

GREENBERG TRAURIG LLP

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Attorneys for GMAC Mortgage, LLC

**IN RE APPLICATION BY GMAC
MORTGAGE, LLC TO ISSUE
CORRECTED NOTICES OF INTENT
TO FORECLOSE ON BEHALF OF
IDENTIFIED FORECLOSURE
PLAINTIFFS**

) **SUPERIOR COURT OF NEW JERSEY**
) **CHANCERY DIVISION**
) **MERCER COUNTY**

) **DOCKET NO.: F-025354-12**

) **CIVIL ACTION**

) **JOINT STIPULATION OF**
) **WITHDRAWAL OF OBJECTION OF**
) **FORECLOSURE DEFENDANTS**
) **BRIAN MCCANN AND BONNIE**
) **MCCANN TO ORDER TO SHOW**
) **CAUSE**

On February 23, 2013, Brian McCann and Bonnie McCann (collectively, “the McCanns”), the foreclosure defendants in GMAC Mortgage, LLC v. McCann, Superior Court of Ocean County, F-27828-08, objected through their attorney to the Order to Show Cause regarding GMAC Mortgage, LLC (“GMACM”) entered by the Court on December 13, 2012. In light of an agreement between the McCanns and GMACM (together, the “Parties”), the McCanns have agreed to withdraw their objection. In support of the withdrawal of the McCanns’ objection, the Parties state as follows:

1. Pursuant to an agreement between the Parties, Judge Frank A. Buczynski, Jr. entered an order in the McCanns’ individual foreclosure action on February 27, 2013. A true and

correct copy of the order entered in the individual foreclosure action is attached to this Response as Exhibit A.

2. The terms of the agreement and order nullify the McCanns' objection to the Order to Show Cause process by rendering their recently-filed answer non-contesting and waiving "all defenses," including "notice pursuant to Section 6 of the New Jersey Fair Foreclosure Act." Ex. A ¶¶ 2 and 4. For its part, GMACM agreed not to move for final judgment until August 30, 2013. Id. at ¶ 3.

3. Counsel for the Parties conferred telephonically on March 5, 2013, and agreed to withdraw the McCanns' objection to this Order to Show Cause process and allow the McCanns' individual foreclosure action to proceed according with the terms set forth in Judge Buczynski's order.

* * *

In accordance with the foregoing, the Parties respectfully requests that this Court withdraw the McCann's objection to the Order.

GREENBERG TRAUIG LLP



Ian S. Marx, Esq.

Dated: March 7, 2013

CERTIFICATION OF SERVICE

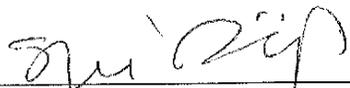
I, SHEVANI JAISINGH, hereby certify that on March 7, 2013:

1. I caused to be electronically filed the foregoing Joint Stipulation of Withdrawal of Objection of Foreclosure Defendants Brian McCann and Bonnie McCann to Order to Show Cause with the Clerk of Court using the JEFIS system.

2. I caused to be served a true and correct copy of foregoing Joint Stipulation of Withdrawal of Objection of Foreclosure Defendants Brian McCann and Bonnie McCann to Order to Show Cause on The Hon. Paul Innes, P.J. Ch., Superior Court of New Jersey, Mercer County Court House, First Floor, 175 South Broad Street, Trenton, NJ 08650-0068 via first-class mail.

3. I caused to be served a true and correct copy of foregoing Joint Stipulation of Withdrawal of Objection of Foreclosure Defendants Brian McCann and Bonnie McCann to Order to Show Cause on Ira J. Metrick, Esq., 57 West Main Street, Freehold, NJ 07728 via certified mail.

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



Shevani Jaisingh, Esq.

Dated: March 7, 2013

EXHIBIT A

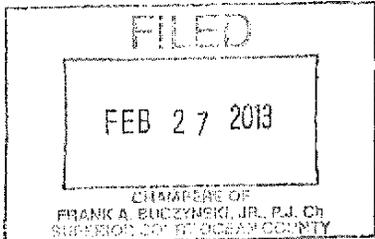
EMAC Mortgage Plaintiff(s)

vs.

McCann Defendant(s)

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
GENERAL EQUITY / PROBATE
OCEAN COUNTY

DOCKET NO. OCN-C-
OCN-F-27828-08
OCN-P-



ORDER

THIS MATTER, having been brought before the Court, and the Court having ascertained that the following determinations are warranted and appropriate,

IT IS, on this 27th day of February, 2013

ORDERED as follows:

- 1) THAT GREEN TREE SERVICING, ^{LLC} IS HEREBY SUBSTITUTED AS PLAINTIFF IN THE WITHIN MATTER AND SHALL BE INCLUDED IN ALL PLEADINGS FORWARDED; AND
- 2) THAT DEFENDANT'S ANSWER IS HEREBY AMENDED TO BE NONCONTESTING AND DEFENDANT WAIVES ALL DEFENSES; AND
- 3) THAT PLAINTIFF SHALL FORBEAR FROM SUBMITTING HIS PROFS FOR ENTRY OF FINAL JUDGMENT UNTIL AUGUST 30, 2013; AND
- 4) THAT DEFENDANT HEREBY WAIVES NOTICE PURSUANT TO SECTION 6 OF THE NEW JERSEY FAIR FORECLOSURE ACT; AND
- 5) THAT THIS MATTER IS HEREBY RETURNED TO THE OFFICE OF FORECLOSURE TO PROCEED AS AN UNCONTESTED MATTER.

THE UNDERSIGNED HEREBY CONSENT TO THE FORM AND ENTRY OF THIS ORDER.

PAGE 1 OF 1

Vladimir Palka
VLADIMIR PALKA,
ATTORNEY FOR PLAINTIFF
COUNSEL OR PRO SE SIGNATURE

Frank A. Buczynski Jr.
FRANK A. BUCZYNSKI JR. P.J. Ch
COUNSEL OR PRO SE SIGNATURE

Tim J. Metrick, Esq.
ATTORNEY FOR DEFENDANTS
COUNSEL OR PRO SE SIGNATURE

COUNSEL OR PRO SE SIGNATURE