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**IN THE MATTER OF RESIDENTIAL  
MORTGAGE FORECLOSURE  
PLEADING AND DOCUMENT  
IRREGULARITIES**

**SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION**

**Administrative Order 01-2010**

**Supplemental Administrative Order  
dated January 31, 2011**

**Docket No. F-238-11**

**Hon. Walter R. Barisonek  
Special Master**

**PHH MORTGAGE CORPORATION'S  
AMENDED SUBMISSION**

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PHH Mortgage Corporation ("PHH" or the "Company"), through counsel, and pursuant to a written request of Special Master Barisonek on February 16, 2011, respectfully files this amended submission in response to the Supplemental Administrative Order dated January 31, 2011 (the "Supplemental Order"), to Administrative Order 01-2010 (the "Order"), dated December 20, 2010. For the reasons stated more fully below in the "Objections" section, PHH respectfully objects to the Order and Supplemental Order. Specifically reserving its objections, PHH responds to the Supplemental Order as revised by an e-mail dated February 4, 2011, from Terri Jane Freedman, Esq., to counsel for the 24 Respondents (the "February 4 E-mail"). According to the February 4 E-mail, Ms. Freedman was directed by Judge Barisonek to notify

counsel for PHH, among others, that PHH need only respond to questions 1 and 2 in the Supplemental Order at this time

**QUESTIONS 1 and 2**

- 1. Whether PHH or any affiliate engages in servicing residential mortgage loans itself and, if so, for what entities, and the number of loans it or its affiliates serviced for each such entity in New Jersey in 2010*

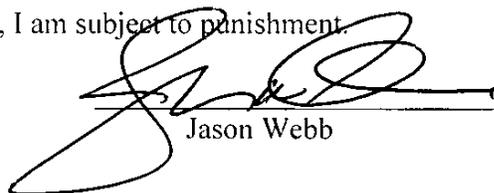
Response: PHH incorporates by reference, as if fully stated herein, the objections stated below. PHH in particular respectfully objects to this question to the extent that it seeks information about its investors and clients, for whom PHH did not foreclose upon a mortgage loan secured by property in New Jersey during 2010. This kind of generalized inquiry into PHH's business is not within the judicial power of the courts of New Jersey.

**Certification**

Specifically reserving all of PHH's objections, I, Jason Webb, the Supervisor, Home Equity Services Default for PHH, hereby certify that according to the records of PHH for calendar year 2010, PHH had 14 home equity line of credit mortgage loans ("HELOCs") in foreclosure against New Jersey residential properties. Of those foreclosures, 1 was contested and 13 were not contested. The entities for whom PHH serviced loans relating to these foreclosures are included in the list Attached as Tab 1.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: 3/3/2011

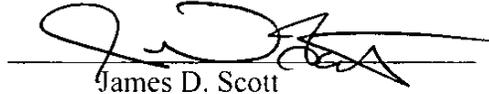
  
Jason Webb

**Certification**

Specifically reserving all of PHH's objections, I, James D. Scott, Assistant Vice President for PHH, hereby certify that according to the records of PHH for calendar year 2010, PHH serviced mortgage loans that it originated, as well as mortgage loans originated by others PHH did not have any affiliates servicing mortgage loans in 2010. During 2010, PHH had 2,129 non-HELOC loans in foreclosure against New Jersey residential properties. Of those foreclosures, 60 were contested and 2069 were not contested. Attached as Tab 1, is a consolidated list of the entities for whom PHH serviced loans relating to these foreclosures, obtained from the records of PHH and from two different law firms, who conducted foreclosures at the request of PHH during 2010. PHH does not maintain a list of all of these entities in a readily retrievable format.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: 3-3-2011

  
James D. Scott

*2 Whether others service residential mortgage loans on behalf of PHH, or on behalf of any of its affiliates and, if so, the names of such servicers and the number of loans serviced by each in New Jersey in 2010*

Response. PHH incorporates by reference, as if fully stated herein, the objections stated below. PHH in particular respectfully objects to this question to the extent that it seeks information about its investors and clients, for whom PHH did not foreclose upon a mortgage loan secured by property in New Jersey during 2010. This kind of generalized inquiry into PHH's business is not within the judicial power of the courts of New Jersey

**Certification**

Specifically reserving all of PHH's objections, I, James D. Scott, Assistant Vice President for PHH, hereby certify that according to the records of PHH for calendar year 2010, the answer to this question is: none.

I certify that the foregoing statement made by me is true. I am aware that if the foregoing statement made by me is willfully false, I am subject to punishment.

Dated: 3-3-2011

  
James D. Scott

**OBJECTIONS TO THE ORDER AND SUPPLEMENTAL ORDER**

PHH has a number of objections to the Order and Supplemental Order. For the reasons explained herein, PHH does not believe that there is any need for judicial supervision of its servicing practices, other than the supervision afforded litigants in connection with individual proceedings.

The Order.

The Order requires PHH, as well as every other servicer that has filed "200 or more residential mortgage foreclosure actions in 2010." to "demonstrate affirmatively that there are no irregularities in their handling of foreclosure proceedings." Order at 1-2. If PHH's submission is deemed to be "insufficient," or if the Special Master finds that the Company's submission "raise[s] concerns that an institution has engaged in irregular practices," the matter may be referred to Judge Jacobson "for appropriate action, including conducting a hearing and, depending on her findings, ordering the suspension of processing residential mortgage foreclosure actions" by PHH. *Id.* at 16

The Supplemental Order

The Supplemental Order requires PHH to provide a certification to Judge Barisonek, “detailing its role in the foreclosure process, including but not limited to:

- (1) Whether it [PHH] or any affiliate engages in servicing residential mortgage loans itself, and if so, for what entities, and the number of loans it or its affiliates serviced for each such entity in New Jersey in 2010;
- (2) Whether others service residential mortgage loans on its [PHH’s] behalf or on behalf of any of its affiliates, and if so, the names of such servicers and the number of loans serviced by each in New Jersey in 2010, and
- (3) Any other information relevant to its ability to make the demonstration originally contemplated by the Administrative Order [the Order] regarding lack of irregularity in the handling of foreclosure proceedings.”

Supplemental Order at 2

The Objections:

**Beyond Judicial Power**

To the extent that the Order and/or Supplemental Order seek information about loans for which PHH did not initiate a foreclosure proceeding in New Jersey during 2010, PHH respectfully objects. This kind of generalized inquiry into PHH’s business is not within the judicial power of the courts of New Jersey. Similarly, to the extent that the Order and/or Supplemental Order seek information about the owners and/or servicers of loans for which PHH did not initiate a foreclosure proceeding in New Jersey during 2010, PHH respectfully objects to the demand for such information. This kind of inquiry is also not within the judicial power of the courts of New Jersey. *See, e.g.*, N.J. Const., Art. III, Distribution of the Powers of Government (“No person or persons belonging to or constituting one branch [of the government] shall exercise any of the powers properly belonging to either of the others, except as expressly

provided in this Constitution.”): *Morris v Forbes*, 24 N.J. 341, 381-82 (1957) (Weintraub, J., dissenting in part) (“No principle is more distinctive of our form of government than the separation of powers among the three coordinate branches”); *Winbery v Salisbury*, 5 N.J. 240, 247-48 (1950) (acknowledging that the Supreme Court’s rule making powers are subject to substantive law)

Additionally, to the extent that PHH is prohibited from initiating or pursuing foreclosures because PHH has not sufficiently shown that it has satisfied some unspecified standard of performance, or because PHH is free of unspecified wrongdoing, PHH respectfully objects because such action would be a violation of the contract clause of the N.J. Constitution, and/or an unconstitutional taking of property. *See, e.g.*, N.J. Const., Art. IV, Section 7 (“[T]he Legislature shall not pass any . . . law impairing the obligation of contracts, or depriving a party of any remedy for enforcing a contract which existed when the contract was made.”); N.J. Const., Art. I, Paragraph 20 (“Private property shall not be taken for public use without just compensation.”)

### **An Improper Order to Show Cause**

Even though the Order is called “administrative,” it operates substantively and procedurally as an order to show cause. Orders to show cause require a party to explain to the court, at a specified time, why a party acted as it did, or why the court should either grant or deny certain relief. *See Robinson v Cahill*, 70 N.J. 155, 159, 358 A.2d 457, 459 (1976) (providing that a court may issue an order to show cause requiring a party to explain its actions, or to explain “why certain specific or other relief, including injunctive relief, should not be mandated” against a party in connection with a specific case). The Order is effectively one to show cause as it requires that a specific entity, PHH, “demonstrate affirmatively” that “no irregularities [exist] in . . . [its] handling of foreclosure proceedings” in New Jersey for the purpose of allowing PHH

to continue initiating foreclosure proceedings in this State Order at 15-16. Given this specific demand -- compelling a party to explain why it acted as it did -- the Order clearly functions as an order to show cause, and *not* an administrative order. As an order to show cause, it is procedurally and substantively improper

The Order is procedurally improper, because orders to show cause are mechanisms used in an action that has already been properly instituted under the New Jersey Court Rules. *See, e.g.,* R. 4:52-1 (providing that on “the filing of a *complaint* . . . the plaintiff may apply for an order requiring the defendant to show cause why an interlocutory injunction should not be granted”) (emphasis added); *see also Robinson*, 70 N.J. at 159, 358 A.2d at 459. There has, however, been no proper instigation of a civil action against PHH through the filing of a civil complaint, nor any proper formal service. R. 4:2-1, 4:2-2, 4:4-3 and 4:4-4. Thus, it is improper to order PHH to show cause as to why its general business practices comply with New Jersey laws.

The Order is substantively improper because there has been no showing, whatsoever, that PHH has, or is about to, engage in any purported “irregular” practices with respect to mortgage foreclosures conducted on its behalf by its New Jersey counsel. Specifically, there is no showing at all, let alone any evidence described in either the Order or Supplemental Order, which relates to any foreclosure case conducted on behalf of PHH

Despite the absence of any allegations of specific wrongdoing, however, the Order and Supplemental Order require PHH to show that it has not done anything wrong. The Order and Supplemental Order require PHH to prove a negative -- that it has **NOT** committed unspecified “irregularities” in initiating foreclosures. This presumption of wrongdoing and burden to show “innocence,” is offensive to the fundamental way in which judicial proceedings are universally

conducted in this State. Further, there is simply no basis, stated or implied in either the Order or Supplemental, justifying the demand that PHH provide information about its general foreclosure practices in New Jersey.

### **Arbitrary and Capricious Treatment of PHH**

As the Order makes clear, the *only* discernable reason that PHH has been specifically targeted is the fact that, as a servicer, it filed more than 200 foreclosure actions in New Jersey in 2010. Singling out PHH in this manner is not only unjust, but it also places the Company at a competitive disadvantage in the marketplace. It forces PHH to take actions, based solely on its status as a servicer with more than 200 foreclosures filed in New Jersey in 2010.

### **Due Process Notice**

The Order lacks sufficient notice of any specific claims against PHH. There is no mention in either the Order or the Supplemental Order of a particular person or entity (*i.e.*, an adversary) asserting concrete allegations against PHH. In fact, the Orders are completely devoid of any allegation that either PHH, or its New Jersey counsel, violated any New Jersey law or Court Rule. Instead, the Court merely refers to “questionable practices” supposedly employed by various servicers, *other* than PHH, in the mortgage industry at large. Order at 13.

In a similarly vague manner, the Court relies on an unspecified standard with respect to how it will judge submissions as “sufficient” for purposes of allowing the Company to continue exercising its rights as the servicer to foreclose on properties in New Jersey where the borrower is in default. Such a lack of notice concerning the standard under which PHH will be judged, along with the glaring absence of any particularized legal violation by PHH or its New Jersey counsel, violates the guarantees afforded PHH under due process. Without providing that information to PHH, the Company cannot adequately respond nor properly defend itself.

Under the Constitutions of both the United States and New Jersey, all litigants are entitled to be apprised of the specific legal allegations and evidence asserted against them, in addition to “the perceived facts which inform a judge’s decision.” *Ledezema v. A & L Drywall*, 254 N. J. Super. 613, 618, 604 A.2d 169, 171 (App Div. 1992) (interpreting the U.S. Const. amend. XIV, § 1 and the N.J. Const., Art. I, ¶ 1) (citations omitted), *see also Dynasty Bldg Corp v Borough of Upper Saddle River*, 267 N.J. Super. 611, 616, 632 A.2d 544, 547 (App. Div. 1993). That right includes not only the right to a fair opportunity to address those allegations and factual assertions, but also the right to fair notice of the contents of those allegations and assertions so that a party may properly respond to them. *Goldberg v Kelly*, 397 U.S. 254, 267-68, 270 (1970), *Nicoletta v North Jersey Dist Water Supply Comm’n*, 77 N.J. 145, 162, 390 A.2d 90, 99 (1978). Given the overly broad and generalized contents of the Order, however, PHH has not been provided with fair notice. Consequently, PHH should not be forced to comply with the Order’s demands.

#### **No Conduct Warranting Judicial Sanctions**

To the extent it is determined that some sort of judicial sanctions are under consideration, any such action would be inappropriate. New Jersey law generally requires (i) a misrepresentation of fact, (ii) that is material, in order to justify the imposition of sanctions. *See, e.g., In re Riva*, 157 N.J. 34, 40, 722 A.2d 993, 937 (1999). Sanctions have traditionally been reserved for the most egregious conduct, such as where a litigant intentionally presents false information to the Court. *Compare Triffin v Automatic Data Processing, Inc.*, 411 N.J. Super. 292, 300-02, 307, 986 A.2d 8, 13-14, 17 (App Div. 2010) (upholding imposed sanctions where litigant fabricated evidence by affixing faxed signatures without consent on documents and then submitted them as genuine original documents), *with CCTS, LLC v Daugherty*, No. F-15781-05,

2008 WL 5245272, at \*2 (N.J. Super. Ct. App. Div. Dec. 18, 2008) (affirming lower court's decision not to impose sanctions where litigant unintentionally misrepresented facts) In this instance, the Order contains no assertion or finding of any egregious, material conduct committed by PHH or its New Jersey counsel that would give rise to sanctions. Based on this reason alone, the consideration of sanctions under the circumstances is improper, especially when the sanction is denying access to the courts -- a sanction that is not only without precedent in these kinds of circumstances, but is also disproportionately harsh.

The contemplated sanctions in the Order are also inappropriate because they fail to provide PHH and its New Jersey counsel the procedural protections afforded under Rule 1:4-8. Although a New Jersey court may sanction an attorney or pro se party for falsifying certifications that lack evidentiary support pursuant to R. 1:4-8, the court must first state the "specific conduct that appears to violate this rule and direct[] the attorney or pro se party to show cause why he or she has not violated the rule." R. 1:4-8(c). Here, the possible sanctions in the Order do not comply with these requirements as there is no statement in the Order of specific misconduct by PHH's New Jersey counsel. Certainly, *before* PHH would be subject to any of the contemplated sanctions, it would first have to receive notice of its misconduct and then be afforded an opportunity to be heard. Because no such allegations have been made at this time, the contemplated sanctions in the Order are procedurally and fundamentally unfair.

#### **Certification Requirements Are Inappropriate**

Finally, the Order's requirement regarding additional certifications is overly broad, inappropriate, and without justification. Specifically, the Order states that foreclosure counsel must file an affidavit or certification in each foreclosure case stating,

- (1) . . . the attorney has communicated with an employee or employees of the plaintiff who (a) personally reviewed documents for accuracy and (b) *confirmed*

*the accuracy of all court filings in the case to date*, (2) the name(s), title(s), and responsibilities of the employee(s) of the plaintiff who provided this information to the attorney; and (3) [ensured] all the filings in the case comport with all requirements of Rule 1:4-8(a).

Order at 17 (emphasis added). These requirements are a misstatement and/or misinterpretation of the emergency amendments to Rule 4:64-1, and cannot literally be met. Even though Section (1) of the Order states that employees of PHH must *review all documents* and confirm the accuracy *of all court filings*, the emergency amendments to Rule 4:64-1 do not require such a certification. The emergency amendments state, in pertinent part

(2) In all residential foreclosure actions, plaintiff's attorney shall annex to the complaint a certification of diligent inquiry stating

(A) that the attorney has communicated with an employee or employees of the plaintiff who (i) *personally reviewed the documents being submitted [presumably by the plaintiff] and (ii) confirmed their accuracy*. (emphasis added).

Since the language of the Order is far broader, and impossible to satisfy, PHH respectfully objects to the certification requirements of the Order. Essentially, PHH does not have the ability to review, control, or confirm the accuracy of all documents filed by its attorneys in all court actions. For example, PHH retains counsel in New Jersey to take certain actions, such as service of process and notice of foreclosure, which could not be separately "confirmed" for accuracy by an employee of PHH, other than by relying on counsel.

More generally in conducting foreclosure proceedings, PHH relies on licensed New Jersey counsel, who is approved by Fannie Mae/Freddie Mac. PHH relies on its counsel to conduct foreclosure proceedings in compliance with all local legal requirements, while taking all necessary and appropriate actions to zealously represent PHH's interests. PHH expects its counsel to respond to specific requests and requirements of the individual judge in each court, and to oversee each matter as appropriately required. PHH retains its New Jersey counsel

because they are licensed to practice in the courts of New Jersey, and for their advice and guidance as to what should be done, executed and submitted to the courts, agencies, and other offices of New Jersey PHH does not, however, have the ability to confirm the accuracy of every document filed by all of its attorneys in all court actions, let alone in all foreclosure actions.

In support of its counsel, PHH is frequently called upon to execute affidavits in connection with foreclosure proceedings. These affidavits are prepared on each specific mortgage loan using information from PHH's loan servicing system. Once the affidavit is prepared, it is PHH's policy and procedure to have that information reviewed and verified by the affiant prior to execution of the affidavit. PHH cannot, however, guarantee that every person involved in a residential mortgage foreclosure, including its New Jersey foreclosure counsel, will always act appropriately, and will always be 100% accurate, 100% of the time. While the Order and Supplemental Order may be well-intentioned, these Orders will have the ultimate effect of halting all foreclosures, rather than providing assurance of properly conducted foreclosures.<sup>1</sup>

### CONCLUSION

It is unfair to presume that PHH has improperly serviced mortgage loans or improperly executed documents in connection with foreclosures, simply because PHH initiated more than 200 foreclosures in 2010. There has been no showing that PHH has, or is about to, engage in any

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<sup>1</sup> New Jersey laws in effect before the December 20, 2010 Order, sufficiently protected residential borrowers. Servicers like PHH need to comply with a number of procedural steps in order to successfully complete an uncontested residential foreclosure. For example, servicers like PHH had to first send a notice of intent to each debtor under the Fair Foreclosure Act, giving notice of the amount required to cure the default on the loan and apprising the debtor of his or her rights under that Act (NJSA 2A 50-56(b)-(c)). Then, servicers had to file a complaint and serve it on the debtor with information regarding the debt instrument's relevant terms and conditions, and the debtor had the opportunity to respond (NJSA 2A 50-56(f), R 4 64-1(b), R 4 4-4, R 4 6-1(a)). Next, servicers had to give the debtor a notice of default and another opportunity to cure the default (R 4 43-1). Before the servicer could move to file for a final judgment, the servicer had to first provide the debtor notice of his or her right to cure the default (NJSA 2A 50-58(a)(2)). Servicers additionally had to file a motion for final judgment, informing the debtor once again of all the amounts due and the material terms of the debt instruments (R 4 64-1(d)(1)-(2)), and if the Office of Foreclosure recommended that the final judgment be entered, the debtor was served with the final judgment, presenting another opportunity for the debtor to challenge the adequacy of the foreclosure proceedings (R 1 34-6, R 4 43-2).

purported “irregular” practices with respect to mortgage foreclosures conducted on its behalf by its foreclosure counsel in New Jersey. There is no evidence described in the Order that relates to *any* foreclosure case conducted on behalf of PHH by its New Jersey counsel, let alone a foreclosure case that was inappropriately handled. Rather, the only reason that PHH has been targeted is the fact that, as a servicer, it filed more than 200 foreclosure actions in New Jersey in 2010.

PHH, however, takes its servicing responsibility seriously. PHH intends to continue to review each loan and its foreclosure documentation on a case-by-case basis. PHH has taken all necessary and appropriate actions to address the concerns raised in the Order. No further actions are necessary, appropriate, or required. Moreover, PHH reserves the right to make additional and/or different objections in the context of any further proceedings related to the Order or Supplemental Order.

Dated: March 3, 2011

Respectfully submitted,

BRAVERMAN KASKEY, P.C.

By: 

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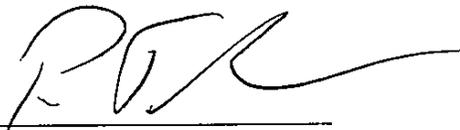
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Washington, D.C. 20036  
202-628-2000

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY, that a copy of PHH's Submission in Response to the Supplemental Order, as revised by the February 4, 2011 e-mail, has been electronically filed with the Court and served upon the following as indicated:

**VIA FEDERAL EXPRESS** March 3, 2011  
The Honorable Walter R. Barisonek (Special Master) (copy)  
Union County Courthouse  
2 Broad Street  
Courtroom 101  
Elizabeth, NJ 07207

**VIA E-MAIL at SCCOForeclosre.Mailbox@judiciary.state.nj.us and**  
**U.S. MAIL, FIRST CLASS, POSTAGE PREPAID** March 4, 2011  
The Superior Court Clerk's Office (original)  
Attn: F-238-11  
PO Box 971  
Trenton, NJ 08625-0971



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Peter J. Leyh, Esquire

# TAB 1

Amended Submission by PHH to the  
Supplemental Administrative Order dated January 31, 2011, to  
Administrative Order 01-2010 dated December 20, 2010, as amended by  
the e-mail dated February 4, 2011, from Terri Jane Freedman, Esq. to  
counsel for the 24 Respondents

Amerquest Mortgage Company
Banco Popular North America
Bank of America, N.A
Bank of America, National Association as successor by merger to Lasalle Bank National Association as trustee for Lument 2005-1
Bayview Loan Servicing
Charles Schwab Bank, N.A
Charter One Bank, N A
Citibank, N A . as trustee for CD 2003-1
Citibank, N A . as trustee for CDMC Mortgage Pass-Through Certificates, Series 2003-4
Citibank, N A., as trustee for PHHMC Mortgage Pass-Through Certificates, Series 2007-2
Citibank, N A., as trustee for the registered holders of the PHHMC Mortgage Pass-Through Certificate Series 2007-6
Citibank, N.A., as trustee for the registered holders of the PHHMC Mortgage Pass-Through Certificates Series 2002-B
Citibank, NA as trustee for CD 2003-9
Citibank, NA as trustee for 'CD 2004-03'
Citibank, NA as trustee for PHHMC 2005
Citibank, NA as trustee for PHHMC 2006-3
Citibank, NA as trustee for 'PHHMC 2006-4'
Citibank, NA as trustee for 'PHHMC 2006-6'
Citibank, NA as trustee for PHHMC 2007-3
Citibank, NA as trustee for PHHMC Mortgage pass-through certificates, series 2007-2
Deutsche Bank National Trust Company as trustee
Deutsche Bank National Trust Company as trustee for GSAA 2006-16
Deutsche Bank National Trust Company as trustee for Harborview 2004-10
Deutsche Bank National Trust Company as trustee for MS 2005-2ar
Deutsche Bank National Trust Company as trustee for MS 2005-7

Deutsche Bank National Trust Company as trustee for MSDW 2005-4
Deutsche Bank National Trust Company as trustee for Thornburg Mortgage Securities Trust 2004-1
Deutsche Bank National Trust Company for GSR Mortgage Loan Trust 2007-ar1
Deutsche Bank Trust Company Americas as trustee
Discover Bank
Everbank
HSBC Bank USA, National Association as trustee for Deutsche Alt-B Securities Mortgage Loan Trust, Series 2007-ab1
HSBC Bank USA, National Association as trustee for Merrill Lynch Mortgage Investors Trust, Series 2005-2
HSBC Bank USA, National Association as trustee for Merrill Lynch Mortgage Investors Trust, Series 2006-af1
HSBC Bank USA, National Association as trustee For Merrill Lynch Mortgage Investors Trust, Series MLCC 2007-1
HSBC Bank USA, National Association as trustee for MLCC 2006-2
HSBC Bank USA, National Association as trustee for MLCC 2007-2
HSBC Bank USA, National Association as trustee for PHH 2007
HSBC Bank USA, National Association as trustee for PHH 2007-1
HSBC Bank USA, National Association as trustee for PHH 2007-2
HSBC Bank USA, National Association as trustee for PHH 2007-3
HSBC Bank USA, National Association as trustee for PHH Alternative Mortgage Trust Series 2007-2
HSBC Bank USA, National Association as trustee for PHH Alternative Mortgage Trust, Series 2007-3
HSBC Bank USA, National Association as trustee for Sequoia Mortgage Trust 2007-2
HSBC Bank USA, National Association as trustee For Sequoia Mortgage Trust 2007-3
HSBC Bank USA, National Association, as trustee for PHH 2007-3
ING Bank FSB
J.P. Morgan Mortgage Acquisition Corp.
Land Holding, LLC
Merrill Lynch Credit Corporation
Navigator Mortgage Loan Trust 2008-2
PHH Mortgage Corporation
PNC Bank National Association
RBS Citizens, N.A
The Bank of New York Mellon Trust Company, N.A., f/k/a The Bank of New York Trust Company, N.A. as successor-in-interest to JP Morgan Chase Bank, N.A. as trustee for Bear Stearns asset backed securities trust 2006-SD2, asset backed certificates, series 2006-SD2
The Bank of New York Mellon, f/k/a The Bank of New York as successor to JP Morgan Chase Bank, N.A., as trustee for Bear Stearns

Asset backed securities trust 2006-SD2, Asset-Back
The Bank of New York Mellon, f/k/a The Bank of New York, as successor to JP Morgan Chase Bank, N.A. as trustee for structured asset mortgage investments II Inc. Bear Stearns ALT-A Trust
The Bank Of New York Mellon Trust Company, N.A., f/k/a The Bank Of New York Trust Company, N.A., as successor to JP Morgan Chase Bank, National Association, as trustee for Structured Asset Mortgage Investments II Inc Bear Stearns Alt-A Trust, Mortgage Pass-Through Certificates, Series 2004-12
The Bank Of New York Mellon Trust Company, N.A., f/k/a The Bank Of New York Trust Company, N.A., as successor-in-interest JP Morgan Chase Bank, National Association, as trustee for MLMI Series 2003-a2
The Bank Of New York Mellon Trust Company, National Association f/k/a The Bank Of New York Trust Company, N.A. as successor To JP Morgan Chase Bank N.A. as trustee
The Bank Of New York Mellon Trust Company, National Association f/k/a The Bank Of New York Trust Company, N.A., successor to J.P. Morgan Chase Bank N.A
Tri Co FCU
U S Bank NA, as trustee for Citigroup Mortgage Loan Trust Inc
U S Bank National Association, as indenture trustee. successor in interest to Wachovia Bank, N.A., as indenture trustee for Merrill Lynch Mortgage Investors
U.S. Bank National Association, as indenture trustee, successor in interest to Wachovia Bank, N.A., as indenture trustee for Merrill Lynch Mortgage Investors Trust, Series 2005-A9
U S. Bank National Association, as trustee for BS Arm Trust 2004-12
U S. Bank National Association, as trustee for GSAA 2006-1
U.S. Bank National Association, as trustee for GSAA 2006-5
U.S. Bank National Association, as trustee for JP Morgan 2005-a3
U.S. Bank National Association, as trustee for JPM Alt 2006-a2
U.S. Bank National Association, as trustee for JPM Alt 2006-a4
U S. Bank National Association, as trustee for JPM Alt 2006-s1
U.S. Bank National Association, as trustee for JPM Alt 2006-s3
U.S. Bank National Association, as trustee for JPM Morgan 2006-a4
U.S. Bank National Association, as trustee for Lehman Mortgage Trust, Mortgage Pass-Through Certificates, Series 2007-6
U S Bank National Association, as trustee for Mastr Asset Backed Securities Trust 2006-ab1
U S Bank National Association, as trustee for Series JPM Alt 2006-a1
U.S. Bank National Association, as trustee for the Lehman Mortgage Trust Mortgage Pass-Through Certificates, Series 2007-6
U S. Bank National Association, as trustee for the Lehman Mortgage Trust Series 2007-6
U.S. Bank National Association, as trustee for the Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2005-ge14

U.S. Bank National Association, as trustee for the Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-bc4
U.S. Bank National Association, as trustee of J.P. Morgan Alternative Loan Trust 2006-a5
U.S. Bank National Association, as trustee,
U.S. Bank National Association, as trustee, for Adjustable Rate Mortgage Trust 2005-8
U.S. Bank National Association, as trustee, for BAFC 2006-8t2
U.S. Bank National Association, as trustee, for BAFC-2006-1
U.S. Bank National Association, as trustee, for Banc Of America Funding 2006-i trust
U.S. Bank National Association, as trustee, for Banc Of America Funding Corporation Mortgage Pass-Through Certificate, Series 2006-1 trust
U.S. Bank National Association, as trustee, for GSR Mortgage Loan Trust 2006-9f
U.S. Bank National Association, as trustee, for J.P. Morgan Alternative Loan Trust 2006-a2
U.S. Bank National Association, as trustee, for J.P. Morgan Alternative Loan Trust F
U.S. Bank National Association, as trustee, for J.P. Morgan Alternative Loan Trust 2006-s4
U.S. Bank National Association, as trustee, for J.P. Morgan Mortgage Trust 2004-s2
U.S. Bank National Association, as trustee, for JP Alt 2006-a2
U.S. Bank National Association, as trustee, for JP Morgan 2004-s2
U.S. Bank National Association, as trustee, for JP Morgan 2006-s1
U.S. Bank National Association, as trustee, for JPM Alt 2006-a6
U.S. Bank National Association, as trustee, for JPM Alt 2006-s4
U.S. Bank National Association, as trustee, for JPMorgan 2005-s1
U.S. Bank National Association, as trustee, for Malt 2004-11
U.S. Bank National Association, as trustee, Series 2005-sa3
U.S. Bank National Association, as trustee, successor in interest to Bank Of America, National Association as successor by merger to Lasalle Bank National Association As Trustee For Luminent 2005-1
U.S. Bank National Association, as trustee, successor in interest to Bank Of America, National Association as successor by merger to Lasalle Bank National Association As Trustee For M S 2006-11
U.S. Bank National Association, as trustee, successor in interest to Bank Of America, National Association as successor by merger to Lasalle Bank National Association As Trustee For Thornburg Mortgage Security Trust 2006-1
U.S. Bank National Association, as trustee, successor in interest to Bank Of America, National Association as successor by merger to Lasalle Bank National Association As Trustee For Thr 2005-3
U.S. Bank National Association, as trustee, successor in interest to Wachovia Bank, N.A., as trustee, for JPMALT 2005-
U.S. Bank National Association, as trustee, successor in interest to Wachovia Bank, N.A., as trustee, for Banc Of America Funding

2005-7 Trust
U.S. Bank National Association, as trustee, successor in interest to Wachovia Bank, N.A. as trustee, for JP Morgan 2005-alt1.
U.S. Bank National Association, as trustee, successor in interest to Wachovia Bank, N.A., as trustee, for Merrill Lynch Mortgage Investors Trust, Series 2005-ab
U.S. Bank National Association, as trustee, successor in interest to Wachovia Bank, N.A., as trustee, for Merrill Lynch Mortgage Investors Trust, Series MLCC 2005-3
U.S. Bank National Association, as trustee, successor in interest to Wachovia Bank, N.A., as trustee, for MLMI 2005-a8
U.S. Bank national association, as trustee, successor-in-interest to Wachovia Bank, N.A., as trustee for JPM Alt 2005-alt2
U.S. Bank, N.A. as trustee for Citigroup Mortgage Loan Trust Inc.
U.S. Bank, N.A., as trustee for Citigroup Mortgage
U.S. Bank, National Association, as the trustee for the Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-gel2
U.S. Bank, National Association, as trustee
U.S. Bank National Association, as trustee, for Thornburg 2006-4
U.S. Bank, National Association, as trustee, successor-in-interest to Wachovia Bank, N.A. as trustee of JP Morgan 2005-a3
U.S. Bank, National Association, as trustee, successor-in-interest to Wachovia Bank, N.A. as trustee of JP Morgan 2005-a4
U.S. Bank, National Association, as trustee, successor-in-interest to Wachovia Bank, N.A. as trustee of JP Morgan 2005-s2
U.S. Bank, National Association, as trustee, successor-in-interest to Wachovia Bank, N.A. as trustee of JPM Alt 2005-s1
U.S. National Bank Association, as trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates Series 2006-gel1
United Teletech Financial Federal Credit Union
Wachovia Bank, National Association
Wells Fargo as trustee of an MLMII Remic
Wells Fargo, N.A. as trustee for Merrill Lynch 2003-F
Wells Fargo Bank, N.A., not in its individual capacity, but solely as trustee for RMAC Pass-Through Trust, Series 2010-a
Wilmington Trust Company not in its individual capacity but solely as successor trustee to U.S. Bank National Association, as trustee, successor in interest to Wachovia Bank, N.A. for Mast Alternative Loan Trust 2004-6, Mortgage Pass-Through Certificates, Series 2004-6
Wilmington Trust Company not in its individual capacity but solely as successor trustee to US Bank, N.A. as trustee for Mast Alt Trst 2004-8
Wilmington Trust Company, as trustee, for Mast Alternative Loan Trust 2005-5

# BRAVERMAN KASKEY

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March 4, 2011

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Attn: F-238-11  
PO Box 971  
Trenton, NJ 08625-0971

**RE: In The Matter of Residential Mortgage Foreclosure Pleading and Document Irregularities, Administrative Order 01-2010; Docket F-238-11**

Dear Sir Madam:

Please accept for filing, on behalf of PHH Mortgage Corporation, the enclosed Amended Submission in response to the Supplemental Administrative Order dated January 31, 2011, to Administrative Order 01-2010, dated December 20, 2010.

I have enclosed a copy of same which I request that you time stamp "filed" and return to me in the enclosed self-addressed stamped envelope.

Sincerely,



PETER J LEYH

PJL/izh

Enclosure

cc: Bruce Alexander, Esq. ( w/o enc )

David Souders, Esq. (w/o enc )