

# RAJAN & RAJAN

ATTORNEYS AT LAW  
3146 State Route 27, Suite 202, Kendall Park, NJ 08824  
(732) 283-1955 Ph (732) 283-1877 Fax  
[info@rajanandrajan.com](mailto:info@rajanandrajan.com)

Paul R. Rajan, Esq. Δ  
Mahesh Rajan, Esq. Δ  
Kavita Bindra, Esq. Δ \*  
Rena Thakkar, Esq.  
Kunal Shah, Esq. Δ  
Suketa Brahmhatt, Esq.

1419 Oak Tree Road  
Iselin NJ 08830  
(732) 321-0201 Ph (732) 321-9115 Fax

Thomas P. Ehrlich, Esq.  
OF COUNSEL  
Also Member of NY Bar Δ  
Not Admitted in NJ \*

**RECEIVED**  
OCT 18 2012  
SUPERIOR COURT  
CLERK'S OFFICE

October 16, 2012

**VIA Overnight Mail**

Superior Court Clerk's Office, Foreclosure Processing Service  
ATTN: Objection to Notice of Intention to Foreclosure  
P.O. Box 971  
Trenton, NJ 08625

**RE: In Re Application by Wells Fargo Bank N.A.  
Docket No.: F-0096564-12  
Our File No.: 365-12**

Dear Sir/Madam,

Our office represents Jaishree Patel in regards to the above reference matter. Enclosed herein please find an Original and two (2) copies of an Opposition to Order to Show Cause. Please return a "Filed" stamped copy to this office in the enclosed self addressed stamped envelope provided.

Also, please charge the fee for this filing to our Attorney Collateral Account No. 142719.

Should you have any questions, kindly contact this office. Thank you for your courtesies.

Very truly yours,

  
SUKETA BRAHMBHATT

SB/fp

Enclosures

Cc: Honorable Margaret Mary McVeigh, J.S.C. (via overnight mail)  
Mark Melodia, Esq. (via overnight mail)

SUKETA BRAHMBHATT, ESQ.  
RAJAN & RAJAN, LLP  
3146 Route 27, Suite 202  
Kendall Park, NJ 08824  
(732) 283-1955  
(732) 283-1877 (fax)  
Attorneys for Defendants,  
Jaishree Patel & Ketan Patel

**RECEIVED**  
OCT 18 2012  
SUPERIOR COURT  
CLERK'S OFFICE

**IN RE APPLICATION BY WELLS  
FARGO BANK N.A. TO ISSUE  
CORRECTED NOTICES OF INTENT  
TO FORECLOSE ON BEHALF OF  
IDENTIFIED FORECLOSURE  
PLAINTIFFS IN UNCONTEST CASES**

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION:  
PASSAIC COUNTY

DOCKET NO.: F-009564-12

Civil Action

**JAISHREE PATEL'S CERTIFICATE  
IN SUPPORT OF OPPOSITION  
TO ORDER TO SHOW CAUSE**

I, JAISHREE PATEL, hereby certify:

1. I am a Defendant in the Matter entitled, *HSBC Bank USA v. Jaishree Patel, et. al. F-041310-10*, in Middlesex County Chancery Division.
2. My husband, Ketan Patel, and I reside in the property located at 17 Tanner Drive, Princeton, NJ 08540.
3. The property being foreclosed upon is located at 17 Tanner Drive, Princeton, NJ 08540.
4. The property is our family's primary residence.
5. In 2006, I refinanced my house with a loan through Wells Fargo for \$435,000.00.
6. In 2008, my husband and I obtained a second mortgage on our property through Wachovia Bank, B.A. which was subsequently bought by Wells Fargo Bank.
7. I was not aware that in 2010, my loan was transferred to HSBC Bank, USA.

8. In 2010, my husband and I were facing financial difficulties and were unable to make our mortgage payments. Accordingly, I began working with who I thought was my lender, Wells Fargo, in attempt to modify the terms of the loan.
9. On August 20, 2010, HSBC Bank filed a complaint of foreclosure against my husband and I, *HSBC Bank USA v. Jaishree Patel, et. al. F-041310-10*, in Middlesex County Chancery Division.
10. However, through their own admission in Paragraph 4a of the First Count, they allegedly acquired the assignment of the mortgage on August 20, 2010. **See Exhibit A.**
11. I oppose the Plaintiff's Order to Show Cause requesting leave to amend Notices of Intent to Foreclose.
12. It is my understanding that the Plaintiff has failed to comply with the New Jersey Fair Foreclosure Act.
13. Plaintiff should be stopped from obtaining leave of Court to amend their previous Notice of Intent.
14. Plaintiff had adequate ability, time and resources to prevent such an error from occurring. However, in a haste to obtain en banc judgments against financially distressed homeowners Plaintiff failed to adhere to New Jersey law.
15. I have attempted to negotiate the terms of my loan with Plaintiff but to no avail.
16. Moreover, I have attempted to make payments to the Plaintiff in order to bring my loan current but my payments were rejected by Plaintiff. **See Exhibit B.**
17. I have been engaged in numerous communications, both written and verbal, with Plaintiff in attempts to modify my current loans with Wells Fargo Bank.

18. Wells Fargo has not been corporative or helpful in assisting me through the loan modification procedure. In fact, they have made it extremely difficult by constantly transferring my case from one representative to another.
19. Plaintiff should be held to the same standard as any other litigant and prohibited from filing a corrected Notice of Intent.
20. Accordingly, in the interest of fairness and equality, I request this Court deny Plaintiff's Order To Show Cause.

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



JAISHREE PATEL

Dated:

**SUKETA BRAHMBHATT, ESQ.**  
RAJAN & RAJAN, LLP  
3146 Route 27, Suite 202  
Kendall Park, NJ 08824  
(732) 283-1955  
(732) 283-1877 (fax)  
Attorneys for Defendants,  
Jaishree Patel & Ketan Patel

**IN RE APPLICATION BY WELLS  
FARGO BANK N.A. TO ISSUE  
CORRECTED NOTICES OF INTENT  
TO FORECLOSE ON BEHALF OF  
IDENTIFIED FORECLOSURE  
PLAINTIFFS IN UNCONTEST CASES**

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION:  
PASSAIC COUNTY

DOCKET NO.: F-009564-12

**Civil Action**

---

**LEGAL MEMORANDUM IN SUPPORT OF DEFENDANT'S OPPOSITION TO  
ORDER TO SHOW CAUSE**

---

RAJAN & RAJAN, LLP  
3146 Route 27, Suite 202  
Kendall Park, NJ 08824  
Tel.: (732) 283-1955  
Fax: (732) 283-1877  
Attorney for Defendants,  
Jaishree Patel & Ketan Patel

On the brief:  
Suketa Brahmhatt, Esq.  
Mahesh Rajan, Esq.

## STATEMENT OF FACTS

Defendants adopt as their Statement of Facts those facts contained in the Certification of Jaishree Patel.

### INTRODUCTION

Defendants, Jaishree Patel and Ketan Patel (hereinafter "Patels") object and oppose the Plaintiff's request to be allowed to conform its Notice of Intent. The Patels have been engaged in a three year long battle with Plaintiff, Wells Fargo Bank N.A. (hereinafter "Bank"), in an attempt to renegotiate the terms of their mortgage. The Patels went above and beyond to comply with the Bank's request for additional documents, multiple copies of the same documents and dealing with harassing phone calls on a daily basis by the Bank's various representatives.

In light of the Bank's error in issuing the Notice of Intent, the Patels oppose their Order to Show Cause and request this Court to dismiss the underlying foreclosure case entitled, *HSBC Bank USA v. Jaishree Patel, et. al. F-041310-10*, in Middlesex County Chancery Division. In support of their request Defendants assert that due to the Bank's failure to comply with the Fair Foreclosure Act, the Defendants were prejudiced because they could not adequately defend the foreclosure action.

### LEGAL ARGUMENT

#### **I. PLAINTIFF SHOULD BE BARRED FROM BEING ALLOWED TO CORRECT THE NOTICE OF INTENT BECAUSE OF THE INHERENT PREJUDICE TO THE DEFENDANTS.**

Defendants, Jaishree Patel and Ketan Patel ("Patels") request this Court deny Plaintiff's Order To Show Cause which would grant Plaintiff leave to issue corrected Notices of Intent. The Plaintiff, Well Fargo Bank N.A., ("Bank") has failed to comply with the Fair Foreclosure Act,

*N.J.S.A.* §2A: 50-56(c)(11), by failing to attach the Verified Complaint (without exhibits) and the contact list for Legal Services of New Jersey.

Plaintiff relies on US Bank, N.A. v. Guillaume, 209 N.J. 449 (2012) in order to support their Motion. However, Plaintiff fails to acknowledge that in Guillaume, the Plaintiff failed to list the name and contact number of the current lender that holds the Note. Moreover, in Guillaume, there was already a final judgment in default entered against Guillaume, unlike this matter in which there is no final judgment against any defendant. Guillaume, is easily distinguished in that the Bank in this matter failed to include a copy of the Verified Complaint and the contact list for Legal Services. Accordingly, there is clearly a greater prejudice to the individual homeowner in this case because they never had an adequate opportunity to defend against the Complaint. The weight of the prejudice against the Defendants mandates the underlying action be dismissed.

Without a copy of the Complaint being attached to the Notice of Intent, the Patels have no way to confirm that the Plaintiff or the lender was in receipt of the original Note at the time of filing the Complaint as required by *N.J.S.A. 12A:3-101*. In fact, HSBC Bank alleges that it received the Patel's mortgage on August 20, 2010, the exact date the Foreclosure Complaint was filed against the Patel's. *See Exhibit A*. The legislative intent behind the Fair Foreclosure Act is to "advance the public policies of the State by giving debtors every opportunity to pay their home mortgages and thus keep their homes." Guillaume, 209 N.J. at 470. In this case, Plaintiff's actions with the Patels and all the defendants in this matter are clearly against public policy. The Plaintiff has acted in such a manner as to prevent homeowners from retaining their home and making the loan modification process extremely difficult.

Moreover, in the underlying foreclosure action, a request for entry of default has already been filed against the Patels. If the Plaintiff is allowed to issue a corrected Notice of Intent the Defendants will be unable to defend adequately against the foreclosure action. However, by requiring Plaintiff to abide by the strict standard of the Fair Foreclosure Act, and dismissing the underlying foreclosure Complaint without prejudice, the Patels will have adequate time to prepare against a properly filed foreclosure Complaint.

Given the totality of the circumstances and in the interest of justice, Defendants request this Court deny Plaintiff's Motion.

### CONCLUSION

For the foregoing reasons, Defendants, Jaishree and Ketan Patel request the Plaintiff's motion be denied.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'SUKETA BRAHMBHATT', written in a cursive, somewhat stylized script.

SUKETA BRAHMBHATT

A

141480

ZUCKER, GOLDBERG & ACKERMAN  
Attorneys for Plaintiff  
200 Sheffield Street, Suite 301  
P.O. Box 1024  
Mountainside, New Jersey 07092-0024  
1-908-233-8500

HSBC Bank USA, National Association as Trustee  
for Wells Fargo Asset Securities Corporation,  
Mortgage Pass-Through Certificates, Series  
2006-17

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
MIDDLESEX COUNTY  
DOCKET NO. F-041310-10

Civil Action

SUMMONS

vs. Plaintiff  
Jaishree Patel; et al  
Defendant

THE STATE OF NEW JERSEY  
to

17 Tanner Drive, South  
Brunswick, NJ 08540

Jaishree Patel  
17 TANNER DRIVE  
TOWNSHIP OF SOUTH BRUNSWICK  
PRINCETON, NJ 08540  
5302 BUTTONWOOD CT  
MONMOUTH JCT, NJ 08852

164 MAPLEWOOD AVE  
MAPLEWOOD, NJ 07040

(L.S.)

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The **Complaint** attached to this summons states the basis for this lawsuit. If you dispute this **Complaint** you or your attorney must file a written answer or motion and proof of service with the Clerk of the Superior Court within **35 days** from the date you received this summons, not counting the date you received it. You must file your answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, CN-971, Trenton, New Jersey 08625. A \$135.00 filing fee payable to the Treasurer, State of New Jersey must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee) if you want the Court to hear your defense.

If you do not file and serve a written answer or motion with 35 days, the Court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have any attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling of the Lawyer Referral Services. A list of these numbers is also provided.

*Jennifer M. Perez*

JENNIFER M. PEREZ, CLERK OF THE  
SUPERIOR COURT OF NEW JERSEY

DATED: 9/14/2010

*THIS IS AN ATTEMPT TO COLLECT A DEBT.  
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.*

141480

ZUCKER, GOLDBERG & ACKERMAN  
Attorneys for Plaintiff  
200 Sheffield Street, Suite 301  
P.O. Box 1024  
Mountainside, New Jersey 07092-0024  
1-908-233-8500

HSBC Bank USA, National Association as Trustee for  
Wells Fargo Asset Securities Corporation, Mortgage  
Pass-Through Certificates, Series 2006-17

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
MIDDLESEX COUNTY  
DOCKET NO. F-041310-10

Civil Action

SUMMONS

vs. Plaintiff  
Jaishree Patel; et al  
Defendant

THE STATE OF NEW JERSEY

to

Ketan K. Patel

17 TANNER DRIVE  
TOWNSHIP OF SOUTH BRUNSWICK  
PRINCETON, NJ 08540

164 MAPLEWOOD AVE  
MAPLEWOOD, NJ 07040

5302 BUTTONWOOD CT  
MONMOUTH JCT, NJ 08852

(L.S.)

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The **Complaint** attached to this summons states the basis for this lawsuit. If you dispute this **Complaint** you or your attorney must file a written answer or motion and proof of service with the Clerk of the Superior Court within **35 days** from the date you received this summons, not counting the date you received it. You must file your answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, CN-971, Trenton, New Jersey 08625. A \$135.00 filing fee payable to the Treasurer, State of New Jersey must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee) if you want the Court to hear your defense.

If you do not file and serve a written answer or motion with 35 days, the Court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have any attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling of the Lawyer Referral Services. A list of these numbers is also provided.

*Jennifer M. Perez*

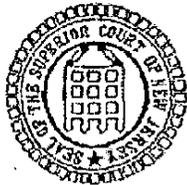
JENNIFER M. PEREZ, CLERK OF THE  
SUPERIOR COURT OF NEW JERSEY

DATED: 9/14/2010

**THIS IS AN ATTEMPT TO COLLECT A DEBT.  
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

<b>ATLANTIC COUNTY:</b>	<b>CUMBERLAND COUNTY:</b>	<b>MERCER COUNTY:</b>	<b>PASSAIC COUNTY:</b>
LAWYER REFERRAL	LAWYER REFERRAL	LAWYER REFERRAL	LAWYER REFERRAL
Atlantic County	P.O. Box 2031	1245 Whitehorse	Court House
Court House	Vineland NJ 08360	Mercerville Road,	Hamilton Street
1201 Bacharach Blvd.	(856) 692-6207	Suite 420	Paterson, NJ 07505
Atlantic City, NJ		Mercerville, NJ	(973) 278-9223
08401	LEGAL SERVICES	08619-3894	
(609) 345-3444	Neighborhood/ Farmworker Division	(609) 585-6200	LEGAL SERVICES
	22 E Washington St.	LEGAL SERVICES	175 Market Street
LEGAL SERVICES	Bridgeton, NJ	16-18 West Lafayette	Paterson, NJ 07505
1 S South Carolina	08302-1933	Street	(973) 345-7171
Avenue		Trenton, NJ	
2nd Floor	(856) 451-0003	08508-2088	<b>SALEM COUNTY:</b>
Atlantic City, NJ		(609) 695-6249	LAWYER REFERRAL
08401	<b>ESSEX COUNTY:</b>		681 South Broadway
(609) 348-4200	LAWYER REFERRAL		Pennsville, NJ 08070
	Historic Courthouse	<b>MIDDLESEX COUNTY:</b>	(856) 678-8363
	470 Dr. Martin Luther King Jr. Blvd	LAWYER REFERRAL	
<b>BERGEN COUNTY:</b>	Room B01	87 Bayard Street	LEGAL SERVICES
LAWYER REFERRAL	Newark, NJ 07102	New Brunswick, NJ	Neighborhood/ Farmworker Division
61 Hudson Street	(973) 622-6204	08901	22 E Washington St.
Hackensack, NJ 07601		(732) 828-0053	Bridgeton, NJ
(201) 488-0044	LEGAL SERVICES		08302-1933
	Public Entitlements	LEGAL SERVICES	(856) 451-0003
LEGAL SERVICES	Law & Housing Law	78 New Street,	
47 Essex Street	Units	3rd Floor	<b>SOMERSET COUNTY:</b>
Hackensack, NJ 07601	106 Halsey Street	New Brunswick, NJ	LAWYER REFERRAL
(201) 487-2166	Newark, NJ 07102	08901-2584	P.O. Box 1095
	(973) 624-4500	(732) 249-7600	Somerville, NJ 08876
<b>BURLINGTON COUNTY:</b>			(908) 685-2323
LAWYER REFERRAL	<b>GLOUCESTER COUNTY:</b>	<b>MONMOUTH COUNTY:</b>	LEGAL SERVICES
117 High Street	LAWYER REFERRAL	LAWYER REFERRAL	78 Grove Street
Mt. Holly, NJ 08060	Justice Complex	Court House	Somerville, NJ 08876
(609) 261-4862	P.O. Box 338	Freehold, NJ 07728	(908) 231-0840
	Woodbury, NJ 08096	(732) 431-5544	
LEGAL SERVICES	(856) 848-4589		<b>SUSSEX COUNTY:</b>
50 Ranocas Road		LEGAL SERVICES	LAWYER REFERRAL
(Lower Level)		25-13 Broad Street	10 Park Place
Mt. Holly, NJ 08060	LEGAL SERVICES	Freehold, NJ 07728	Morristown, NJ 07960
(609) 261-1088	81 Cooper Street	(732) 866-0020	(973) 267-5882
	Woodbury, NJ 08096		
<b>CAMDEN COUNTY:</b>	(856) 848-5360	<b>MORRIS COUNTY:</b>	
LAWYER REFERRAL		LAWYER REFERRAL	LEGAL SERVICES
800 Hudson Square	<b>HUDSON COUNTY:</b>	LAWYER REFERRAL	3 High Street
Suite 103	LAWYER REFERRAL	10 Park Place	P.O. Box 159
P.O. Box 1027	583 Newark Avenue	Morristown, NJ 07960	Newton, NJ 07860
Camden, NJ 08101	Jersey City, NJ	(973) 267-5882	(973) 383-7400
(856) 964-4520	07306		
	(201) 798-2727	LEGAL SERVICES	
LEGAL SERVICES		30 Schuyler Place	
Regional Office	LEGAL SERVICES	C.N. 900	<b>UNION COUNTY:</b>
530 Cooper Street	574 Newark Avenue	Morristown, NJ	LAWYER REFERRAL
Camden, NJ	Jersey City, NJ	07963-0900	Court House,
08102-1246	07306-2377	(973) 285-6911	3rd Floor
(856) 964-2010	(201) 792-6363		Elizabeth, NJ 07207
		<b>OCEAN COUNTY:</b>	(908) 353-4715
<b>CAPE MAY COUNTY:</b>	<b>HUNTERDON COUNTY:</b>	LAWYER REFERRAL	
LAWYER REFERRAL	LAWYER REFERRAL	Courthouse	LEGAL SERVICES
P.O. Box 425	P.O. Box 267	P.O. Box 381	60 Prince Street
Cape May Court House,	Pittstown, NJ 08867	Toms River, NJ 08753	Elizabeth, NJ 07208
NJ 08210	(908) 735-2611	(732) 240-3666	(908) 354-4340
(609) 463-0313			
	LEGAL SERVICES	LEGAL SERVICES	<b>WARREN COUNTY</b>
LEGAL SERVICES	82 Park Avenue	9 Robbins Street,	LAWYER REFERRAL
1261 Route 9 South	Remington, NJ	Suite 2-A	10 Park Place
Cape May Court House,	08822-1168	Toms River, NJ 08753	Morristown, NJ 07960
NJ 08210	(908) 782-7979	(732) 341-2727	(973) 267-5882
(609) 465-3001			
			LEGAL SERVICES
			91 Front Street
			P.O. Box 65
			Belvidere, NJ 07823
			(908) 475-2010

<b>ATLANTIC COUNTY:</b>	<b>CUMBERLAND COUNTY:</b>	<b>MERCER COUNTY:</b>	<b>PASSAIC COUNTY:</b>
<b>LAWYER REFERRAL</b>	<b>LAWYER REFERRAL</b>	<b>LAWYER REFERRAL</b>	<b>LAWYER REFERRAL</b>
Atlantic County	P.O. Box 2031	1245 Whitehorse	Court House
Court House	Vineland, NJ 08360	Mercerville Road,	Hamilton Street
1201 Bacharach Blvd.	(856) 692-6207	Suite 420	Paterson, NJ 07505
Atlantic City, NJ		Mercerville, NJ	(973) 278-9223
08401	<b>LEGAL SERVICES</b>	08619-3894	
(609) 345-3444	Neighborhood/	(609) 585-6200	<b>LEGAL SERVICES</b>
	Farmworker Division		175 Market Street
<b>LEGAL SERVICES</b>	22 E. Washington St.	<b>LEGAL SERVICES</b>	Paterson, NJ 07505
1 S. South Carolina	Bridgeton, NJ	16-18 West Lafayette	(973) 345-7171
Avenue	08302-1933	Street	
2nd Floor	(856) 451-0003	Trenton, NJ	<b>SALEM COUNTY:</b>
Atlantic City, NJ		08608-2088	<b>LAWYER REFERRAL</b>
08401	<b>ESSEX COUNTY:</b>	(609) 695-6249	681 South Broadway
(609) 348-4200	<b>LAWYER REFERRAL</b>		Pennsville, NJ 08070
	Historic Courthouse	<b>MIDDLESEX COUNTY:</b>	(856) 678-8363
<b>BERGEN COUNTY:</b>	470 Dr. Martin Luther King Jr. Blvd	<b>LAWYER REFERRAL</b>	
<b>LAWYER REFERRAL</b>	Room B01	87 Bayard Street	<b>LEGAL SERVICES</b>
61 Hudson Street	Newark, NJ 07102	New Brunswick, NJ	Neighborhood/
Hackensack, NJ 07601	(973) 622-6204	08901	Farmworker Division
(201) 488-0044		(732) 828-0053	22 E. Washington St.
	<b>LEGAL SERVICES</b>		Bridgeton, NJ
<b>LEGAL SERVICES</b>	Public Entitlements	<b>LEGAL SERVICES</b>	08302-1933
47 Essex Street	Law & Housing Law	78 New Street,	(856) 451-0003
Hackensack, NJ 07601	Units	3rd Floor	
(201) 487-2166	106 Halsey Street	New Brunswick, NJ	<b>SOMERSET COUNTY:</b>
	Newark, NJ 07102	08901-2584	<b>LAWYER REFERRAL</b>
<b>BURLINGTON COUNTY:</b>	(973) 624-4500	(732) 249-7600	P.O. Box 1095
<b>LAWYER REFERRAL</b>			Somerville, NJ 08876
117 High Street	<b>GLOUCESTER COUNTY:</b>	<b>MONMOUTH COUNTY:</b>	(908) 685-2323
M. Hilly, NJ 08060	<b>LAWYER REFERRAL</b>	<b>LAWYER REFERRAL</b>	
(609) 261-4862	Justice Complex	Court House	<b>LEGAL SERVICES</b>
	P.O. Box 338	Freehold, NJ 07728	78 Grove Street
<b>LEGAL SERVICES</b>	Woodbury, NJ 08096	(732) 431-5544	Somerville, NJ 08876
50 Ranocas Road	(856) 848-4589		(908) 231-0840
(Lower Level)	<b>LEGAL SERVICES</b>	<b>LEGAL SERVICES</b>	
M. Hilly, NJ 08060	81 Cooper Street	25-13 Broad Street	<b>SUSSEX COUNTY:</b>
(609) 261-1088	Woodbury, NJ 08096	Freehold, NJ 07728	<b>LAWYER REFERRAL</b>
	(856) 848-5360	(732) 856-0020	10 Park Place
<b>CAMDEN COUNTY:</b>			Morristown, NJ 07960
<b>LAWYER REFERRAL</b>	<b>HUDSON COUNTY:</b>	<b>MORRIS COUNTY:</b>	(973) 267-5882
800 Hudson Square	<b>LAWYER REFERRAL</b>	<b>LAWYER REFERRAL</b>	
Suite 103	583 Newark Avenue	10 Park Place	<b>LEGAL SERVICES</b>
P.O. Box 1027	Jersey City, NJ	Morristown, NJ 07960	3 High Street
Camden, NJ 08101	07306	(973) 267-5882	P.O. Box 159
(856) 964-4520	(201) 798-2727		Newton, NJ 07860
		<b>LEGAL SERVICES</b>	(973) 383-7400
<b>LEGAL SERVICES</b>	<b>LEGAL SERVICES</b>	30 Schuyler Place	
Regional Office	574 Newark Avenue	C.N. 900	<b>UNION COUNTY:</b>
530 Cooper Street	Jersey City, NJ	Morristown, NJ	<b>LAWYER REFERRAL</b>
Camden, NJ	07306-2377	07963-0900	Court House,
08102-1246	(201) 792-6363	(973) 285-6911	3rd Floor
(856) 964-2010			Elizabeth, NJ 07207
		<b>OCEAN COUNTY:</b>	(908) 353-4715
<b>CAPE MAY COUNTY:</b>	<b>HUNTERDON COUNTY:</b>	<b>LAWYER REFERRAL</b>	
<b>LAWYER REFERRAL</b>	<b>LAWYER REFERRAL</b>	Courthouse	<b>LEGAL SERVICES</b>
P.O. Box 425	P.O. Box 267	P.O. Box 381	60 Prince Street
Cape May Court House,	Rittstown, NJ 08867	Toms River, NJ 08753	Elizabeth, NJ 07208
NJ 08210	(908) 735-2611	(732) 240-3666	(908) 354-4340
(609) 463-0313			
	<b>LEGAL SERVICES</b>	<b>LEGAL SERVICES</b>	<b>WARREN COUNTY</b>
<b>LEGAL SERVICES</b>	82 Park Avenue	9 Robbins Street,	<b>LAWYER REFERRAL</b>
1261 Route 9 South	Flemington, NJ	Suite 2-A	10 Park Place
Cape May Court House,	08822-1168	Toms River, NJ 08753	Morristown, NJ 07960
NJ 08210	(908) 782-7979	(732) 341-2727	(973) 267-5882
(609) 465-3001			
			<b>LEGAL SERVICES</b>
			91 Front Street
			P.O. Box 65
			Belvidere, NJ 07823
			(908) 475-2010



## FORECLOSURE CASE INFORMATION STATEMENT (FCIS)

Use for Initial Chancery Division - General Equity  
foreclosure pleadings (not motions) under Rule 4:5-1.  
Pleading will be rejected for filing, under Rule 1:5-6 (c),  
if information is not furnished or if attorney's  
signature is not affixed.

**FOR USE BY CLERK'S OFFICE ONLY**

PAYMENT TYPE: CK CG CA

CHG/CK NO.

AMOUNT:

OVERPAYMENT:

BATCH NUMBER:

BATCH DATE:

**SECTION A: TO BE COMPLETED BY ALL PARTIES**

<p><b>CAPTION</b></p> <p>HSBC Bank USA, National Association as Trustee for Wells Fargo Asset Securities Corporation, Mortgage Pass-Through Certificates, Series 2006-17 VS. Jaishree Patel, et al.</p>	<p><b>COUNTY OF VENUE</b> MIDDLESEX</p>
<p><b>NAME OF FILING PARTY (e.g., John Doe, Plaintiff)</b> HSBC Bank USA, National Association as Trustee for Wells Fargo Asset Securities Corporation, Mortgage Pass-Through Certificates, Series 2006-17</p>	<p><b>DOCKET NUMBER (When available)</b> F- <b>F -041310-10</b></p>
<p><b>ATTORNEY NAME (IF APPLICABLE)</b> Leonard B. Zucker, Esq. XCZ-141480</p>	<p><b>DOCUMENT TYPE</b> X COMPLAINT      ANSWER      OTHER</p>
<p><b>MAILING ADDRESS</b> 200 Sheffield Street, Suite 301 Mountainside, NJ 07092</p>	<p><b>FIRM NAME (if applicable)</b> Zucker, Goldberg &amp; Ackerman, LLC</p>
<p><b>TELEPHONE NUMBER</b> (908)233-8500</p>	<p><b>FIRM NAME (if applicable)</b> Zucker, Goldberg &amp; Ackerman, LLC</p>

**SECTION B: TO BE COMPLETED BY PLAINTIFF TO INITIAL COMPLAINT**

<p><b>FORECLOSURE CASE TYPE NUMBER</b></p> <p>088 IN PERSONAM TAX FORECLOSURE 089 IN REM TAX FORECLOSURE X 0RF RESIDENTIAL MORTGAGE FORECLOSURE 0CF COMMERCIAL MORTGAGE FORECLOSURE 0CD CONDOMINIUM OR HOMEOWNER'S ASSOCIATION LIEN FORECLOSURE 091 STRICT FORECLOSURE 0FP OPTIONAL FORECLOSURE PROCEDURE (NO SALE)</p>	<p><b>IS THIS A HIGH RISK MORTGAGE PURSUANT TO P.L. 2009 c.84 AND P.L. 2008, c.127</b>      YES      X NO</p> <p><b>PURCHASE MONEY MORTGAGE</b>      YES      X NO</p> <p><b>RELATED PENDING CASE</b>      YES      X NO IF YES, LIST DOCKET NUMBERS:</p>
<p><b>FULL PHYSICAL STREET ADDRESS OF PROPERTY:</b> 17 Tanner Drive, South Brunswick, NJ 08540 MAILING ADDRESS: 17 Tanner Drive, Princeton, NJ 08540</p> <p>ZIP CODE: 08540      COUNTY: MIDDLESEX</p>	<p><b>MUNICIPALITY CODE (*)</b> 1221</p> <p><b>MUNICIPAL BLOCK:</b> 96.29</p> <p><b>(LOTS):</b> 7</p>

**ALL FILING PARTIES MUST SIGN AND PRINT NAME(S) AND DATE THE FORM BELOW**

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).

<b>ATTORNEY/SELF REPRESENTED SIGNATURE</b>	<b>PRINT ATTORNEY/SELF REPRESENTED NAME</b>	<b>DATE</b>
	Leonard B. Zucker	August 20, 2010

XCZ 141480/ncp  
ZUCKER, GOLDBERG & ACKERMAN, LLC  
Attorneys for Plaintiff  
200 Sheffield Street, Suite 301  
P.O. Box 1024  
Mountainside, New Jersey 07092-0024  
1-908-233-8500

**FILED:**

**FILED Aug 24, 2010**

HSBC Bank USA, National Association as  
Trustee for Wells Fargo Asset Securities  
Corporation, Mortgage Pass-Through  
Certificates, Series 2006-17

Plaintiff,

vs.

Jaishree Patel, his/her heirs, devisees, and  
personal representatives, and his, her, their or  
any of their successors in right, title and interest;  
Ketan K. Patel, his/her heirs, devisees, and  
personal representatives, and his, her, their or  
any of their successors in right, title and interest;  
Wells Fargo Bank, N.A.; State of New Jersey;

Defendants.

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
MIDDLESEX COUNTY  
DOCKET NO. F- **F -041310-10**

Civil Action

**COMPLAINT  
FOR  
FORECLOSURE**

HSBC Bank USA, National Association as Trustee for Wells Fargo Asset  
Securities Corporation, Mortgage Pass-Through Certificates, Series 2006-17, (hereinafter  
"plaintiff"), through its servicing agent located at 3476 STATEVIEW BLVD., MAC #  
X7801-013, FT. MILL, SC 29715, hereby says:

## FIRST COUNT

1. On 06/09/2006, Jaishree Patel executed to Wells Fargo Bank, N.A. a Note (hereinafter "Note") securing the sum of \$435000.00, payable on 07/01/2021 with the initial interest rate of 6.2500% per annum.

2. To secure the payment of the Note, Ketan K. Patel and Jaishree Patel, executed to Wells Fargo Bank, NA, a Mortgage (hereinafter "Mortgage") dated 06/09/2006, and thereby mortgaged to Wells Fargo Bank, NA in fee the land hereinafter described (hereinafter "Mortgaged Premises"). Said Mortgage was duly recorded on 06/29/2006, in the OFFICE OF THE CLERK OF MIDDLESEX COUNTY, in Mortgage Book 11653, Page 621. The Mortgage is not a Purchase Money Mortgage.

3. The legal description of the Mortgaged Premises is described on the Schedule annexed hereto and made a part hereof.

**SCHEDULE A- Legal Description**

ALL the following described property located in the Township of South Brunswick, Princeton, County of Middlesex, State of New Jersey:

COMMONLY known as 17 Tanner Drive, Township of South Brunswick, with a mailing address of 17 Tanner Drive, Princeton, NJ 08540.

BEING also known as Lot 7, Block 96.29 on the tax map of the Township of South Brunswick, Princeton.

DIMENSION: APPROXIMATELY 109 x 67 x 100 x 116 x 15

NEAREST CROSS STREET: Situate on the Westerly side of Tanner Drive approximately 518 feet Westerly from the intersection of the Westerly side of Rocky Hill Road

The following is a metes and bounds legal description as found in the vested deed to Ketan K. Patel and Jaishree Patel, h/w, by deed from Stephen C. Watchinski and Diane C. Watchinski, husband and wife, dated 02/20/2003, recorded 05/30/2003, in the Middlesex County Clerk/Register's Office in Deed Book 5185, at Page 381. Plaintiff's mortgage describes the property by referencing the property address:

Being known as Lot 7 in Block 96.29 on a map entitled "Final Plat Northeast Village-Princeton Walk, Plat B". Said plan being filed in the Middlesex County Clerk's Office on October 30, 1998 as Map No. 5948, File No. 983, more particularly described as follows:

BEGINNING at a point said point being common corner to Lot 6 and Lot 7 in the westerly right-of-way line of Tanner Drive (50' wide); said beginning point bearing along said right-of-way line the various courses and distances thereof, a total distance of 518.24 feet from a point where the extended westerly right-of-way line of Rocky Hill Road intersects the southerly extension of the right-of-way line of Tanner Drive and running; thence

1) Along Lot 6 North 73 degrees 47 minutes 54 seconds West, 109.21 feet to a point in a line of Lot 16; thence

2) Along Lot 16, North 09 degrees 08 minutes 05 seconds East, 67.63 feet to a point corner to Lot 8; thence

3) Along Lot 8, North 70 degrees 55 minutes 23 seconds East, 100.51 feet to a point marked by the aforementioned right-of-way line of Tanner Drive; thence

4) Along said right-of-way line the following two courses: In a southerly direction along a curve to the right having a radius of 190.00 feet, an arc length of 116.99 feet to a point of tangency; thence

5) South 16 degrees 12 minutes 06 seconds West, 15.50 feet to the point and place of BEGINNING.

4. The Note and Mortgage have been assigned as follows:

- 4a. By assignment of mortgage dated 08/20/2010 from Wells Fargo Bank, NA to HSBC Bank USA, National Association as Trustee for Wells Fargo Asset Securities Corporation, Mortgage Pass-Through Certificates, Series 2006-17, plaintiff herein, which is unrecorded at this time.

5. The Note contained an agreement that if any installment payment should remain unpaid for 30 days after the same shall fall due, the whole principal sum, with all unpaid interest, fees, costs and advances, should, at the option of plaintiff or its representatives or assigns, become immediately due and payable.

6. The obligor(s) has/have failed to make the installment payment due on 01/01/2010, and all payments becoming due thereafter. Therefore the loan has been in default since on or about 02/01/2010.

7. As a result of said default, plaintiff hereby elects and declares that the whole unpaid principal sum due on the Note and Mortgage, along with all unpaid interest, advances, fees and costs, shall be accelerated and is now due and payable.

8. The Note and Mortgage do not contain a prepayment penalty.

9. The following defendants are joined herein because they are either the holder of an instrument or interest appearing of record which affect or may affect the Mortgaged Premises, or because they are the holder of a legal and equitable interest in the Mortgaged Premises which is subordinate to plaintiff's Mortgage lien.

9a The **State of New Jersey** is made a party defendant to this foreclosure action by reason of the following judgment entered in the office of the Clerk of the Superior Court of New Jersey recovered against plaintiff's mortgagor(s) and/or current owner(s):

Judgment #DJ-276534-2006, dated 10/24/2006 held by STATE OF NEW JERSEY (CERTIFICATE OF DEBT), in the amount of \$3198.10 against KETAN PATEL

9b. On 05/14/08 Ketan K. Patel and Jaishree Patel mortgaged the premises being foreclosed herein to Wachovia Bank, National Association (**nka Wells Fargo Bank, N.A.**) to secure the sum of \$200,000.00, which mortgage was recorded 06/09/08 in Book 13014 of Mortgages for Middlesex County, Page 91.

10. The following defendants are joined herein because they are the holder of an instrument or interest appearing of record which affect or may affect the Mortgaged Premises which has been paid in full but have not been discharged of record.

NONE

11. In the event plaintiff is unable to determine the present whereabouts of defendants, Jaishree Patel, Ketan K. Patel , or ascertain if they are presently alive, and as a precaution, plaintiff has joined the following persons as party defendants to this foreclosure action for any lien, claim or interest they may have in, to, or against the mortgaged premises:

Jaishree Patel, Ketan K. Patel , and each of their heirs, devisees and personal representatives, and their or any of their successors in right, title and interest.

12. Pursuant to the terms of the Note and Mortgage, plaintiff (or its predecessors, successors or servicing agent), reserved the right to pay taxes, municipal charges, or other liens affecting the Mortgaged Premises, which charges or liens are superior to the lien of the Mortgage. When paid by plaintiff (or its predecessors, successors, or servicing agent), these taxes, municipal charges, or other liens, together with interest thereon, are to be added to the amount due plaintiff, whether such advances were made prior to the filing of this action or during its pendency.

13. Plaintiff has complied with the Fair Foreclosure Act N.J.S.A. 2A:50-53, et seq. by serving the required Notice of Intention to Foreclose at least 30 days in advance of filing of this complaint.

WHEREFORE, the plaintiff demands judgment:

- (a) Fixing the amount due on the Mortgage;
- (b) Barring and foreclosing the defendants and each of them of all equity of redemption in and to the Mortgaged Premises;
- (c) Directing that plaintiff be paid the amount due as provided in the Mortgage, together with interest, fees, costs and advances;
- (d) Adjudging that the Mortgaged Premises be sold according to law to satisfy the amount due to plaintiff on the Mortgage; and
- (e) Appointing a receiver of the rents, issues and profits of the Mortgaged Premises.

## SECOND COUNT

1. Plaintiff hereby repeats, re-alleges, and incorporates the allegations set forth in the First Count of the Complaint, as if set forth herein at length.

2. By the terms of the Note and Mortgage, plaintiff is entitled to possession of the Mortgaged Premises and all appurtenances.

3. The Mortgagor(s) and Obligor(s) named herein has or may claim to have certain rights in the Mortgaged Premises, and by reason thereof, has or have deprived plaintiff of possession of the Mortgaged Premises.

WHEREFORE, plaintiff demands judgment against the defendants, except those protected by N.J.S.A. 2A:18-61.1, et. seq.:

- (a) for possession of the Mortgaged Premises in favor of plaintiff or its assignee or designee, which right to possession shall be transferred to the successful purchaser at the foreclosure sale;
- (b) for costs.

## THIRD COUNT

1. Plaintiff repeats and realleges each and every allegation to the first two counts of the Complaint as if each were set forth herein at length.

2. Inadvertently and by clerical error, page 3 of plaintiff's recorded mortgage erroneously reads that the property is situated in the County of **Mercer**; when in fact it should indicate that the mortgaged premises is situated in the County of **Middlesex**.

**WHEREFORE** plaintiff demands judgment on the third count of this Complaint reforming plaintiff's mortgage to correctly indicate that the mortgaged premises is situated in the County of **Middlesex**.

**FOURTH COUNT**

1. Plaintiff repeats and realleges each and every allegation to the first three counts of the Complaint as if each were set forth herein at length.

2. Inadvertently and by scrivener's error, the attached legal description of the mortgaged premises, including the metes and bounds description, as contained in plaintiff's recorded mortgage, was inadvertently omitted from the mortgaged documents.

**WHEREFORE** plaintiff demands judgment on the fourth count of this Complaint reforming plaintiff's mortgage to include the legal description of the mortgaged premises attached hereto and made a part hereof as Exhibit "A".

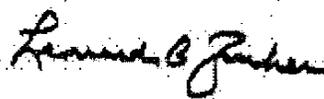
CERTIFICATION PURSUANT TO RULE 4:5-1

I hereby certify that the matter in controversy is not the subject of any other Court proceeding or arbitration and that, to the best of my knowledge and belief, no other parties need be joined at this time, and that no other proceedings are contemplated.

CERTIFICATION PURSUANT TO RULE 4:64-1(a) AND RULE 1:5-6(c)(1)(E)

I hereby certify that a title search of the public record has been received and reviewed prior to the filing of this action.

ZUCKER, GOLDBERG & ACKERMAN, LLC  
Attorneys for Plaintiff

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

LEONARD B. ZUCKER  
MEMBER OF THE FIRM

DATED: August 20, 2010

NOTICE REQUIRED BY THE  
FAIR DEBT COLLECTION  
PRACTICES ACT, (the act),  
15 U.S.C. SECTION 1601 AS AMENDED  
**THIS IS AN ATTEMPT TO COLLECT A DEBT.**  
**ANY INFORMATION OBTAINED**  
**WILL BE USED FOR THAT PURPOSE.**

1. The amount due on the debt, as of 08/09/2010, is the sum of \$325599.59. This sum does not include foreclosure fees and costs or any payments received or advances made after that date.

2. The debt described in the complaint attached hereto and evidenced by the copy of the mortgage and note, will be assumed to be valid by the creditor's law firm, unless debtors, within thirty (30) days after receipt of this Notice, disputes, in writing, the validity of the debt or some portion thereof.

3. If the debtor notifies the creditor's law firm in writing within thirty (30) days of the receipt of this Notice, that the debt or any portion thereof, is disputed, the creditor's law firm will obtain verification of the debt and a copy of the verification will be mailed to the debtor by the creditor's law firm.

4. If the creditor who is named as plaintiff in the attached summons and complaint, is not the original creditor, and if the debtor makes written request to the creditor's law firm within thirty (30) days from the receipt of this Notice, the name and address of the original creditor will be mailed to the debtor by the creditor's law firm.

5. Written request should be addressed to ZUCKER, GOLDBERG & ACKERMAN, LLC, 200 Sheffield Street, Suite 301, P.O. Box 1024, Mountainside, New Jersey 07092-0024. Please refer to our file number, which is XCZ 141480.

**THIS IS AN ATTEMPT TO COLLECT A DEBT.**  
**ANY INFORMATION OBTAINED**  
**WILL BE USED FOR THAT PURPOSE.**

## EXHIBIT "A"

All that certain Lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Township of South Brunswick, County of Middlesex, State of New Jersey:

Being known as Lot 7 in Block 96.29 on a map entitled "Final Plat Northeast Village-Princeton Walk, Plat B". Said plan being filed in the Middlesex County Clerk's Office on October 30, 1998 as Map No. 5948, File No. 983, more particularly described as follows:

**BEGINNING** at a point said point being common corner to Lot 6 and Lot 7 in the westerly right-of-way line of Tanner Drive (50' wide); said beginning point bearing along said right-of-way line the various courses and distances thereof, a total distance of 518.24 feet from a point where the extended westerly right-of-way line of Rocky Hill Road intersects the southerly extension of the right-of-way line of Tanner Drive and running; thence

1) Along Lot 6 North 73 degrees 47 minutes 54 seconds West, 109.21 feet to a point in a line of Lot 16; thence

2) Along Lot 16, North 09 degrees 08 minutes 05 seconds East, 67.63 feet to a point corner to Lot 8; thence

3) Along Lot 8, North 70 degrees 55 minutes 23 seconds East, 100.51 feet to a point marked in the aforementioned right-of-way line of Tanner Drive; thence

4) Along said right-of-way line the following two courses: In a southerly direction along a curve to the right having a radius of 190.00 feet, an arc length of 116.99 feet to a point of tangency; thence

5) South 16 degrees 12 minutes 06 seconds West, 15.50 feet to the point and place of **BEGINNING**.

**NOTE FOR INFORMATION ONLY:** Being Lot(s) 7, Block 96.29, Tax Map of the Township of South Brunswick, County of Middlesex.

**IT MAY BE POSSIBLE TO SAVE YOUR HOME  
FREE COUNSELING - FREE FORECLOSURE  
MEDIATION IS AVAILABLE  
But, you must take action NOW!  
HELP IS JUST A PHONE CALL AWAY 1-888-989-5277**



You have been served with a foreclosure complaint that could cause you to lose your home. The New Jersey Judiciary has set up a Foreclosure Mediation Program to assist certain homeowners. This program is available to all qualifying homeowners whether or not they file an answer to the foreclosure complaint.

Foreclosure mediation is a process where a neutral mediator assists lenders and borrowers in trying to reach a voluntary and mutual agreement to resolve a loan delinquency. Foreclosure mediation will take place in county courthouses with trained mediators.

You can take advantage of the **FREE** mediation program and **FREE** housing counselor if you meet all of the following eligibility conditions:

- You are an owner-occupant of a one- to three- family residential property.
- The property is your primary residence.
- You are the borrower and your mortgage loan is being foreclosed.

**To Participate in Foreclosure Mediation:**

- Complete and return an original and two copies of (1) the Foreclosure Mediation Financial Worksheet; (2) all required attachments and (3) the Mediation Recommendation Statement or Mediation Request Statement to the Administrative Office of the Courts.

**To Get Housing Counselor Help You Must:**

- Call the toll-free telephone number at the top of this notice and ask for the name of a housing counselor in your area certified by the Department of Housing & Urban Development (HUD) or visit the New Jersey Housing and Mortgage Finance Agency (NJHMFA) website [http://www.state.nj.us/dca/hmfa/foreclosureprevention\\_resources.pdf](http://www.state.nj.us/dca/hmfa/foreclosureprevention_resources.pdf).
- Make an appointment to meet with the HUD/NJMFA-certified housing counselor who will discuss your financial situation, help you fill out the attached Foreclosure Mediation Financial Worksheet, offer potential options and help you apply for court-sponsored foreclosure mediation.

**CAUTION**

Applying for foreclosure mediation will not stop your lender from moving forward with its foreclosure action. If you dispute your lender's claims, you should consult a New Jersey licensed attorney and/or file an answer that conforms to the New Jersey Court Rules.

After a foreclosure judgment has been entered, if you apply and meet the conditions for foreclosure mediation, the court may stay the sheriff's sale until after you have had an opportunity to have a mediation conference. If your home is scheduled for a sheriff's sale, you will need to file a motion asking the court to stay the sheriff's sale. A sample motion to stay the sheriff's sale is on the Judiciary's Web site at:

[njcourts.com/civil/forms/11277\\_fm\\_nom\\_sheriffstay\\_salepacket.pdf](http://njcourts.com/civil/forms/11277_fm_nom_sheriffstay_salepacket.pdf)

**INDIVIDUAL INSTRUCTIONS**  
**(FOR HOMEOWNERS SEEKING MEDIATION WHO HAVE NOT**  
**MET WITH A HOUSING COUNSELOR)**

Court-sponsored foreclosure mediation is limited to homeowners whose principal residence (1 to 3 family) is the subject of a foreclosure action. The homeowner must be the borrower and not in bankruptcy.

Complete the Foreclosure Mediation Financial Worksheet and the reverse side of these instructions, following the instructions below, and return to:

Office of Foreclosure  
**ATTN: Foreclosure Mediation Program**  
P.O. 971  
25 Market Street  
Trenton, New Jersey 08625

1. Complete the **Foreclosure Mediation Financial Worksheet** and assemble the required attachments.
2. Complete the **Mediation Recommendation Statement** on the reverse side of this instruction sheet.
  - ✓ Fill in the plaintiff's name and the name of the first named defendant from the foreclosure complaint.
  - ✓ Insert the docket number and two-digit year in the space provided from the foreclosure complaint.
  - ✓ Execute the borrower's certification, if all statements are accurate and truthful;
  - ✓ Briefly describe the workout solution or solutions that you will ask the mediator to consider.
  - ✓ If known, insert the name of the lender's loss mitigation representative with whom a mortgage workout plan was discussed and his/her location and telephone number; and .
  - ✓ Complete the Homeowner-Borrower's Contact Information at the bottom of the page.
  - ✓ Attach the completed Foreclosure Mediation Financial Worksheet and all required attachments to the Mediation Request Statement.
3. Mail the **ORIGINAL** and **TWO COPIES** of the **Mediation Request Statement** and the **ORIGINAL** and **TWO COPIES** of the **Foreclosure Mediation Financial Worksheet** with **THREE COPIES** of all required **attachments** affixed to the worksheets to the Office of Foreclosure at the above address.





# FORECLOSURE MEDIATION FINANCIAL WORKSHEET

DOCKET NO: F      -

V.

Plaintiff's Name

First Defendant's Name

### PERSONAL INFORMATION

Borrower's Name		Co-Borrower's Name	
Social Security Number	Date of Birth (mm/dd/yyyy)	Social Security Number	Date of Birth (mm/dd/yyyy)
<input type="checkbox"/> Married <input type="checkbox"/> Civil Union/ Domestic Partner <input type="checkbox"/> Separated <input type="checkbox"/> Unmarried (single, divorced, widowed)		<input type="checkbox"/> Married <input type="checkbox"/> Civil Union/ Domestic Partner <input type="checkbox"/> Separated <input type="checkbox"/> Unmarried (single, divorced, widowed)	
Dependents (Not listed by Co-Borrower)		Dependents (Not listed by Borrower)	
Present Address (Street, City, State, Zip)		Present Address (Street, City, State, Zip)	

### EMPLOYMENT INFORMATION

Employer	<input type="checkbox"/> Self Employed	Employer	<input type="checkbox"/> Self Employed
Position/Title	Date of Employment	Position/Title	Date of Employment
Second Employer		Second Employer	
Position/Title	Date of Employment	Position/Title	Date of Employment
Gross Salary/Wages	Borrower	Co-Borrower	Total
Net Salary/Wages			
Unemployment Income			
Child Support/Alimony			
Disability Income			
Rental Income			
Other Income			
<b>Total (do not include Gross income)</b>			

### EXPENSE AND LIABILITIES

	Monthly Payments	Balance Due
First Mortgage		
Second Mortgage		
Other Liens/Rents		
Homeowners' Association Dues		
Hazard Insurance		
Real Estate Taxes		
Child Care		
Health Insurance		
Medical Charges		
Credit Card/Installment Loan		
Credit Card/Installment Loan		
Credit Card/Installment Loan		
Automobile Loan 1		
Automobile Loan 2		
Auto/Gasoline/Insurance		
Food/Spending Money		
Water/Sewer/Utilities		
Phone/Cell Phone		
Other		
<b>Total</b>		

ASSETS		
	Estimated Value	
Personal Residence		
Real Property		
Personal Property		
Automobile 1		
Automobile 2		
Checking Accounts		
Saving Accounts		
IRA/401K/Keogh Accounts		
Stock/Bonds/CDs		
Case Value of Life Insurance		
Other		
<b>Total</b>		
<b>Reason for Delinquency/Inability to Satisfy Mortgage Obligation:</b> <input type="checkbox"/> Reduction in income <input type="checkbox"/> Medical issues <input type="checkbox"/> Death of family member <input type="checkbox"/> Poor budget management skills <input type="checkbox"/> Increase in expenses <input type="checkbox"/> Business venture failed <input type="checkbox"/> Loss of Income <input type="checkbox"/> Divorce/separation <input type="checkbox"/> Increase in loan payment <input type="checkbox"/> Other: _____		
Further Explanation:  		
I / We obtained a mortgage loan(s) secured by the above-described property. I / We have described my/our present financial condition and reason for default and have attached required documentation. I / We consent to the release of this financial worksheet and attachments to the mediator and the plaintiff or plaintiff's servicing company by way of the plaintiff's attorney. By signing below, I / we certify the information provided is true and correct to the best of my / our knowledge.		
Signature of Borrower	SSN	Date
Signature of Borrower	SSN	Date
Please attach the following: Last federal tax return filed Proof of income (e.g. one or two current pay stubs) Past two (2) bank statements If self-employed, attach a copy of the past six month's profit and loss statement		
This is an attempt to collect a debt and any information obtained will be used for that purpose.		



**NEW JERSEY JUDICIARY  
FORECLOSURE MEDIATION FINANCIAL WORKSHEET**

DOCKET No: F      -

V.

Plaintiff's Name \_\_\_\_\_

First Defendant's Name \_\_\_\_\_

**PERSONAL INFORMATION**

Borrower's Name		Co-Borrower's Name	
Social Security Number	Date of Birth (mm/dd/yyyy)	Social Security Number	Date of Birth (mm/dd/yyyy)
<input type="checkbox"/> Married <input type="checkbox"/> Civil Union/ Domestic Partner <input type="checkbox"/> Separated <input type="checkbox"/> Unmarried (single, divorced, widowed)		<input type="checkbox"/> Married <input type="checkbox"/> Civil Union/ Domestic Partner <input type="checkbox"/> Separated <input type="checkbox"/> Unmarried (single, divorced, widowed)	
Dependents (Not listed by Co-Borrower)		Dependents (Not listed by Borrower)	
Present Address (Street, City, State, Zip)		Present Address (Street, City, State, Zip)	

**EMPLOYMENT INFORMATION**

Employer	<input type="checkbox"/> Self Employed	Employer	<input type="checkbox"/> Self Employed
Position/Title	Date of Employment	Position/Title	Date of Employment
Second Employer		Second Employer	
Position/Title	Date of Employment	Position/Title	Date of Employment
Gross Salary/Wages	Borrower	Co-Borrower	Total
Net Salary/Wages			
Unemployment Income			
Child Support/Alimony			
Disability Income			
Rental Income			
Other Income			
<b>Total (do not include Gross income)</b>			

**EXPENSE AND LIABILITIES**

	Monthly Payments	Balance Due
First Mortgage		
Second Mortgage		
Other Liens/Rents		
Homeowners' Association Dues		
Hazard Insurance		
Real Estate Taxes		
Child Care		
Health Insurance		
Medical Charges		
Credit Card/Installment Loan		
Credit Card/Installment Loan		
Credit Card/Installment Loan		
Automobile Loan 1		
Automobile Loan 2		
Auto/Gasoline/Insurance		
Food/Spending Money		
Water/Sewer/Utilities		
Phone/Cell Phone		
Other		
<b>Total</b>		

ASSETS	
	Estimated Value
Personal Residence	
Real Property	
Personal Property	
Automobile 1	
Automobile 2	
Checking Accounts	
Saving Accounts	
IRA/401K/Keogh Accounts	
Stock/Bonds/CDs	
Case Value of Life Insurance	
Other	
<b>Total</b>	
<b>Reason for Delinquency/Inability to Satisfy Mortgage Obligation:</b> <input type="checkbox"/> Reduction in income <input type="checkbox"/> Medical issues <input type="checkbox"/> Death of family member <input type="checkbox"/> Poor budget management skills <input type="checkbox"/> Increase in expenses <input type="checkbox"/> Business venture failed <input type="checkbox"/> Loss of Income <input type="checkbox"/> Divorce/separation <input type="checkbox"/> Increase in loan payment <input type="checkbox"/> Other: _____	
Further Explanation:  	
I / We obtained a mortgage loan(s) secured by the above-described property. I / We have described my/our present financial condition and reason for default and have attached required documentation. I / We consent to the release of this financial worksheet and attachments to the mediator and the plaintiff or plaintiff's servicing company by way of the plaintiff's attorney. By signing below, I / we certify the information provided is true and correct to the best of my / our knowledge.	
Signature of Borrower	SSN                      Date
Signature of Borrower	SSN                      Date
Please attach the following: Last federal tax return filed Proof of income (e.g. one or two current pay stubs) Past two (2) bank statements If self-employed, attach a copy of the past six month's profit and loss statement	
This is an attempt to collect a debt and any information obtained will be used for that purpose.	

## HUD/NJHMFA-CERTIFIED HOUSING COUNSELOR INSTRUCTIONS

Court-sponsored foreclosure mediation is limited to homeowners whose principal residence (1 to 3 family) is the subject of a foreclosure action. The homeowner must be the borrower.

After meeting with and counseling the homeowner, please complete the Foreclosure Mediation Financial Worksheet and the reverse side of these instructions, following the instructions below, and return to:

Office of Foreclosure  
ATTN: Foreclosure Mediation Program  
P.O. 971  
25 Market Street  
Trenton, New Jersey 08625

1. Complete the **Foreclosure Mediation Financial Worksheet** and assemble the required attachments.
2. Discuss with the homeowner possible workout solutions.
3. Complete the **Mediation Recommendation Statement** on the reverse side of this instruction sheet.

Regardless of the outcome of your counseling:

- Fill in the plaintiff's name and the name of the first named defendant from the foreclosure complaint.
  - Insert the docket number and two-digit year in the space provided from the foreclosure complaint.
  - Complete the Housing Agency Information at the bottom of the page.
  - Have homeowner(s) execute the certification, if all statements are accurate and truthful.
  - Briefly describe the workout solution or solutions that appear to fit the homeowners' circumstances.
  - insert the name of the lender's loss mitigation representative with whom a mortgage workout plan was discussed and his/her location and telephone number
  - Attach the completed Financial Worksheet and all required attachments to the Mediation Recommendation Statement.
4. Mail the **ORIGINAL** and **TWO COPIES** of the **Mediation Recommendation Statement** with the borrower's certification and the **ORIGINAL** and **TWO COPIES** of the **Foreclosure Mediation Financial Worksheet** with **THREE COPIES** of all required **attachments** affixed to the worksheets to the Office of Foreclosure at the above address.



# MEDIATION RECOMMENDATION STATEMENT

DOCKET NO: F

Plaintiff's Name \_\_\_\_\_

v.

First Defendant's Name \_\_\_\_\_

## MEDIATION REQUESTED

Homeowner-Borrower(s) request court sponsored foreclosure mediation.

### HOMEOWNER-BORROWER'S CERTIFICATION

\_\_\_\_\_ hereby certifies and says:

[insert your name(s)]

1. I / We am/are the owner and mortgagor of the property subject to foreclosure in the above captioned foreclosure action, which property is known as \_\_\_\_\_, New Jersey.

[insert the property address]

2. I / We am/are the borrowers on the mortgage loan.

3. I / We live in the above-described property and the property is my/our principal residence.

4. I / We  have  have not filed an answer to the foreclosure complaint filed by my lender.

I / We certify that the statements made above are true. I / We am / are aware that if any of the statements made by me / us are willfully false, I / we am / are subject to punishment.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Type or Print Name \_\_\_\_\_

Type or Print Name \_\_\_\_\_

Home Telephone No. \_\_\_\_\_

Cell Phone No. \_\_\_\_\_

### HOUSING COUNSELORS PROPOSAL

Briefly outline workout proposal (if necessary, attach additional pages):

If known, the lender's loss mitigation representative's name and his/her location and telephone number is:

Name and Location \_\_\_\_\_

Telephone No. \_\_\_\_\_

### HOUSING AGENCY INFORMATION

Agency Name \_\_\_\_\_

Agency Contact Name \_\_\_\_\_

Agency Address \_\_\_\_\_

Agency Telephone No. \_\_\_\_\_

Signature \_\_\_\_\_

Type or Print Name \_\_\_\_\_

B

**Bank of America**

**Cashier's Check**

No. **1937027**

Notice to Purchaser - In the event this check is lost, misplaced or stolen, a sworn statement and 90-day waiting period will be required prior to replacement. This check should be negotiated within 90 days.

Date

OCTOBER 19, 2010

30-1/1140  
NTX

Banking Center  
KINGSTON

0000217 00004 001937027

JAISHREE PATIL

Remitter (Purchased By)

\*\*\*3729.80\*\*

\$

\*\*\*THREE THOUSAND SEVEN HUNDRED TWENTY NINE DOLLARS AND 80 CENTS\*\*

Pay

To The Order Of

WELLS FARGO HOME MORTGAGE

Tran 00095 10/18/2010 14:52 NND  
R/TH 540060102 CC 0090217 TLF 00004  
Account 00025013136  
Document # 1937027

**Non-Negotiable**

Authorized Signature

Official Check Sale

\$3,729.80

Bank of America, N.A.  
San Antonio, Texas

VOID AFTER 90 DAYS

Customer Copy \*\*\*\*\*0016410060482/08  
Retain For Your Records

30-14-3774B 06-2005