

F I L E D

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

FINAL ORDER

THIS MATTER having been appropriately 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 (“LOE”) to the foreclosure defendants identified in the pending, prejudgment, uncontested foreclosure cases identified in Exhibits “A-1” through “A-3” to the Amended Verified Complaint (“Foreclosure Defendants”); and Rushmore having timely and fully complied with all requirements set-forth in this Court’s August 9, 2012 Order to Show Cause, including, but not limited to, (a) having timely served corrected NOIs, LOEs, its Verified Complaint, its Brief in Support and the August 9, 2012 Order to Show Cause (the “OSC

Package”) on the Foreclosure Defendants via certified mail return receipt requested and regular mail to the last known address of the Foreclosure Defendants; (b) having uploaded its pleadings related to its application to this Court on the New Jersey Court’s website at <http://www.judiciary.state.nj.us/>. in a searchable format; and (c) having twice published its intention to seek an Order permitting it to issue a corrected NOIs and LOEs to the Foreclosure Defendants in The Newark Star Ledger, The Bergen Record, The Courier Post and The Press of Atlantic City; and the Foreclosure Defendants having failed to file any written objections to the relief sought by Rushmore as permitted by the August 9, 2012 Order to Show Cause; and after consideration of oral argument; and based on other good cause shown, including, but not limited to, the holding of the New Jersey Supreme Court's US Bank, N.A. v. Guillaume, 209 N.J. 449 (2012) and the Supreme Court of New Jersey’s Order of April 4, 2012:

It is on this 26th day of October, 2012 **ORDERED** as follows:

1. Any and all objections to the relief sought by Rushmore are hereby overruled for the reasons set-forth on the record on October 24, 2012;
2. Rushmore’s request to issue corrected NOIs and LOEs to the Foreclosure Defendants is hereby granted;
3. The NOIs sent to the Foreclosure Defendants in the OSC Package are fully compliant in all respects with the Fair Foreclosure Act, and specifically, N.J.S.A. 2A:50-56, and more than thirty (30) days have elapsed since service of the NOIs on the Foreclosure Defendants;
4. Unless their mortgage loan was reinstated after service of the OSC Package, Rushmore may immediately recommence the foreclosure actions identified in Exhibits “A-1” through “A-3” to the Amended Verified Complaint against the Foreclosure Defendants;
5. The Office of Foreclosure is authorized to process and recommend the entry of

final judgment upon the submission of the appropriate application for final judgment for the foreclosure actions identified in Exhibits “A-1” through “A-3” to the Amended Verified Complaint against the Foreclosure Defendants;

6. This Final Order shall be uploaded on the New Jersey Court’s website at <http://www.judiciary.state.nj.us/>; and

7. A copy of this Final Order shall be sent to the Foreclosure Defendants via certified mail return receipt requested and regular mail at the same address to which the OSC Package was served within 7 days of the date of this Final Order.


J.S.C.