

**RECEIVED** John J. Chichester  
5 Navesink Court  
AUG 13 2013 Long Branch, NJ 07740

**SUPERIOR COURT  
CLERK'S OFFICE**

August 7, 2013

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

Re: Objection to Order to Show Cause – *In re Application  
by Beneficial Financial I, Inc., et. al.*  
**Docket No: F-015390-13**

To the Superior Court:

We are filing an objection for the following reasons:

1. We feel we were treated unfairly during this whole process (as noted in this letter)
2. The exorbitant interest rates, making our payments almost impossible to meet
3. The evasiveness and unwillingness of HSBC to mediate with us, even at a court-mandated mediation
4. Our ages (72 and 70)

HSBC gave my wife, Sally, and me a first mortgage of \$362,000 at a high rate of 8.5%. We were such a "good" customer that they later gave us a second mortgage of \$50,000 at 13%.

Due to cash flow problems in my wife's Medical Editing company (I was basically retired by this time), we got behind in our payments. We were able to rectify this problem later by factoring the company receivables.

HSBC called constantly looking to collect their payments, and for that I have no complaint. However, the person calling you had no authority to discuss your loan situation nor would they direct us to someone with authority. Never did we get a person's name or extension number who was handling our account, so we were left with no one to contact.

Finally, we got something in the mail offering a 6-Month Modification Plan. We quickly sent the \$5500 that was requested and we entered the plan. Our mortgage payment was reduced by \$1100/month, and we made our payments for the 6 months. The 6-Month Plan, if successfully completed, was to be replaced by a 5-Year Plan.

We qualified for the 5-Year Plan and were excited to get our mortgage situation in order. The 5-Year Plan arrived, and to our dismay, our mortgage payments were only reduced by \$127/month. We were paying almost \$4700/month for the first and second mortgages and the taxes. This is the reward we got for successfully completing the 6-Month Plan. NOT ACCEPTABLE!

Remember, we had no names or phone numbers to contact. After many phone calls, we were able to speak to someone who told us we could appeal the 5-Year Plan offered to us. So, we gathered all the information that was required by the appeals process and FAXED it to HSBC. Herein lies the problem! As previously stated, we didn't have a name or phone number of a contact person, so every document we ever sent to HSBC was sent to a FAX number. We never knew if it was received or not. They kept notifying us that they needed certain documents, and we sent

them in again 2 or 3 times. Even after sending the tons of personal information again and again, no acknowledgment was ever given that it was received. Many months later, we received notification that our appeal was denied. No explanation, just denied!

Then, we received the Foreclosure Notice. On the same day of receiving the notice, I contacted Garden State Credit (NOVA) recommended by HUD, and whose number was on the notice, to arrange an appointment to discuss our situation. Garden State educated us as to what the process would entail and the approximate timetable that would unfold. I had asked them what their experience had been previously with HSBC and there was a long, pregnant pause—not good at all. HSBC doesn't negotiate well. The Garden State rep we were dealing with had never known of a successful settlement with HSBC.

Our mediation meeting with the State Mediator, HSBC, and us came several months later. Of course no one from HSBC was there—only the hired lawyer for the Foreclosure. This lawyer is not an employee of HSBC and has no authority to speak for HSBC except to handle the Foreclosure process.

Again, there was no attempt by HSBC to mediate or come to some sensible agreement. We kept saying to ourselves that we don't understand why HSBC was not interested in at least talking to us. I have never seen a bank that wants to go to Foreclosure, because everyone loses, including the bank. It made no "dollars and sense" the way HSBC conducted themselves.

Then, we finally got our answer: HSBC was laundering money for drug cartels! It turns out they were a major player. (Please see newspaper attachment.) My wife and I are a little fish not worth keeping when HSBC can land a whale.

Your Honor, if you or I were caught laundering money, we would go to jail for a long time. HSBC pays a fine (the cost of doing illegal business) and goes on doing business as usual.

We should be the ones suing the bank!

In any case, we feel we've not been treated fairly in this whole situation. You needed to hear our story.

Thank you!

Best regards,



John J. Chichester

# BANKING ON SCAMS

## Money laundering is on rise

By JOHN AIDAN BYRNE

A record surge in suspicious banking transactions and criminal activity is flooding the Street — a back office tsunami that's projected to hit nearly 1 million individual cases this year. Banks and brokerages already under fire from Washington for sketchy compliance are expected to see cases explode from fewer than 720,000 in 2009 to 1.2 million by 2015, according to a new Aite Group study.

Terrorists and financial cons laundering money are targeting these financial institutions at the same time that regulators are stepping up pressure on compliance staff to catch more crooks according to people familiar with developments. Data accumulated by the Association of Certified Anti-Money-Laundering Specialists (ACAMS) reveal the extent of the huge fraud. Fines and monetary settlements alone paid last year

ing and terrorism-financing violations skyrocketed — a 131-fold increase from the year before.

Banks shelled out \$3.5 billion for money laundering violations last year, up from \$26.6 million in 2011.

New York city and state regulators collected \$782 million of the fines. The biggest levy of the year was on HSBC, which paid \$1.92 billion in December.

The trend is growing, said Michael Hill, a fraud attorney with the firm Menzer & Hill in Boca Raton, Fla. "I think post-Madoff, this fraud has moved to the forefront."

Other experts agree. "Money laundering involves the placement, layering and integrations of cash streams for the full process to work," financial investigator L. Burke Files told The Post. "Banks have been the easy location for placements. The securities markets are now being used. I can show any person a number of different

money in the stock market that are nearly undetectable."

Hill, an anti-money laundering expert, says the growth may be due to the 2008 financial crisis.

The explanation: People seeking to make up for steep losses have eyed financial scams. "We see more Ponzi schemes," Hill added. "And the jobs market is another aspect. When it suffers, people turn to other means."

Of course, Wall Street has been on high alert for financial shulduggery since the Patriot Act was swept into law post-9/11.

It triggered a jump in the reported volume of so-called Suspicious Activity Reports, or SARs, as broker dealers were suddenly required to step up their game.

And in February, the Treasury's Financial Crimes Enforcement Network (FinCEN) hosted the first meeting of its Delta Team, an industrywide project to increase efforts to close the

# Wells Fargo slapdown

New York Post, Sunday, June 30, 2013 nypost.com

Readers: For a while I've been trying to get Wells Fargo to help an elderly woman remain in her home, which is what I thought President Obama was also trying to do. Here's the latest note from the woman's son.

Dear John: Well, it looks like Wells Fargo was not willing to help or negotiate with my mom. She just got a letter in the mail stating that if she doesn't pay \$8,000 by July 25 they're going to start foreclosure proceedings.

This has been going on five to six months with no resolution, and my mother, who suffers from very high blood pressure, has not slept since this has been going on. At 76 years old, that's not a good thing.

It looks like there's no light at the end of the tunnel. And they are just looking to grab the house with over \$350,000 in equity. They refuse to negotiate [even though at] the very beginning they said she qualified for a lower payment.

I faxed over to the central office documents that they asked for, and I always got a call saying that

Dear J.C.: So I guess it is true. Some bankers really are jerks.

But now at least my readers know that they should avoid doing business with Wells Fargo, which apparently doesn't care if it gets bad publicity or if it is called a nest of jerks.

Let me know if anything changes after they've been humiliated here again.

I'd suggest you hire a lawyer, but I realize that would hurt your mother's finances even more. So I'll ask if any lawyer near Bellmore, NY, would like to handle this matter pro bono. It'll probably get you into heaven, or at least a pad for your resumé; a nice mention in my column.

Dear John: You recently proposed letting people use their retirement money as a way to stimulate the economy.

I think Obama will not approve this, since it means less taxes [going to] the government.

Then again, for an early retiree with a decent 401(k), good Social Security and a small pension, this kind of break would be a game-changer.

Dear K.Z.: To be more precise, what I proposed was that people should be able to use a portion of their retiree money — 401(k)s, IRAs and the like — so that we can stimulate an economy that isn't responding to anything else.

The details of my plan can be worked out later.

But I have suggested that people be allowed to withdraw this money at a beneficial tax rate, not no tax rate at all.

So actually, my idea would bring revenue into the US Treasury.

Opposition will come from Wall Street, which manages IRA and 401(k) accounts for the public. If we were to allow people to use this retiree money to, say, buy a house, Wall Street would lose assets that it is managing.

However, Wall Street would ultimately gain because anything that helps the economy will eventually benefit people's ability to save and invest. So the appreciated assets that would come from my plan would find their way back to investment firms.

Plus, Wall Street and its banking subsidiaries are holding a lot of bonds that are lower in value because of the tough real estate market. If my plan allow people to buy houses with some of their retirement money, it will help the balance sheet and drive up the price

