HILLS PL
PARKER, CO 80138-4905

Billing Number	Personal Lines	Amount
		\$390.24
Total Payment:		\$390.24

Received From: DEAN & MARCIELLE JACOB
Check Number: 1004
Received Date: 02/11/2010
Received Time: 11:46:23 AM (CST)
Confirmation Number: 000-000-010-700-3vp

Thank you for your continued business!

" Exhibit B "

ACCOUNT # R112441
 PARCEL # 6510202004
 TAX DISTRICT 0009

REAL PROPERTY TAX NOTICE
2009 TAXES DUE IN 2010

ELBERT COUNTY TREASURER
 P.O. BOX 67 - KIOWA, CO 80117
 (303) 621-3120

ELBERT COUNTY GENERAL FUN	16.37000	0.00000	580.64	LAND	191400	15240
ELBERT COUNTY RD & BRIDGE	9.50000	0.00000	336.97	BUILDINGS/IMPROVE	254087	20230
ELBERT COUNTY CONTINGENCY	0.00000	0.00000	0.00	PERSONAL	0	0
ELBERT COUNTY SOCIAL SERV	1.50000	0.00000	53.21	TOTAL	445487	35470
ELBERT COUNTY RETIREMENT	0.70300	0.00000	24.94	SENIOR EXEMPT TAX	0	0
DO CO R11B GENERAL FUND	32.48500	0.00000	1152.25	NET TOTAL	445487	35470
DO CO R11B BOND FUND	14.19600	0.00000	503.53			
RATTLESNAKE FIRE GENERAL	9.84100	0.00000	349.06			
RATTLESNAKE FIRE CAPITAL	0.00000	0.00000	0.00			
KIOWA SOIL CONSERVATION	0.00000	0.00000	0.00			
ELBERT COUNTY LIBRARY	2.51600	0.00000	89.24			

TOTAL NET LEVY --> 87.11100 3089.84
 GRAND TOTAL \$3,089.84

S B 25 - In absence of State Legislative Funding, your School General Fund mill levy would have been 76.9610

IF YOU HAVE PRIOR YEAR TAXES DUE, PAYMENT IS REQUIRED IN CERTIFIED FUNDS.

SECTION: 10 TOWNSHIP: 6 RANGE: 65 SUBDIVISION:
 ROLLING HILLS ACRES FIL 2 LOT: 0021

FIRST HALF	FEB 28, 2010	\$1,544.92
SECOND HALF	JUN 15, 2010	\$1,544.92
FULL PAYMENT	APR 30, 2010	\$3,089.84

MARCELLE S. JACOBS
 DEAN L. JACOBS
 305 ROLLING HILLS PL.
 PARKER, CO 80138

82-051/1070

1005

PAY TO ELBERT COUNTY TREASURER
 THE ORDER OF ONE THOUSAND FIVE HUNDRED FORTY FOUR AND 92/100 DOLLARS

DATE FEB 10 10

\$ 1544 92
 DOLLARS

FirstBank Of Parker
 P.O. Box 211
 Parker, CO 80134
 (800) 984-3444

MEMO 1/2 Tax Payment

NOTE TO: COUNTY TREASURER
 CHECKS ARE NOT ACCEPTED
 If property, please forward this to new owner or return to this office.
 See side of this form for information.

County Treasurer is not responsible for erroneous payments. If in doubt please check with your mortgage holder to determine who is to make the tax payment. Failure to do so could result in delayed processing of your account.

2009 TAXES

RETURN THIS COUPON WITH FIRST HALF OR FULL PAYMENTS

Full Payment or 1st Half Coupon

ELBERT COUNTY TREASURER
 P.O. BOX 67
 KIOWA, CO 80117

DO NOT PAY THIS BILL IF YOUR MORTGAGE COMPANY WILL MAKE THIS PAYMENT.

R112441

IF YOUR ADDRESS IS NOT CORRECT, Check this box for change of address, make changes and sign below.

PROPERTY OWNER OF RECORD
 JACOBS DEAN L.
 JACOBS MARCELLE S.
 305 ROLLING HILLS PL.
 PARKER, CO 80138

PAYMENTS MUST BE IN U.S. FUNDS AND DRAWN ON A U.S. BANK

FIRST HALF DUE BY FEB 28, 2010 [] \$1,544.92
 FULL AMOUNT DUE BY APR 30, 2010 [] \$3,089.84

" Exhibit B "

ELBERT COUNTY TREASURER

Account	Parcel Number	Receipt Date	Receipt Number
R112441	6510202004	Feb 11, 2010	02-11-2010-4-001562

JACOBS DEAN L
 305 ROLLING HILLS PL
 PARKER, CO 80138

Situs Address
 305 ROLLING HILLS PL

Payor
 JACOBS DEAN L
 305 ROLLING HILLS PL
 PARKER, CO 80138

Legal Description

Section: 10 Township: 6 Range: 65Subdivision: ROLLING HILLS ACRES FIL 2 Lot: 0021

Property Code	Actual	Assessed	Year	Area	Mill Levy
SINGLE FAM.RES.-LAND - 1112	191,400	15,240	2009	0009	87.111
SINGLE FAM.RES-IMPROVEMTS - 1212	254,087	20,230	2009	0009	87.111

Payments Received

check \$1,544.92
 Reference 1005

Payments Applied

Year	Charges	Billed	Prior Payments	New Payments	Balance
2009	Tax Charge	\$3,089.84	\$0.00	\$1,544.92	\$1,544.92
				\$1,544.92	\$1,544.92

P.O. BOX 67
 KIOWA, CO. 80117

" Exhibit B "

**WELLS
FARGO**

Online Banking Claims Research
P.O. Box 22111
Salt Lake City, UT 84122-0100

April 29, 2010

Dean Jacobs
305 Rolling Hills Place
Parker, CO 80138

Dear Dean Jacobs:

Thank you for your request for documentation regarding your 08/10/2009 Bill Pay payment to TAYLOR, BEAN & WHITAKER in the amount of \$2,783.20. After reviewing your claim # 1749375, we have summarized the transaction history of this payment below.

On 09/01/2006 the payee TAYLOR, BEAN & WHITAKER was created in your online Bill Pay service.

On 08/09/2009 the payment for \$ 2,783.20 was scheduled. To be paid on 08/10/2009.

On 08/10/2009 the payment was processed and sent according to your instructions.

On 08/27/2009 we received your claim #1749375 stating that this payment was never received by your payee.

On 08/27/2009 we sent a notice to you advising we received this claim and would keep you updated with our research through future notices

On 08/27/2009 we called your payee at 800-728-1129 several times however the line was busy.

On 08/31/2010 we contacted your payee at 800-728-1129 where we were informed that they no longer service this type of loans since 08/05/2009. We called you at 303-712-5115 and you requested that we call Edward J Peterson at 813-229-0144.

On 09/01/2009 and 09/02/2010 we called Edward J Peterson but his office was closed.

On 09/03/2009 we contacted Edward J Peterson spoke with Mary Brown who stated that the funds received have been frozen by the FDIC and cannot be released to the new servicer. We then called you and informed you that the claim will remain open until the funds are located.

On 09/09/2009 we faxed proof of payment to Mary Brown at 813-229-1811.

On 09/11/2009 we spoke with Mary Brown she stated that she can longer assist in resolving this issue. We then sent you a notice to your Bill Pay service.

On 09/14/2009 we called your payee at 877-680-5583 but we were unable to reach a representative due to extensive hold time.

On 09/16/2009 we contacted your payee at 877-680-5583 spoke with Howard, He requested you on the line. We called you at 303-712-5115 and perform a conference call. You payee

" Exhibit B "



Online Banking Claims Research
P.o. Box 22111
Salt Lake City, UT 84122-0100

stated that your account number is [redacted] we then faxed proof of payment to the attention of Cenlar. We then sent you a notice to your Bill Pay notice and closed the claim.

On 04/17/2010 this claim was reopened requesting documentation on this claim.

On 04/20/2010 we contacted you at 303-712-5115; you stated that you don't want the case researched again just documentation of this claim.

On 04/21/2010 we sent you a Bill Pay notice and closed the claim

We value your business and look forward to serving your future financial needs. If you have any questions, please contact us anytime at 1-800-956-4442.

Sincerely,

A handwritten signature in black ink, appearing to read "F Ruffinengo".

F Ruffinengo
Wells Fargo
Bill Pay Research Team

" Exhibit B "

In re: Taylor, Bean & Whitaker Mortgage Corp., et al.
 Jointly Administered Under Case No. 3:09-bk-07047-JAF
OMNIBUS 54: EXHIBIT C - PAID CLAIMS

Creditor Name / Address	Case Number	Claim Number	Total Claim Dollars*	Claim Type**	Modified Claim Amount*	Claim Type**
1 CHRISTIAN, JEFF DOUGLAS & PATRICIA LANEA 5958 S 178TH W AVE SAND SPRINGS, OK 74063	09-07047	1186	\$0.00	(P)	\$0.00	(P)
			\$2,500.00	(U)	\$0.00	(U)
			UNLIQUIDATED			
2 JACOBS, DEAN L & MARCIELLE S 305 ROLLING HILLS PL PARKER, CO 80138	09-07047	1484	\$3,442.68	(U)	\$0.00	(U)
3 OCHOA, GEORGE & ANGELA 1139 DUNLAP LOOP NEW BRAUNFELS, TX 78130	09-07047	353	\$0.00	(S)	\$0.00	(S)
			\$96,411.17	(U)	\$0.00	(U)
			Totals:			
			\$0.00	(S)	\$0.00	(S)
			\$0.00	(P)	\$0.00	(P)
			\$102,353.85	(U)	\$0.00	(U)

*Plus, in certain instances, additional contingencies, unliquidated amounts, interest, penalties and/or fees.

** (A) - Administrative
 (P) - Priority

(S) - Secured
 (U) - Unsecured

" Exhibit C "