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WALTER R. BARISCO, Esq. S.D. Ret.  
SPECIAL MASTER

Mortgage Access Corp. d/b/a Weichert Financial Services  
225 Littleton Road  
Morris Plains, New Jersey 07950

IN THE MATTER OF RESIDENTIAL  
MORTGAGE FORECLOSURE PLEADING  
AND DOCUMENT IRREGULARITIES

Administrative Order 01-2010

Docket No F-238-11

ADMINISTRATIVE ORDER DIRECTING  
SUBMISSION OF INFORMATION FROM  
RESIDENTIAL MORTGAGE  
FORECLOSURE PLAINTIFFS  
CONCERNING THEIR DOCUMENT  
EXECUTION PRACTICES TO A  
SPECIAL MASTER

I, Rosemary Lucarelli, Servicing Manager, of Mortgage Access Corp d/b/a Weichert Financial Services ("MAC"), do hereby certify as follows in response to supplemental questions asked concerning the foreclosure document review and execution processes of MAC's subservicer, Dovenmuehle Mortgage, Inc. ("DMI").

1 I am the Servicing Manager for MAC. I have been employed by MAC for approximately nineteen (19) years and have been in my present position for almost four (4)

years. I am the MAC officer in the best position to provide this Certification and to explain MAC's processes for servicing a loan, including referring a loan to foreclosure and providing information necessary to prosecute and complete a foreclosure. I have knowledge of the facts set forth in this Certification based on personal experience, as well as a personal review of business records where necessary. I am familiar with the contractual relationship with the subservicer for MAC, Dovenmuehle Mortgage, Inc. ("DMI"). I am authorized to make this Certification on behalf of MAC.

2. MAC services mortgage loans held in its portfolio and on behalf of certain financial institutions that are buyers/investors of residential mortgage loans originated by MAC, including the Federal National Mortgage Association ("FNMA"). Notwithstanding, the designation of MAC as the servicer of certain residential mortgage loans, MAC does not directly service such residential mortgages. For residential mortgage loans in which MAC is servicing on behalf of FNMA, MAC has a contractual relationship with DMI, whereby DMI subservices such residential mortgage loans on behalf of MAC. Per the agreement with DMI, the servicing of all residential mortgage loans owned by FNMA is performed in accordance with FNMA's servicing guide. Further, any questions related to acceptance of payments after the foreclosure complaint is filed or appropriate loss mitigation alternatives are resolved by DMI in accordance with FNMA's servicing guide, unless other applicable legal requirements control.

3. In preparation for this Certification, I have reviewed documents and records concerning MAC's contractual relationship with DMI relative to FNMA loans.

4. In connection with the subservicing of FNMA residential mortgage loans by DMI and in response to the Administrative Order Directing Submission Of Information From Residential Mortgage Foreclosure Plaintiffs Concerning Their Document Execution Practices To

A Special Master, attached as Exhibit A hereto is a supplemental certification provided by Mary K. Przybyla, Senior Vice President of Dovenmuehle Mortgage, Inc , dated September 14, 2011.

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 September 15, 2011

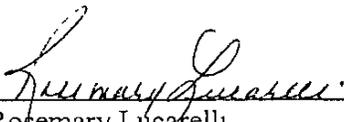
  
\_\_\_\_\_  
Rosemary Lucarelli  
Servicing Manager of Mortgage Access Corp d/b/a  
Weichert Financial Services

EXHIBIT A

CERTIFICATION OF MARY K PRZYBYLA, SENIOR VICE PRESIDENT OF  
DOVENMUEHLE MORTGAGE, INC., DATED SEPTEMBER 14, 2011

IN THE MATTER OF RESIDENTIAL MORTGAGE FORECLOSURE PLEADING AND DOCUMENT IRREGULARITIES :	: Administrative Order 01-2010 : Docket No. F-238-11 : : ADMINISTRATIVE ORDER : DIRECTING SUBMISSION OF : INFORMATION FROM : RESIDENTIAL MORTGAGE : FORECLOSURE PLAINTIFFS : CONCERNING THEIR : DOCUMENT EXECUTION : PRACTICES TO A SPECIAL : MASTER : :
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I, Mary K Przybyla, Senior Vice President of Dovenmuehle Mortgage, Inc (“DMI”), do hereby certify as follows in response to supplemental questions asked concerning DMI’s foreclosure document review and execution processes:

1. DMI currently has three document preparation specialists dedicated to the review and processing of New Jersey foreclosure documents as needed to support the filings under Rules 4:64-1 and 4-64-2. On a daily average, a document execution specialist completes five reviews of the foreclosure document and business records packages. These document execution specialists are part of a document preparation group which currently has 13 members. Some of these staff members also have experience in reviewing New Jersey foreclosure documents and can be made available to do these reviews if demand or absences from the office make additional staff support necessary.
  
2. To comply with new Rule 4:64-1, certain employees in the Mortgage Disposition Department have been designated as the employees of DMI, as subservicer, with whom the counsel is to consult. These employees are all familiar with DMI’s business and business records. To assist in the employee review, DMI and its counsel have developed checklists that

the employee uses as he or she reviews the document to confirm that all required elements in the documents are compared to, and consistent with, our business records. A specimen checklist used for complaint review is attached as Exhibit A.

3. The statement that DMI does not review the complaint was a general description of DMI's practice. It reflects that we generally rely on counsel to advise us on the necessary elements of a foreclosure complaint or other document to be submitted to the courts in states requiring judicial foreclosure. We have always reviewed documents for the accuracy of the factual statements made to support the elements stated in the complaint. With the advent of Rule 4:64-1, we have worked with counsel to assure that the employees participating in the certification process are familiar with the requirements for New Jersey foreclosure complaints so that they understand the context in which the documents are being reviewed for accuracy. Once filed, the complaint is included as a backup document for each subsequent document, and is compared anew with the facts and figures presented in subsequent documents. DMI therefore believes it is in compliance with Rule 4.64-01.

4. We expect to have the written quality control process for New Jersey document preparation and review completed by the end of 2011. Certain elements of this project, such as the checklist attached as Exhibit A, have already been completed and are in use. We are working on updating general process descriptions for each step of the foreclosure, developing process flow charts for document review and execution and enhancing training materials. We should also point out that the Mortgage Disposition Department uses the LPS NewTrak application for foreclosure management. The document templates for state- and product-specific foreclosures also help assure the quality of our foreclosure operations.

5. DMI anticipates the completion of its audit program development and implementation no later than the end of 2011. The audit program objectives have been identified and cover the following areas:

A. Foreclosure affidavits and certifications. The general objectives are to assure that (1) documents signed by DMI are complete, accurate, and supported by appropriate documentation from DMI's business records; and (2) statements of amounts due include a correct calculation of appropriate recoverable amounts.

B. Servicemember Civil Relief Act (SCRA). The general objectives are to assure that: (1) appropriate determinations of military status are performed before and during the foreclosure process; (2) affidavits are prepared and filed as required by law to confirm SCRA compliance; (3) foreclosure actions do not occur in violation of SCRA requirements; and (4) interest rate and other forbearances afforded under SCRA are processed properly. To the extent states have adopted additional benefits for servicemembers, those requirements will also be included in the scope of the SCRA review.

C. Notary Activities. The general objective is to assure that documents are notarized in conformance with applicable law.

D Foreclosure Documentation and Document Retention. The general objectives are to assure that (1) all notices of default or other notices required to be given as a condition precedent to foreclosure have been prepared and delivered in accordance with applicable law; (2) the plaintiff is the proper party under applicable law and the chain of title is established by appropriate documentation before the foreclosure is filed; (3) proper preparation and calculation of bidding instructions; and (3) foreclosure files contain copies of all documents necessary to confirm that the foreclosure has been commenced, prosecuted and completed in accordance with applicable law.

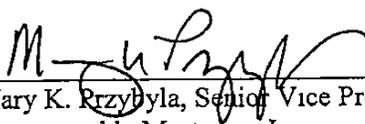
E. Foreclosure Governance. The general objectives are to assure that: (1) appropriate reviews occur in the selection of foreclosure counsel; (2) appropriate oversight of counsel occurs during the foreclosure process; and (3) necessary procedures are in place to review and evaluate foreclosure counsel and trustees on an on-going basis.

F. Foreclosure Process Staffing. The general objectives are to assure that: (1) sufficient numbers of document preparers and reviewers, authorized signers and notaries on are staff to permit accurate and prompt processing of foreclosure documents in accordance with applicable law and appropriate timelines; and (2) such staff at all levels of the process have the necessary experience and training appropriate to the functions they perform.

G. Policy Review and Risk Assessment. The general objectives are to assure that: (1) periodic reviews of policies and procedures occur with risks assessed and policies, procedures and staffing adapted to address the risks identified; and (2) revisions to policies and procedures are made as changes in laws, regulations or court rules occur.

I hereby certify that the foregoing statements made by me are true and correct to the best of my knowledge, information and belief; I am aware that if any of the foregoing statements made by me are willfully false that I am subject to punishment.

Dated: September 14, 2011

  
\_\_\_\_\_  
Mary K. Przybyla, Senior Vice President  
Dovenmuehle Mortgage, Inc.

**EXHIBIT A - Certification of Foreclosure Review & Checklist for Complaints**

File No:  
Loan No:  
Property Address:  
Borrowers:  
Plaintiff Name:

I, \_\_\_\_\_, an employee of the Sub-Servicer, Dovenmuehle Mortgage Inc., have personally reviewed the Plaintiff's business records and documents with regard to this foreclosure. I have also reviewed the pleadings and documents filed or about to be filed with the Court in this proceeding and have confirmed the factual accuracy of the information and allegations contained therein.

Specifically, I have reviewed the following documents: (check all that apply and initial each document/pleading to confirm your review).

- \_\_\_ Note and any/all endorsements or allonges
- \_\_\_ Mortgage and any/all assignments of mortgage
- \_\_\_ Modification any/all
- \_\_\_ Complaint or Amended Complaint & CIS Form.
  - Reviewed names of obligor(s), mortgagor(s), obligee and mortgagee;
  - Reviewed amount of debt secured by the mortgage
  - Reviewed dates of the note and mortgage and recording information
  - Reviewed dates of all assignments (if any) and recording information
  - Reviewed dates of any modifications and recording information
  - Reviewed interest rate of the note and whether adjustable or fixed
  - Reviewed due date of the obligation
  - Reviewed the stated payment amount in the note
  - Reviewed monthly late charges
  - Reviewed pre-payment penalties in the note (if any)
  - Reviewed date of default (Date next installment is due)
  - Reviewed whether the mortgage is a purchase money mortgage
  - Reviewed property address and tax block and lot references
  - Reviewed Notice of Intention to Foreclose was sent at least 30 days prior to filing of Complaint
  - Reviewed Possession Date (30 days after the due date of the 1<sup>st</sup> missed payment)
  - Reviewed Third Count (if any), accurately provides the information for a second mortgage on this property also held by Plaintiff which is being foreclosed with the first mortgage.
  - Reviewed whether this is a residential or commercial mortgage foreclosure.
- \_\_\_ Other document or court pleading \_\_\_\_\_

I hereby acknowledge that I have personally reviewed this matter with the understanding that the law firm of \_\_\_\_\_ will rely upon the information contained herein in its submissions to the Court. I hereby certify that the foregoing statements are true to the best of my knowledge, information and belief. I am aware that, if any of the foregoing statements are willfully false, I am subject to punishment.

My job responsibilities include reviewing accuracy of business records and documents regarding foreclosure actions.

By: \_\_\_\_\_ Dated: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Dovenmuehle Mortgage Inc: Subservicer and agent for Plaintiff.

File No:

Loan No:

Property Address:

Borrowers:

Plaintiff Name:

# TAYLOR, COLICCHIO & SILVERMAN, LLP

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• ALSO ADMITTED IN DISTRICT OF COLUMBIA

September 16, 2011

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SEP 19 2011

WALTER R. BARISONEX, A.J.S.C. Ret  
SPECIAL MASTER

**Via Federal Express**

The Honorable Walter R. Barisonex A.J.S.C  
Special Master  
Union County Courthouse  
2 Broad Street, Courtroom 101  
Elizabeth, NJ 07207

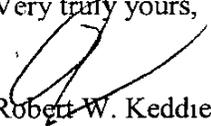
Re: Docket #F-238-11  
Administrative Order 01-2010

Dear Judge Barisonex:

As you are aware, this firm represents the interests of Fannie Mae in the above referenced matter. Enclosed please find the Supplemental Affidavit of Investors Savings Bank, the Affidavit of Mortgage Access Corp. and the Affidavit of Dovenmuehle Mortgage, Inc.

Please do not hesitate to contact me if you have any questions or need further information.

Very truly yours,

  
Robert W. Keddie, III  
rkeddie@tcslawyers.com

encl.