



well as the loan documents, Rules of Court and any applicable laws. As the entity collecting and processing payments, CENLAR has the information relevant to the payments, escrows paid, amounts due and whether a loan is in default and by how much. This information is maintained on CENLAR's systems of record. In cases in which CENLAR is only the servicer (and not also the lender), the lender is not likely to have possession of the relevant servicing information, as was recognized by the Supreme Court when it revised the Court Rules governing foreclosures at R. 4:64-1 and R. 4:64-2 in June, 2011. CENLAR makes this application to the Court pursuant to the authority granted to CENLAR as the servicing agent of Foreclosure Plaintiffs in pending foreclosure cases.

4. The identities of the Foreclosure Plaintiffs in the foreclosure cases for which CENLAR is seeking to issue corrected Notices of Intent are identified alphabetically in the Counts 1 through 24. Attached as Exhibits 1 through 24 to each of those Counts are the current lists of the pending, uncontested foreclosure cases that require corrected NOIs (collectively referred to hereafter as the "Corrected NOI List").

5. One of the duties of a servicer on a defaulted mortgage loan in New Jersey is to prepare and serve the Notice of Intent to Foreclose ("NOI"), in accordance with the applicable contracts and as required by N.J.S.A. 2A:50-56 of the Fair Foreclosure Act. The NOI is prepared based on current loan information held by CENLAR and includes, among other data elements, information about the amount that is required to reinstate the loan and the date by which reinstatement must occur.

6. On February 27, 2012, the Supreme Court decided Guillaume and held that the Fair Foreclosure Act requires strict adherence to the notice requirements set forth in N.J.S.A. 2A:50-56(c) for all NOIs. The Court further held that a court adjudicating a foreclosure action in

which the strict requirements of N.J.S.A. 2A:50-56 were not followed has the discretion to choose the appropriate remedy, permitting a cure of the deficient NOI, or imposing such other remedy as may be appropriate to the specific case.

7. Following its decision in Guillaume, the Court entered the April 4<sup>th</sup> Order which authorizes the Hon. Margaret Mary McVeigh, P.J.Ch., Passaic Vicinage, and the Hon. Paul Innes, P.J.Ch., Mercer Vicinage, to entertain summary actions by Orders to Show Cause as to why Plaintiffs in any uncontested residential mortgage foreclosure actions filed on or before February 27, 2012, in which final judgment has not been entered, who caused NOIs to be served that are deficient under the Fair Foreclosure Act, N.J.S.A. 2A:50-56, should not be allowed to serve corrected NOIs on defendant/mortgagors and/or parties obligated on the debt (the "Foreclosure Defendants").

8. The April 4<sup>th</sup> Order further states that any corrected NOI must be accompanied by a letter to the Foreclosure Defendants setting forth the reasons why the corrected NOI is being served, the procedure to follow in the event a Foreclosure Defendant wishes to object to the NOI, the name of a person to contact with any questions, and that the receipt of the corrected NOI allows Foreclosure Defendants 30 days in which to object or to cure the default.

9. CENLAR reviewed its pending foreclosure cases with its counsel to identify those foreclosure cases which will require a corrected NOI because the lender and/or the lender's address were not correctly identified in the previously served NOIs.

10. The Corrected NOI List attached as Exhibits 1 through 24 includes the portfolio of loans that are pre-judgment, uncontested foreclosures that CENLAR is servicing and in which deficient NOIs were served by CENLAR. Specifically, as directed by the Supreme Court in Guillaume and the April 4, 2012 Order, the Corrected NOI List includes a listing of:

- a. foreclosures that were filed on or before February 27, 2012 and which CENLAR is servicing the loans and acting as agent for a Foreclosure Plaintiff or itself,
- b. in which final judgment has not been entered, and
- c. in which CENLAR is seeking leave to file a corrected NOI to include the identity of the lender and the lender's address.

11. The Corrected NOI List also identifies (1) the name of the lender on each loan which is listed as the Plaintiff in the foreclosure action, (2) the name of the first named Foreclosure Defendant, (3) the foreclosure docket number and, (4) the vicinage.<sup>1</sup> While CENLAR is not the Plaintiff in all of the foreclosure actions, it is the servicer of each such loan, maintains the records for each such loan, and is responsible for mailing the corrected NOI pursuant to the relevant contracts with the Foreclosure Plaintiffs.

12. To comply with the April 4<sup>th</sup> Order, attached as Exhibit "A" to the Verified Complaint is the proposed form of letter ("Explanatory Letter") that CENLAR intends to send to each Foreclosure Defendant. As instructed by the Supreme Court in the April 4<sup>th</sup> Order, the proposed form of Explanatory Letter:

- a. explains the reason why the corrected NOI is being served,
- b. the procedure to follow in the event a Foreclosure Defendant wishes to object to the NOI,
- c. identifies the individual(s) a Foreclosure Defendant should contact with any questions, and
- d. advises the Foreclosure Defendant of the right to object to the corrected NOI as well as the right to cure the default within 30 days of the date of the corrected NOI.

---

<sup>1</sup> Because considerable time has passed since NOIs were originally sent in the foreclosure actions, the Foreclosure Plaintiff initially identified in the caption may not be the current correct entity that will be listed in the corrected NOI. For sake of clarity, the corrected NOI will list the current lender and lender's address and CENLAR will require that foreclosure counsel take appropriate steps to change the plaintiff in affected foreclosure actions where required.

The corrected NOIs will exclude attorneys' fees and costs incurred in the pending foreclosure cases.

13. Attached as Exhibit "B" to the Verified Complaint is the proposed form of corrected NOI which CENLAR will send to each of the Foreclosure Defendants identified on the Corrected NOI List. Each Foreclosure Defendant will be served with a corrected NOI that includes, *inter alia*, the information specific to their mortgage loan, their default, the lender/holder's name and address and the amount to reinstate, as provided for in the Order to Show Cause.

**COUNT 1 -- BANK OF AMERICA, N.A.**

14. CENLAR services residential mortgage loans in New Jersey for Bank of America and some of its affiliates pursuant to an agreement between the parties.

15. Attached as Exhibit 1 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for Bank of America and in which CENLAR previously served a NOI that did not include the name and address of the lender.

**COUNT 2 -- CENLAR, FSB**

16. CENLAR, FSB services residential mortgage loans in New Jersey for itself.

17. Attached as Exhibit 2 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR and in which CENLAR previously served a NOI that did not include the name and address of the lender.

**COUNT 3 -- CITIBANK, N.A.**

18. CENLAR services residential mortgage loans in New Jersey for CitiBank, N.A. and some of its affiliates pursuant to an agreement between the parties.

19. Attached as Exhibit 3 is a list of the pending, uncontested foreclosures in New

Jersey that are being serviced by CENLAR for CitiBank and in which CENLAR previously served a NOI that did not include the name and address of the lender.

#### **COUNT 4 – COLUMBIA BANK**

20. CENLAR services residential mortgage loans in New Jersey for Columbia Bank and some of its affiliates pursuant to an agreement between the parties.

21. Attached as Exhibit 4 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for Columbia Bank and in which CENLAR previously served a NOI that did not include the name and address of the lender.

#### **COUNT 5 – EMBRACE MORTGAGE**

22. CENLAR services residential mortgage loans in New Jersey for Embrace Mortgage and some of its affiliates pursuant to an agreement between the parties.

23. Attached as Exhibit 5 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for Embrace Mortgage and in which CENLAR previously served a NOI that did not include the name and address of the lender.

#### **COUNT 6 – FAIRMOUNT FUNDING LTD**

24. CENLAR services residential mortgage loans in New Jersey for Fairmount Funding LTD and some of its affiliates pursuant to an agreement between the parties.

25. Attached as Exhibit 6 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for Fairmount Funding and in which CENLAR previously served a NOI that did not include the name and address of the lender.

#### **COUNT 7 – FEDERAL HOME MORTGAGE LOAN**

26. CENLAR services residential mortgage loans in New Jersey for Federal Home Mortgage Loan pursuant to an agreement between the parties.

27. Attached as Exhibit 7 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for Federal Home Mortgage Loan and in which CENLAR previously served a NOI that did not include the name and address of the lender.

**COUNT 8 -- FEDERAL NATIONAL MORTGAGE ASSOCIATION**

28. CENLAR services residential mortgage loans in New Jersey for Federal National Mortgage Association pursuant to an agreement between the parties.

29. Attached as Exhibit 8 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for Federal National Mortgage Association and in which CENLAR previously served a NOI that did not include the name and address of the lender.

**COUNT 9 -- FRANKLIN AMERICAN MORTGAGE**

30. CENLAR services residential mortgage loans in New Jersey for Franklin American Mortgage and some of its affiliates pursuant to an agreement between the parties.

31. Attached as Exhibit 9 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for Franklin American Mortgage and in which CENLAR previously served a NOI that did not include the name and address of the lender.

**COUNT 10 -- FREEDOM MORTGAGE CORP.**

32. CENLAR services residential mortgage loans in New Jersey for Freedom Mortgage and some of its affiliates pursuant to an agreement between the parties.

33. Attached as Exhibit 10 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for Freedom Mortgage and in which CENLAR previously served a NOI that did not include the name and address of the lender.

### **COUNT 11-- INVESTORS SAVINGS BANK**

34. CENLAR services residential mortgage loans in New Jersey for Investors Savings Bank and some of its affiliates pursuant to an agreement between the parties.

35. Attached as Exhibit 11 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for Investors Savings Bank and in which CENLAR previously served a NOI that did not include the name and address of the lender.

### **COUNT 12 – MID ISLAND MORTGAGE CORPORATION**

36. CENLAR services residential mortgage loans in New Jersey for Mid Island Mortgage Corporation and some of its affiliates pursuant to an agreement between the parties.

37. Attached as Exhibit 12 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for Mid Island Mortgage Corporation and in which CENLAR previously served a NOI that did not include the name and address of the lender.

### **COUNT 13 – MORGAN STANLEY**

38. CENLAR services residential mortgage loans in New Jersey for Morgan Stanley and some of its affiliates pursuant to an agreement between the parties.

39. Attached as Exhibit 13 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for Morgan Stanley and in which CENLAR previously served a NOI that did not include the name and address of the lender.

### **COUNT 14 – NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY**

40. CENLAR services residential mortgage loans in New Jersey for the New Jersey Housing and Mortgage Finance Agency pursuant to an agreement between the parties.

41. Attached as Exhibit 14 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for New Jersey Housing and Mortgage Finance

Agency and in which CENLAR previously served a NOI that did not include the name and address of the lender.

#### **COUNT 15 -- NEW YORK MORTGAGE TR**

42. CENLAR services residential mortgage loans in New Jersey for New York Mortgage and some of its affiliates pursuant to an agreement between the parties.

43. Attached as Exhibit 15 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for New York Mortgage and in which CENLAR previously served a NOI that did not include the name and address of the lender.

#### **COUNT 16 -- PLYMOUTH PARK TAX SERVICES**

44. CENLAR services residential mortgage loans in New Jersey for Plymouth Park Tax Services and some of its affiliates pursuant to an agreement between the parties.

45. Attached as Exhibit 16 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for Plymouth Park and in which CENLAR previously served a NOI that did not include the name and address of the lender.

#### **COUNT 17-- POLICE & FIREMAN'S FUND**

46. CENLAR services residential mortgage loans in New Jersey for the Police & Fireman's Fund pursuant to an agreement between the parties.

47. Attached as Exhibit 17 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for the Police & Fireman's Fund and in which CENLAR previously served a NOI that did not include the name and address of the lender.

#### **COUNT 18-- PROSPECT MORTGAGE**

48. CENLAR services residential mortgage loans in New Jersey for Prospect Mortgage pursuant to an agreement between the parties.

49. Attached as Exhibit 18 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for Prospect Mortgage and in which CENLAR previously served a NOI that did not include the name and address of the lender.

**COUNT 19 -- REAL ESTATE MORTGAGE NETWORK**

50. CENLAR services residential mortgage loans in New Jersey for Real Estate Mortgage Network and some of its affiliates pursuant to an agreement between the parties.

51. Attached as Exhibit 19 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for Real Estate Mortgage Network and in which CENLAR previously served a NOI that did not include the name and address of the lender.

**COUNT 20 -- STATE FARM BANK**

52. CENLAR services residential mortgage loans in New Jersey for State Farm Bank and some of its affiliates pursuant to an agreement between the parties.

53. Attached as Exhibit 20 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for State Farm Bank and in which CENLAR previously served a NOI that did not include the name and address of the lender.

**COUNT 21-- URBAN TRUST BANK**

54. CENLAR services residential mortgage loans in New Jersey for Urban Trust Bank and some of its affiliates pursuant to an agreement between the parties.

55. Attached as Exhibit 21 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for Urban Trust Bank and in which CENLAR previously served a NOI that did not include the name and address of the lender.

**COUNT 22 -- U.S. MORTGAGE**

56. CENLAR services residential mortgage loans in New Jersey for U.S. Mortgage

Co. and some of its affiliates pursuant to an agreement between the parties.

57. Attached as Exhibit 22 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for U.S. Mortgage and in which CENLAR previously served a NOI that did not include the name and address of the lender.

#### **COUNT 23 -- VIRTUAL BANK**

58. CENLAR services residential mortgage loans in New Jersey for Virtual Bank and some of its affiliates pursuant to an agreement between the parties.

59. Attached as Exhibit 23 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for Virtual Bank and in which CENLAR previously served a NOI that did not include the name and address of the lender.

#### **COUNT 24 -- WELLS FARGO BANK**

60. CENLAR services residential mortgage loans in New Jersey for Wells Fargo Bank and some of its affiliates pursuant to an agreement between the parties.

61. Attached as Exhibit 24 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for Wells Fargo, and in which CENLAR previously served a NOI that did not include the name and address of the lender.

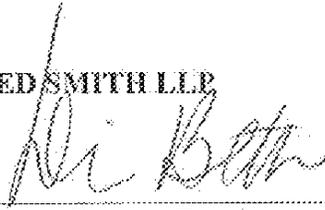
#### **COUNT 25 -- PENDING BANKRUPTCY MATTERS**

62. Attached as Exhibit 25 is a list of the pending, uncontested foreclosures in New Jersey that are being serviced by CENLAR for the lenders identified in Counts 1 through 24 that are currently subject to the Automatic Bankruptcy Stay. It is the intention of CENLAR to send corrected NOIs in these matters when permitted by the Bankruptcy Court and in accordance with the instructions of this Court.

**WHEREFORE**, Plaintiff respectfully requests that this Court enter an Order permitting

CENLAR to issue corrected NOIs in an omnibus manner as permitted in the April 4, 2012 Order to include the name and address of the lender in the pending, uncontested foreclosure cases listed on the Corrected NOI List and for such other and further relief as this Court deems just and equitable.

REED SMITH LLP

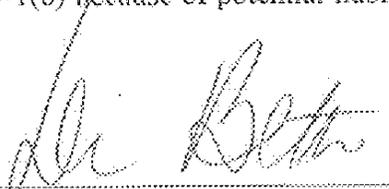
  
.....  
Diane A. Bettino, Esquire

Dated:

11/7/12

CERTIFICATION

I certify pursuant to Rule 4:5-1 that, to the best of my knowledge, this matter is not the subject of any other action pending in any court or of a pending arbitration proceeding, nor is any other action or arbitration proceeding contemplated, other than the pending foreclosure actions on the Corrected NOI List attached hereto and any pending, separate actions initiated outside of the uncontested foreclosure proceedings in which Foreclosure Defendants may have raised claims concerning, *inter alia*, their NOIs but which are not at issue in this application. I further certify that I am unaware of any non-party who should be joined in this action pursuant to Rule 4:28 or who is subject to joinder pursuant to Rule 4:29-1(b) because of potential liability to any party based on the same transactional facts.

  
\_\_\_\_\_  
Diane A. Bettino, Esquire

Dated:

*11/7/12*

VERIFICATION

STATE OF

COUNTY OF

Diane Constantine

I, \_\_\_\_\_, being duly sworn states:

1. I am Diane Constantine, Foreclosure Manager for Central FSB, the applicant named in the foregoing Verified Complaint.

2. The allegations in the Verified Complaint are true to the best of my knowledge and belief.

3. The Exhibits attached to the Verified Complaint are true and correct copies.

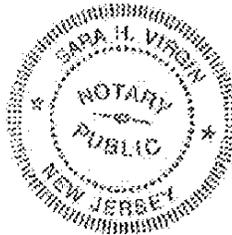
Diane Constantine

Diane Constantine

Sworn and subscribed before me  
this 6 day of NOV 2012

Sara H. Virgin

SARA H. VIRGIN  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
My Commission Expires March 19, 2017



# EXHIBIT A

Form Letter to be Attached to Corrected NOIs Pursuant to an Order to Show Cause

[Letterhead of Central Loan Administration & Reporting]

[Date]

[Defendant Name(s)]

[Defendant Address]

[Defendant City, State ZIP]

Re: Order to Show Cause - [Caption and Docket Number of Order to Show Cause]

Dear [Defendant Name(s)]:

Central Loan Administration and Reporting ("CENLAR") filed the lawsuit referenced above and is asking the Superior Court of New Jersey to allow CENLAR to correct the Notice of Intention to Foreclose that was served on you before your separate, individual foreclosure case was filed. This request is based on the case called *U.S. Bank N.A. v. Guillaume*, 209 N.J. 449 (2012), in which the New Jersey Supreme Court held that mortgage lenders seeking to foreclose must comply with the New Jersey Fair Foreclosure Act's requirement that a Notice of Intent to Foreclose set forth the name and address of the lender.

*You are not named as a direct party in this lawsuit but this case will affect your separate, pending foreclosure case.*

Why You Are Receiving This Letter

You are receiving this letter because you are the defendant in a separate, pending foreclosure action, and it is believed that the Notice of Intent to Foreclose served upon you prior to the commencement of the foreclosure action did not comply with the requirements of the Fair Foreclosure Act because it did not correctly identify the name and/or address of the lender.

By the court's Order to Show Cause dated [month] [day], 2012, and in compliance with the Supreme Court's opinion in *U.S. Bank N.A. v. Guillaume*, [Hon. Paul Innes, P.J.Ch., Mercer Vicinage or Hon. Margaret Mary McVeigh, P.J.Ch., Passaic Vicinage], gave permission to CENLAR to serve, along with the Order to Show Cause and Verified Complaint, Corrected Notices of Intent to Foreclose on all defendant mortgagors/parties obligated on the debt in pending foreclosure actions filed before February 28, 2012.

Information About the Order to Show Cause and Verified Complaint

Enclosed with this letter is a copy of the Order to Show Cause and the Verified Complaint (without exhibits). The verified complaint lists the following lenders in the following counts of the verified complaint:

1. Bank of America;
2. CENLAR FSB;
3. CitiBank, N.A.;
4. Columbia Bank;

5. Embrace Mortgage;
6. Fairmount Funding LTD;
7. Federal Home Mortgage Loan;
8. Federal National Mortgage Association;
9. Franklin American Mortgage;
10. Freedom Mortgage Corp.;
11. Investors Savings Bank;
12. Mid Island Mortgage Corporation;
13. Morgan Stanley;
14. New Jersey Housing and Mortgage Finance Agency;
15. New York Mortgage TR;
16. Plymouth Park Tax Services;
17. Police & Fireman's Fund;
18. Prospect Mortgage;
19. Real Estate Mortgage Network;
20. State Farm Bank;
21. Urban Trust Bank;
22. U.S. Mortgage;
23. Virtual Bank; and
24. Wells Fargo Bank, N.A.

The attachments to the Verified Complaint, which list the foreclosure actions in which the above-named lenders are the plaintiffs, will be made available on the New Jersey Courts web site at <http://www.judiciary.state.nj.us/>. If you are unsure of the docket number for your foreclosure action, you can access that information on the court's website on the attached exhibits to the verified complaint by entering your name into the automatic search field on the website. If you do not have access to a computer or have trouble locating that information on the Court's website, you can contact \_\_\_\_\_ at CENLAR at \_\_\_\_\_ who can assist you with locating the information about your foreclosure action.

#### Information About the Corrected Notice of Intent to Foreclose

Also enclosed with this letter is the Corrected Notice of Intent to Foreclose. It allows you an additional 30 days in which to cure the default without having to pay the plaintiff's court costs and attorneys' fees. It also sets forth important information about your loan, including information on how you can cure the default; the consequences of failing to cure the default; contact information for the plaintiff; and information about retaining counsel and borrower assistance. If you fail to cure the default by the date set forth in the corrected Notice of Intent to Foreclose, the foreclosure action against you will proceed.

If you cannot afford an attorney, you may apply for free legal assistance on-line at [www.lsnjlaw.org](http://www.lsnjlaw.org) or call the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529) or call the Legal Services office in the county where you live. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is attached.

If you are represented by an attorney in your foreclosure case, you should notify him or her that you received these papers. These papers are not being sent directly to your attorney if you have one.

With the passage of time since the foreclosure action was filed against you, the lender on your loan may have changed from the named plaintiff in the foreclosure action. The corrected Notice of Intent to Foreclose lists the name and address of the current lender on your loan.

### Questions about the Notice of Intent to Foreclose

Should you have questions with regard to your loan or the corrected Notice of Intent to Foreclose, please contact [redacted] at CENLAR at [redacted]. Additional contact information is provided in the corrected Notice of Intent to Foreclose.

### How to File an Objection

You have the right to object to the enclosed Order to Show Cause (the process by which the court gave the plaintiff permission to serve the corrected Notice of Intent to Foreclose). To do so, you must file a written objection under the docket number for the Order to Show Cause.

You also have the right to object to the enclosed corrected Notice of Intent to Foreclose. To do so, you must file a written objection under the docket number for the *foreclosure action in your individual case, which is separate from this case filed by CENLAR*.

For either type of objection, you must set forth with specificity the basis of the objection, and file the objection with the Superior Court Clerk's Office at the following address within 30 days:

Superior Court Clerk's Office, 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 the objection on the plaintiff's attorney, Diane Bettino, Esquire, Reed Smith LLP, Princeton Forrestal Village, 136 Main Street, Princeton, New Jersey 08540, and mail a copy of the objection to [Judge Innes or Judge McVeigh] at [address].

Your personal appearance at the Superior Court Clerk's Office or your local courthouse will not qualify as an objection. A telephone call will not protect your rights; you must file your objection and serve it on the plaintiff's attorney if you want the court to hear your objection to the relief the plaintiff is seeking. If you file a specific written objection, the case will be sent to a Judge for resolution. You will be informed by the Judge of the time and place of the hearing on your objection.

### Questions about Filing an Objection

Should you have questions related to the procedure for filing an objection, please visit the New Jersey Courts On-Line Self-Help Center at <http://www.judiciary.state.nj.us/prose/index.htm>.

You may also contact the Superior Court Clerk's Office at (609) 421-6100, or at [SCCOForeclosure.Mailbox@judiciary.state.nj.us](mailto:SCCOForeclosure.Mailbox@judiciary.state.nj.us).

# Exhibit B

Date:

TO: Borrower Name  
Co Borrower Name  
Street Address  
City, State, zip

RE: Property Address:

Loan No:

### CORRECTED NOTICE OF INTENTION TO FORECLOSE MORTGAGE

[NAME IN WHICH WE SERVICE] ("Servicer") services the Mortgage Loan identified on behalf of the current holder of the Mortgage:

[Current Mortgage Holder]

[Address of Mortgage Holder]

[City, State, zip of current Mortgage Holder]

The Mortgage Loan is in default. This situation is serious and the Lender intends to institute a foreclosure lawsuit against you.

Please be advised of the following:

1. The Mortgage in question is dated [Date of Loan], was given by the Borrower(s) identified above to secure a loan from [Name of Original Lender] in the original principal amount of [Original UPB], and is a lien on the Mortgaged Property identified above.
2. The Mortgage is in default because regular monthly payments have not been maintained according to the terms of the Mortgage contract. Specifically, the following payments and/or other contractual charges are due, unpaid and owing:

Monthly Payments: [date of first payment due] through [date of last payment due]: [Total \$ amt due]

For purposes of this Corrected Notice of Intent, [NAME IN WHICH WE SERVICE] is temporarily waiving certain fees and costs that it would otherwise be entitled to collect, including, but not limited, to late fees, property inspection fees, etc. If you are unable to reinstate under this Corrected Notice of Intent, [NAME IN WHICH WE SERVICE] reserves its right to collect those fees in the future.

Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check. For

further information, contact one of our representatives as set forth in paragraph 10 of this Notice.

3. You may cure the default by paying the sum of \$[Total \$ amt due], as itemized above, on or before [CURE DATE is 33 days from date of notice] (the "Cure Date") to:

Loan Servicing  
Jack O'Connor  
425 Phillips Blvd., Ewing, NJ 08618  
[1800 # from the bpd]

Please include your loan number or mortgage account number on any payment or correspondence.

4. If the default is not cured by the date stated in Paragraph 3 of this letter, the sums secured by the Mortgage may be accelerated without further notice and the Lender may take steps to terminate your ownership in the Mortgaged Property by initiating foreclosure proceedings in a court of competent jurisdiction. You could lose your home as a result of the Mortgage default. If the Mortgage is foreclosed, the Mortgaged Property will be sold by the Sheriff or other officer authorized by law and the proceeds of sale applied to the Mortgage debt. If you have not been discharged in a bankruptcy and/or otherwise remain personally obligated on the debt, you may also be sued personally for all sums due under the Note or other instrument evidencing your personal obligation to repay the loan, as provided for by law.
5. You have the right to cure the default stated above or a default in the payment of other monthly payments or other charges which may subsequently become due, at any time up to the entry of a Final Judgment in Foreclosure if you pay all sums which would have been due in the absence of default at the time of such payment; perform any other obligation which you would have been bound to perform in the absence of default or the exercise of an acceleration clause; pay or tender court costs, if any, and attorneys' fees in amount not to exceed the amount permitted under the Rules Governing the Courts of the State of New Jersey; and pay all contractual late charges as provided for in the Note or Mortgage.
6. If permitted by the Mortgage documents, you have the right to transfer the Mortgaged Property to another person subject to the lien of the Mortgage and the transferee may have the right to cure the default as provided for by law, subject to the provisions of the Mortgage documents.
7. You should seek counsel from an attorney of your own choice concerning the residential Mortgage default situation. If you are unable to obtain an attorney, you may communicate with the New Jersey Bar Association or Lawyer Referral Service

in the county in which the residential property securing the mortgage loan is located. If you are unable to afford an attorney, you may be eligible for free subsidized legal assistance and you may communicate with the Legal Services Office in the county in which the Mortgaged Property is located.

8. You may be eligible for financial assistance for curing the default from programs operated by the State or federal government, or non-profit organizations, if any, identified by the Commissioner of Banking and Insurance of the State of New Jersey, whose telephone number is (609) 292- 3420 or may be reached at (609) 292-7272 or (800) 446-7467. Attached is a list of such Financial Assistance Agencies which may help you.
9. If you disagree with the assertion that the Mortgage is in default, or if you disagree with the calculations of the amount required to cure the default as stated in this letter, you may contact one of our representatives at:

Loan Servicing  
Scott Richmond  
425 Phillips Blvd., Ewing, NJ 08618  
[1800 # from the bpd]

10. If foreclosure proceedings are instituted against you, you have the right to assert in such proceedings the non-existence of default or any other defenses you may have to acceleration or foreclosure, as provided for by applicable law. In addition, you may have other rights provided for by state or federal law, or by the Mortgage contract documents.
11. If you cure the default, the Mortgage will be restored to the same position as if no default had occurred. However, pursuant to the Fair Foreclosure Act, you are only entitled to reinstate the Mortgage as a matter of law only once every 18 months.

THIS NOTICE IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. TO THE EXTENT THAT YOUR OBLIGATION HAS BEEN DISCHARGED OR IS SUBJECT TO AN AUTOMATIC STAY OF BANKRUPTCY THIS NOTICE IS FOR COMPLIANCE AND INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A DEMAND FOR PAYMENT OR ANY ATTEMPT TO COLLECT SUCH OBLIGATION.

TAB #1

MORTGAGOR FIRST NAME	LAST NAME	ATT NAME	Coborrower of Name	PLAINTIFF NAME	DOCKET NO.	COUNTY	STATUS
ALFREDO	BLANCO	FEIN & SUCH	SONIA BLANCO	BAC Home Loan Servicing LP	F-045201-10	Middlesex	Uncontested/Pre- Judgment/Default

TAB #2

MORTGAGOR_F FIRST NAME	LAST NAME	ATT NAME	Coborrower Name	PLAINTIFF NAME	DOCKET NO.	COUNTY	STATUS
VINCE	AGUANNO	STERN, LAVINTHAL,		Cenlar FSB	F-047421-10	Monmouth	Uncontested/Pre-Judgment/Default
ARMANDO	CALIXTO	PHELAN HALLINAN SCHMIEG	CRISTOBALINA CALIXTO	Cenlar FSB	F-40460-10	Passaic	Uncontested/Pre-Judgment/Default
DAVID	GUTIERREZ	PHELAN HALLINAN SCHMIEG		Cenlar FSB	F-39374-10	Burlington	Uncontested/Pre-Judgment/Default
ROBERT	HENNESSE	PHELAN HALLINAN SCHMIEG		Cenlar FSB	F-039407-10	Camden	Uncontested/Pre-Judgment/Default
ANDREW	KORNEGAY	ZUCKER, GOLDBERG, ET AL	SHEILA KORNEGAY	Cenlar FSB	F-001540-09	Essex	Uncontested/Pre-Judgment/Default

REINALDO	LOPEZ	PHELAN HALLINAN SCHMIEG	MILDRED CUPEREZ	Cenlar FSB	F-046889-10	Cumberland	Uncontested/Pre- Judgment/Default
ANNA	PASTER	SHAPIRO & PEREZ LLP		Cenlar FSB	F-036255-10	Camden	Uncontested/Pre- Judgment/No Default
MICHAEL	SKEENES	PHELAN HALLINAN SCHMIEG	DONNA SKEENES	Cenlar FSB	F-015854-10	Burlington	Uncontested/Pre- Judgment/Default
KERIN	ST CLAIR	PHELAN HALLINAN SCHMIEG		Cenlar FSB	F-037599-10	Union	Uncontested/Pre- Judgment/Default

BONNIE	THOMAS	PHELAN HALLINAN SCHMIEG		Centlar FSB	F 031887 10	Ocean	Uncontested/Pre- Judgment/Default
JOHN	VALENTINO	POWERS KIRN, LLC	JANET VALENTINO	Centlar FSB	F-002179-12	Monmouth	Uncontested/Pre- Judgment/Default
WALTER	WILLIAMS	ZUCKER, GOLDBERG, ET AL	KATHRYN WILLIAMS	Centlar FSB	F-3009-10	Cumberland	Uncontested/Pre- Judgment/Default

TAB #3

MORTGAGOR FIRST NAME	LAST NAME	ATT NAME	CoBorrower Name	PLAINTIFF NAME	DOCKET NO.	COUNTY	STATUS
DAVID	BERRY	SHAPIRO & PEREZ LLP		Chibank NA Trustee	F-007195-11	Essex	Uncontested/Pre- Judgment/Default

TAB #4

MORTGAGOR FIRST NAME	LAST NAME	ATT NAME	COBORROWER 2012	PLAINTIFF NAME	DOCKET NO.	COUNTY	STATUS
ANTHONY	DEFRANCO	MCCABE, WEISBERG	MICHELE L DEFRANCO	Columbia Bank	F-007190-11	Camden	Uncontested/Pre- Judgment/Default

TAB #5

MORTGAGOR FIRST NAME	LASTNAME	AFTNAME	Laborerweir_N ame	PLAINTIFF NAME	DOCKET NO.	COUNTY	STATUS
LINDA	BARCI	MCCABE WEISBERG & CONWAY	JOHN BARCI	Embrace Home Loans	F-006640-11	Burlington	Uncontested/Pre- Judgment/No Default
RICHE	LAUREANO	MCCABE, WEISBERG		Embrace	F-21919-10	Monmouth	Uncontested/Pre- Judgment/Default
JOSEPH	TRAEKNER JR	PHELAN HALLINAN AND SCHM	TRACY A FALLON	Embrace Home Loans	F-003597-11	Atlantic	Uncontested/Pre- Judgment/Default

TAB #6

MORTGAGOR/FIRST NAME	LAST NAME	ATT NAME	PLAINTIFF NAME	CO BORROWER	DOCKET NO.	COUNTY	STATUS
KELLY	VITERBO	MCCABE WEISBERG & CONWAY	Fairmount Funding LTD		F-00638-07	Ocean	Uncontested/Pre-Judgment/No Default

TAB #7

MORTGAGOR FIRST NAME	LAST NAME	ATT. NAME	CoBorrower Name	PLAINTIFF NAME	DOCKET NO.	COUNTY	STATUS
VANESSA	DE BASSOLI	FEIN, SUCH, KAHN&SHEPARD		Federal Home Mortgage Loan Co	F-009353-09	Essex	Uncontested/Pre- Judgment
KYONG	LEE	FEIN, SUCH, KAHN&SHEPARD		Federal Home Mortgage Loan Co	F-23492-10	Bergen	Uncontested/Pre- Judgment/Default
IAE	YOO	FEIN, SUCH, KAHN&SHEPARD		Federal Home Mortgage Loan Co	F-7063-10	Bergen	Uncontested/Pre- Judgment/Default

TAB #8

MORTGAGOR FIRST NAME	LAST NAME	R/T NAME	Coborrower Name	PLAINTIFF NAME	DOCKET NO.	COUNTY	STATUS
HELENA	BROWN	MCCABE, WEISBERG		Federal National Mortgage	F-050017-09	Essex	Uncontested/Pre- Judgment/Default
GLORIA	BROWN	MCCABE, WEISBERG		Federal National Home Loan	F-50111-09	Atlantic	Uncontested/Pre- Judgment/Default
KEICHA	BYRD	MCCABE WEISBERG & CONWAY		Federal National Mortgage	F-050125-09	Union	Uncontested/Pre- Judgment/Default
VICKI	CARLISLE	MCCABE, WEISBERG		Federal National Home Loan	F-17959-10	Essex	Uncontested/Pre- Judgment/Default

YVONNE	DAY	POWERS KIRN & JAVARDIAN	Federal National Mortgage	F-35380-09	Ocean	Uncontested/Pre- Judgment/Default
CINDY	DORAN	MCCABE, WEISBERG	Federal National Home Loan	F-35927-09	Ocean	Uncontested/Pre- Judgment/Default
ANTOINETTE	FELLOWES	MCCABE, WEISBERG	Federal National Mortgage	F-050104-09	Warren	Uncontested/Pre- Judgment/Default
RONALD	FITZPATRICK	MCCABE, WEISBERG	Federal National Mortgage	F-059345-09	Camden	Uncontested/Pre- Judgment/No Default

JUAN	GUAMAN	MCCABE, WEISBERG		Federal National Home Loan	F-23286-10	Essex	Uncontested/Pre- Judgment/Default
JOSEPH	GUERRIER	PLUESE, BECKER, SALTZMAN	MACLEANS GUERRIER	Federal National Mortgage	F-42620-09	Essex	Uncontested/Pre- Judgment/Default
LAUREN	HERRERA	POWERS KIRN & JAVARDIAN	RAYMOND HERRERA	Federal National Mortgage	F-019680-10	Morris	Uncontested/Pre- Judgment/Default
JAMES	MEINTEL JR	PLUESE, BECKER, SALTZMAN		Federal National Mortgage	F-027369-09	Camden	Uncontested/Pre- Judgment/Default
ANGELA	ORTIZ	MCCABE, WEISBERG	JESUS ORTIZ JR	Federal National Mortgage	F-059359-09	Union	Uncontested/Pre- Judgment/Default

DANIEL	RODRIGUES	SHAPIRO & PEREZ LLP	ORLANDO BATISTA	Federal National Mortgage	F-063279-09	Essex	Uncontested/Pre- Judgment/Default
ROBERT	SCHMELTZLY	MCCABE, WEISBERG	DIANNA L SCHMELTZLY	Federal National Mortgage	F-059349-09	Warren	Uncontested/Pre- Judgment/Default
CHADWICK	SCOTT	PLUESE, BECKER, SALTZMAN	CATHERINE YOUNG	Federal National Mortgage Assn	F-000779-10	Union	Uncontested/Pre- Judgment
BEVERLEY	WILSON	MCCABE, WEISBERG	ANDREW K WILSON	Federal National Mortgage	F-50008-09	Burlington	Uncontested/Pre- Judgment/Default
KENNETH	WRIGHT	MCCABE, WEISBERG		Federal National Mortgage	F-23301-10	Atlantic	Uncontested/Pre- Judgment/Default

TAB #9

MORTGAGOR F FIRST NAME	LAST NAME	ATT NAME	Coborrower Name	PLAINTIFF NAME	DOCKET NO	COUNTY	STATUS
SEAN	FORFAR	MCCABE, WEISBERG	NERINGA FORFAR	Franklin American Mortgage	F-3417-11	Ocean	Uncontested/Pre- Judgment/Default
FRANK	HERNANDEZ	ZUCKER,GOL DBERG, &		Franklin American Mortgage	F-42666-10	Essex	Uncontested/Pre- Judgment/Default
MANUEL	MARINA	MCCABE WEISBERG & CONWAY	NOEMI R MARINA	Franklin American Mortgage	F-003980-12	Middlesex	Uncontested/Pre- Judgment/Default

TAB #10

MORTGAGOR FIRST NAME	LAST NAME	ATT NAME	CoBorrower NAME	PLAINTIFF NAME	DOCKET NO.	COUNTY	STATUS
ALONSO	CASTANO	MCCABE, WEISBERG		Freedom Mortgage Corp	F-042267-10	Bergen	Uncontested/Pre- Judgment/No Default
MYOUNG	CHONG	MCCABE, WEISBERG		Freedom Mortgage Corp	F-020851-10	Camden	Uncontested/Pre- Judgment
JACEK	DURKA	PHELAN HALLINAN SCHMIEG		Freedom Mortgage Corp	F-017782-10	Hunterdon	Uncontested/Pre- Judgment/Default

LINDA	GAILLARD	FEIN, SUCH, KAHN&SHEPAR D	Freedom Mortgage Corp	F-010925-10	Camden	Uncontested/Pre- Judgment/Default
KENNETH	HERTZOG	PHELAN HALLINAN SCHMIEG	Freedom Mortgage Corp	F-027275-10	Camden	Uncontested/Pre- Judgment/Default
CHERYL	HUGHES	PHELAN HALLINAN SCHMIEG	Freedom Mortgage Corp	F-57253-10	Morris	Uncontested/Pre- Judgment/Default
BRYON	KING	FEIN, SUCH, KAHN&SHEPAR D	Freedom Mortgage Corp	F-64591-09	Ocean	Uncontested/Pre- Judgment/Default

JOHN	LARNERD	MCCABE, WEISBERG	Freedom Mortgage Corp	F-020713-10	Cumberland	Uncontested/Pre- Judgment/No Default
SERGIO	MATVICHUK	PHELAN HALLINAN SCHMIEG	Freedom Mortgage Corp	F-028711-10	Bergen	Uncontested/Pre- Judgment/Default
PAUL	MCDONALD	PHELAN HALLINAN SCHMIEG	Freedom Mortgage Corp	F-15097-10	Monmouth	Uncontested/Pre- Judgment/Default
RICHARD	ORLOWSKI	FEIN, SUCH, KAHN&SHEPAR D	Freedom Mortgage Corp	F-011219-10	Union	Uncontested/Pre- Judgment/Default

DAVID	SMITH	PHELAN HALLINAN SCHMIEG	LYNNE SMITH	Freedom Mortgage Corp	F-39329-10	Camden	Uncontested/Pre- Judgment/Default
MARILIA	TOURINHO	FEIN, SUCH, KAHN&SHEPAR D		Freedom Mortgage Corp	F-026486-09	Middlesex	Uncontested/Pre- Judgment/Default
OKAN	YILDIZ	AT PHELAN LS	AYLIN YILDIZ	Freedom Mortgage Corp	F-34172-10	Middlesex	Uncontested/Pre- Judgment/Default

TAB #11

MORTGAGOR FIRST NAME	LAST NAME	ATT NAME	COBORROWER NAME	PLAINTIFF NAME	DOCKET NO.	COUNTY	STATUS
DAWN	DEGENNARO	STERN, LAVINTHAL,		Investors Savings Bank	F-031090-10	Sussex	Uncontested/Pre- Judgment/No Default
JULIO	GUZMAN	STERN, LAVINTHAL,	MARIA GUZMAN	Investors Savings Bank	F-61114-09	Middlesex	Uncontested/Pre- Judgment/Default
DONALD	MCATEER	STERN, LAVINTHAL,	JUDITH MCATEER	Investors Savings Bank	F-026302-10	Ocean	Uncontested/Pre- Judgment/No Default

TAB #12



TAB #13

MORTGAGOR FIRST NAME	LAST NAME	ATT NAME	CoBorrower_N Soc	PLAINTIFF NAME	DOCKET NO.	COUNTY	STATUS
MARGARET	CAPOZZOLI	MCCABE, WEISBERG	JOSEPH L CAPOZZOLI	Morgan Stanley Credit	F-004275-09	Gloucester	Uncontested/Pre- Judgment/Default
HELENA	LAPINA	MCCABE, WEISBERG		Morgan Stanley Credit	F-6067-10	Sussex	Uncontested/Pre- Judgment/Default

TAB #14

MORTGAGOR FIRST NAME	LASTNAME	ATTNAME	COBSONNELLA BMC	PLAINTIFFNAME	DOCKET NO.	COUNTY	STATUS
RICHARD	FISHER JR	PLUESE, BECKER, SALTZMAN		NJ Housing & Mortgage Finance Agency	F-2612-12	Passaic	Uncontested/Pre- Judgment/Default
TERRI	HOLLAND	FEIN, SUCH, KAHN&SHEPARD		NJ Housing & Mortgage Finance Agency	F-010262-07	Monmouth	Uncontested/Pre- Judgment/Default
KENNETH	O'BRIEN	MCCABE, WEISBERG		NJ Housing & Mortgage Finance Agency	F-10411-10	Camden	Uncontested/Pre- Judgment/Default
ERIC	REAVES	POWERS KIRN & JAVARDIAN	CRYSTAL Y REAVES	NJ Housing & Mortgage Finance Agency	F-39727-08	Burlington	Uncontested/Pre- Judgment/Default

RHONDA	STARKS	MCCABE, WEISBERG		NJ Housing & Mortgage Finance Agency	F-16555-10	Camden	Uncontested/pre- Judgment/Default
--------	--------	---------------------	--	--	------------	--------	--------------------------------------

TAB #15

MORTGAGOR'S NAME	DEBTOR'S NAME	ATTORNEY NAME	Case Number in State	PLAINTIFF NAME	DOCKET NO.	COUNTY	STATUS
JASON	MERRIWEATHER	ZUCKER, GOLDBERG, &		New York Mortgage TR	F-023197-10	Atlantic	Uncontested/Pre-Judgment/Default
ESNEDA	PEMBERTI	ZUCKER, GOLDBERG, &		New York Mortgage TR	F-028441-10	Atlantic	Uncontested/Pre-Judgment/No Default

**TAB #16**

MORTGAGOR FIRST NAME	LAST NAME	ATTN NAME	CoBorrower Name	PLAINTIFF NAME	DOCKET NO.	COUNTY	STATUS
JAMES	DODD	POWERS KIRN & JAVARDIAN		PLYM PARK TAX SRVS	F-060075-09	Hudson	Uncontested/Pre- Judgment/No Default

TAB #17

MORTGAGOR FIRST NAME	LASTNAME	ATT NAME	CoBorrower Name	PLAINTIFF NAME	DOCKET NO.	COUNTY	STATUS
JIMMY	DEVAUL	POWERS KIRN & JAVARDIAN		Police and Fireman's Retirement	F-033090-10	Warren	Uncontested/Pre- Judgment/Default
KENNETH	EISENHUASER	POWERS KIRN & JAVARDIAN		Police & Fireman Fund	F-25765-10	Warren	Uncontested/Pre- Judgment/Default
JAMES	HUGHES	POWERS KIRN & JAVARDIAN	MARITZA HUGHES	Police & Fireman Fund	F-47838-09	Sussex	Uncontested/Pre- Judgment/Default
DENNIS	IUSINO	POWERS KIRN & JAVARDIAN	ISIS SABINO IUSINO	Police & Fireman Fund	F-045343-10	Hudson	Uncontested/Pre- Judgment/Default

TADEUSZ	KOZIOL	POWERS KIRN	CORINNE KOZIOL	Police and Fireman's Retirement	F-012315-10	Bergen	Uncontested/Pre- Judgment/Default
JOHN	LABELLA	POWERS KIRN & JAVARDIAN		Police and Fireman's Retirement	F-019739-10	Essex	Uncontested/Pre- Judgment/Default
BRIAN	MIGLORISI	PLUESE, BECKER, SALTZMAN		Police and Fireman	F-003061-12	Monmouth	Uncontested/Pre- Judgment/Default
DAVID	PITTS	POWERS KIRN & JAVARDIAN	JENNIFER L FUZO	Police & Fireman Fund	F-39740-10	Ocean	Uncontested/Pre- Judgment/Default
DANIEL J	SHRADER	POWERS KIRN & JAVARDIAN		Police and Fireman's Retirement	F-058765-09	Cumberland	Uncontested/Pre- Judgment/Default

ISREAL	VELEZ	POWERS KIRN & JAVARDIAN	Police & Fireman Fund	F-036935-10	Cumberland	Uncontested/pre- Judgment/Default
--------	-------	----------------------------	--------------------------	-------------	------------	--------------------------------------

TAB #18

MORTGAGOR FIRST NAME	LAST NAME	ATTORNEY ATTORNEY NAME	CO BORROWER_N BORROWER	PLAINTIFF NAME	DOCKET NO.	COUNTY	STATUS
VALERIE	COLLADO	FEIN, SUCH, KAHN&SHEPARD		Prospect Mortgage	F-002940-12	Passaic	Uncontested/Pre- Judgment/Default

TAB #19

MORTGAGOR FIRST NAME	LAST NAME	ATT NAME	CoBorrower_N ame	PLAINTIFF NAME	DOCKET NO	COUNTY	STATUS
CONSTANCE	ALEXANDER	SHAPIRO & PEREZ LLP		Real Estate Mortgage	F-034775-10	Essex	Uncontested/Pre- Judgment/Default
JULIA	BRYANT	MCCABE, WEISBERG	EDWIN MINTER	Real Estate Mortgage Network Inc	F-053973-10	Essex	Uncontested/Pre- Judgment/Default
DANIEL	CLARK	MCCABE WEISBERG & CONWAY	KATHLEEN T CLARK	Real Estate Mortgage Network	F-4828-11	Monmouth	Uncontested/Pre- Judgment/No Default
MARK	CSANTAVERI	MCCABE, WEISBERG		Real Estate Mortgage	F-001143-11	Morris	Uncontested/Pre- Judgment/No Default

WILLIAM	FELKER	MCCABE, WEISBERG		Real Estate Mortgage Network Inc	F-002034-11	Atlantic	Uncontested/Pre- Judgment/No Default
THOMAS	FITZMAURICE JR	MCCABE WEISBERG & CONWAY		Real Estate Mortgage Network Inc	F-004835-11	Ocean	Uncontested/Pre- Judgment/Default
DARRIAN	GARRIS	MCCABE, WEISBERG		Real Estate Mortgage Network Inc	F-002038-11	Union	Uncontested/Pre- Judgment/No Default
CAROLINA	GIL	MCCABE WEISBERG & CONWAY		Real Estate Mortgage Networks	F-006086-11	Essex	Uncontested/Pre- Judgment/Default
MATEO	GONZALEZ	MCCABE, WEISBERG	SANDRA RAMOS	Real Estate Mortgage Network Inc	F-054009-10	Hudson	Uncontested/Pre- Judgment/Default

LINDA	LAWRENCE	SHAPIRO & PEREZ LLP		Real Estate Mortgage Network	F-34771-10	Mercer	Uncontested/Pre- Judgment/Default
HENRY	LOPEZ	SHAPIRO & PEREZ LLP		Real Estate Mortgage Network Inc	F-023545-10	Union	Uncontested/Pre- Judgment/Default
CORAZON	RANCES	SHAPIRO & PEREZ LLP	SALVADOR RANCES	Real Estate Mortgage Network Inc	F-017368-10	Hudson	Uncontested/Pre- Judgment/Default
MATTHEW	RAWLINS	MCCABE, WEISBERG	AMANDA PERELLO	Real Estate Mortgage	F-004836-11	Passaic	Uncontested/Pre- Judgment/Default

SHAUN	THOMPSON	SHAPIRO & PEREZ LLP		Real Estate Mortgage Network Inc	F-036666-10	Monmouth	Uncontested/Pre- Judgment/Default
MARIA	VANEMBURGH SILVA	PLUESE, BECKER, SALTZMAN	ZARA NETO	Real Estate Mortgage	F-002118-12	Essex	Uncontested/Pre- Judgment/No Default
VINCENT	VITELLO	MCCABE WEISBERG & CONWAY		Real Estate Mortgage Network Inc	F-003319-12	Ocean	Uncontested/Pre- Judgment/Default
ANTONIO	WILLIAMS	SHAPIRO & PEREZ LLP		Real Estate Mortgage Network	F-36657-10	Essex	Uncontested/Pre- Judgment/Default
TERRANCE	WILLIAMS	PLUESE, BECKER, SALTZMAN		Real Estate Mortgage Network	F-011348-12	Essex	Uncontested/Pre- Judgment/Default

TAB #20

MORTGAGOR FIRST NAME	LAST NAME	ATT NAME	COSBOROWER IN ATTN	PLAINTIFF NAME	DOCKETING	COUNTY	STATUS
SIMION	CANDEA	SHAPIRO & PEREZ LLP	KLARA RODE	State Farm Bank FSB	F-029829-10	Burlington	Uncontested/Pre- Judgment/Default
SCOTT	MARR	PHELAN HALLINAN AND SCHM	BONNIE MARR	State Farm	F-55332-10	Gloucester	Uncontested/Pre- Judgment/Default
SCOTT	ROBERSON	SHAPIRO & PEREZ LLP	JOANNA C TOMASINO	State Farm Bank FSB	F-059018-10	Morris	Uncontested/Pre- Judgment/No Default

TAB #21

MORTGAGOR FIRST NAME	LAST NAME	ATT NAME	CoBorrower_N att	PLAINTIFF NAME	DOCKET NO.	COUNTY	STATUS
JOHN	CARVALHO	PHILAN HALLINAN AND SCHM	LILIANA CARVALHO	Urban Trust Bank	F-7823-10	Somerset	Uncontested/Pre- Judgment/No Default

TAB #22

MORTGAGOR FIRST NAME	LAST NAME	ATT NAME	CoBorrower Name	PLAINTIFF NAME	DOCKET NO.	COUNTY	STATUS
GARY	THOMAS	STERN, LAVINTHAL,	DONNA M THOMAS	U.S. Mortgage Co.	F-43077-09	Warren	Uncontested/Pre- Judgment/Default

TAB #23

MORTGAGOR FIRST NAME	LAST NAME	ATTN NAME	Coborrower name	PLAINTIFF NAME	DOCKET NO.	COUNTY	STATUS
AVI	TEKO	SHAPIRO & PEREZ LLP	VIDALE A DEMEDEIROS	Virtual Bank	F-007427-10	Essex	Uncontested/Pre- Judgment/Default

TAB #24

MORTGAGOR FIRST NAME	LAST NAME	ATT. NAME	Coborrower Name	PLAINTIFF NAME	DOCKET NO.	COUNTY	STATUS
LUIZA	VILARINHO	ZUCKER, GOLDBERG &		Wells Fargo Bank NA	F 032861 10	Union	Uncontested/Pre- Judgment/Default

TAB #25

MORTGAGOR F	IRST NAME	LAST NAME	ATT NAME	Coborrower Name	PLAINTIFF NAME	DOCKET NO	COUNTY	STATUS
LAWRENCE		HENNINGER SR	PLUESE, BECKER, SALTZMAN	MARIA CHRISTINA HENNINGER	Real Estate Mortgage	F-000336-11	Ocean	Bankruptcy

Diane A. Bettino  
Direct Phone: +1 609 514-5962  
Email: dbettino@reedsmith.com

Reed Smith LLP  
Princeton Forrestal Village  
136 Main Street - Suite 250  
Princeton, NJ 08540-7839  
+1 609 987 0050  
Fax +1 609 951 0824  
reedsmith.com

November 7, 2012

Via JEFIS

Superior Court Clerk's Office  
Superior Court of New Jersey  
25 Market Street  
Trenton, New Jersey 08611

*Re: In re Application by Central Loan Administration & Reporting to Issue Corrected Notices of Intent to Foreclose on Behalf of Identified Foreclosure Plaintiffs in Uncontested Cases  
Docket Number F-*

Your Honor:

This firm represents Central Loan Administration & Reporting, FSB ("CENLAR"). As is set forth in the Verified Complaint, CENLAR makes this application on behalf of Foreclosure Plaintiffs pursuant to the authority granted to CENLAR by those Foreclosure Plaintiffs. CENLAR seeks an Order from this Court permitting it to issue corrected Notices of Intent to Foreclose ("NOI") as set forth in the New Jersey Supreme Court Order dated April 4, 2012, that was entered following the Court's decision in U.S. Bank, N.A. v. Guillaume, 209 N.J. 449 (2012), ("Guillaume").

CENLAR services mortgage loans for residential properties in New Jersey. *Ver. Comp.*, ¶ 2. As the servicer of mortgage loans, CENLAR undertakes payment collection, loss mitigation and collection efforts, including foreclosure. *Id.*, ¶ 3. CENLAR undertakes those tasks in accordance with the contracts that govern its relationship with the owners of the loans as well as the loan documents, Rules of Court and any applicable laws. *Id.* As the entity collecting and processing payments, CENLAR possesses the information relevant to the payments made, escrows, payments that are due and whether a loan is in default and by how much. *Id.* This information is maintained on CENLAR's systems of record. *Id.* The Foreclosure Plaintiff is not likely to have possession of the relevant servicing information in cases in which the servicing of the loan is being handled by CENLAR. *Id.*

One of CENLAR's duties as a servicer on a defaulted mortgage is to issue the NOI, in accordance with the Fair Foreclosure Act ("FFA") at N.J.S.A. 2A:50-56. The NOI is prepared based upon current loan information held by CENLAR. *Id.*, ¶ 4.

November 7, 2012

Page 2

On February 27, 2012, the New Jersey Supreme Court decided Guillaume and held that the FFA requires strict adherence to the notice requirements set forth at N.J.S.A. 2A:50-56(c) for all NOIs. The Court also held that a court adjudicating a foreclosure action in which the strict requirements of N.J.S.A. 2A:50-56(c) were not met has the discretion to choose the appropriate remedy, including allowing a corrected NOI to be served.

Following its decision in Guillaume, the Supreme Court issued an Order on April 4, 2012 which authorizes this Court to entertain summary actions by Order to Show Cause as to why Plaintiffs who caused deficient NOIs to be served should not be allowed to issue corrected NOIs to defendant/mortgagors and/or parties obligated on the debt ("Foreclosure Defendants") in pending, pre-judgment uncontested foreclosures filed prior to February 27, 2012 in which final judgment has not yet been entered. The April 4<sup>th</sup> Order also instructed that any corrected NOI must be accompanied by a letter to each Foreclosure Defendant setting forth:

- the reasons why the corrected NOI is being served;
- the procedure to follow in the event a Foreclosure Defendant wishes to object to the corrected NOI;
- the name of a person to contact with any questions; and
- that the receipt of the corrected NOI allows the Foreclosure Defendant 30 days in which to object to or cure the default.

In accordance with the decision in Guillaume, CENLAR has identified a small population of foreclosure cases in which the previously served NOIs failed to include the name and address of the lender, as required by N.J.S.A. 2A:50-56(c)(11). CENLAR seeks an Order from this Court allowing CENLAR to serve corrected NOIs that will include the name and/or address of the current lender so that Certifications of Due Diligence can be signed and the uncontested foreclosures can proceed to final judgment.

CENLAR has worked with its counsel to compile a list of all pending, uncontested foreclosures in New Jersey in which final judgment has not been entered and in which CENLAR served technically deficient NOIs prior to February 12, 2012 that failed to identify the lender and/or the correct lender's address ("Corrected NOI List").<sup>1</sup> For each pending case at issue in this application, the Corrected NOI List includes the Named Plaintiff, the Docket Number, the first named Foreclosure Defendant and the County.<sup>2</sup> The Corrected NOI List, attached as Exhibits 1 through 24 to the Verified Complaint, is

<sup>1</sup> The Corrected NOI List also identifies actions in which the bankruptcy stay might apply. Ver. Comp., Count 25, Exh. 25.

November 7, 2012

Page 3

broken down by each Named Plaintiff. There are a total of 24 Named Plaintiffs for which CENLAR seeks to correct previously served NOIs. Those Named Plaintiffs (and their affiliated entities) are the following:

1. Bank of America;<sup>3</sup>
2. CENLAR FSB;
3. CitiBank, N.A.;
4. Columbia Bank;
5. Embrace Mortgage;
6. Fairmount Funding LTD;
7. Federal Home Mortgage Loan;
8. Federal National Mortgage Association;
9. Franklin American Mortgage;
10. Freedom Mortgage Corp.;
11. Investors Savings Bank;
12. Mid Island Mortgage Corporation;
13. Morgan Stanley;
14. New Jersey Housing and Mortgage Finance Agency;
15. New York Mortgage TR;
16. Plymouth Park Tax Services;
17. Police & Fireman's Fund;
18. Prospect Mortgage;
19. Real Estate Mortgage Network;
20. State Farm Bank;
21. Urban Trust Bank;
22. U.S. Mortgage;
23. Virtual Bank; and
24. Wells Fargo Bank, N.A.

Also included with the Corrected NOI List are foreclosure cases that may have at one point been contested cases that were sent back to the Office of Foreclosure after resolution of the contesting issues, pursuant to N.J. Court Rule 4:64(1)(c)(3). CENLAR has included all cases within this application because the current application offers an additional benefit to any of these Foreclosure Defendants and will allow them to raise whatever objections they have to the process allowing the issuance of the

---

<sup>2</sup> Because considerable time has passed since NOIs were originally served for the foreclosure actions, the lender initially identified in the foreclosure action as the plaintiff may not be the current lender listed in the corrected NOI. For sake of clarity, the corrected NOI will list the current lender and lender's address and CENLAR will require that its counsel take the appropriate steps to change the plaintiff in affected foreclosure actions where required.

<sup>3</sup> Count 25 of the Verified Complaint and the corresponding Exhibit 25 reference to the pending foreclosure actions that are currently impacted by the Bankruptcy Stay. CENLAR will be seeking to issue corrected NOIs in those cases at the appropriate time and in accordance with the procedures set forth in the Order to Show Cause.

November 7, 2012

Page 4

corrected NOI or to the NOI itself, which can be asserted in their individual foreclosure action. Excluding such Foreclosure Defendants from this process will only leave those cases in a limbo state, which is not beneficial for the Parties or the Court.

In accordance with the April 4<sup>th</sup> Order, in conjunction with this Court's guidance, CENLAR will also send a form of letter ("Explanatory Letter") to each Foreclosure Defendant on the Corrected NOI List. Attached as Exhibit A to the Verified Complaint is a form of Explanatory Letter that will:

- explain the reason why the corrected NOI is being served;
- the procedure to follow in the event that a Foreclosure Defendant wishes to object to the corrected NOI;
- identifies a contact person for any questions; and
- advises the Foreclosure Defendant of their right to object to the corrected NOI as well as the right to cure the default within 30 days of the date of the corrected NOI.<sup>4</sup>

In further support of this application, CENLAR has also supplied the proposed form of corrected NOI as Exhibit B to the Verified Complaint which CENLAR will serve on each Foreclosure Defendant identified on the Corrected NOI List. The corrected NOI will include, *inter alia*, information specific to their loan, their default and the lender name and address. In addition, the corrected NOI will also exclude attorneys' fees and costs incurred in the pending foreclosure actions. Permitting CENLAR to issue corrected NOIs will provide the Foreclosure Defendants with yet another opportunity to cure their default and reinstate their loans, without the incursion of attorneys' fees and costs that are permitted to be charged after a foreclosure case has been filed. Provision of another opportunity to cure provides a benefit to the Foreclosure Defendants.

Notice will also be provided via publication notice in four newspapers as set forth in the Order to Show Cause. CENLAR will publish the proposed Publication Notice provided with these papers two times in each of the four papers, thereby providing additional notice to Foreclosure Defendants.

Allowing CENLAR to cure the deficient NOIs as requested in this application is the correct remedy. In Gulllaume, the Supreme Court held that when faced with a deficient NOI, the trial court can determine the appropriate remedy and should consider the express purpose of the NOI provision: "to provide notice that makes 'the debtor aware of the situation' and to enable the homeowner to attempt to

---

<sup>4</sup> The Explanatory Letter will inform the Foreclosure Defendants that if they are unsure of their individual foreclosure docket numbers, they may access that information on the Court's website by using the search function and entering their names. In addition, the Explanatory Letter will provide the contact information for a CENLAR representative who can assist with providing the docket number for the foreclosure actions. Thus, the Explanatory Letter will include all of the elements required by the Supreme Court's April 4, 2012 Order and will be consumer friendly in the ways required by this Court.

November 7, 2012

Page 5

cure the default.” 209 N.J. at 479. The Court stated that in fashioning a remedy, the trial court should “consider the impact of the defect in the notice of intention upon the homeowner’s information about the status of the loan, and on his or her opportunity to cure the default.” *Id.* In determining that a cure was the appropriate remedy, the trial court in Guillaume took such considerations into account when fashioning the remedy, including the nature of the deficiency. *Id.* at 480.

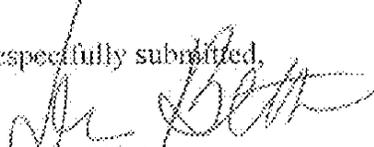
As in Guillaume, in this application, CENLAR seeks an Order allowing it to issue corrected NOIs to include the name and address of the lender in uncontested foreclosure actions. The trial court in Guillaume determined that the nature of that deficiency would allow a cure of the NOI, as opposed to some other remedy, even in the context of a contested foreclosure. In the application before this Court, CENLAR seeks to correct the same deficiency but in uncontested foreclosures. The Foreclosure Defendants have already received numerous forms of notice concerning their foreclosure case during their cases and, with the issuance of a corrected NOI, will receive yet another opportunity to cure their defaults and reinstate their loans. Further, there is no indication of prejudice nor could there be because CENLAR will waive the attorneys’ fees and costs that have been incurred in the foreclosures for purposes of the corrected NOI and possible reinstatement pursuant to this application. Furthermore, as the proposed Explanatory Letter makes clear, to the extent that a Foreclosure Defendant wants to object to the information contained in the corrected NOI itself, the Foreclosure Defendant will have the opportunity to raise and voice those objections in their individual foreclosure cases. Moreover, the Order to Show Cause provides a mechanism and process whereby the Foreclosure Defendants can raise directly with this Court any concern, objection or potential prejudice that they believe results from allowing CENLAR to correct the deficient NOIs.

For the reasons set forth in CENLAR’s application, the Supreme Court has issued an Order that is faithful to the decision in Guillaume, and provides a mechanism to cure deficient NOIs so that Foreclosure Defendants will receive the notice that they should have received under the FFA and will also allow for the orderly judicial administration in the pending, uncontested foreclosures. For these reasons, it is respectfully requested that this Court:

- (a) Approve the form of Explanatory Letter at Exhibit A to the Verified Complaint;
- (b) Approve the form of corrected NOI at Exhibit B to the Verified Complaint; and
- (c) Allow CENLAR to serve corrected NOIs to the Foreclosure Defendants on the Corrected NOI List.

Undersigned counsel appreciates the Court’s attention to this application and will be available to the Court to respond to any questions that may arise after review of the material filed today.

Respectfully submitted,

  
Diane A. Bettino

# ReedSmith

Diane A. Bettino  
Direct Phone: +1 609 514 6952  
Email: dbettino@reedsmith.com

Reed Smith LLP  
Princeton Forrestal Village  
136 Main Street - Suite 250  
Princeton, NJ 08540-7839  
+1 609 987 0050  
Fax +1 609 951 0824  
reedsmith.com

November 7, 2012

Via JEFIS

Clerk of the Superior Court  
Superior Court of New Jersey  
25 West Market Street  
6<sup>th</sup> Floor North Wing  
Trenton, New Jersey 08625

*Re: In re Application by Central Loan Administration & Reporting, FSB to Issue Corrected  
Notices of Intent to Foreclose on Behalf of Identified Foreclosure Plaintiffs in  
Uncontested Cases  
Docket Number F- To be Assigned*

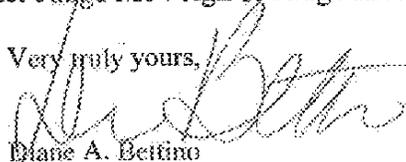
Dear Sir/Madam:

This firm represents Central Loan Administration & Reporting, FSB in the above-referenced matter. Enclosed for filing, please find the original and two copies of the following documents:

1. Order to Show Cause;
2. Verified Complaint;
3. Letter Brief in Support of Application;
4. Proposed Publication Notice; and
5. Certification of Service.

Please charge our Superior Court Account 141013 for any filing charges. Pursuant to the Order of the Supreme Court, these Orders to Show Cause to correct previously served Notices of Intent to Foreclose will be assigned by the Clerk's Office to either Judge McVeigh or Judge Innes.

Very truly yours,



Diane A. Bettino

DAB/cmp  
Enclosures