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RECEIVED

MAR 13 2013

SUPERIOR COURT
CLERK'S OFFICE

March 11, 2013

GMAC Mortgage
3451 Hammond Avenue
P.O. Box 780
Waterloo, I.A. 50704-0780

Re: GMAC Mortgage v. Micheal & Matilda D'Elia
Loan No. 602276827
Docket No. F-025354-12

Dear Sir/Madam:

I represent Micheal and Matilda D'Elia. This letter is an objection to procedures followed by GMAC Mortgage prior to the decision in U.S. Bank, N.A. v. Guillaume and after that matter was decided.

My clients included the debt (promissory note) in the bankruptcy petition they filed. The debt, according to their bankruptcy attorney, was discharged in June 2010. Please respond. My clients communicated that fact to GMAC Mortgage but have not received confirmation or a denial.

Please advise whether any other docket numbers should be used when corresponding about this matter.

One of the objections my clients have is that they did not receive written notice of the intent to file a foreclosure action. Their position is that, had they received such a notice as required under the Fin foreclosure act they would have negotiated before the action was filed.

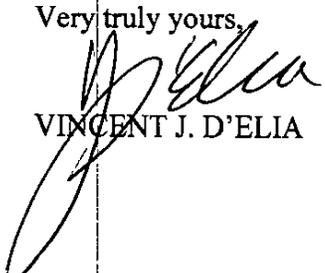
Micheal is almost 69 years old and is a combat veteran of the Viet Nam War. The Veterans Administration states that he is 80% disabled, confirms that he was exposed to agent orange, is a diabetic, has had heart surgery, is on multiple medications, has been treated for many years for depression, is limited in his mobility, including his severe neuropathy, prevents him from driving an automobile except short distances. His application for 100% disability is pending with the Veterans Administration.

His emotional request to me was to ask GMAC Mortgage to please assign someone to talk with us. We are available day time, evenings and weekends. This is extremely important to them. Thank you.

The D'Elia's attempted to obtain a modification agreement at an interest rate of 2% for 40 years so that they could keep their home where their son grew up, but approval was not granted. No reasons were given. They supplied income tax returns, financials and a hardship letter. Perhaps the problem was that the amount GMAC Mortgage states is owed exceeds the market value of the property.

Are you willing to review this matter with me to see if an agreement can be reached to resolve this matter? Thank you.

Very truly yours,



VINCENT J. D'ELIA

VJD: kmb

cc: The Honorable Paul Innes, P.J Ch.
D. Brian O'Dell
Superior Court Foreclosure Processing
Mr. & Mrs. Micheal D'Elia