

K. Michelle Kline, Esq.
Attorney at Law
210 Mystic Dr.
Egg Harbor Township, NJ 08234
609-653-2830

Attorney for Defendant, Gustavo A. Garcia-Lewis
(Chase Home Finance LLC vs. Gustavo A. Garcia-Lewis,
Atlantic County, Docket No. F-037003-10)

In re Application by JPMorgan Chase Bank, N.A. to
issue Corrected Notices of Intent to Foreclose on
behalf of Identified Foreclosure Plaintiffs in certain
uncontested cases.

Superior Court of New Jersey
Chancery Division
Passaic County
Docket No.: F-002979-13
Civil Action

Objection

Gustavo A. Garcia-Lewis, defendant in the matter of Chase Home Finance, LLC vs. Gustavo A. Garcia-Lewis et. al., Docket No. F-037003-10 (Atlantic County) by and through his attorney, K. Michelle Kline, Esq., does hereby OBJECT to the entry of this order and in support thereof avers:

1. Plaintiff has conceded that there was an incorrect Notice of Intent to Foreclose issued in this case before Plaintiff proceeding with the filing of the Foreclosure Complaint.
2. The purpose of the New Jersey Fair Foreclosure Act is to give good Notice to homeowners who reside in their house so they understand fully and fairly the foreclosure process and what their rights are in attempting to protect their home from foreclosure.
3. By this current Motion and Order to Show Cause, the Plaintiff is attempting to remedy the fact that incorrect Notices were given to certain non-contested foreclosure matters in a summary fashion.
4. The Case of Chase Home Finance, LLC vs. Gustavo A. Garcia-Lewis (Atlantic County, F-037003-10) is currently "uncontested" but it is not because Defendant failed to respond to the Complaint.
5. The record will show that Gustavo A. Garcia-Lewis filed an Answer to the foreclosure complaint, pro se, and that the matter was deemed uncontested.
6. The record will show that the Answer was later stricken after Defendant Gustavo A. Garcia-Lewis failed to respond to Plaintiffs' Motion for Summary Judgment.

7. It is questioned how Defendant Gustavo A. Garcia-Lewis would have been able to adequately respond to Plaintiff's Motion for Summary Judgment given that Plaintiff no admits that he was not given proper and adequate Notice under the New Jersey Fair Foreclosure Act.

8. Plaintiff should be required to issue a corrected Notice of Intent to Foreclose. so that Defendant Gustavo A. Garcia-Lewis will be given the Notice contemplated under the New Jersey statute.

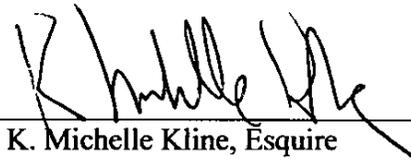
9. Despite the issue of whether a proper Notice to Foreclose was issued, Defendant raised defenses in his Answer that were meritorious and raised questions about the Foreclosure.

9. The Action of Chase Home Finance, LLC vs. Gustavo A. Garcia-Lewis (Atlantic County, F-037003-10) should be marked "Contested" and referred to the Chancery Division of Atlantic County so that Defendant Gustavo A. Garcia-Lewis can be given an adequate opportunity to defend the Foreclosure after having been given the proper notice as required by the Statute.

Wherefore, for the foregoing reasons, Defendant Gustavo A. Garcia-Lewis objects to the entry of this Order ; and in the alternative, if this Order is entered Defendant requests that the case of Chase Home Finance, LLC. vs. Gustavo A. Garcia-Lewis, et. al. (Atlantic County, F-037003-10) shall be deemed "Contested" and that Defendant Gustavo A. Garcia-Lewis shall be allowed to defend the Foreclosure Action.

Date:

4/18/13


K. Michelle Kline, Esquire

RECEIVED

APR 22 2013

**SUPERIOR COURT
CLERK'S OFFICE**

K. Michelle Kline, Esq.
Attorney at Law
210 Mystic Dr.
Egg Harbor Township, NJ 08234
609-653-2830

April 18, 2013

Superior Court Clerk's Office Foreclosure Processing Services
Attention: Objection to Notice of Intention to Foreclose
PO Box 971
Trenton, NJ 08625

Re: In re: Application of JP Morgan Chase Bank et. al.,
F-002979-13
(Chase Home Finance LLC. vs. Gustavo A. Garcia-Lewis, et. al.
F-037003-10)

To the Clerk:

Enclosed is my Objection filed on behalf of Defendant Gustavo A.-Lewis, et. al. in this matter.
I am not requesting Oral Argument.

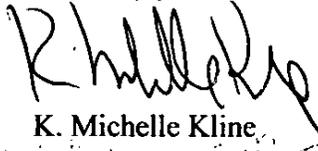
By copy of this letter, I have mailed a copy of this Objection to:

Christopher C. Loeber, Esq., Morgan Lewis and Bockius LLP, 502 Carnegie Center,
Princeton, NJ 08540-6241 and

The Honorable Margaret Mary McVeigh, P.J.Ch., Superior Court of New Jersey,
Passaic County Courthouse, Chambers 100, 71 Hamilton Street, Paterson, N.J. 07505.

Thank you for your attention to this matter.

Very truly yours,


K. Michelle Kline