File No. 15262-0001

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IN RE SPECIAL SUMMARY ACTION AUTHORIZED BY ORDER OF THE NEW JERSEY SUPREME COURT DATED APRIL 4, 2012 BY RUSHMORE LOAN MANAGEMENT SERVICES, LLP TO ISSUE CORRECTED NOTICES OF INTENT TO FORECLOSE	SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION PASSAIC COUNTY DOCKET NO. F-15420-12 **CIVIL ACTION** **ORDER TO SHOW CAUSE**

THIS MATTER being brought before the Court by Parker McCay P.A., attorneys for Rushmore Loan Management Services, LLP ("Rushmore"), seeking relief by way of summary action pursuant to the Order of the New Jersey Supreme Court dated April 4, 2012 for an Order permitting Rushmore to issue corrected Notices of Intent to Foreclose ("NOI") together with a letter of explanation to the foreclosure defendants identified in the pending, prejudgment, uncontested foreclosure case identified in Exhibits "A-1" through "A-3" to the Amended Verified Complaint filed concurrent herewith (hereinafter the "Foreclosure Defendants"), and based upon the New Jersey Supreme Court's decision in US Bank, N.A. v. Guillaume, 209 N.J. 449 (2012), the Supreme Court of New Jersey's Order of April 4, 2012, and for other good cause shown;

It is on this _____ day of 2012 **ORDERED** that the Foreclosure Defendants (whose names appear in Exhibits "A-1" through "A-3" to the Amended Verified Complaint) may appear and show cause before The Honorable Mary McVeigh, P.J.Ch., of the Superior Court of New Jersey, Chancery Division, Passaic County, New Jersey at _____ o'clock a.m./p.m. on the _____ day of _____, 2012 at 71 Hamilton Street, Paterson, New Jersey to object to this Court's Order allowing Rushmore, through its designee, Parker McCay P.A. (Kathryn M. Gilbertson Shabel, Esquire) to issue corrected NOIs pursuant to this Order to Show Cause.

AND IT IS FURTHER ORDERED THAT FOR EACH FORECLOSURE ACTION IN WHICH RUSHMORE ISSUES A CORRECTED NOI:

1. Rushmore, through its designee, Parker McCay P.A. (Kathryn M. Gilbertson Shabel, Esquire), shall issue a letter of explanation in the format attached to the Amended Verified Complaint as "D". The letter of explanation shall explain (a) the reasons why the corrected NOI is being served; (b) the procedure to follow in the event the Foreclosure Defendants wish to object to the NOI; (c) the individuals to contact with any questions; and (d) the Foreclosure Defendants' right to object to the corrected NOI or their right to cure the default within 30 days of the date of the corrected NOI.

2. Rushmore, through its designee, Parker McCay P.A. (Kathryn M. Gilbertson Shabel, Esquire), shall issue a corrected NOI in the format attached to the Amended Verified Complaint as Exhibit "C", and shall attach to said NOI the letter of explanation referenced in paragraph one (1) above. The corrected NOI shall exclude attorneys' fees and foreclosure costs that have been incurred in the Foreclosure Defendant' pending foreclosure cases.

3. Rushmore shall serve the corrected NOI, letter of explanation and a copy of this executed Order to Show Cause (the "OSC Package") via certified mail, return receipt requested and regular mail at the last known address of the Foreclosure Defendants.

4. A copy of Rushmore's complete application to this Court shall be loaded on the New Jersey Courts website within _____ days of the date of this Order where it shall be available for review by the general public at the following website link in a searchable format: http://www.judiciary.state.nj.us/.

5. In addition to providing service of the OSC Package as required by paragraph three (3) above, Rushmore shall provide publication notice two (2) times in each of the following daily publications: (1) The Newark Star Ledger; (2) The Bergen Record; (3) the Courier Post; and (4) The Press of Atlantic City. Both publication notices shall be completed on or before _____, 2012.

6. Within _____ days of the return date identified herein, Rushmore shall file a proof of service of the OSC Package pursuant to paragraph three (3) above and proof of publication notice pursuant to paragraph five (5) above with this Court;

7. You, the Foreclosure Defendants, have the right to object in this proceeding to this Order to Show Cause (the process by which the Court gave Rushmore or its designee permission to serve the corrected NOI). To do so, you must file a written objection under the docket number listed on the first page of this Order to Show Cause setting forth said objection with specificity. You must also file your written objection on or before _____, 2012 with:

The Clerk of the Superior Court, Foreclosure Processing Services
Attention: Objection to Notice of Intention to Foreclose
P.O. Box 971
Trenton, New Jersey 08625

You must also serve a copy of your written objection on Rushmore's attorney, Gene R. Mariano, Esquire of Parker McCay P.A., 9000 Midlantic Drive, Suite 300, P.O. Box 5054, Mount Laurel, New Jersey 08054-1539 and mail a copy of your written objection to Judge Mary McVeigh, P.J.Ch., Passaic County at 71 Hamilton Street, Paterson, New Jersey.

8. You, the Foreclosure Defendants, also have the right to object to the corrected NOI that you will receive. You also have the right, within thirty (30) days of service of the OSC Package, to cure your payment default. If you object to any of the contents of your corrected NOI, you must file written objection under the docket number of your foreclosure action. If you are uncertain of the docket number for your foreclosure action, you can access that information on the Court's website as noted in paragraph four (4) above (specifically, see Exhibit "A-1" through "A-3" to the Amended Verified Complaint) or by calling Rushmore's representative listed on the letter of explanation contained in the OSC Package. You must set forth with specificity the basis for your objection and file your objection on or before _____, 2012 with:

The Clerk of the Superior Court, Foreclosure Processing Services
P.O. Box 971
Trenton, New Jersey 08625

You must also serve a copy of your written objection on Rushmore's attorney, Gene R. Mariano, Esquire of Parker McCay P.A., 9000 Midlantic Drive, Suite 300, P.O. Box 5054, Mount Laurel, New Jersey 08054-1539 and mail a copy of your written objection to Judge Mary McVeigh, P.J.Ch., Passaic County at 71 Hamilton Street, Paterson, New Jersey.

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9. Rushmore may file and serve written reply to any opposition papers filed by the Foreclosure Defendants on or before _____, 2012. Any such reply papers shall be made in writing and the original documents must be filed with the Clerk of the

Superior Court in Mercer County, New Jersey with a copy timely provided to Judge Mary McVeigh, P.J.Ch., Passaic County at 71 Hamilton Street, Paterson, New Jersey and to each Foreclosure Defendant who filed opposition.

10. If you can not afford an attorney, you may call the Legal Services office in the county in which you live. A list of these offices is provided with the corrected NOI in the OSC Package.

11. A proposed form of Order addressing the relief sought on the return date (along with a self-addressed return envelope with return address and postage) must be submitted by Rushmore to this Court no later than _____ days before the return date identified herein.

12. This Court will entertain argument, but not testimony, on the return date identified herein.

13. In the event a foreclosure action identified in Exhibits "A-1" through "A-3" to the Amended Verified Complaint has been suspended or stayed as a result of a bankruptcy filing or loss mitigation activity, the OSC Package shall not be sent unless and until the suspension or stay is lifted. In such circumstances, the following procedures shall be used. Rushmore or its designee shall mail the OSC Package within 45 days of the lifting of the suspension or stay of the foreclosure action. You, the Foreclosure Defendants, shall have 30 days in which to object to the corrected NOI or 30 days from service of the OSC Package to cure your payment default. Any objections to the relief set forth in this Order to Show Cause shall be made in writing to the Court in the county in which your foreclosure action is pending. You must also serve a copy of your written objection on Rushmore's attorney, Gene R. Mariano, Esquire of Parker McCay P.A., 9000 Midlantic Drive, Suite 300, P.O. Box

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5054, Mount Laurel, New Jersey 08054-1539, or the Court handling your foreclosure action will not be able to consider your objection.

_____

J.S.C.

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