

F I L E D
JACKSONVILLE, FLORIDA

JUN 20 2012

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

June 19, 2012

Ms. Alisa Paige Mason
Berger Singerman Attorneys at Law
1450 Brickell Avenue
Suite 1900
Miami, Florida 33131-3453

Re: In re Taylor Bean & Whitaker Mortgage Corp., et al.
Case No.: 3:09-bk-07047-JAF – Claim No. 443

Dear Ms. Mason,

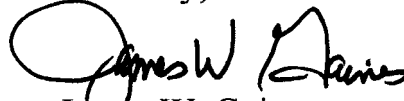
I received your correspondence dated June 1, 2012 regarding the Scheduling Conference and the info. regarding the Evidentiary Hearing. I later received correspondence that the Evidentiary Hearing is scheduled for October 11, 2012.

Ms. Mason your letter stated that I am required to attend the Evidentiary Hearing and my letter from the US Bankruptcy Court indicates that if I do not attend “any objections or defenses may be deemed waived”. I have provided all the information and documents to support my case that:

- 1) I made a payment in good faith to TB&W that was never applied to my loan balance.
- 2) I was finally reimbursed that said payment
- 3) I have not received a duplicate payment or applied credit for the amount of payment.

I realize the court has its rule and procedures but it would not be feasible for me to travel all the way to Jacksonville, Fla. for the hearing. My expense would probably outweigh my claim amount. I hope that Judge Funk will consider my situation in his ruling.

Sincerely,

A handwritten signature in black ink, appearing to read "James W. Gaines". The signature is written in a cursive style with a large initial "J".

James W. Gaines
2648 Little Creek Road
Burnsville, NC 28714

cc. Mr. Ray Readdick
Courtroom Administrator
US Bankruptcy Court
Jacksonville, Florida