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PLEASE REPLY TO THE NEW YORK ADDRESS

Brad C. Allen, Esq.
Admitted in NY & NJ
Roger K. Marion, Esq.
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Irina Kushel, Esq.
Of Counsel, Admitted in NY
Doreen Inkeles, Esq.
Of Counsel, Admitted in FL & VA
Jason Green-Lowe, Esq.
Of Counsel, Admitted in CA

October 17, 2012

Via Fedex Overnight

Superior Court Clerk's Office
Foreclosure Processing Services
Attn. Objection to Notice of Intention to Foreclose
P.O. Box 971
Trenton, NJ 08625

RECEIVED

OCT 18 2012

**SUPERIOR COURT
CLERK'S OFFICE**

Re: Wells Fargo Bank, N.A. v. Tara Maitland
Docket No: F-009564-12
Objection to Order to Show Cause to Correct NOI

Dear Sir/Madam,

I am the attorney for the Defendant in the above-referenced matter. I am submitting an original and two (2) copies of the enclosed Certification of Objection to the Notice of Intent to Foreclose and Order to Show Cause in this matter because Honorable McVeigh, Chancery Division, Passaic County, Paterson, New Jersey

By copy of this letter, I am requesting that the Defendant's appearance be waived in lieu of the attached Certification of Objection with specific explanations of our objection

I appreciate Your Honor's consideration in this matter

Respectfully Submitted,


Brad C. Allen, Esq.

PROOF OF MAILING

1. Brad C. Allen, Attorney for the Defendant, hereby certifies that on October 18, 2012, I arranged for and effectuated service of process by way of regular mail (U.S Postal Service) and Fedex overnight, an original and two (2) copies of Defendant's Certification in lieu of a more formal objection and response to Plaintiff's Notice of Intention to Foreclose and Order to Show Cause to:

Foreclosure Processing Services
Superior Court Clerk's Office
25 W. Market Street, 6th Floor, NorthWing
Trenton, NJ 08611

Mark S Melodia, Esq.
Reed, Smith, LLP
Princeton Forrestal Village
136 Main Street
Princeton, NJ 08540

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SUPERIOR COURT
CLERK'S OFFICE

- 2 A copy of this objection was also mailed by regular mail through the U.S Postal Service and Fedex overnight to:

Judge McVeigh, J.S.C.
Superior Court of New Jersey
Chambers 100
71 Hamilton Street
Paterson, NJ 07505

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

Dated: October 17, 2012



Brad C Allen, Esq.
Attorney for the Defendant

Law Offices of Brad C. Allen, P.C.
55 East 59th Street, 4th Floor
New York, NY 10028
(212) 485-9642
Attorney for the Defendant

RECEIVED

OCT 18 2012

SUPERIOR COURT
CLERK'S OFFICE

Wells Fargo Bank, N.A.

Plaintiff,

v.

Tara Maitland,

Defendant

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
PASSAIC COUNTY

Docket No. F-009564-12

**Certification of Tara Maitland and Objection
To Notice of Intent to Foreclose and Order To
Show Cause**

Brad Allen, Attorney for the Defendant in the above-referenced matter, as an attorney licensed to practice law in the State of New Jersey, certifies the following:

1. Upon information and belief, Defendant entered into a mortgage agreement for the property located at 131 Howard Street, Carneys Point, New Jersey 08069
2. Upon information and belief, this mortgage was originated on or about September 2006 and the property address above was named as collateral.
3. Upon information and belief, Defendant has been the sole owner of the property located at 131 Howard Street, Carneys Point, New Jersey 08069 since entering the mortgage.
4. Upon information and belief, Defendant has held her home mortgage loan with multiple lenders since origination of the loan
5. Upon information and belief, Plaintiff is not in possession of an original Mortgage, Affidavit of Title, Respa, HUD-1, Assignment of Mortgage, nor a Deed in Trust from the original mortgage holder that would reflect Wells Fargo Bank owns the mortgage

6. Defendant received a corrected Notice of Intent to Foreclose from Wells Fargo on September 24, 2012.
7. Neither Defendant nor Defendant's attorney have been served with a signed Order to Show Cause from Judge McVeigh giving Plaintiff authorization to serve a corrected notice.
8. Defendant hereby objects to the Notice of Intent and requests that the Court dismiss the Order to Show Cause, and dismiss the appearance of the Defendant for the Corrected NOI of September 24, 2012 for the following reasons:

- A) Plaintiff violated N.J.S.A. 2A:50-56(c) by failing to include the lender's name and address in the Notice of Intent to Foreclose sent to Defendant;
- B) Plaintiff has no authority to transmit a corrected Notice of Intent to Foreclose without judicial consent pursuant to U.S. Bank v. Guillaume, 209 N.J. 449 (2012);
- C) Plaintiff's Notice of Intent was sent to Defendant five (5) months after U.S. Bank v. Guillaume, supra, was entered. Thus, Plaintiff had ample notice that it was required to include the lender's name and address in the Notice of Intent to Foreclose, yet it nevertheless failed to do so.
- D) Plaintiff has not shown that it owns the note;
- E) Plaintiff has not shown that it has possession of the Note;
- F) Plaintiff has not shown that it has the proper authority to foreclose, and
- G) Attorney was not served despite having been notified by letter of representation that Defendant was represented by counsel in violation of New Jersey Rules of Professional Conduct 4.2

9. Therefore, Defendant requests that the Court deny Plaintiff's Order to Show Cause to Correct the Notice of Intent to Foreclose.
10. If this Court sees fit to grant the Plaintiff's Order to Show Cause, Defendant requests that Plaintiff be compelled to send a new Notice of Intent to Foreclose pursuant to this Court's authorization as the one served was done so prior to the Court's order
11. I certify that the foregoing statements made by me are true 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, I am subject to punishment.

Dated, October 17, 2012



BRAD C ALLEN, ESQ
ATTORNEY FOR THE DEFENDANT