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October 11, 2012

Via Regular Mail

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

Re: In re application of Wells Fargo Bank, N.A.
Docket No. F-9564-12

Dear Judge McVeigh:

We are in receipt of the objection filed by Tomas Espinosa, Esq. on behalf of Edilberto Aguila, and ask that it be stricken.

A Complaint for Foreclosure was filed against Mr. Edilberto on September 17, 2009 in his individual foreclosure case, docket number F-049988-09, in Passaic County. Default was entered on January 19, 2010. *See enclosed JEFIS docket*

It appears that Mr. Espinosa sent an Answer to the Complaint for Foreclosure for filing in August 2010 which was not accepted by the Court. Now, almost three years after default was entered, Mr. Espinosa wants to try again to appear and defend in the foreclosure case, arguing the plaintiff lacks standing.

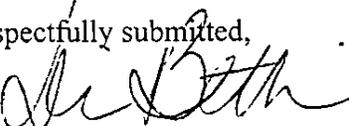
Pursuant to the Order to Show Cause filed July 19, 2012 and the Amended Order to Show Cause filed September 17, 2012, Foreclosure Defendants had the right to object in this proceeding to the process by which this Court gave Wells Fargo permission to serve the corrected NOI. If a Foreclosure Defendant objected to any of the contents of the corrected NOI, they were required to file a written objection under the docket number for their individual foreclosure action.

The objection submitted by Mr. Espinosa does not relate to the Order to Show Cause process. Accordingly, if it may be filed anywhere, it must be filed in Mr. Aguila's individual foreclosure action.

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We thank the Court for its consideration of this matter.

Respectfully submitted,


Diane A. Bettino

cc: Superior Court Clerk's Office (Via Regular Mail)
Tomas Espinosa, Esq (Via Regular Mail)



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VENUE. SUP CLERK COURT GENL EQUI DOCKET # F 049988 09 CASE VENUE PAS			
CASE TITLE · US BANK NATL ASSOC VS AGUILA EDILBERTO			
CASE FILED DATE	09 17 2009	CASE TYPE	ORF RESIDENT F
CASE STATUS	· CLOSED	CASE INITIATION TYPE	· C COMPLAINT
DISPOSITION TYPE	· ST SCHED TRIAL	DATE DISPOSED	· 04 20 2011
DISCOVERY DATE	·	ARGUMENT REQST DATE	· 00 00 0000
CASE PARTY COUNT	· 006	JUDGMENT ENTERED	· NO
FIRST ANSWER DATE		ACTUAL SERVICE DATE	
EXPECTD SERVICE DATE		CONSOLIDATION STATUS	
TRANSFER FROM VENUE	TO	DATE TRANSFERRED OUT	
LAST PROCEEDING TYPE	CSE MNG CF	LAST PROCEEDING DATE	· 11 15 2010
PENDING ACTION		PENDING ACTION DATE	00 00 0000
UNDISTRIBUTED AMOUNT	0.00	DEMAND AMOUNT	0.00
DF ATTORNEY/PRO SE	A DF HAS AN ATTY	DENOVO INDICATOR	NO
CMP DISPUTE RESOLUTN	· TRIAL	TITLE 59 INDICATOR	: NO
JURY REQUEST	· NO JURY	CASE IMPOUNDED	· NO
DATE ENTERED	· 10 27 2009		

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 Session ID 7BETSZ Case Count: 1
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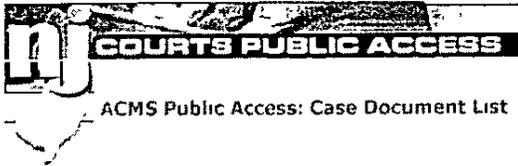


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MORE ...

VENUE SUP CLERK COURT GENL EQUIT DOCKET #. F 049988 09 CASE TITLE US BANK NATL ASSOC VS AGUILA EDILBERTO									
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^	09	17	2009	001	COMPLAINT	US BANK	NATL	PHELAN HALLI	Y
^	01	19	2010	002	AFFID/CERT INQ	US BANK	NATL	PHELAN HALLI	N
^	01	19	2010	003	NOT PRT DISMISL	US BANK	NATL	PHELAN HALLI	N
^	01	19	2010	004	REQ DEFLT	US BANK	NATL	PHELAN HALLI	N
^	07	27	2010	007	AFF PRF AMT DUE	US BANK	NATL	PHELAN HALLI	N
^	07	27	2010	008	TAXED COST FORM	US BANK	NATL	PHELAN HALLI	N
^	07	27	2010	009	AFFD SEARCH FEE	US BANK	NATL	PHELAN HALLI	N
^	07	27	2010	010	PRF MAIL	US BANK	NATL	PHELAN HALLI	N
^	07	27	2010	011	AFFDVT SRV	AGUILA		ATTY REQUIRE	N
^	07	27	2010	012	AFFDVT NMS	US BANK	NATL	PHELAN HALLI	N

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<input type="checkbox"/>	07	27	2010	014		CERTIFICTN	US BANK NATL PHELAN HALLI	N		
<input type="checkbox"/>	07	27	2010	015		PRF MAIL	US BANK NATL PHELAN HALLI	N		
<input type="checkbox"/>	07	27	2010	016		NOTICE MOTION	US BANK NATL PHELAN HALLI	N		
<input type="checkbox"/>	08	09	2010	005		ANSWER	AGUILA ESPINOSA	N		
<input type="checkbox"/>	09	27	2010	006		MOTN SUMM JDGMT	US BANK NATL PHELAN HALLI	N	WD	

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END OF LIST

VENUE	. SUP CLERK	COURT	GENL EQUIT	DOCKET #	F	049988	09
CASE TITLE	US BANK NATL ASSOC VS AGUILA EDILBERTO						
SE DISP	ST SCHED TRIAL	DISP DATE	04	20	2011	CASE STATUS	CLOSED
PTY NO	PARTY NAME		PTY TYPE	PTY STATUS	DISP DATE		
001	US BANK NATL ASSOC		PF	SETTLED	04 20 2011		
002	AGUILA	EDILERTO	DF	DEFAULTED	01 19 2010		
003	AGUILA MRS	EDILBERTO	DF	DISM W/O P	01 19 2010		
004	AGUILA	EDNA	DF	DEFAULTED	01 19 2010		
005	AGUILA MR		DF	DISM W/O P	01 19 2010		
006	BLK 13 02 LOT 2		OR	SETTLED	04 20 2011		

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