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Attorneys for Residential Credit Solutions, Inc.

F -028586-12

IN RE NOTICES OF INTENTION TO
FORECLOSE SERVED BY RESIDENTIAL
CREDIT SOLUTIONS, INC.

SUPERIOR COURT OF NEW JERSEY

CHANCERY DIVISION

Civil Action

Docket No:

VERIFIED COMPLAINT

Petitioner, Residential Credit Solutions, Inc., through its attorneys, Zucker, Goldberg & Ackerman, LLC, by way of Verified Complaint, hereby says as follows:

FACTS:

1. Residential Credit Solutions, Inc. (hereinafter "RCS") is an integrated investment and servicing company headquartered in Fort Worth, Texas.

2. RCS services residential mortgage loans throughout the country, including loans in the State of New Jersey.

3. As a servicer, RCS is responsible for collecting the monthly mortgage payment; maintaining the books and records of each mortgage loan; ensuring that there is adequate insurance coverage for the property; ensuring that the real estate taxes and other potential liens are paid. In other words, RCS is the face of the loan for the borrower and the entity to whom the borrower interacts with for any issues regarding the loan.

4. When a loan is delinquent, foreclosure is always the last resort. If the borrower opts not to communicate with RCS or does not otherwise resolve the default, RCS sends out a Notice of Intention to Foreclose (hereinafter "NOI") as required by the Fair Foreclosure Act, giving the borrower at least thirty days to cure the default and reinstate the loan. If the default is not cured or other arrangements made to resolve the default, after the NOI expires, the loan is referred to local foreclosure counsel to initiate foreclosure.

5. On February 27, 2012, the New Jersey Supreme Court issued its opinion in U.S. Bank National Association v. Guillaume, 209 N.J. 449 (2012), requiring strict compliance with the requirements of the Fair Foreclosure Act, including identification of the name and address of the lender rather than the servicer contact information alone.

6. RCS has completed a revision to its form NOI to add the name and address of the lender in addition to the servicer.

7. Attached as Exhibit "1" to the Certification of Alicia Wood is a true and accurate copy of the form NOI that RCS intends to utilize and should the Court so order, the form that Plaintiff would re-send to all borrowers affected by the outcome of this Order to Show Cause.

8. Subsequent to the Guillaume opinion, Chief Justice Stuart Rabner issued an Order on April 4, 2012, in furtherance of the Supreme Court's holding in U.S. Bank National Association v. Guillaume, authorizing the Honorable Margaret Mary McVeigh, P.J.Ch., Passaic Vicinage and the Honorable Paul Innes, P.J.Ch., Mercer Vicinage to entertain summary actions by Order to Show Cause as to why plaintiffs in uncontested pre-judgment residential foreclosure matters should not be allowed to re-serve corrected NOIs.

COUNT I: RESIDENTIAL CREDIT SOLUTIONS, INC.

9. Plaintiff hereby incorporates by reference Paragraphs 1 through 8 as if set forth herein.

10. Attached as Exhibit "A" is a list of uncontested residential foreclosure actions where Residential Credit

Solutions, Inc. is the plaintiff and RCS requests relief from this Court to issue an Order to Show Cause consistent with the Supreme Court's April 4, 2012 Order.

WHEREFORE, Residential Credit Solutions, Inc. respectfully request judgment:

- (a) Deeming the form Notice of Intention to Foreclose attached as Exhibit "1" to the Certification of Alicia Wood compliant with the requirements of the Fair Foreclosure Act;
- (b) Permitting Plaintiff to serve new Notice of Intentions to Foreclose, in the form attached as Exhibit "1" to the Certification of Alicia Wood, to defendant mortgagors and/or parties obligated on the underlying debt, for pre-judgment foreclosure actions listed on Exhibit "A" of this Verified Complaint where Residential Credit Solutions, Inc. is the plaintiff; and
- (c) Any further relief the Court deems equitable and just.

COUNT II: Amtrust Bank

11. Plaintiff hereby incorporates by reference Paragraphs 1 through 10 as if set forth herein.

12. RCS is servicing six (6) loans where the foreclosure action was filed in the name of Amtrust Bank.

13. Attached as Exhibit "B" is a list of uncontested residential foreclosure actions including the foreclosures in which Amtrust Bank is the plaintiff.

14. RCS respectfully requests this Court issue an Order to Show Cause consistent with the Supreme Court's April 4, 2012 Order.

WHEREFORE, Residential Credit Solutions, Inc. respectfully request judgment:

- (a) Deeming the form Notice of Intention to Foreclose attached as Exhibit "1" to the Certification of Alicia Wood compliant with the requirements of the Fair Foreclosure Act;
- (b) Permitting Plaintiff to serve new Notice of Intentions to Foreclose, in the form attached as Exhibit "1" to the Certification of Alicia Wood, to defendant mortgagors and/or parties obligated on the underlying debt, for pre-judgment foreclosure actions listed on Exhibit "B" of this Verified Complaint where Amtrust Bank is the plaintiff; and
- (c) Any further relief the Court deems equitable and just.

COUNT III: Federal National Mortgage Association

19. Plaintiff hereby incorporates by reference Paragraphs 1 through 18 as if set forth herein.

20. RCS is servicing five (5) loans where the foreclosure action was filed in the name of Federal National Mortgage Association.

21. Attached as Exhibit "C" is a list of uncontested residential foreclosure actions including the foreclosures in which Federal National Mortgage Association is the plaintiff.

22. RCS respectfully requests this Court issue an Order to Show Cause consistent with the Supreme Court's April 4, 2012 Order.

WHEREFORE, Residential Credit Solutions, Inc. respectfully request judgment:

- (a) Deeming the form Notice of Intention to Foreclose attached as Exhibit "1" to the Certification of Alicia Wood compliant with the requirements of the Fair Foreclosure Act;
- (b) Permitting Plaintiff to serve new Notice of Intentions to Foreclose, in the form attached as Exhibit "1" to the Certification of Alicia Wood, to defendant mortgagors and/or parties obligated on the underlying debt, for pre-judgment foreclosure actions listed on Exhibit "C" of this Verified Complaint where Federal National Mortgage Association is the plaintiff but RCS is the servicer; and
- (c) Any further relief the Court deems equitable and just.

COUNT IV: First Franklin Financial Group

23. Plaintiff hereby incorporates by reference Paragraphs 1 through 22 as if set forth herein.

24. RCS is servicing one (1) loan where the foreclosure action was filed in the name of First Franklin Financial Group.

25. Attached as Exhibit "D" is a list of uncontested residential foreclosure actions including the foreclosure in which First Franklin Financial Group is the plaintiff.

26. RCS respectfully requests this Court issue an Order to Show Cause consistent with the Supreme Court's April 4, 2012 Order.

WHEREFORE, Residential Credit Solutions, Inc. respectfully request judgment:

- (a) Deeming the form Notice of Intention to Foreclose attached as Exhibit "1" to the Certification of Alicia Wood compliant with the requirements of the Fair Foreclosure Act;
- (b) Permitting Plaintiff to serve new Notice of Intentions to Foreclose, in the form attached as Exhibit "1" to the Certification of Alicia Wood, to defendant mortgagors and/or parties obligated on the underlying debt, for pre-judgment foreclosure actions listed on Exhibit "D" of this Verified Complaint where First Franklin Financial Group is the plaintiff but RCS is the servicer; and
- (c) Any further relief the Court deems equitable and just.

COUNT V: Saxon Mortgage Services, Inc.

27. Plaintiff hereby incorporates by reference Paragraphs 1 through 26 as if set forth herein.

28. RCS is servicing loans where the foreclosure action was filed in the name of the prior servicer, Saxon Mortgage Services, Inc.

29. Attached as Exhibit "E" is a list of uncontested residential foreclosure actions including the foreclosure in which Saxon Mortgage Services, Inc. is the plaintiff.

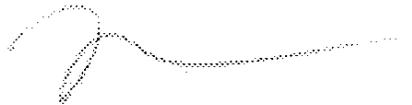
30. RCS respectfully requests this Court issue an Order to Show Cause consistent with the Supreme Court's April 4, 2012 Order.

WHEREFORE, Residential Credit Solutions, Inc. respectfully request judgment:

- (a) Deeming the form Notice of Intention to Foreclose attached as Exhibit "1" to the Certification of Alicia Wood compliant with the requirements of the Fair Foreclosure Act;
- (b) Permitting Plaintiff to serve new Notice of Intentions to Foreclose, in the form attached as Exhibit "1" to the Certification of Alicia Wood, to defendant mortgagors and/or parties obligated on the underlying debt, for pre-judgment foreclosure actions listed on Exhibit "E" of this Verified Complaint where Saxon Mortgage Services, Inc. is the plaintiff but RCS is the servicer; and
- (c) Any further relief the Court deems equitable and just.

Zucker, Goldberg & Ackerman, LLC
Attorneys for Plaintiff
Residential Credit Solutions, Inc.

By:



Brian C. Nicholas, Esq.

DATED: 12/3/12

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 proceeded contemplated, other than the pending foreclosure actions on Exhibits A, B, C, D, E and F to the Verified Complaint, 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.



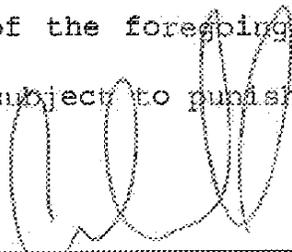
Brian C. Nicholas, Esq.

Dated: 12/3/12

VERIFICATION

I, Alicia Wood, of full age certify as follows:

1. I am a Vice President of Residential Credit Solutions, Inc.
2. I have read the contents of the Verified Complaint and verify the statements contained therein are true to the best of my knowledge and personal information.
3. 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.



Alicia Wood

DATED:

Exhibit “A”

Exhibit A - Residential Credit Solutions, Inc.

County	Phone Number	Company	Agent Name	City
CUMBERLAND	F-40699-10	Residential Credit Solutions, Inc.	PEREZ, NANCY	MILLVILLE
MONMOUTH	F-4404-11	Residential Credit Solutions, Inc.	TOMKS, KYLE	KEANSBURG
BERGEN	F-58014-09	Residential Credit Solutions, Inc.	Louis Belanger	ENGLEWOOD
CAMDEN	F-47557-09	Residential Credit Solutions, Inc.	Wendy Parker	OAKLYN
PASSAIC	F-7250-08	Residential Credit Solutions, Inc.	Jess Jacobson	BLOOMINGDALE
CAMDEN	F-5565-09	RESIDENTIAL CREDIT SOLUTIONS, INC.	PRITCHETTE, DORETHA	VOORHEES
ESSEX	F-38244-08	RESIDENTIAL CREDIT SOLUTIONS, INC.	RODRIGUEZ, HUMBERTO	MONTCLAIR
ESSEX	F-33699-08	RESIDENTIAL CREDIT SOLUTIONS, INC.	MONTALVO, ALFREDO	NEWARK
UNION	F-07779-10	RESIDENTIAL CREDIT SOLUTIONS, INC.	BAEZ, CARA	RAHWAY
UNION	F-20575-10	RESIDENTIAL CREDIT SOLUTIONS, INC.	AUGUSTE, MONIQUE	ROSELLE
UNION	F-61033-09	RESIDENTIAL CREDIT SOLUTIONS, INC.	BUTLER, SHARON	HILLSIDE
ESSEX	F-61422-09	RESIDENTIAL CREDIT SOLUTIONS, INC.	HAUGHTON, HOWARD	NEWARK
SOMERSET	F-41301-09	RESIDENTIAL CREDIT SOLUTIONS, INC.	KYLES, CLYDE	SOUTH BOUND BROOK
UNION	F-50683-09	RESIDENTIAL CREDIT SOLUTIONS, INC.	PATTERSON, MONA T.	ROSELLE PARK
SUSSEX	F-05880-10	RESIDENTIAL CREDIT SOLUTIONS, INC.	BERNAL, JOHN	NEWTON
CUMBERLAND	F-64371-09	RESIDENTIAL CREDIT SOLUTIONS, INC.	FRANK, KATHLEEN	VINELAND
MERCER	F-39825-09	RESIDENTIAL CREDIT SOLUTIONS, INC.	SCOTT, BRANDON	TRENTON
MIDDLESEX	F-34071-10	RESIDENTIAL CREDIT SOLUTIONS, INC.	SUAREZ, LIZ; SUAREZ, EDWARD	SOUTH PLAINFIELD
MIDDLESEX	F-047130-10	Residential Credit Solutions, Inc.	TAYLOR, LEWELLYN	PISCATAWAY

Exhibit “B”

Exhibit B - AmTrust Bank

BERGEN	F-44981-09	AmTrust Bank	CHOI, SEONG	RAMSEY
CUMBERLAND	F-6187-09	AmTrust Bank	Obdulio Rodriguez	VINELAND
MONMOUTH	F-8204-09	AmTrust Bank	Pedro K. Knowles	NEPTUNE
OCEAN	F-22413-09	AmTrust Bank	Jane Woodhead	LITTLE EGG HARBOR
MERCER	F-36313-08	AmTrust Bank	Thomas Milazzo	TRENTON
UNION	F-24855-09	AmTrust Bank	Darryl Gentry	LINDEN

Exhibit “C”

Exhibit C - Federal National Mortgage Association

OCEAN	F-35984-09	Federal National Mortgage Association	SHIRMAN, VALENTIN	SEASIDE HEIGHTS
CUMBERLAND	F-18129-10	Federal National Mortgage Association	ROBINSON, DWAYNE C. AND PIERCE, ROBINSON, DENISE	BRIDGETON
BERGEN	F-41022-09	Federal National Mortgage Association	RINCON, EDUARDO I.; RINCON, CARMEN J.	HACKENSACK
MORRIS	F-035440-10	Federal National Mortgage Association	BRUNELLI JR, ROBERT J.; BRUNELLI, DONNANNE	UNION BEACH
CAMDEN	F-24836-10	Federal National Mortgage Association	PHILLIPS, JERRY; PHILLIPS, JANICE	SICKLEHILL

Exhibit “D”

Exhibit D - First Franklin Financial Group

OCEAN	F-46919-08	FIRST FRANKLIN FINANCIAL CORPORATION	WRIGHT, RAYMOND, WRIGHT, VICKY	FORKED RIVER
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Exhibit “E”

Exhibit E - Saxon Mortgage Services, Inc.

ESSEX	F-28996-08	Saxon Mtg Services, Inc.	Keith Gerald	EAST ORANGE
MIDDLESEX	F-33049-08	Saxon Mtg Services, Inc.	Eddy Hidalgo	NEW BRUNSWICK
HUDSON	F-37992-08	Saxon Mtg Services, Inc.	Herbert Thompson - deceased	SECAUCUS
ESSEX	F-29070-08	Saxon Mtg Services, Inc.	Emerald M. Hunt	IRVINGTON
CAMDEN	F-034873-10	Saxon Mortgage Services, Inc.	SANTIAGO, CARMEN, MELIAS, LETICIA	GLoucester City
CAMDEN	F-026316-10	Saxon Mortgage Services, Inc.	MENARD, SANDRA, MENARD, ROBERT	CLEMENTON BOROUGH
GLoucester	F-039131-10	Saxon Mortgage Services, Inc.	FLORES, ANNA, DAVID FLORES	SWEDSBORO
ATLANTIC	F-040392-10	Saxon Mortgage Services, Inc.	WASZEN, STEVE	EGG HARBOR
SALEM	F-048689-10	Saxon Mortgage Services, Inc.	SCARDUZZO, JOHN	PENNSVILLE TOWNSHIP
PASSAIC	F-049537-10	Saxon Mortgage Services, Inc.	PANICUCCI, MARIO	CLIFTON
CAMDEN	F-050610-10	Saxon Mortgage Services, Inc.	FRIEDRICH, WILLIAM	BERLIN
HUDSON	F-054968-10	Saxon Mortgage Services, Inc.	INTRIAGO, IVETTE, INTRIAGO, CINDY	NORTH BERGEN
GLoucester	F-053299-10	Saxon Mortgage Services, Inc.	PETRUZZELLI, VINCENT; PETRUZZELLI, TERRIE	WENONAH

