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(COUNSEL FOR PLAINTIFF)

IN RE APPLICATION OF

STATEBRIDGE COMPANY, LLC ON BEHALF OF THE  
BANK OF NEW YORK MELLON TRUST COMPANY,  
NATIONAL ASSOCIATION AS GRANTOR TRUSTEE OF  
THE PROTIUM MASTER GRANTOR TRUST  
TO ISSUE CORRECTED NOTICES OF INTENT TO  
FORECLOSE ON BEHALF OF IDENTIFIED  
FORECLOSURE PLAINTIFFS IN UNCONTESTED  
CASES

IN THE SUPERIOR COURT OF  
NEW JERSEY  
CHANCERY DIVISION  
PASSAIC COUNTY

CIVIL ACTION

Case Number: F-29140-12

***AMENDED VERIFIED COMPLAINT  
IN SUPPORT OF ORDER TO SHOW  
CAUSE (TO INCLUDE REVISED  
EXHIBIT 1)***

Servicer, Statebridge Company, LLC (“Servicer” and/or “Amended Complaint Plaintiff”), authorized to act on behalf of the Foreclosure Plaintiff (specifically The Bank of New York Mellon Trust Company, National Association as grantor trustee of the Protium Master Grantor Trust) in the instant matter, in pending, pre-judgment uncontested foreclosure actions, brings this action pursuant to the April 4, 2012, Order of the New Jersey Supreme Court (the “April 4<sup>th</sup> Order”), that was entered following the Court’s decision in *U.S. Bank, NA v. Guillaume*, 209 N.J. 449 (2012), (“Guillaume”). Servicer respectfully states as follows:

1. Servicer, is a duly organized limited liability company formed under the laws of the State of Colorado.

COMMON FACTS - BACKGROUND

2. Servicer services mortgage loans for residential properties in the State of New Jersey.
3. When Servicer is the servicer of the loan, it undertakes various functions on behalf of the owner of the loan (The Bank of New York Mellon Trust Company, National Association as grantor trustee of the Protium Master Grantor Trust), including, but not limited, payment collection and loan administration, loss mitigation (loan modifications, forbearances, short sales, deeds-in-lieu), collection and loan enforcement efforts, including, but not limited to foreclosure of the mortgage loan. If the loan is owned by an entity other than Servicer, Servicer undertakes these efforts in accordance with contracts that govern the relationship with the owner of the loan, as well as, the loan documents, Rules of Court and any applicable laws. As an entity collecting and processing payments, Amended Complaint Plaintiff has the information relevant to the payments, escrows paid, and other amounts due and whether or not the loan is in default, by how much, and why it is in default. The information is maintained by Amended Complaint Plaintiff's systems records. In cases where Amended Complaint Plaintiff is only the servicer (and not also the lender), the lender is not likely to have possession of the relevant servicing information in the possession of Verified Complaint Plaintiff as 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. Verified Complaint Plaintiff makes this application on behalf of the lenders identified in this complaint pursuant to its authority as the lenders' servicing agent in the pending foreclosure actions identified herein.
4. A requirement prior to the institution of a foreclosure action in New Jersey is the preparation and service of a Fair Foreclosure Notice of Intent ("NOI") in accordance

with the requirements of N.J.S.A. 2A:50-56 of the Fair Foreclosure Act (the “FFA”). The NOI is prepared either by Amended Complaint Plaintiff or its Counsel based on current loan information held by the Amended Complaint Plaintiff. The current loan information includes the amount necessary to reinstate the loan and the date by which the reinstatement must occur.

5. On February 27, 2012, the Supreme Court, in reviewing whether or not a plaintiff complied with the FFA (2A:50-56(c)(11)) decided in *Guillaume* that the NOI must comply with the requirements of the FFA. The Court determined that the failure to comply was not necessarily fatal to the action, but the Court had discretion to choose the appropriate remedy including permitting a cure of the deficient NOI, or imposing such other remedy as may be appropriate to the specific case.
6. Following the decision and direction of *Guillaume*, the Court entered an Order dated April 4<sup>th</sup>, 2012 authorizing the Honorable Margaret Mary McVeigh, PJCh, Passiac Vicinage, and the Honorable Paul Innes PJCh, Mercer Vicinage, to entertain summary actions in the form of verified complaints with orders to show cause as to why Plaintiffs in any uncontested 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 FFA, should not be allowed to serve corrected NOIs on defendants/mortgagors and/or parties obligated on the debt (the “Foreclosure Defendants”).
7. The April 4<sup>th</sup> Order sets forth direction 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 objection to the corrected 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 cure the default otherwise the foreclosure will proceed.

8. Amended Complaint Plaintiff is in the process of reviewing its pending foreclosure cases to identify those foreclosure cases in which there will be a corrected NOI because it did not comply with a provision of 2a:50-56(b), (c)(1) through (11) as more fully set forth in the specific counts set forth below. The list of foreclosure cases is set forth below and made an exhibit to the relevant count of this Complaint.
9. The list of foreclosure cases is limited to those matters:
  - a. Foreclosures filed prior to February 27, 2012 in which Amended Complaint Plaintiff is the lender, servicer of the loan and acting as agent/servicer for Foreclosure Plaintiff;
  - b. In which final judgment has not been entered; and,
  - c. In which Amended Complaint Plaintiff seeks leave of this Court to file corrected NOIs for the reasons set forth in each count below, more specifically, to include the identity of the lender and lender's address;
10. Amended Complaint Plaintiff seeks permission to issue corrected NOIs setting forth the default as of the date of the corrected NOI, setting forth the requirements to cure the default as of the date of the corrected NOI and providing Foreclosure Defendants with thirty (30) days from the date of the corrected NOI to object or cure the default; otherwise, Foreclosure Plaintiff may proceed.<sup>1</sup>

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<sup>1</sup> In the event the lender (foreclosure plaintiff as identified in the foreclosure caption) has changed since the original NOI was sent, the corrected NOI will identify the current lender and foreclosure counsel will take appropriate steps to amend the foreclosure action to reflect the change in plaintiff.

11. To comply with the April 4<sup>th</sup> Order, attached as Exhibit “A” to this complaint is the proposed form of letter (“Explanatory Letter”) that Amended Complaint Plaintiff intends to send to each Foreclosure Defendants together with the corrected NOI. As instructed by the Supreme Court April 4<sup>th</sup> Order, the Explanatory Letter explains:
  - a. 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 Foreclosure Defendants 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 (which will have the default information as of the date of the corrected NOI).

The corrected NOIs will provide the cure information as of the date of the corrected NOI and will exclude attorneys’ fees and costs.
12. Attached as Exhibit “B” to the Amended Complaint is the proposed form of corrected NOI pursuant to the FFA which Amended Complaint Plaintiff will send to each of the Foreclosure Defendants identified in each count of the complaint.
13. Plaintiff also seeks confirmation that upon compliance with the procedure approved by the Court that it will be able to proceed with its foreclosure actions and comply with changes made to Rules 4:64-1 and 4:64-2 by the Supreme Court.
14. With regard to each count below, Verified Complaint Plaintiff provides an exhibit for each of the pending uncontested foreclosure cases setting forth; (1) last four digits of

servicer account number; (2) docket number; (3) Plaintiff name (current lender); (4) borrowers; (5) firm file #; (6) county; (7) the attorney firm handling the foreclosure; and, (8) NOI issue under 2A:50-56.

15. In the Counts set forth below, Amended Complaint Plaintiff requests that this Court enter Orders permitting Amended Complaint Plaintiff to issue corrected NOIs for the Foreclosure Plaintiffs identified in the below Counts and allowing Foreclosure Plaintiffs (and Amended Complaint Plaintiff) to proceed with the foreclosure cases set forth in each count below.

#### COUNT ONE

IN RE FORECLOSURE PLAINTIFF: THE BANK OF NEW YORK MELLON TRUST COMPANY,  
NATIONAL ASSOCIATION AS GRANTOR TRUSTEE OF THE PROTIUM MASTER GRANTOR TRUST  
FFA NOI ISSUE

16. Allegations one through 15 are hereby incorporated by reference as though set forth at length herein.

17. The foreclosure cases within the scope of the Guillaume decision regarding the Foreclosure Plaintiff, The Bank of New York Mellon Trust Company, National Association as grantor trustee of the Protium Master Grantor Trust, are attached as Exhibit "1". Exhibit 1 is also being provided in a searchable PDF format to the Court.

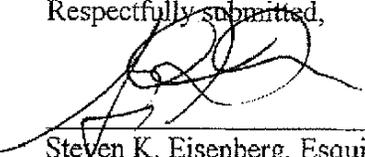
18. All foreclosure cases in this Count share a common element in that the NOI needs to be corrected to comply with FFA 2A:50-56(c) as set forth on the list.

WHEREFORE, Amended Complaint Plaintiff respectfully requests that this Court enter an Order permitted Foreclosure Plaintiffs (and Amended Complaint Plaintiff) to issue corrected NOIs in an omnibus manner as permitted in the Supreme Court's April 4<sup>th</sup>, 2012 Order to the issue identified in paragraph 17 above in the cases identified in this Count together with such

other relief as this Court deems reasonable and necessary. Further, Amended Complaint Plaintiff requests that the Court specify that the corrected NOIs shall provide default information and amounts/actions needed to cure any default as of the date of the corrected NOIs. Counsel has provided a form Order that it seeks to be granted.

Respectfully submitted,

By:



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Steven K. Eisenberg, Esquire  
Stem & Eisenberg, PC  
Attorneys Verified Complaint Plaintiff &  
Foreclosure Plaintiff

DATED: Friday, January 11, 2013

# Exhibit A

Proposed Form of Explanatory Letter



4600 S. Syracuse Street  
Suite 700  
Denver, Colorado 80237

**Please read this letter and the enclosed documents carefully,  
as they contain important information concerning your rights**

Statebridge Company, LLC is the servicer (“Plaintiff”) of your mortgage loan. Our records show that your mortgage is in default and you have breached the terms of the note, mortgage, deed of trust or other security agreement securing your loan more fully described in the enclosed Corrected Notice of Intent to Foreclose.

You were previously sent a Notice of Intent to Foreclose pursuant to the New Jersey Fair Foreclosure Act (the “Act”) and a judicial proceeding (a pending foreclosure lawsuit) is pending against you.

***Why You Are Receiving This Letter***

On February 27, 2012, the Supreme Court of New Jersey issued an opinion in the matter of *US Bank N.A. v. Guillaume*, 209 NJ 449 (2012), interpreting the requirements of the Notice of Intent to Foreclose under the Act. On April 4, 2012, the Supreme Court issued a supplemental Order explaining a procedure for the Plaintiff in certain pending foreclosure lawsuits to correct the Notice of Intent. For you, this means that the Notice of Intent to Foreclose previously sent to you may not have complied with all applicable provisions of the Act. Specifically, the Notice of Intent to Foreclose may not have included:

The name and address of the lender (required pursuant to 2A:50-56(c)(11) of the Act)

Plaintiff has obtained an Order to Show Cause dated \_\_\_\_\_ from a Judge of the Superior Court (“the “Order”) authorizing Plaintiff to send you a *corrected Notice of Intent to Foreclose* (“*Corrected NOI*”). A copy of the Order and the corrected Notice of Intent to Foreclose are enclosed with this letter. Please read these documents carefully.

***Information About the Corrected Notice of Intent (NOI)***

The corrected Notice of Intent to Foreclose 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 servicer and lender, information about retaining counsel, and borrower assistance. With the passage of time since the foreclosure lawsuit was filed against you, the lender on your loan may have changed from the named Plaintiff in the foreclosure lawsuit. The Corrected NOI lists the name and address of the current lender of your loan. As set forth in the Corrected NOI, the default may be cured on or before the date indicated therein. If you fail to cure the default by the date set forth in the Corrected NOI, the foreclosure lawsuit against you will proceed.

### *Information About the Order to Show Cause and Verified Complaint*

Enclosed with this letter are copies of the Order to Show Cause and verified complaint (without exhibits) and Corrected NOI. The verified complaint lists the following lenders in the following counts of the verified complaint.

Count 1 –                   The Bank of New York Mellon Trust Company, National Association as grantor trustee of the Protium Master Grantor Trust

The attachments/exhibits to the verified complaint, which list the specific foreclosure cases involved, will be available on the New Jersey Court's website at <http://www.judiciary.state.nj.us/>. If you are unsure of the docket number for your foreclosure case, you can access that information on the Court's website by conducting a search of the lists of cases involved. If you do not have access to a computer or have trouble locating the information on the Court's website, you can contact a representative of Plaintiff who can assist you with locating information about your foreclosure case, which number is set forth below.

### *How to File an Objection*

If you wish to object to the issuance of or content of the Corrected NOI or the Order, the Order sets forth that you have until \_\_\_\_\_ in which to object. The Order provides that any objections/opposition shall be made in writing and the original objection/opposition must be filed with the Clerk of the Superior Court:

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 send a copy of your objection/opposition directly to the Judge handling the Order (who is checked below):

The Honorable Margaret Mary McVeigh  
Passaic County Courthouse, Chambers 100  
71 Hamilton Street  
Paterson, New Jersey 07505

The Honorable Paul Innes  
Mercer County Courthouse  
175 S. Broad Street  
Civil Law Post Office Box 8068  
Trenton, New Jersey 08650

And you need to send a copy of the objection/response to our counsel:

Stern & Eisenberg, PC  
1040 N. Kings Highway, Suite 407  
Cherry Hill, New Jersey 08034  
(opposition to Corrected NOI)

Personally appearing at the hearing scheduled in the Order to Show Cause without formally filing an objection as set forth above, will not qualify as an objection. A telephone call will not protect your rights; if you want to file an objection/opposition you must do so in writing and file it with the Court and serve copies on the Judge and Counsel as set forth above, if you want the Court to hear your objection/opposition to the relief that is sought by the servicer and lender.

***Questions about Filing an Objection***

For any questions about the objection procedure you may visit <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).

***Contacting the Servicer about the Notice of Intent***

If you have any questions concerning your loan, please call \_\_\_\_\_ at (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ . Additional contact information is provided in the Corrected NOI.

Sincerely,

Statebridge Company, LLC

Enclosures:

Order to Show Cause

Corrected Notice of Intent to Foreclose

Verified Complaint

# Exhibit B

Proposed Corrected Notice of Intent  
To Foreclosure under the Act

# Exhibit 1

## List of Foreclosure Lawsuits Count One

Business Name (Last Name, First Name)	Date of Birth	County	Place of Birth	Matrimonial Settlement No.	NY JUDICIAL BRANCH	Witness	Witness No.
Ms. Evelyn Jean Wilb	F-090183-12	Ulster	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	4492	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	090804
Ms. Ann Rosemary Joseph C. Borsari	F-12731-09	West	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	2529	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091258
John Anthony J. J. Compagny	F-21050-09	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	4721	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091610
Shirley M. Berman	F-89209-09	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	5513	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091892
Christina Rosewald	F-89129-07	Orange	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	2482	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091803
Usher Hill	F-12135-05	Orange	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	4115	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091827
Kevin J. Gonzalez	F-46838-05	Essex	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	4463	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091893
Isabelle Rosemary Robin Hemmings	F-55981-09	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	5845	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091816
Madeline Oshk	F-53949-09	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	4222	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091818
Richard C. Berg	F-19811-09	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	2911	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091819
Elizabeth C. Berg	F-60230-09	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	5377	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091819
Elizabeth Wilson C. Spillett	F-40532-09	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	5087	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091819
Edward Robinson	F-10331-09	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	4516	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091819
Michael C. Berg	F-10310-10	Essex	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	5425	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091819
John Smith	F-24638-10	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	4828	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091819
Richard Robinson, Yvonne Robinson	F-09282-10	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	4919	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091819
Paul C. Seaman, Dennis J. Seaman	F-09282-10	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	3266	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091819
Gregory J. Seaman	F-09282-10	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	4028	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091819
Eric Goldblatt	F-28981-10	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	2514	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091819
Angela Oshk, Jennifer Oshk	F-09009-11	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	3554	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091819
John Thomas, Margaret C. Hill	F-09009-11	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	3558	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091819
Mark P. Rubin, Patricia	F-09009-11	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	3691	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091819
John Henry, Christopher	F-13511-04	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	4295	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091819
Barbara J. Seaman, Richard J. Seaman	F-00703-12	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	5579	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091819
Richard Harrison	F-43022-05	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	5891	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091819
Ruth Mann	F-11189-09	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	10370	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091819
Robert M. Mann	F-15618-08	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust	11671	24-09-56(111) - Lender Name/Address	Phyllis Becker & Solomon	091819
Christopher Mann	F-09009-11	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust			Phyllis Becker & Solomon	091819
Christy Mann	F-09101-11	Putnam	The Bank of New York Mellon Trust Company, National Association as Trustee of the Fredman Master Trust			Phyllis Becker & Solomon	091819



Borrower Name(s) Last Name, First Name	Country	Eligible Income	Last Four Digits of Student ASES Number	ROI DEFERENCY REASON	Altitude File No.
Khan, Mohammed Sakar, Mustafa	Oman	The Bank of New York Mellon Trust Company, N.A., as Grantor Trustee of the Prudential Master Grantor Trust	4289	2A3D-56(11) - Lender Name/Address	1400.0035
Sahner, Elizabeth	Marine	The Bank of New York Mellon Trust Company, N.A., as Grantor Trustee of the Prudential Master Grantor Trust	5937	2A3D-56(11) - Lender Name/Address	1400.0035
Pulacco, Justin	Passaic	The Bank of New York Mellon Trust Company, N.A., as Grantor Trustee of the Prudential Master Grantor Trust	6314	2A3D-56(11) - Lender Name/Address	1400.0035
Mulla, Michael	Essex	The Bank of New York Mellon Trust Company, N.A., as Grantor Trustee of the Prudential Master Grantor Trust	5948	2A3D-56(11) - Lender Name/Address	1400.0035
Alendary, Jean; Guillaume, Agathe	Essex	The Bank of New York Mellon Trust Company, N.A., as Grantor Trustee of the Prudential Master Grantor Trust	4264	2A3D-56(11) - Lender Name/Address	1400.0035
Castro, Michael	Essex	The Bank of New York Mellon Trust Company, N.A., as Grantor Trustee of the Prudential Master Grantor Trust	4264	2A3D-56(11) - Lender Name/Address	1400.0035
Spaw, Tamara	Oman	The Bank of New York Mellon Trust Company, N.A., as Grantor Trustee of the Prudential Master Grantor Trust	4264	2A3D-56(11) - Lender Name/Address	1400.0035
Ramos, Albert; Ramos, Marie	Essex	The Bank of New York Mellon Trust Company, N.A., as Grantor Trustee of the Prudential Master Grantor Trust	4264	2A3D-56(11) - Lender Name/Address	1400.0035
Vila, Andrew	Marine	The Bank of New York Mellon Trust Company, N.A., as Grantor Trustee of the Prudential Master Grantor Trust	4289	2A3D-56(11) - Lender Name/Address	1400.0035
Carroll/Carroll; Curran, Edwin	Passaic	The Bank of New York Mellon Trust Company, N.A., as Grantor Trustee of the Prudential Master Grantor Trust	5415	2A3D-56(11) - Lender Name/Address	1400.0035

# Exhibit A

## Proposed Form of Explanatory Letter



4600 S. Syracuse Street  
Suite 700  
Denver, Colorado 80237

**Please read this letter and the enclosed documents carefully,  
as they contain important information concerning your rights**

Statebridge Company, LLC is the servicer ("Plaintiff") of your mortgage loan. Our records show that your mortgage is in default and you have breached the terms of the note, mortgage, deed of trust or other security agreement securing your loan more fully described in the enclosed Corrected Notice of Intent to Foreclose.

You were previously sent a Notice of Intent to Foreclose pursuant to the New Jersey Fair Foreclosure Act (the "Act") and a judicial proceeding (a pending foreclosure lawsuit) is pending against you.

***Why You Are Receiving This Letter***

On February 27, 2012, the Supreme Court of New Jersey issued an opinion in the matter of *US Bank N.A. v. Guillaume*, 209 NJ 449 (2012), interpreting the requirements of the Notice of Intent to Foreclose under the Act. On April 4, 2012, the Supreme Court issued a supplemental Order explaining a procedure for the Plaintiff in certain pending foreclosure lawsuits to correct the Notice of Intent. For you, this means that the Notice of Intent to Foreclose previously sent to you may not have complied with all applicable provisions of the Act. Specifically, the Notice of Intent to Foreclose may not have included:

The name and address of the lender (required pursuant to 2A:50-56(c)(11) of the Act)

Plaintiff has obtained an Order to Show Cause dated \_\_\_\_\_ from a Judge of the Superior Court ("the "Order") authorizing Plaintiff to send you a *corrected Notice of Intent to Foreclose* ("*Corrected NOI*"). A copy of the Order and the corrected Notice of Intent to Foreclose are enclosed with this letter. Please read these documents carefully.

***Information About the Corrected Notice of Intent (NOI)***

The corrected Notice of Intent to Foreclose 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 servicer and lender, information about retaining counsel, and borrower assistance. With the passage of time since the foreclosure lawsuit was filed against you, the lender on your loan may have changed from the named Plaintiff in the foreclosure lawsuit. The Corrected NOI lists the name and address of the current lender of your loan. As set forth in the Corrected NOI, the default may be cured on or before the date indicated therein. If you fail to cure the default by the date set forth in the Corrected NOI, the foreclosure lawsuit against you will proceed.

***Information About the Order to Show Cause and Verified Complaint***

Enclosed with this letter are copies of the Order to Show Cause and verified complaint (without exhibits) and Corrected NOI. The verified complaint lists the following lenders in the following counts of the verified complaint.

Count 1 -- The Bank of New York Mellon Trust Company, National Association as grantor trustee of the Protium Master Grantor Trust

The attachments/exhibits to the verified complaint, which list the specific foreclosure cases involved, will be available on the New Jersey Court's website at <http://www.judiciary.state.nj.us/>. If you are unsure of the docket number for your foreclosure case, you can access that information on the Court's website by conducting a search of the lists of cases involved. If you do not have access to a computer or have trouble locating the information on the Court's website, you can contact a representative of Plaintiff who can assist you with locating information about your foreclosure case, which number is set forth below.

***How to File an Objection***

If you wish to object to the issuance of or content of the Corrected NOI or the Order, the Order sets forth that you have until \_\_\_\_\_ in which to object. The Order provides that any objections/opposition shall be made in writing and the original objection/opposition must be filed with the Clerk of the Superior Court:

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 send a copy of your objection/opposition directly to the Judge handling the Order (who is checked below):

The Honorable Margaret Mary McVeigh  
Passaic County Courthouse, Chambers 100  
71 Hamilton Street  
Paterson, New Jersey 07505

The Honorable Paul Innes  
Mercer County Courthouse  
175 S. Broad Street  
Civil Law Post Office Box 8068  
Trenton, New Jersey 08650

And you need to send a copy of the objection/response to our counsel:

Stern & Eisenberg, PC  
1040 N. Kings Highway, Suite 407  
Cherry Hill, New Jersey 08034  
(opposition to Corrected NOI)

Personally appearing at the hearing scheduled in the Order to Show Cause without formally filing an objection as set forth above, will not qualify as an objection. A telephone call will not protect your rights; if you want to file an objection/opposition you must do so in writing and file it with the Court and serve copies on the Judge and Counsel as set forth above, if you want the Court to hear your objection/opposition to the relief that is sought by the servicer and lender.

*Questions about Filing an Objection*

For any questions about the objection procedure you may visit <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).

*Contacting the Servicer about the Notice of Intent*

If you have any questions concerning your loan, please call \_\_\_\_\_ at (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ . Additional contact information is provided in the Corrected NOI.

Sincerely,

Statebridge Company, LLC

Enclosures:

Order to Show Cause

Corrected Notice of Intent to Foreclose

Verified Complaint

## Exhibit B

Proposed Corrected Notice of Intent  
To Foreclosure under the Act



4600 S. Syracuse Street  
Suite 700  
Denver, Colorado 80237

Date

Borrower Name

Borrower Mailing Address

Re: Property: (if different than mailing address also send to property)

Property Address

Mortgagee: Lender Name

Lenders Address:

(insert if different from payment address set forth below)

Loan Number: Loan Number

Firm File Number: Firm File Number

**IMPORTANT: NOTICE OF INTENTION TO FORECLOSE MORTGAGE  
UNDER THE 1995 FAIR FORECLOSURE ACT OF NEW JERSEY (2A:50-56)**

**READ THIS NOTICE CAREFULLY**

Dear Borrower:

The MORTGAGE held by Lender on your property situated at Property Address IS IN SERIOUS DEFAULT BECAUSE YOU HAVE NOT MADE THE MONTHLY INSTALLMENTS AS NOTED BELOW UNDER (A), AND/OR BECAUSE YOU HAVE FAILED TO COMPLY WITH OR PERFORM THE OTHER PROVISIONS OF THE MORTGAGE OBLIGATIONS, IF ANY, AS NOTED BELOW UNDER (D). PREVIOUS LATE CHARGES UNDER (B) AND OTHER CHARGES, IF ANY, UNDER (C) NOTED BELOW, HAVE ALSO ACCRUED TO THIS DATE. THE TOTAL AMOUNT NOW REQUIRED TO CURE THIS DEFAULT, OR IN OTHER WORDS, TO GET CAUGHT UP IN YOUR PAYMENTS AS OF THE DATE OF THIS LETTER, IS Total Due to Reinstale AS NOTED BELOW:

Monthly payments from Date of Default  
through and including current date as follows:

Payments of Amount due on Date of Default through  
and including end date of payments due at same rate  
as date of default payment

in the amount of.....total of monthly payments

If not one monthly payment amount:

Payments of Amount due on start date of next monthly  
payment amount through and including  
end date of next monthly payment amount  
in the amount of.....total of monthly payments  
(repeat for each payment change)

Other charges (explain/itemize):

Late charges:.....Amount  
Fees billed.....Amount  
Other charges (explain).....Amount  
Explanation:  
Less suspense.....Amount

**TOTAL AMOUNT PAST DUE:**.....Total Due

You may cure this default within thirty (30) days from the date of mailing of this letter (30 Day  
deadline to pay) by paying to Lender Short Name the above amount, the Total Amount Past Due –  
Total Due. Such payment must be made by cash, cashier's check, certified check or money order, and  
such payment must be made payable to Lender Short Name and sent to Payment Address. You may  
contact Lender Short Name at Contact Representative Phone Number.

If you do not cure the default within thirty (30) days, we intend to exercise Lender Short Name  
right to terminate your ownership in the property and commence a foreclosure suit in a court of  
competent jurisdiction. If legal proceedings commence, you will be responsible for Lender Short  
Name court costs and reasonable attorney's fees (as provided for in the mortgage and note) in an  
amount not to exceed that amount permitted pursuant to the Rules Governing the Courts of the State of  
New Jersey.

If so provided in your mortgage documents, you may have the right to transfer the subject  
property to another person subject to Lender Short Name security interest and that transferee may  
have the right to cure the default as provided in the 1995 Fair Foreclosure Act of New Jersey (the  
"Act").

If you do not cure the default within thirty (30) days and foreclosure proceedings have begun,  
you, or anyone authorized to act on your behalf, still have the right to cure the default at any time, up  
to entry of final judgment, or the entry by the office of the court of an order of redemption pursuant to  
subsection g of section 11 of this Act.

To cure a default, subsequent to legal proceedings having begun, you must pay to Lender  
Short Name and send to Payment Address.

- (1) all sums which would have been due in the absence of default at the time you make said  
payment;
- (2) perform any other obligation which you would have been bound to perform in the  
absence of default or the exercise of an acceleration clause, if any;

- (3) pay or tender court costs, if any, and attorney's fees in an amount which shall not exceed the amount permitted under the Rules Governing the Courts of the State of New Jersey; and
- (4) pay all contractual late charges as provided for in the note or mortgage.

A cure of the default may be exercised only once every 18 months, provided, however, that this limitation shall not apply if you cure the default within thirty (30) days after the date of mailing of this notice. The 18 month period shall run from the date of the cure and reinstatement.

If you cure the default, the mortgage will be restored to the same position as if no default had occurred. It nullifies, as of the date of the cure, any acceleration of any obligation under the mortgage, note or bond arising from the default.

You are advised to seek counsel from an attorney of your choice concerning your mortgage default situation. If you are unable to obtain an attorney, you may communicate with the New Jersey Bar Association or Lawyer Referral Service at County Lawyer Referral Number. If you are unable to afford an attorney, you may communicate with the Legal Services Office at County Legal Services Number. There may be financial assistance available for curing the default from a program operated by the State or Federal Government or non-profit organization. You may contact the Commissioner of Banking at 20 W. State Street, CN 040, Trenton, New Jersey 08625, phone number (609) 292-7272 to obtain a list of such programs, including:

New Jersey Home Ownership Preservation Foundation:	1-888-995-HOPE ( <a href="http://www.995hope.org">www.995hope.org</a> )
New Jersey Housing and Mortgage Finance Agency:	1-800-NJ-HOUSE
New Jersey Housing Resource Center (NJHRC)	1-877-428-8844

A list of programs is also attached.

If you disagree with the assertion that a default has occurred or if you disagree with the calculations above required to cure the default, you may contact Lender Short Name at Contact Representative Phone Number.

Sincerely,

---

On Behalf of Lender

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Address correction requested

*Also sent first class mail, postage pre-paid*

Address correction requested

**THIS IS AN ACTION TO ATTEMPT  
TO COLLECT A DEBT. ANY INFORMATION  
PROVIDED BY YOU MAY BE USED FOR THAT PURPOSE.**

NOTICE PURSUANT TO THE  
FAIR DEBT COLLECTION PRACTICES ACT

**THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE.**

Pursuant to the Fair Debt Collections Practices Act, you may dispute the validity of the debt or any portion thereof. If you do so in writing within thirty (30) days of receipt of this letter, this firm will obtain and provide you with written verification thereof; otherwise, the debt will be assumed to be valid. Likewise, if requested within thirty (30) days of receipt of this letter, this firm will send you the name and address of the original creditor if different from above. Notwithstanding the above, we reserve the right to continue to pursue our clients rights as may be allowed under applicable law.

IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE ENCLOSED LETTER/NOTICE IS FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE CONSIDERED AS AN ATTEMPT TO COLLECT A DEBT. IF YOU HAVE RECEIVED A DISCHARGE IN BANKRUPTCY (AFTER ENTERING INTO THE RELEVANT MORTGAGE NOTE AND MORTGAGE AND HAVE NOT REAFFIRMED THE DEBT) THEN THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED AS AN ATTEMPT TO COLLECT A DEBT, BUT SOLELY AS PART OF THE ENFORCEMENT OF THE MORTGAGE/LIEN AGAINST REAL PROPERTY.

NEW JERSEY AGENCY LISTING Fair Foreclosure Act Notice of Intention to Foreclose - List of Entities Providing Assistance. The following is a list of governmental and non-profit entities that may provide financial assistance or counseling to borrowers in foreclosure.		
American Credit Alliance, Inc. 26 S. Warren St. Trenton, NJ 08608 609-393-5400	Atlantic Human Resources, Inc. 1 S. New York Ave. Atlantic City, NJ 08401 609-348-4131	Consumer Credit Counseling Service of Central New Jersey 1931 Nottingham Way Hamilton, NJ 08619 609-586-2574
Consumer Credit Counseling Service of New Jersey 185 Ridgedale Ave. Cedar Knolls, NJ 07927-1812 973-267-4324	Fair Housing Council of Northern New Jersey 131 Main St Hackensack, NJ 07601 201-489-3552	Garden State Consumer Credit Counseling, Inc. 225 Willowbrook Road Freehold, NJ 07728 1-800-992-4557
Jersey Counseling & Housing Development, Inc. 29 S. Blackhorse Pike Blackwood, NJ 08012 856-227-3683	Jersey Counseling & Housing Development, Inc. 1840 S. Broadway Camden, NJ 08104 856-541-1000	Mercer County Hispanic Association 200 E. State St., 2nd Floor Trenton, NJ 08607 609-392-2446
Middlesex County Economic Opportunities Corporation 1215 Livingston Ave. North Brunswick, NJ 08902 732-790-3344	Monmouth County Human Services Housing Services Unit P.O. Box 3000 Freehold, NJ 07728 732-431-7998	NJ Citizen Action (main office/financial education center) 744 Broad St., Suite 2080 Newark, NJ 07102 973-643-8800 1-800-NJ-OWNER (loan counseling) 1-888-TAXES-11 (free tax preparation assistance)
NJ Citizen Action (Central Jersey) 85 Raritan Ave., Suite 106 Highland Park, NJ 08904 732-246-4772	NJ Citizen Action (South Jersey) 2 Riverside Drive, Suite 362 Camden, NJ 08103 856-966-3091	Ocean Community Economic Action Now, Inc. 22 Hyers St Toms River, NJ 08753-0773 732-244-2351, ext. 2
Paterson Coalition for Housing, Inc. 262 Main St., 5th Floor Paterson, NJ 07505 973-684-5998	Paterson Task Force for Community Action, Inc. 155 Ellison St. Paterson, NJ 07505 973-279-2333	Puerto Rican Action Board Housing Coalition Unit 90 Jersey Ave. New Brunswick, NJ 08903 732-249-9700
Tri-County Community Action Agency, Inc. 110 Coharney St. Bridgeton, NJ 08302 856-451-6330	Urban League for Bergen County 106 W. Palisade Ave. Englewood, NJ 07631 201-568-4988	Urban League for Essex County 508 Central Ave. Newark, NJ 07101 973-624-9535
Urban League of Union County 288 N. Broad St. Elizabeth, NJ 07208 908-351-7200	Homelessness Prevention Program New Jersey Department of Community Affairs (866) 889-6270*	

\*Basic eligibility is limited to: (a) single family owner/occupied dwellings with all those on the deed and mortgage occupying the house; (b) no more than one mortgage or lien encumbrance on the property; (c) no initiated or ongoing bankruptcy. Assistance will be in the form of a loan, and a lien will be placed on the property. The family must document the financial reason for nonpayment. At the time of the eligibility decision, the household must have and document income sufficient to support the household and repay the loan. There is a fee for the credit check and property search.

STEVEN K. EISENBERG, ESQUIRE  
KEVIN P. DISKIN, ESQUIRE  
JACQUELINE F. McNALLY, ESQUIRE  
DAVID M. LAMBROPOULOS, ESQUIRE  
STERN & EISENBERG, PC  
1040 N. KINGS HIGHWAY, SUITE 407  
CHERRY HILL, NJ 08034  
TELEPHONE: (609) 397-9200  
(COUNSEL FOR PLAINTIFF)

IN RE APPLICATION OF

STATEBRIDGE COMPANY, LLC ON BEHALF OF THE  
BANK OF NEW YORK MELLON TRUST COMPANY,  
NATIONAL ASSOCIATION AS GRANTOR TRUSTEE OF  
THE PROTIUM MASTER GRANTOR TRUST  
TO ISSUE CORRECTED NOTICES OF INTENT TO  
FORECLOSE ON BEHALF OF IDENTIFIED  
FORECLOSURE PLAINTIFFS IN UNCONTESTED  
CASES

**IN THE SUPERIOR COURT OF  
NEW JERSEY  
CHANCERY DIVISION  
PASSAIC COUNTY**

**CIVIL ACTION**

Case Number: F-29140-12

***CERTIFICATE OF SERVICE***

I, the undersigned, hereby certify that on the date set forth below, I have caused the original and two (2) copies of the following documents to be e-filed:

1. Amended Complaint (with exhibits)
2. Exhibit(s) – Certification with list of Foreclosure Cases each Count
3. Letter Brief in Support of Application
4. This Certificate of Service

Copies of the above documents have also been served on the following persons via courier/hand-delivery:

The Honorable Margaret Mary McVeigh  
Passaic County Courthouse, Chambers 100  
71 Hamilton Street  
Paterson, New Jersey 07505

I hereby certify that the foregoing statements made by me are true to the best of my knowledge, information and belief and I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date: 1/10/13

James J. Morley

VERIFICATION OF COMPLAINT

STATE OF Colorado :

COUNTY OF Denver :

I, David McDonnell, being duly sworn states:

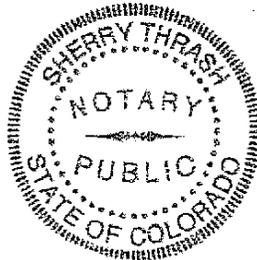
1. I am Managing Director (title) for Servicer, the Plaintiff is the forgoing verified complaint.
2. The allegations in the verified complaint are true and correct to the best of my knowledge and belief.
3. The Exhibits attached hereto to the Verified Complaint are true and correct.



Sworn and subscribed before me  
this 27 day of November 2012

Sherry Thrash  
notary public

Expires: 9/10/2013

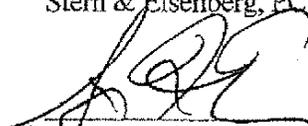


CERTIFICATION

Other than the Foreclosure Actions brought by the identified Foreclosure Plaintiffs in the Counts to the Complaint, pursuant to Rule 4:5-1, it is hereby stated that the matter in controversy is not the subject of any other action pending in any other Court or of a pending arbitration proceeding to the best of my knowledge and belief. Also, to the best of my knowledge and belief, no other action or arbitration proceeding is contemplated. Further, other than the parties set forth in this pleading and the previous pleadings, if any, at the present time we know of no other parties that should be joined under Rule(s) 4:28 or 4:29 in the within action.

Stern & Eisenberg, PC

By:

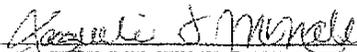
  
\_\_\_\_\_  
Steven K. Eisenberg, Esquire

CERTIFICATION

Pursuant to Rule 4:64-1(a), it is hereby stated that the Plaintiff did not obtain a title search in connect with the filing of this Complaint.

STERN & EISENBERG, PC

BY:

  
 STEVEN K. EISENBERG, ESQUIRE  
 JACQUELINE F. MCNALLY, ESQUIRE  
 KEVIN P. DISKIN, ESQUIRE  
 DAVID M. LAMBROPOULOS, ESQUIRE  
 LEN M. GARZA, ESQUIRE  
 STACEY WEISBLATT, ESQUIRE  
 OLIVER AYON, ESQUIRE  
Attorney for Plaintiff

DATED: 10/01/18