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**IN RE NOTICES OF INTENTION TO  
FORECLOSE SENT BY GREEN TREE  
SERVICING LLC**

:  
: **SUPERIOR COURT OF NEW JERSEY**  
: **CHANCERY DIVISION**  
: **PASSAIC COUNTY**  
:  
: **CIVIL ACTION**  
:  
: **VERIFIED COMPLAINT**  
:

Plaintiff, **GREEN TREE SERVICING LLC** (the “Plaintiff,” “Lender” “Servicer” or “Green Tree”), by and through counsel, Pluese, Becker & Saltzman, LLC, Rob Saltzman, Esquire, appearing, 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, N.A. v. Guillaume, 209 N.J. 449 (2012), (“Guillaume”), respectfully states as follows:

1. Green Tree services mortgage loans encumbering residential properties (the “Mortgaged Properties”) in New Jersey.

2. When Green Tree is the Servicer of a loan (the “Loan”), it undertakes payment collection/application, loss mitigation (modifications, short sales, deeds in lieu of foreclosure or other consensual resolutions) and collection efforts, including institution and prosecution, via local counsel, of foreclosure actions (the “Foreclosures”) pending in the Superior Court of New Jersey. As the entity collecting and processing payments for the Lender, the Servicer has the information regarding to the payments received and applied, escrow deposits/disbursements, amounts due,

whether a loan is in default and, if so, the constituent components of such delinquency. This information (the "Loan Records") is maintained in the Servicer's systems in the regular course of their business. The Lender is not likely to have possession of the relevant servicing information, as was recognized by the Supreme Court in June 2011 revisions to Court Rules 4:64-1 and 4:64-2. The Servicer makes this application to the Court pursuant to their authority as the Servicing Agent of the Lender/Plaintiff in pending Foreclosures.

3. Among the duties of a Servicer, and specifically the Servicer herein, when a residential mortgage encumbering a New Jersey property becomes in default is to prepare and serve the Notice of Intent to Foreclose (the "NOI") as required by the Fair Foreclosure Act of 1995 (the "FFA"), N.J.S.A. 2A:50-56, et seq. The NOI is prepared based on the Servicer's Loan Records and includes, among other information, the amount due or other performance that is required to cure the delinquency/default and reinstate the Loan, and the date by which such cure and reinstatement must occur.

4. The Plaintiff/Lender and their Servicer herein have identified a number of Foreclosures wherein the NOI was substantially, but not strictly, compliant with the Fair Foreclosure Act. Attached hereto is a list (the "Remediated NOI List") of Foreclosures in which the Plaintiff/Lender and their Servicer respectfully request remediation in the form of leave to serve remediated NOIs (the "Remediated NOIs") upon the Residential Mortgage Debtor(s) who are defendants in the Foreclosures. See Exhibit "A," Remediated NOI List.

5. On February 27, 2012, the New Jersey Supreme Court published their Opinion in Guillaume holding that a Court adjudicating a foreclosure action in which the NOI was not strictly

compliant with the notice provisions of the Fair Foreclosure Act has the discretion to determine the appropriate remedy, including allowing remediation of a noncompliant NOI by granting leave to serve a Remediated NOI.

6. Following its decision in Guillaume, the New Jersey Supreme 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 such as this (the “OTSC”) as to why Plaintiffs in any uncontested residential mortgage foreclosure actions filed on or before April 27, 2012 and in which Final Judgment has not been entered, who caused NOIs to be served that are not strictly compliant with the NOI provisions of the Fair Foreclosure Act, should not be allowed to serve Remediated NOIs on defendants/mortgagors and/or parties obligated on the debt (the “Foreclosure Defendants”) as described by the Loan documents and defined by the Fair Foreclosure Act.

7. The April 4<sup>th</sup> Order further provides that any Remediated NOI must be accompanied by a letter to the Foreclosure Defendants (the “Explanatory Letter”) containing the reasons why the Remediated NOI is being served, the procedure to follow in the event a Foreclosure Defendant wishes to object to the relief requested via this OTSC or a particular Remediated NOI, the name of a person to contact with any questions, and that the receipt of the Remediated NOI allows Foreclosure Defendants 30 days in which to object or to cure the default.

8. The Servicer herein reviewed their pending Foreclosures with local counsel to identify those Foreclosures in which a Remediated NOI is appropriate because the Lender and/or

the Lender's address were not included in the previously served NOIs, or such NOIs were otherwise not strictly compliant with the Fair Foreclosure Act as recently interpreted. The Remediated NOI List describes the Foreclosures and indicates whether prosecution thereof is enjoined by operation of the Automatic Stay in any bankruptcy proceedings and other available information.

9. Specifically, the Remediated NOI List includes the following:
  - a. Foreclosures that were initiated on or before February 27, 2012 and which Green Tree is servicing the Loans,
  - b. in which Final Judgment has not been entered, and
  - c. regarding which leave is sought to serve a Remediated NOI.

10. The Remediated NOI List contains information required by the Court, i.e., (1) the abbreviated Caption of the Foreclosure, (2) the Foreclosure Docket Number, (3) the Vicinage, and (4) the nature of deviation from strict compliance, as well as other available and potentially relevant information. Although Green Tree is not the Plaintiff in each of the Foreclosure, it is the Servicer of each subject Loan, maintains the Loan Records for each such Loan, and is responsible for mailing the Remediated NOI pursuant to the relevant contracts with the Plaintiff/Lender.

11. Pursuant to the April 4th Order, attached as Exhibit "B" to the Verified Complaint is the proposed form the Explanatory Letter (the "Explanatory Letter Template") that Green Tree intends to send to each Foreclosure Defendant. As instructed by the Supreme Court in the April 4th Order, the proposed form of Explanatory Letter contains the following explanations:

- a. the reason why the Remediated NOI is being served;
- b. the procedure to follow in the event a Foreclosure Defendant wishes to object to the relief requested via this OTSC and/or a particular Remediated NOI;
- c. the individual(s) a Foreclosure Defendant should contact with any questions;
- d. that the Foreclosure Defendant has the right to object to the Remediated NOI as well as the right to cure the default within 30 days of the date of the Remediated NOI; and
- e. that the Remediated NOIs will exclude attorneys' fees and costs incurred in the pending Foreclosures from the calculation of the amount due to cure the default.

12. Attached as Exhibit "C" to the Verified Complaint is the proposed form of Remediated NOI (the "Remediated NOI Template") that Green Tree will send to each of the Foreclosure Defendants identified on the Remediated NOI List. Each Foreclosure Defendant will be served with a Remediated NOI in the form of the Remediated NOI Template that includes, *inter alia*, the information specific to their mortgage Loan derived from the Loan Records, their default, the Lender/Holder's name and address and the amount due or other performance required to cure their default, as described in the Order To Show Cause, without attorneys' fees or costs incurred in the pending Foreclosures.

13. To promote economy, avoid waste, and to afford Foreclosure Defendants the earliest opportunity to cure their defaults by providing the amount due before more monthly payments and other charges accrue, Green Tree will send to each of the Foreclosure Defendants

identified on the Remediated NOI List a complete package (the “OTSC Package”) consisting of this Verified Complaint, a conformed copy of this OTSC if/when entered, supporting Certification and Letter Memorandum, Explanatory Letter in the form of the Explanatory Letter Template and Remediated NOI in the form of the Remediated NOI Template and containing substantive information pertaining to the subject Loan in each Foreclosure. See Exhibit “D,” sample OTSC Package.

14. Service of the Verified Complaint, OTSC, Explanatory Letter and Remediated NOI as a complete OTSC Package may be inconsistent with certain provisions contained in the Explanatory Letter, created by the Court before conception of the single mailing procedure (the “Single Mailing Procedure”) authorized by the Court in In re Notices of Intention to Foreclose Served by MidFirst Bank, Docket No. F-12399-12. To the extent that such an inconsistency exists in this regard only, GREEN TREE requests that the provisions of the Pleadings herein shall be deemed to amend and supersede the Explanatory Letter.

15. Green Tree respectfully submits that the Single Mailing Procedure accomplishes the salutary purposes of applicable authorities while avoiding the expense and delay of a duplicate mailing to all Foreclosure Defendants if/when a Final Order/Judgment is entered herein. In the alternative, if the Court is not inclined to the foregoing, then Green Tree requests leave to send the OTSC Package and/or Remediated NOI as otherwise directed by the Court.

16. a. That this Court schedule a Hearing (the “Hearing”) in 60-90 days to consider the relief requested hereby and any Objections tendered in compliance with the terms of

the Order to Show Cause; and

b. That this Court determine and find that NOIs in the form of the Remediated NOI Template that contain accurate substantive information regarding the subject Loan from the subject Loan Records are fully compliant with the Fair Foreclosure Act; and

c. That Green Tree may send to each Foreclosure Defendant an OTSC Package consisting of this Verified Complaint, supporting Certification and Brief, conformed copy of the Order to Show Cause, Explanatory Letter (as amended/superseded by the Pleadings herein) and Remediated NOI without attorneys' fees or costs incurred in the Foreclosure; and

d. That the Final Order/Judgment entered herein need be served only upon any Parties who appeared and any Foreclosure Defendant to whom was not previously sent a Remediated NOI by the Hearing date; and

e. Requiring that Green Tree mail another OTSC Package or Remediated NOI only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein; and

f. Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and

g. Such other or further relief the Courts deems equitable and just.

### **COUNT I: Green Tree**

17. The Servicer hereby incorporates by reference paragraphs 1 through 16 as if set forth herein.

18. Green Tree is servicing forty three (43) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

19. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosures actions including those in which the entity identified in this Count is the plaintiff and The Servicer requests relief from this Court to issue an Order to Show Cause consistent with the Supreme Court's April 4, 2012 Order.

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Green Tree is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to

the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;

- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT II: Bank of New York as Trustee for the Certificate Holders CWABS,  
Inc. Asset-backed Certificates, Series 2004-6**

20. The Servicer hereby incorporates by reference paragraphs 1 through 19 as if set forth herein.

21. Green Tree is servicing five (5) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

22. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential

foreclosure actions including the five (5) foreclosures in which the entity identified in this Court is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Bank of New York as Trustee for the Certificate Holders CWABS, Inc. Asset-backed Certificates, Series 2004-6 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in

the OTSC;

- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT III: Bank of New York as Trustee for the Certificate Holders CWABS, Inc.  
Asset-backed Certificates, Series 2004-12**

24. Plaintiff hereby incorporates by reference paragraphs 1 through 23 as if set forth herein.

25. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

26. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Bank of New York as Trustee for the Certificate Holders CWABS, Inc. Asset-backed Certificates, Series 2004-12 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure describe herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;

- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT IV: Bank of New York as Trustee for the Certificate Holders CWABS,  
Inc. Asset-backed Certificates, Series 2005-4**

- 28. Plaintiff hereby incorporates by reference paragraphs 1 through 27 as if set forth herein.
- 29. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.
- 30. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.
- 31. Green Tree respectfully requests this Court to issue an Order to Show Cause consistent with the Supreme Court's April 4, 2012 Order.

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;

- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Bank of New York as Trustee for the Certificate Holders CWABS, Inc. Asset-backed Certificates, Series 2005-4 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins

such action; and

(g) Such other or further relief the Courts deems equitable and just.

**COUNT V: Bank of New York as Trustee for the Benefit of The Certificate Holders CWABS, 2005-01**

32. Plaintiff hereby incorporates by reference paragraphs 1 through 31 as if set forth herein.

33. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

34. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI

Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Bank of New York as Trustee for the Benefit of The Certificate Holders CWABS, 2005-01 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT VI: The Bank of New York Mellon fka The Bank of New York as  
Trustee for the Certificate holders, CWABS, Inc., Asset-Backed Certificates,  
Series 2007-BC2**

36. The Servicer hereby incorporates by reference paragraphs 1 through 35 as if set forth herein.

37. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

38. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage

without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificate holders, CWABS, Inc., Asset-Backed Certificates, Series 2007-BC2 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT VII: The Bank of New York Mellon fka The Bank of New York as  
Trustee for the Certificate Holders of CWABS 2005-6**

40. The Servicer hereby incorporates by reference paragraphs 1 through 39 as if set forth herein.

41. Green Tree is servicing two (2) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

42. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the two (2) foreclosures in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the

Foreclosures identified in the Remediated NOI List wherein The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificate Holders of CWABS 2005-6 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT VIII: The Bank of New York as Trustee for the Certificate holders  
CWABS, Inc. Asset-Backed Certificates, Series 2006-6**

44. The Servicer hereby incorporates by reference paragraphs 1 through 43 as if set forth herein.

45. Green Tree is servicing two (2) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

46. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the two (2) foreclosures in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the

Foreclosures identified in the Remediated NOI List wherein The Bank of New York as Trustee for the Certificate Holders CWABS, Inc. Asset-backed Certificates, Series 2006-6 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT IX: Citibank, N.A. as Trustee for the Certificate holders of Structured  
Asset Mortgage Investments II Inc., Bear Sterns ALT-A Trust, Mortgage  
Pass-Through Certificates Series 2007-3**

48. The Servicer hereby incorporates by reference paragraphs 1 through 47 as if set forth herein.

49. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

50. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the

Foreclosures identified in the Remediated NOI List wherein Citibank, N.A. as Trustee for the Certificate holders of Structured Asset Mortgage Investments II Inc., Bear Sterns ALT-A Trust, Mortgage Pass-Through Certificates Series 2007-3 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT X: U.S. Bank, National Association as Trustee for SerVertis Fund I  
Trust 2011-1 Grantor Trust Certificates, Series 2011-1**

52. The Servicer hereby incorporates by reference paragraphs 1 through 51 as if set forth herein.

53. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

54. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the

Foreclosures identified in the Remediated NOI List wherein U.S. Bank, National Association as Trustee for SerVertis Fund I Trust 2011-1 Grantor Trust Certificates, Series 2011-1 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XI: Deutsche Bank Trust Company America as Trustee**

56. The Servicer hereby incorporates by reference paragraphs 1 through 55 as if set forth herein.

57. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated

upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

58. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Court is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Deutsche Bank Trust Company America as Trustee is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;

- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XII: Wells Fargo Bank, N.A. as Trustee for BSSP Trust Series 2007-EMX1**

60. The Servicer hereby incorporates by reference paragraphs 1 through 59 as if set forth herein.

61. Green Tree services five (5) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

62. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the five (5) foreclosures in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Wells Fargo Bank, N.A. as Trustee for BSSP Trust Series 2007-EMXI is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was

not mailed by the date of entry of the Final Order/Judgment herein;

(f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and

(g) Such other or further relief the Courts deems equitable and just.

### **COUNT XIII: Southstar II, LLC**

64. The Servicer hereby incorporates by reference paragraphs 1 through 63 as if set forth herein.

65. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

66. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

(a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the

Fair Foreclosure Act;

- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Southstar II, LLC is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins

such action; and

(g) Such other or further relief the Courts deems equitable and just.

**COUNT XIV: U.S. Bank, National Association, as Trustee on behalf of GMACM Mortgage Loan Trust 2010-2 Mortgage Pass-Through Certificate Series 2010-2**

68. The Servicer hereby incorporates by reference paragraphs 1 through 67 as if set forth herein.

69. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

70. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI

Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein U.S. Bank, National Association, as Trustee on behalf of GMACM Mortgage Loan Trust 2010-2 Mortgage Pass-Through Certificate Series 2010-2 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XV: U.S. Bank, National Association as Trustee for SerVertis REO Pass Through Trust I**

72. The Servicer hereby incorporates by reference paragraphs 1 through 71 as if set forth herein.

73. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

74. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the

Foreclosures identified in the Remediated NOI List wherein U.S. Bank, National Association as Trustee for SerVertis REO Pass Through Trust I is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XVI: U.S. Bank, N.A. as Trustee on behalf of SASCO Mortgage Loan Trust 2007-RNP1**

76. The Servicer hereby incorporates by reference paragraphs 1 through 75 as if set forth herein.

77. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated

upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

78. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein U.S. Bank, N.A. as Trustee on behalf of SASCO Mortgage Loan Trust 2007-RNP1 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;

- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XVII: Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2004-05**

80. The Servicer hereby incorporates by reference paragraphs 1 through 79 as if set forth herein.

81. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

82. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

83. Green Tree respectfully requests this Court to issue an Order to Show Cause

consistent with the Supreme Court's April 4, 2012 Order.

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2004-05 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was

not mailed by the date of entry of the Final Order/Judgment herein;

(f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and

(g) Such other or further relief the Courts deems equitable and just.

**COUNT XVIII: Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2005-13**

84. The Servicer hereby incorporates by reference paragraphs 1 through 83 as if set forth herein.

85. Green Tree is servicing two (2) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

86. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the two (2) foreclosures in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

(a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the

Fair Foreclosure Act;

- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2005-13 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by

sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and

(g) Such other or further relief the Courts deems equitable and just.

**COUNT XIX: The Bank of New York, as Trustee on behalf of the Certificate Holders of CWABS. Inc., Asset Backed Certificates, series 2004-13**

88. The Servicer hereby incorporates by reference paragraphs 1 through 87 as if set forth herein.

89. Green Tree is servicing one (1) loan in that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

90. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and

Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein The Bank of New York, as Trustee on behalf of the Certificate Holders of CWABS. Inc., Asset Backed Certificates, series 2004-13 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XX: The Bank of New York Mellon fka The Bank of New York, as Trustee for the Certificate Holders CWABS, Inc., Asset- Backed Certificates, Series 2005-11**

92. The Servicer hereby incorporates by reference paragraphs 1 through 91 as if set forth herein.

93. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

94. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the

Foreclosures identified in the Remediated NOI List wherein The Bank of New York Mellon fka The Bank of New York, as Trustee for the Certificate Holders CWABS, Inc., Asset- Backed Certificates, Series 2005-11 is The Servicer ;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XXI: The Bank of New York Mellon f/k/a The Bank of New York, as trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2006-6**

96. Plaintiff hereby incorporates by reference paragraphs 1 through 95 as if set forth herein.

97. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

98. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the

Foreclosures identified in the Remediated NOI List wherein The Bank of New York Mellon f/k/a The Bank of New York, as trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2006-6 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XXII: The Bank of New York as Trustee for the Certificate Holders  
CWABS, Inc., Asset-Backed Certificates, Series 2006-5**

100. The Servicer hereby incorporates by reference paragraphs 1 through 99 as if set forth herein.

101. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated

upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

102. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Court is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein The Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2006-5 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing

Procedure described herein;

- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XXIII: The Bank of New York, as Trustee for the Benefit of the Certificateholders, CWABS, Inc., Asset-Backed Certificates, Series 2007-BC3**

104. The Servicer hereby incorporates by reference paragraphs 1 through 103 as if set forth herein.

105. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

106. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is

the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein The Bank of New York, as Trustee for the Benefit of the Certificateholders, CWABS, Inc., Asset-Backed Certificates, Series 2007-BC3 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;

- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XXIV: The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2006-19**

108. The Servicer hereby incorporates by reference paragraphs 1 through 107 as if set forth herein.

109. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

110. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2006-19 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure

Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and

(g) Such other or further relief the Courts deems equitable and just.

**COUNT XXV: The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2005-4**

112. The Servicer hereby incorporates by reference paragraphs 1 through 111 as if set forth herein.

113. Green Tree is servicing two (2) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

114. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the two (2) foreclosures in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

(a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;

- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2005-4 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins

such action; and

(g) Such other or further relief the Courts deems equitable and just.

**COUNT XXVI: The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2005-14**

116. The Servicer hereby incorporates by reference paragraphs 1 through 115 as if set forth herein.

117. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

118. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI

Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2005-14 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XXVII: BAC Home Loans Servicing LP / Bank of America, N.A.**

120. The Servicer hereby incorporates by reference paragraphs 1 through 119 as if set forth herein.

121. Green Tree is servicing one (1) loan that is the subject of a Foreclosure predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

122. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the

Foreclosures identified in the Remediated NOI List wherein BAC Home Loans Servicing LP / Bank of America, N.A. is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XXVIII: BAC Home Loans Servicing LP**

124. The Servicer hereby incorporates by reference paragraphs 1 through 123 as if set forth herein.

125. Green Tree is servicing five (5) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the

Remediated NOI List.

126. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the five (5) foreclosures in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein BAC Home Loans Servicing LP is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;

- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XXIX: BAC Home Loans Servicing LP, FKA Countrywide Home Loans Servicing LP**

128. The Servicer hereby incorporates by reference paragraphs 1 through 127 as if set forth herein.

129. Green Tree is servicing three (3) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

130. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the three (3) foreclosures in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein BAC Home Loans Servicing LP, FKA Countrywide Home Loans Servicing LP is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final

Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;

- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XXX: Bank of America, N.A.**

132. The Servicer hereby incorporates by reference paragraphs 1 through 131 as if set forth herein.

133. Green Tree is servicing six (6) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

134. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the six (6) foreclosures in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate

information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;

- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Bank of America, N.A. is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by

sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and

(g) Such other or further relief the Courts deems equitable and just.

**COUNT XXXI: Countrywide Home Loans Servicing LP**

136. The Servicer hereby incorporates by reference paragraphs 1 through 135 as if set forth herein.

137. Green Tree is servicing two (2) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

138. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the two (2) foreclosures in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

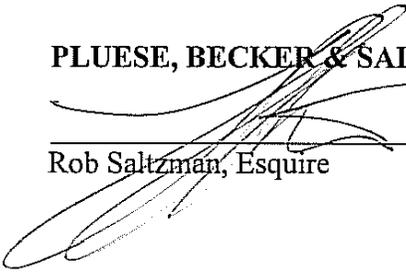
- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and

Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Countrywide Home Loans Servicing LP is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**WHEREFORE**, Plaintiff respectfully requests that this Court enter an Order permitting Green Tree to concurrently serve the Verified Complaint, Order to Show Cause, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated NOI upon all Foreclosure Defendants indentified in the annexed Remediated NOI List. Green Tree requests that any Foreclosure may proceed if it is demonstrated that the default was not cured within 35 days from the date of such Remediated NOI, and for such other and further relief as this Court deems just and equitable.

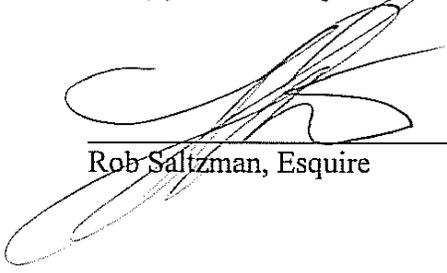
**PLUESE, BECKER & SALTZMAN, LLC**

  
\_\_\_\_\_  
Rob Saltzman, Esquire

Dated: 4/17/13

#### **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 Remediated 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.

  
\_\_\_\_\_  
Rob Saltzman, Esquire

Dated: 4/17/13

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.

Dated:

\_\_\_\_\_  
Rob Saltzman, Esquire

**VERIFICATION**

I, David Peters, of full age certify as follows:

1. I am a Vice President of Green Tree Servicing LLC.
2. I have read the contents of the Verified Complaint and verify that 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.

  
\_\_\_\_\_  
David Peters

Dated: April 15, 2013

**PLUESE, BECKER & SALTZMAN, LLC**  
Attorneys At Law  
20000 Horizon Way, Suite 900  
Mount Laurel, NJ 08054-4318  
(856) 813-1700  
Attorneys for Plaintiff

**IN RE NOTICES OF INTENTION TO  
FORECLOSE SENT BY GREEN TREE  
SERVICING LLC**

**SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
PASSAIC COUNTY  
DOCKET NO. F-**

**CIVIL ACTION**

**ORDER TO SHOW CAUSE  
SUMMARY PROCEEDING  
PURSUANT TO R. 4:67-2**

**THIS MATTER** being brought before the Court by **GREEN TREE SERVICING LLC** (“the Servicer” or “Green Tree”), in pending foreclosure cases (“the Foreclosures”), by and through counsel, Pluese, Becker & Saltzman, LLC, Rob Saltzman, Esquire, appearing, pursuant to the April 4, 2012 Order of the New Jersey Supreme Court (the “April 4<sup>th</sup> Order”) and based upon the facts and circumstances described in the Verified Complaint filed herewith and incorporated herein by reference, including defined terms; and the Court having determined that this matter is appropriately commenced by Order To Show Cause as a summary proceeding pursuant to R. 4:67-2, and for good cause shown:

**IT IS** on this \_\_\_\_\_ day of \_\_\_\_\_, 2013,

**ORDERED** that Foreclosure Defendants identified in Exhibit “A” of the Verified Complaint (the “Remediated NOI List”) appear and show cause on the \_\_\_\_\_ day of \_\_\_\_\_, 2013 before the Honorable Margaret Mary McVeigh, P.J.Ch., Superior Court, Passaic County, Chancery Division, at 71 Hamilton Street, Paterson, NJ 07505 at \_\_\_\_\_ o’clock (the “Hearing”), why a Final Order/Judgment should not be entered as follows:

- A. Declaring the Servicer's Remediated NOIs in the form of the Remediated NOI Template that contain accurate information regarding each subject Loan derived from the Servicer's Loan Records to be compliant with the requirements of the Fair Foreclosure Act; and
- B. Allowing the Servicer to send Remediated Notices of Intention to Foreclose (the "Remediated NOI"), affording Foreclosure Defendants at least thirty (30) days from the date the Remediated NOI is mailed to cure the default on their Mortgage without attorneys' fees or costs incurred in the pending Foreclosure; and
- C. Allowing Foreclosures to proceed where more than 35 days have passed since a Remediated Notice of Default was sent to a Foreclosure Defendant without the default at issue having been cured; and
- D. Granting such other relief as the Court deems equitable and just.

**IT IS FURTHER ORDERED** that:

1. Plaintiff shall serve upon each Foreclosure Defendant a complete package (the "OTSC Package") consisting of a conformed copy of this Order To Show Cause, Verified Complaint without Exhibits, Supporting Certification, Letter Memorandum, Explanatory Letter and Remediated NOI.
2. Service of the OTSC Package shall be effectuated by simultaneous certified mail, return receipt requested, and regular mail to the subject Mortgaged Property's address and the

Foreclosure Defendant's last known address if different.

3. A copy of this Order To Show Cause and Verified Complaint shall be posted on the Judiciary's Web Page at <http://www.judiciary.state.nj.us>.
  
4. Regarding any Foreclosure Defendant involved in a Bankruptcy case wherein the Automatic Stay enjoins prosecution of the Foreclosure,
  - a. The Servicer may serve a copy of this Order to Show Cause and Verified Complaint, but may defer serving a Remediated NOI if it believes that doing so may violate the Automatic Stay.
  - b. If the Court grants final relief on the return date of this Order To Show Cause and the Servicer has not already sent a Remediated NOI, then the Servicer may send the Remediated NOI once the Automatic Stay is vacated, modified or otherwise inapplicable. In the alternative, Plaintiff may apply to the United States Bankruptcy Court for relief from the Automatic Stay to effectuate service of the Remediated NOI pursuant to this Order.
  - c. In the event that the Servicer does not serve a Remediated NOI with this Order To Show Cause, Plaintiff's Foreclosure action may not proceed until such Remediated NOI is served pursuant to this Court's Order and the time provided therein to cure the default has passed without the default having been cured.
  - d. If the Servicer believes that service of this Order To Show Cause may be a violation of the Automatic Stay, then once the Stay is vacated, modified or

otherwise no longer enjoins service of a Remediated NOI, then the Servicer may send an OTSC Package to the Foreclosure Defendant(s) and the Foreclosure(s) may proceed where more than 35 days have passed after such OTSC Package was sent without the default having been cured. Plaintiff shall not be required to file another Order To Show Cause to Remediate NOIs at issue in Foreclosures subject to the Automatic Stay.

5. Plaintiff shall publish legal notices of this OTSC as on at least two days prior to

\_\_\_\_\_ in the following newspapers:

- a. Star Ledger
- b. Bergen Record
- c. The Press of Atlantic City
- d. The Gloucester County Times

6. The Court will only entertain objections (the “Objections”) to the process provided for by the April 4<sup>th</sup> Order. Any Party who wishes to object to the process shall file the Objection under the Docket Number for this Order to Show Cause, **in writing**, with the:

Clerk of the Superior Court, Foreclosure Processing Services  
Attn: Objection to Notice of Intention to Foreclose  
25 Market Street  
P.O. Box 971  
Trenton, New Jersey 08625-0971

A copy of the Objection must also be sent to:

Honorable Margaret Mary McVeigh, P.J.Ch.  
Passaic County Courthouse  
71 Hamilton Street, Chambers 100  
Paterson, New Jersey 07505

A copy of the Objection must also be served upon the attorney for the Plaintiff:

Rob Saltzman, Esquire  
Pluese, Becker & Saltzman, LLC  
20000 Horizon Way, Suite 900  
Mt. Laurel, New Jersey 08054

Objections must state with specificity the basis for the Objection and must be filed no later than \_\_\_\_\_, 2013.

7. If a timely Objection is not filed, the matter may proceed to Final Order/Judgment in accordance with applicable Rules of Court.
8. Any objection regarding a particular Remediated NOI in a particular Foreclosure case must be filed in writing under the Docket Number of that particular Foreclosure action, NOT this Order To Show Cause. Any such Objection must state the basis for the objection with specificity and be filed and served as set forth in Paragraph 6 above. Objections to a particular Remediated NOI will be referred for resolution to the Chancery Judge in the Vicinage where the Mortgaged Property is located.
9. Foreclosure Defendants are hereby informed that a telephone call to the Plaintiff, to the Plaintiff's attorney, to the Servicer, to the Superior Court Clerk's Office, or to this Court, will not protect your rights nor constitute a valid Objection; you must file and serve your written Objection as provided for by in this Order.
10. If you cannot afford an attorney, you may call the Legal Services office in the County in which you live. If you do not have an attorney or are not eligible for free legal assistance through the Legal Services office (or such office does not provide services for this

particular type of proceeding), you may obtain a referral to an attorney by calling one of the Lawyer Referral Services.

11. If no Foreclosure Defendant timely files and serves an Objection as provided for above, this application may be decided by the Court at the Hearing or otherwise upon submission of a Certification of Service and a proposed form of Final Order/Judgment as required by this Order To Show Cause.
12. If written Objection is properly filed and served, the Plaintiff's written reply (the "Reply") shall be filed and served by \_\_\_\_\_, 2013. A copy of the Reply, if any, shall be served upon the Clerk of Superior Court, with a courtesy copy to the Honorable Margaret Mary McVeigh, P.J.Ch. The Reply need only be served upon the particular Foreclosure Defendant who properly filed and served his/her/their Objection.
13. Plaintiff shall submit to the Court an original and two copies of a proposed form of Final Order/Judgment incorporating the relief sought no later than \_\_\_\_\_ days before the Hearing.
14. The Plaintiff shall file a Certificate of Service of the Verified Complaint, this Order to Show Cause and all supporting documents with the Clerk of Superior Court no later than nine (9) days before the Hearing.

15. The Court will entertain argument, but not testimony, at the Hearing, unless the Court otherwise directs.

By The Court,

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Hon. Margaret Mary McVeigh, P.J.Ch.

# EXHIBIT D



whether a loan is in default and, if so, the constituent components of such delinquency. This information (the "Loan Records") is maintained in the Servicer's systems in the regular course of their business. The Lender is not likely to have possession of the relevant servicing information, as was recognized by the Supreme Court in June 2011 revisions to Court Rules 4:64-1 and 4:64-2. The Servicer makes this application to the Court pursuant to their authority as the Servicing Agent of the Lender/Plaintiff in pending Foreclosures.

3. Among the duties of a Servicer, and specifically the Servicer herein, when a residential mortgage encumbering a New Jersey property becomes in default is to prepare and serve the Notice of Intent to Foreclose (the "NOI") as required by the Fair Foreclosure Act of 1995 (the "FFA"), N.J.S.A. 2A:50-56, et seq. The NOI is prepared based on the Servicer's Loan Records and includes, among other information, the amount due or other performance that is required to cure the delinquency/default and reinstate the Loan, and the date by which such cure and reinstatement must occur.

4. The Plaintiff/Lender and their Servicer herein have identified a number of Foreclosures wherein the NOI was substantially, but not strictly, compliant with the Fair Foreclosure Act. Attached hereto is a list (the "Remediated NOI List") of Foreclosures in which the Plaintiff/Lender and their Servicer respectfully request remediation in the form of leave to serve remediated NOIs (the "Remediated NOIs") upon the Residential Mortgage Debtor(s) who are defendants in the Foreclosures. See Exhibit "A," Remediated NOI List.

5. On February 27, 2012, the New Jersey Supreme Court published their Opinion in Guillaume holding that a Court adjudicating a foreclosure action in which the NOI was not strictly

compliant with the notice provisions of the Fair Foreclosure Act has the discretion to determine the appropriate remedy, including allowing remediation of a noncompliant NOI by granting leave to serve a Remediated NOI.

6. Following its decision in Guillaume, the New Jersey Supreme 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 such as this (the “OTSC”) as to why Plaintiffs in any uncontested residential mortgage foreclosure actions filed on or before April 27, 2012 and in which Final Judgment has not been entered, who caused NOIs to be served that are not strictly compliant with the NOI provisions of the Fair Foreclosure Act, should not be allowed to serve Remediated NOIs on defendants/mortgagors and/or parties obligated on the debt (the “Foreclosure Defendants”) as described by the Loan documents and defined by the Fair Foreclosure Act.

7. The April 4<sup>th</sup> Order further provides that any Remediated NOI must be accompanied by a letter to the Foreclosure Defendants (the “Explanatory Letter”) containing the reasons why the Remediated NOI is being served, the procedure to follow in the event a Foreclosure Defendant wishes to object to the relief requested via this OTSC or a particular Remediated NOI, the name of a person to contact with any questions, and that the receipt of the Remediated NOI allows Foreclosure Defendants 30 days in which to object or to cure the default.

8. The Servicer herein reviewed their pending Foreclosures with local counsel to identify those Foreclosures in which a Remediated NOI is appropriate because the Lender and/or

the Lender's address were not included in the previously served NOIs, or such NOIs were otherwise not strictly compliant with the Fair Foreclosure Act as recently interpreted. The Remediated NOI List describes the Foreclosures and indicates whether prosecution thereof is enjoined by operation of the Automatic Stay in any bankruptcy proceedings and other available information.

9. Specifically, the Remediated NOI List includes the following:
  - a. Foreclosures that were initiated on or before February 27, 2012 and which Green Tree is servicing the Loans,
  - b. in which Final Judgment has not been entered, and
  - c. regarding which leave is sought to serve a Remediated NOI.

10. The Remediated NOI List contains information required by the Court, i.e., (1) the abbreviated Caption of the Foreclosure, (2) the Foreclosure Docket Number, (3) the Vicinage, and (4) the nature of deviation from strict compliance, as well as other available and potentially relevant information. Although Green Tree is not the Plaintiff in each of the Foreclosure, it is the Servicer of each subject Loan, maintains the Loan Records for each such Loan, and is responsible for mailing the Remediated NOI pursuant to the relevant contracts with the Plaintiff/Lender.

11. Pursuant to the April 4th Order, attached as Exhibit "B" to the Verified Complaint is the proposed form the Explanatory Letter (the "Explanatory Letter Template") that Green Tree intends to send to each Foreclosure Defendant. As instructed by the Supreme Court in the April 4th Order, the proposed form of Explanatory Letter contains the following explanations:

- a. the reason why the Remediated NOI is being served;
- b. the procedure to follow in the event a Foreclosure Defendant wishes to object to the relief requested via this OTSC and/or a particular Remediated NOI;
- c. the individual(s) a Foreclosure Defendant should contact with any questions;
- d. that the Foreclosure Defendant has the right to object to the Remediated NOI as well as the right to cure the default within 30 days of the date of the Remediated NOI; and
- e. that the Remediated NOIs will exclude attorneys' fees and costs incurred in the pending Foreclosures from the calculation of the amount due to cure the default.

12. Attached as Exhibit "C" to the Verified Complaint is the proposed form of Remediated NOI (the "Remediated NOI Template") that Green Tree will send to each of the Foreclosure Defendants identified on the Remediated NOI List. Each Foreclosure Defendant will be served with a Remediated NOI in the form of the Remediated NOI Template that includes, *inter alia*, the information specific to their mortgage Loan derived from the Loan Records, their default, the Lender/Holder's name and address and the amount due or other performance required to cure their default, as described in the Order To Show Cause, without attorneys' fees or costs incurred in the pending Foreclosures.

13. To promote economy, avoid waste, and to afford Foreclosure Defendants the earliest opportunity to cure their defaults by providing the amount due before more monthly payments and other charges accrue, Green Tree will send to each of the Foreclosure Defendants

identified on the Remediated NOI List a complete package (the “OTSC Package”) consisting of this Verified Complaint, a conformed copy of this OTSC if/when entered, supporting Certification and Letter Memorandum, Explanatory Letter in the form of the Explanatory Letter Template and Remediated NOI in the form of the Remediated NOI Template and containing substantive information pertaining to the subject Loan in each Foreclosure. See Exhibit “D,” sample OTSC Package.

14. Service of the Verified Complaint, OTSC, Explanatory Letter and Remediated NOI as a complete OTSC Package may be inconsistent with certain provisions contained in the Explanatory Letter, created by the Court before conception of the single mailing procedure (the “Single Mailing Procedure”) authorized by the Court in In re Notices of Intention to Foreclose Served by MidFirst Bank, Docket No. F-12399-12. To the extent that such an inconsistency exists in this regard only, GREEN TREE requests that the provisions of the Pleadings herein shall be deemed to amend and supersede the Explanatory Letter.

15. Green Tree respectfully submits that the Single Mailing Procedure accomplishes the salutary purposes of applicable authorities while avoiding the expense and delay of a duplicate mailing to all Foreclosure Defendants if/when a Final Order/Judgment is entered herein. In the alternative, if the Court is not inclined to the foregoing, then Green Tree requests leave to send the OTSC Package and/or Remediated NOI as otherwise directed by the Court.

16. a. That this Court schedule a Hearing (the “Hearing”) in 60-90 days to consider the relief requested hereby and any Objections tendered in compliance with the terms of

the Order to Show Cause; and

b. That this Court determine and find that NOIs in the form of the Remediated NOI Template that contain accurate substantive information regarding the subject Loan from the subject Loan Records are fully compliant with the Fair Foreclosure Act; and

c. That Green Tree may send to each Foreclosure Defendant an OTSC Package consisting of this Verified Complaint, supporting Certification and Brief, conformed copy of the Order to Show Cause, Explanatory Letter (as amended/superseded by the Pleadings herein) and Remediated NOI without attorneys' fees or costs incurred in the Foreclosure; and

d. That the Final Order/Judgment entered herein need be served only upon any Parties who appeared and any Foreclosure Defendant to whom was not previously sent a Remediated NOI by the Hearing date; and

e. Requiring that Green Tree mail another OTSC Package or Remediated NOI only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein; and

f. Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and

g. Such other or further relief the Courts deems equitable and just.

### **COUNT I: Green Tree**

17. The Servicer hereby incorporates by reference paragraphs 1 through 16 as if set forth herein.

18. Green Tree is servicing forty three (43) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

19. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosures actions including those in which the entity identified in this Count is the plaintiff and The Servicer requests relief from this Court to issue an Order to Show Cause consistent with the Supreme Court's April 4, 2012 Order.

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Green Tree is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to

the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;

- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT II: Bank of New York as Trustee for the Certificate Holders CWABS,  
Inc. Asset-backed Certificates, Series 2004-6**

20. The Servicer hereby incorporates by reference paragraphs 1 through 19 as if set forth herein.

21. Green Tree is servicing five (5) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

22. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential

foreclosure actions including the five (5) foreclosures in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Bank of New York as Trustee for the Certificate Holders CWABS, Inc. Asset-backed Certificates, Series 2004-6 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in

the OTSC;

- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT III: Bank of New York as Trustee for the Certificate Holders CWABS, Inc.  
Asset-backed Certificates, Series 2004-12**

24. Plaintiff hereby incorporates by reference paragraphs 1 through 23 as if set forth herein.

25. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

26. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Bank of New York as Trustee for the Certificate Holders CWABS, Inc. Asset-backed Certificates, Series 2004-12 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure describe herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;

- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT IV: Bank of New York as Trustee for the Certificate Holders CWABS,  
Inc. Asset-backed Certificates, Series 2005-4**

- 28. Plaintiff hereby incorporates by reference paragraphs 1 through 27 as if set forth herein.
- 29. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.
- 30. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.
- 31. Green Tree respectfully requests this Court to issue an Order to Show Cause consistent with the Supreme Court's April 4, 2012 Order.

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;

- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Bank of New York as Trustee for the Certificate Holders CWABS, Inc. Asset-backed Certificates, Series 2005-4 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins

such action; and

(g) Such other or further relief the Courts deems equitable and just.

**COUNT V: Bank of New York as Trustee for the Benefit of The Certificate Holders CWABS, 2005-01**

32. Plaintiff hereby incorporates by reference paragraphs 1 through 31 as if set forth herein.

33. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

34. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI

Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Bank of New York as Trustee for the Benefit of The Certificate Holders CWABS, 2005-01 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT VI: The Bank of New York Mellon fka The Bank of New York as  
Trustee for the Certificate holders, CWABS, Inc., Asset-Backed Certificates,  
Series 2007-BC2**

36. The Servicer hereby incorporates by reference paragraphs 1 through 35 as if set forth herein.

37. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

38. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage

without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificate holders, CWABS, Inc., Asset-Backed Certificates, Series 2007-BC2 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT VII: The Bank of New York Mellon fka The Bank of New York as  
Trustee for the Certificate Holders of CWABS 2005-6**

40. The Servicer hereby incorporates by reference paragraphs 1 through 39 as if set forth herein.

41. Green Tree is servicing two (2) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

42. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the two (2) foreclosures in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the

Foreclosures identified in the Remediated NOI List wherein The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificate Holders of CWABS 2005-6 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT VIII: The Bank of New York as Trustee for the Certificate holders  
CWABS, Inc. Asset-Backed Certificates, Series 2006-6**

44. The Servicer hereby incorporates by reference paragraphs 1 through 43 as if set forth herein.

45. Green Tree is servicing two (2) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

46. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the two (2) foreclosures in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the

Foreclosures identified in the Remediated NOI List wherein The Bank of New York as Trustee for the Certificate Holders CWABS, Inc. Asset-backed Certificates, Series 2006-6 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT IX: Citibank, N.A. as Trustee for the Certificate holders of Structured  
Asset Mortgage Investments II Inc., Bear Sterns ALT-A Trust, Mortgage  
Pass-Through Certificates Series 2007-3**

48. The Servicer hereby incorporates by reference paragraphs 1 through 47 as if set forth herein.

49. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

50. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the

Foreclosures identified in the Remediated NOI List wherein Citibank, N.A. as Trustee for the Certificate holders of Structured Asset Mortgage Investments II Inc., Bear Sterns ALT-A Trust, Mortgage Pass-Through Certificates Series 2007-3 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT X: U.S. Bank, National Association as Trustee for SerVertis Fund I  
Trust 2011-1 Grantor Trust Certificates, Series 2011-1**

52. The Servicer hereby incorporates by reference paragraphs 1 through 51 as if set forth herein.

53. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

54. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the

Foreclosures identified in the Remediated NOI List wherein U.S. Bank, National Association as Trustee for SerVertis Fund I Trust 2011-1 Grantor Trust Certificates, Series 2011-1 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XI: Deutsche Bank Trust Company America as Trustee**

56. The Servicer hereby incorporates by reference paragraphs 1 through 55 as if set forth herein.

57. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated

upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

58. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Court is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Deutsche Bank Trust Company America as Trustee is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;

- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XII: Wells Fargo Bank, N.A. as Trustee for BSSP Trust Series 2007-EMX1**

60. The Servicer hereby incorporates by reference paragraphs 1 through 59 as if set forth herein.

61. Green Tree services five (5) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

62. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the five (5) foreclosures in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Wells Fargo Bank, N.A. as Trustee for BSSP Trust Series 2007-EMXI is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was

not mailed by the date of entry of the Final Order/Judgment herein;

(f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and

(g) Such other or further relief the Courts deems equitable and just.

### **COUNT XIII: Southstar II, LLC**

64. The Servicer hereby incorporates by reference paragraphs 1 through 63 as if set forth herein.

65. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

66. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

(a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the

Fair Foreclosure Act;

- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Southstar II, LLC is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins

such action; and

(g) Such other or further relief the Courts deems equitable and just.

**COUNT XIV: U.S. Bank, National Association, as Trustee on behalf of GMACM Mortgage Loan Trust 2010-2 Mortgage Pass-Through Certificate Series 2010-2**

68. The Servicer hereby incorporates by reference paragraphs 1 through 67 as if set forth herein.

69. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

70. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI

Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein U.S. Bank, National Association, as Trustee on behalf of GMACM Mortgage Loan Trust 2010-2 Mortgage Pass-Through Certificate Series 2010-2 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XV: U.S. Bank, National Association as Trustee for SerVertis REO Pass Through Trust I**

72. The Servicer hereby incorporates by reference paragraphs 1 through 71 as if set forth herein.

73. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List:

74. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the

Foreclosures identified in the Remediated NOI List wherein U.S. Bank, National Association as Trustee for SerVertis REO Pass Through Trust I is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XVI: U.S. Bank, N.A. as Trustee on behalf of SASCO Mortgage Loan Trust 2007-RNP1**

76. The Servicer hereby incorporates by reference paragraphs 1 through 75 as if set forth herein.

77. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated

upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

78. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein U.S. Bank, N.A. as Trustee on behalf of SASCO Mortgage Loan Trust 2007-RNP1 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;

- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XVII: Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2004-05**

80. The Servicer hereby incorporates by reference paragraphs 1 through 79 as if set forth herein.

81. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

82. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

83. Green Tree respectfully requests this Court to issue an Order to Show Cause

consistent with the Supreme Court's April 4, 2012 Order.

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2004-05 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was

not mailed by the date of entry of the Final Order/Judgment herein;

(f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and

(g) Such other or further relief the Courts deems equitable and just.

**COUNT XVIII: Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2005-13**

84. The Servicer hereby incorporates by reference paragraphs 1 through 83 as if set forth herein.

85. Green Tree is servicing two (2) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

86. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the two (2) foreclosures in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

(a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the

Fair Foreclosure Act;

- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2005-13 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by

sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and

(g) Such other or further relief the Courts deems equitable and just.

**COUNT XIX: The Bank of New York, as Trustee on behalf of the Certificate Holders of CWABS. Inc., Asset Backed Certificates, series 2004-13**

88. The Servicer hereby incorporates by reference paragraphs 1 through 87 as if set forth herein.

89. Green Tree is servicing one (1) loan in that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

90. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and

Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein The Bank of New York, as Trustee on behalf of the Certificate Holders of CWABS. Inc., Asset Backed Certificates, series 2004-13 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XX: The Bank of New York Mellon fka The Bank of New York, as Trustee for the Certificate Holders CWABS, Inc., Asset- Backed Certificates, Series 2005-11**

92. The Servicer hereby incorporates by reference paragraphs 1 through 91 as if set forth herein.

93. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

94. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the

Foreclosures identified in the Remediated NOI List wherein The Bank of New York Mellon fka The Bank of New York, as Trustee for the Certificate Holders CWABS, Inc., Asset- Backed Certificates, Series 2005-11 is The Servicer ;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XXI: The Bank of New York Mellon f/k/a The Bank of New York, as trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2006-6**

96. Plaintiff hereby incorporates by reference paragraphs 1 through 95 as if set forth herein.

97. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

98. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the

Foreclosures identified in the Remediated NOI List wherein The Bank of New York Mellon f/k/a The Bank of New York, as trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2006-6 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XXII: The Bank of New York as Trustee for the Certificate Holders  
CWABS, Inc., Asset-Backed Certificates, Series 2006-5**

100. The Servicer hereby incorporates by reference paragraphs 1 through 99 as if set forth herein.

101. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated

upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

102. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Court is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein The Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2006-5 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing

Procedure described herein;

- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XXIII: The Bank of New York, as Trustee for the Benefit of the Certificateholders, CWABS, Inc., Asset-Backed Certificates, Series 2007-BC3**

104. The Servicer hereby incorporates by reference paragraphs 1 through 103 as if set forth herein.

105. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

106. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is

the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein The Bank of New York, as Trustee for the Benefit of the Certificateholders, CWABS, Inc., Asset-Backed Certificates, Series 2007-BC3 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;

- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XXIV: The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2006-19**

108. The Servicer hereby incorporates by reference paragraphs 1 through 107 as if set forth herein.

109. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

110. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2006-19 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure

Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and

(g) Such other or further relief the Courts deems equitable and just.

**COUNT XXV: The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2005-4**

112. The Servicer hereby incorporates by reference paragraphs 1 through 111 as if set forth herein.

113. Green Tree is servicing two (2) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

114. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the two (2) foreclosures in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

(a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;

- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2005-4 is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins

such action; and

(g) Such other or further relief the Courts deems equitable and just.

**COUNT XXVI: The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2005-14**

116. The Servicer hereby incorporates by reference paragraphs 1 through 115 as if set forth herein.

117. Green Tree is servicing one (1) loan that is the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

118. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI

Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2005-14 is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XXVII: BAC Home Loans Servicing LP / Bank of America, N.A.**

120. The Servicer hereby incorporates by reference paragraphs 1 through 119 as if set forth herein.

121. Green Tree is servicing one (1) loan that is the subject of a Foreclosure predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

122. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the one (1) foreclosure in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the

Foreclosures identified in the Remediated NOI List wherein BAC Home Loans Servicing LP / Bank of America, N.A. is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XXVIII: BAC Home Loans Servicing LP**

124. The Servicer hereby incorporates by reference paragraphs 1 through 123 as if set forth herein.

125. Green Tree is servicing five (5) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the

Remediated NOI List.

126. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the five (5) foreclosures in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein BAC Home Loans Servicing LP is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;

- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XXIX: BAC Home Loans Servicing LP, FKA Countrywide Home Loans Servicing LP**

128. The Servicer hereby incorporates by reference paragraphs 1 through 127 as if set forth herein.

129. Green Tree is servicing three (3) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

130. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the three (3) foreclosures in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein BAC Home Loans Servicing LP, FKA Countrywide Home Loans Servicing LP is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final

Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;

- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**COUNT XXX: Bank of America, N.A.**

132. The Servicer hereby incorporates by reference paragraphs 1 through 131 as if set forth herein.

133. Green Tree is servicing six (6) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

134. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the six (6) foreclosures in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate

information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;

- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Bank of America, N.A. is the Plaintiff;
- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by

sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and

(g) Such other or further relief the Courts deems equitable and just.

**COUNT XXXI: Countrywide Home Loans Servicing LP**

136. The Servicer hereby incorporates by reference paragraphs 1 through 135 as if set forth herein.

137. Green Tree is servicing two (2) loans that are the subject of Foreclosures predicated upon NOIs that were not strictly statutorily compliant for the reason(s) described in the Remediated NOI List.

138. Attached as Exhibit "A" is the Remediated NOI List of uncontested residential foreclosure actions including the two (2) foreclosures in which the entity identified in this Count is the Plaintiff.

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

WHEREFORE, Green Tree respectfully requests Judgment:

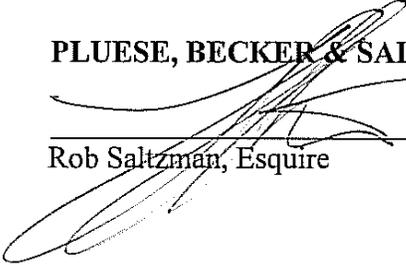
- (a) Deeming the NOIs in the form of the Remediated NOI Template that contain accurate information derived from the Loan Records compliant with the requirements of the Fair Foreclosure Act;
- (b) Approving the Servicer's having sent an OTSC Package to the Foreclosure Defendants at the Mortgaged Property or last known address, if different, consisting of the OTSC herein, supporting Certification and Letter Memorandum, Explanatory Letter and

Remediated Notice of Intention to Foreclose, in the form of the Remediated NOI Template and containing accurate information regarding the Loan derived from the Loan Records including the amount presently required to reinstate the Mortgage without attorneys' fees or costs incurred in the pending Foreclosure, in the Foreclosures identified in the Remediated NOI List wherein Countrywide Home Loans Servicing LP is the Plaintiff;

- (c) Deeming the Explanatory Letter amended and superseded by the Pleadings herein to the extent of any inconsistency between the Explanatory Letter and the Single Mailing Procedure described herein;
- (d) Requiring that Green Tree mail the Final Order/Judgment herein only to those Parties who appeared in these proceedings pursuant to the procedure specified by the Court in the OTSC;
- (e) Requiring that Green Tree mail an OTSC Package after entry of the Final Order/Judgment only to those Foreclosure Defendants to whom an OTSC Package was not mailed by the date of entry of the Final Order/Judgment herein;
- (f) Allowing Green Tree to refrain from sending an OTSC Package to Foreclosure Defendants in Foreclosures subject to the Automatic Stay in any bankruptcy proceedings and authorizing Green Tree to remediate NOIs in such Foreclosures by sending an OTSC Package at such time when the Automatic Stay no longer enjoins such action; and
- (g) Such other or further relief the Courts deems equitable and just.

**WHEREFORE**, Plaintiff respectfully requests that this Court enter an Order permitting Green Tree to concurrently serve the Verified Complaint, Order to Show Cause, supporting Certification and Letter Memorandum, Explanatory Letter and Remediated NOI upon all Foreclosure Defendants indentified in the annexed Remediated NOI List. Green Tree requests that any Foreclosure may proceed if it is demonstrated that the default was not cured within 35 days from the date of such Remediated NOI, and for such other and further relief as this Court deems just and equitable.

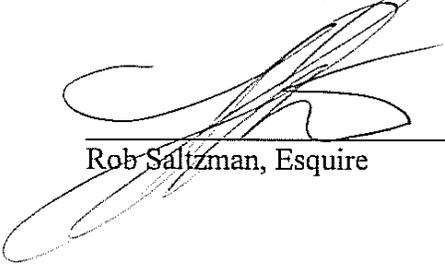
**PLUESE, BECKER & SALTZMAN, LLC**

  
\_\_\_\_\_  
Rob Saltzman, Esquire

Dated: 4/17/13

**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 Remediated 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.

  
\_\_\_\_\_  
Rob Saltzman, Esquire

Dated: 4/17/13

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.

Dated:

Rob Saltzman, Esquire

**VERIFICATION**

I, David Peters, of full age certify as follows:

1. I am a Vice President of Green Tree Servicing LLC.
2. I have read the contents of the Verified Complaint and verify that 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.

  
David Peters

Dated: April 15, 2013

PLUESE, BECKER & SALTZMAN, LLC  
Attorneys At Law  
20000 Horizon Way, Suite 900  
Mount Laurel, NJ 08054-4318  
(856) 813-1700  
Attorneys for Plaintiff

IN RE NOTICES OF INTENTION TO  
FORECLOSE SENT BY GREEN TREE  
SERVICING LLC

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
PASSAIC COUNTY  
DOCKET NO. F-

CIVIL ACTION

ORDER TO SHOW CAUSE  
SUMMARY PROCEEDING  
PURSUANT TO R. 4:67-2

**THIS MATTER** being brought before the Court by **GREEN TREE SERVICING LLC** (“the Servicer” or “Green Tree”), in pending foreclosure cases (“the Foreclosures”), by and through counsel, Pluese, Becker & Saltzman, LLC, Rob Saltzman, Esquire, appearing, pursuant to the April 4, 2012 Order of the New Jersey Supreme Court (the “April 4<sup>th</sup> Order”) and based upon the facts and circumstances described in the Verified Complaint filed herewith and incorporated herein by reference, including defined terms; and the Court having determined that this matter is appropriately commenced by Order To Show Cause as a summary proceeding pursuant to R. 4:67-2, and for good cause shown:

**IT IS** on this \_\_\_\_\_ day of \_\_\_\_\_, 2013,

**ORDERED** that Foreclosure Defendants identified in Exhibit “A” of the Verified Complaint (the “Remediated NOI List”) appear and show cause on the \_\_\_\_\_ day of \_\_\_\_\_, 2013 before the Honorable Margaret Mary McVeigh, P.J.Ch., Superior Court, Passaic County, Chancery Division, at 71 Hamilton Street, Paterson, NJ 07505 at \_\_\_\_\_ o’clock (the “Hearing”), why a Final Order/Judgment should not be entered as follows:

- A. Declaring the Servicer's Remediated NOIs in the form of the Remediated NOI Template that contain accurate information regarding each subject Loan derived from the Servicer's Loan Records to be compliant with the requirements of the Fair Foreclosure Act; and
- B. Allowing the Servicer to send Remediated Notices of Intention to Foreclose (the "Remediated NOI"), affording Foreclosure Defendants at least thirty (30) days from the date the Remediated NOI is mailed to cure the default on their Mortgage without attorneys' fees or costs incurred in the pending Foreclosure; and
- C. Allowing Foreclosures to proceed where more than 35 days have passed since a Remediated Notice of Default was sent to a Foreclosure Defendant without the default at issue having been cured; and
- D. Granting such other relief as the Court deems equitable and just.

**IT IS FURTHER ORDERED** that:

1. Plaintiff shall serve upon each Foreclosure Defendant a complete package (the "OTSC Package") consisting of a conformed copy of this Order To Show Cause, Verified Complaint without Exhibits, Supporting Certification, Letter Memorandum, Explanatory Letter and Remediated NOI.
2. Service of the OTSC Package shall be effectuated by simultaneous certified mail, return receipt requested, and regular mail to the subject Mortgaged Property's address and the

Foreclosure Defendant's last known address if different.

3. A copy of this Order To Show Cause and Verified Complaint shall be posted on the Judiciary's Web Page at <http://www.judiciary.state.nj.us>.
4. Regarding any Foreclosure Defendant involved in a Bankruptcy case wherein the Automatic Stay enjoins prosecution of the Foreclosure,
  - a. The Servicer may serve a copy of this Order to Show Cause and Verified Complaint, but may defer serving a Remediated NOI if it believes that doing so may violate the Automatic Stay.
  - b. If the Court grants final relief on the return date of this Order To Show Cause and the Servicer has not already sent a Remediated NOI, then the Servicer may send the Remediated NOI once the Automatic Stay is vacated, modified or otherwise inapplicable. In the alternative, Plaintiff may apply to the United States Bankruptcy Court for relief from the Automatic Stay to effectuate service of the Remediated NOI pursuant to this Order.
  - c. In the event that the Servicer does not serve a Remediated NOI with this Order To Show Cause, Plaintiff's Foreclosure action may not proceed until such Remediated NOI is served pursuant to this Court's Order and the time provided therein to cure the default has passed without the default having been cured.
  - d. If the Servicer believes that service of this Order To Show Cause may be a violation of the Automatic Stay, then once the Stay is vacated, modified or

otherwise no longer enjoins service of a Remediated NOI, then the Servicer may send an OTSC Package to the Foreclosure Defendant(s) and the Foreclosure(s) may proceed where more than 35 days have passed after such OTSC Package was sent without the default having been cured. Plaintiff shall not be required to file another Order To Show Cause to Remediate NOIs at issue in Foreclosures subject to the Automatic Stay.

5. Plaintiff shall publish legal notices of this OTSC as on at least two days prior to

\_\_\_\_\_ in the following newspapers:

- a. Star Ledger
- b. Bergen Record
- c. The Press of Atlantic City
- d. The Gloucester County Times

6. The Court will only entertain objections (the “Objections”) to the process provided for by the April 4<sup>th</sup> Order. Any Party who wishes to object to the process shall file the Objection under the Docket Number for this Order to Show Cause, **in writing**, with the:

Clerk of the Superior Court, Foreclosure Processing Services  
Attn: Objection to Notice of Intention to Foreclose  
25 Market Street  
P.O. Box 971  
Trenton, New Jersey 08625-0971

A copy of the Objection must also be sent to:

Honorable Margaret Mary McVeigh, P.J.Ch.  
Passaic County Courthouse  
71 Hamilton Street, Chambers 100  
Paterson, New Jersey 07505

A copy of the Objection must also be served upon the attorney for the Plaintiff:

Rob Saltzman, Esquire  
Pluese, Becker & Saltzman, LLC  
20000 Horizon Way, Suite 900  
Mt. Laurel, New Jersey 08054

Objections must state with specificity the basis for the Objection and must be filed no later than \_\_\_\_\_, 2013.

7. If a timely Objection is not filed, the matter may proceed to Final Order/Judgment in accordance with applicable Rules of Court.
8. Any objection regarding a particular Remediated NOI in a particular Foreclosure case must be filed in writing under the Docket Number of that particular Foreclosure action, NOT this Order To Show Cause. Any such Objection must state the basis for the objection with specificity and be filed and served as set forth in Paragraph 6 above. Objections to a particular Remediated NOI will be referred for resolution to the Chancery Judge in the Vicinage where the Mortgaged Property is located.
9. Foreclosure Defendants are hereby informed that a telephone call to the Plaintiff, to the Plaintiff's attorney, to the Servicer, to the Superior Court Clerk's Office, or to this Court, will not protect your rights nor constitute a valid Objection; you must file and serve your written Objection as provided for by in this Order.
10. If you cannot afford an attorney, you may call the Legal Services office in the County in which you live. If you do not have an attorney or are not eligible for free legal assistance through the Legal Services office (or such office does not provide services for this

particular type of proceeding), you may obtain a referral to an attorney by calling one of the Lawyer Referral Services.

11. If no Foreclosure Defendant timely files and serves an Objection as provided for above, this application may be decided by the Court at the Hearing or otherwise upon submission of a Certification of Service and a proposed form of Final Order/Judgment as required by this Order To Show Cause.
12. If written Objection is properly filed and served, the Plaintiff's written reply (the "Reply") shall be filed and served by \_\_\_\_\_, 2013. A copy of the Reply, if any, shall be served upon the Clerk of Superior Court, with a courtesy copy to the Honorable Margaret Mary McVeigh, P.J.Ch. The Reply need only be served upon the particular Foreclosure Defendant who properly filed and served his/her/their Objection.
13. Plaintiff shall submit to the Court an original and two copies of a proposed form of Final Order/Judgment incorporating the relief sought no later than \_\_\_\_\_ days before the Hearing.
14. The Plaintiff shall file a Certificate of Service of the Verified Complaint, this Order to Show Cause and all supporting documents with the Clerk of Superior Court no later than nine (9) days before the Hearing.

15. The Court will entertain argument, but not testimony, at the Hearing, unless the Court otherwise directs.

By The Court,

---

Hon. Margaret Mary McVeigh, P.J.Ch.

# PLUESE, BECKER & SALTZMAN, LLC

Attorneys at Law

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[SWest@pbslaw.org](mailto:SWest@pbslaw.org)

MOUNT LAUREL OFFICE:  
20000 Horizon Way, Suite 900  
Mount Laurel, NJ 08054-4318  
(856) 813-1700  
FACSIMILE: (856) 813-1720

PENNSYLVANIA OFFICE:  
721 Dresher Road, Suite 1050  
Horsham, PA. 19044  
(215) 546-3205  
FACSIMILE: (215) 653-7454

## OF COUNSEL:

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[BarbaraF@lobaf.com](mailto:BarbaraF@lobaf.com)

Glen-David Schwartzschild, Esq. ♦  
[Glens@glenlaw.com](mailto:Glens@glenlaw.com)

♦ PA and NJ Bars

Please reply to our MOUNT LAUREL office

Our File #

The Honorable Margaret Mary McVeigh, P.J. Ch.  
Superior Court of New Jersey  
Passaic County Courthouse, Chambers 100  
71 Hamilton Street  
Paterson, New Jersey 07505

Re: *In re Notices of Intention to Foreclose Sent by Green Tree Servicing LLC*

Dear Judge McVeigh:

Green Tree Servicing LLC, ("Green Tree" or the "Servicer"), by and through local counsel, Pluese, Becker & Saltzman, LLC, Rob Saltzman, Esquire, appearing, respectfully submits this letter memorandum in lieu of a more formal submission in support of the within Order To Show Cause (the "OTSC") seeking authorization to remediate pre-foreclosure Notice(s) of Intent to Foreclose (the "NOI" or "NOIs") in various residential mortgage foreclosure actions (the "Foreclosure" or "Foreclosures") pending in the Superior Court of New Jersey. The Order of the Supreme Court of New Jersey entered on April 4, 2012 (The "April 4 Order") empowers this Honorable Court to entertain summary actions to consider authorizing remediation of NOIs consistent with the Supreme Court's Opinion in *U.S. Bank, N.A. v. Guillaume*, 209 N.J. 449 (2012) ("Guillaume"), where such NOIs were not strictly compliant with the notice provisions of the Fair Foreclosure Act of 1995 (The "FFA"), N.J.S.A. 2A:50-56 et seq.

Mortgage Servicers like Green Tree are uniquely situated to seek and effectuate relief of the kind requested by this OTSC. The contents of the within Verified Complaint are respectfully incorporated herein by reference, including defined terms therein. Briefly summarized and as described more specifically in the within Verified Complaint, in their capacity as Servicer, Green Tree undertakes payment collection/application, loss mitigation and various collection efforts, including referrals to and management of foreclosure actions referred to local counsel for prosecution, pursuant to the contracts that govern its relationship with the owners of the subject mortgage loans (the "Loan" or Loans"), the Loan documents, Rules of Court and applicable law.

As the entity collecting and processing payments, Servicers like Green Tree possess the information regarding payments tendered/applied, escrow subaccount deposits/disbursements, payments that are due, whether a loan is in default and, if so, the extent of any delinquency. The foregoing information is maintained in contemporaneous business records of Servicers like Green Tree (the “Loan Records”) and Plaintiffs rarely maintain such “loan level” data where their loans are being serviced by another.

Among the responsibilities of a Servicer like Green Tree is to issue the NOI when a mortgage (the “Mortgage” or “Mortgages”) encumbering property located in this jurisdiction (the “Mortgaged Property” or “Mortgaged Properties”) is in default and foreclosure is contemplated. Green Tree issued the NOIs that are the subject of this OTSC. Accordingly, if granted, the Servicer is uniquely situated to effectuate the relief sought by this OTSC.

Applicable authority guides the Court in the sound exercise of discretion to grant the relief requested in the within OTSC. On February 27, 2012, the New Jersey Supreme Court released their Opinion in Guillaume, and held that, while strict compliance of the notice provisions of the FFA is generally required, a Court adjudicating a foreclosure action has the discretion to determine the appropriate remedy for an NOI that is not strictly statutorily compliant, including allowing a remediated NOI to be sent to those persons (the “Foreclosure Defendants”) to whom the FAA requires that a NOI be sent. The Supreme Court’s April 4 Order, in furtherance of Guillaume, provides that any remediated NOI must be accompanied by a letter (the “Explanatory Letter”) to each Foreclosure Defendant explaining

- The reasons why the Remediated NOI is being served;
- The procedure if a Foreclosure Defendant wishes to object to the relief requested;
- The name of the person to contact with questions; and
- That the receipt of the Remediated NOI allows the Foreclosure Defendant 30 days in which to object to or cure the default without attorneys’ fees or costs incurred in the pending Foreclosure.

Pursuant to the foregoing authorities, Green Tree has identified a population of Foreclosures in which the previously served NOIs were not strictly statutorily compliant and respectfully requests that an Order be entered allowing Green Tree to send Remediated NOIs to such Foreclosure Defendants. Green Tree has communicated with various local counsel prosecuting the Foreclosures to compile the information incorporated into the attached list (the “Remediated NOI List”), including, the abbreviated Caption, Docket Number, County of venue and the nature of the noncompliant aspect of the NOI, as well as other available and relevant information.

The Hon. M.M. McVeigh, P.J.Ch.

In re Application of Green Tree Servicing LLC, to issue Remediated Notices of Intent to Foreclose  
Jan. xx, 2013

p. 3

The role of Government Sponsored Entities (the “GSEs”) has also been considered. Regarding Foreclosures involving Mortgages related to the Federal National Mortgage Association (“Fannie Mae”), the GSE at issue in this OTSC, Green Tree seeks to issue Remediated NOIs in the cases in which Fannie Mae is the Foreclosure Plaintiff. By way of explanation as applicable, if the Servicer of a Fannie Mae loan also holds a subordinate lien encumbering the subject property (e.g. a second mortgage lien), applicable Fannie Mae Servicing Guidelines allow the Servicer to institute foreclosure in the name of the GSE entity. In such cases, identified on the Remediated NOI List if applicable, Fannie Mae's interest should have been identified in the original NOI, because in such cases, Fannie Mae is the Holder of the subject residential Mortgage. The FAA defines a “Lender” as “any person, corporation, or other entity which makes or holds a residential mortgage, and any person corporation or other entity to which such residential mortgage is assigned.” N.J.S.A. 2A:50-55. Therefore, as the “Holder” of the mortgages, the GSE should have been described as “Lender” in the previously served NOIs. Not included in this OTSC are other uncontested Foreclosures in which Fannie Mae is not the Plaintiff because Fannie Mae does not hold the subject Mortgage. In those actions, a GSE such as Fannie Mae retains a beneficial interest in the Loan but is not the Holder of the subject Mortgage and therefore, not the “Residential Mortgage Lender” as defined by the FFA.

Previously contested matters are also included in the Remediated NOI List if remanded to the Office of Foreclosure after resolution of the contested issue(s), pursuant to N.J.Ct R. 4:64(1)(c)(3). Foreclosures in this posture, if any, are included in this OTSC to afford an additional benefit to these Foreclosure Defendants and because excluding them could result in an unresolved issue that could be detrimental to the Parties, the Court and the communities in which the properties at issue therein are located.

In the exercise of this Honorable Court’s sound discretion to fashion an appropriate equitable remedy for a NOI that does not strictly comply with the FAA as construed by applicable authorities, the Supreme Court provided the following guidance:

In determining an appropriate remedy for a violation of N.J.S.A. 2A:50-56(c) (11), trial courts should consider the express purpose of the provision: to provide notice makes “the debtor aware of the situation”, and to enable the homeowner to attempt to cure the default. N.J.S.A. 2A:50-56(c); Statement to Assembly Bill No. 1064, *supra*, at 8. Accordingly, a trial court fashioning an equitable remedy for a violation of N.J.S.A. 2A:50-56(c) (11) 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.

The Hon. M.M. McVeigh, P.J.Ch.

In re Application of Green Tree Servicing LLC, to issue Remediated Notices of Intent to Foreclose  
Jan. xx, 2013

p. 4

US Bank v. Guillaume, *supra*.

The original NOIs at issue herein contained incomplete contact information for the Lender, and/or otherwise deviated from strict compliance with the FFA as recently interpreted by our Courts. It is the mortgage loan Servicer to whom the Lender delegated all responsibility regarding “loan-level” matters, including addressing Borrower’s inquiries regarding, *inter alia*, delinquency and foreclosure issues. Notwithstanding any technical noncompliance in the NOI, the Borrower was fully informed of the identity of and the contact information for the entity with whom any inquiries regarding the “status of the loan” and/or “his or her opportunity to cure the default” within the meaning of Guillaume. The original NOIs were consistent with and effectuated the salutary goal of the FFA to provide Borrowers with contact information for the entity with whom they may discuss, dispute, and/or otherwise address their default. Any information absent from the original NOI, e.g., complete contact information for the “Lender” or any counseling agency, etc., was readily obtainable via the simple expedient of contacting the Servicer, whose complete contact information was provided in the NOI.

Further, during the pendency of the subject Foreclosures, each Borrower received various Notices, pleadings, documents and other communications from counsel for the Plaintiff/Mortgagee, all of which contained information regarding the status of the loan, opportunities to cure the default (e.g., the materials regarding the Court sponsored Mediation Program served upon the Borrower with the Summons and Complaint), and contact information for counsel. Each such Pleading, Notice or other document constituted a source of information and invitation to initiate contact with authorized representatives in a position to provide further information or assistance.

If any Borrower had the inclination to contact a responsible representative of the Plaintiff/Lender for the purpose of understanding the “status of the loan” or any available “opportunity to cure the default” then such Borrower was provided ample opportunities and means to initiate such contact. If no such contact was made notwithstanding all the foregoing communications, then Green Tree respectfully submits that the inference can reasonably be drawn that the deviation from strict statutory compliance at issue herein was immaterial and had no adverse impact upon the Borrower’s ability to understand and/or address the default. In the alternative, if the Borrower contacted the Servicer or foreclosure counsel, or availed him/herself of the benefits of the Court sponsored Mediation Program or other available options for an amicable resolution to the Foreclosure, then the inference may be reasonably drawn that the deviation from strict statutory compliance at issue herein was immaterial because the purpose of the NOI was fulfilled.

Either way, the deviation in the original NOIs at issue herein from strict statutory compliance had no adverse impact upon the Borrowers’ ability to obtain information regarding the status of the loan or any opportunities to cure the default. Accordingly, the criterion for determining whether an equitable alternative to the harsh sanction of dismissal is appropriate is the extent, if any, that the deficiency in the subject NOI adversely impacted the Borrower’s ability to understand and address the mortgage default. Green Tree respectfully submit that the harsh sanction of dismissal is inappropriate in the context of the subject Foreclosures and that, for the reasons articulated herein, this Honorable Court should exercise its discretion to fashion a more equitable remedy that

The Hon. M.M. McVeigh, P.J.Ch.

In re Application of Green Tree Servicing LLC, to issue Remediated Notices of Intent to Foreclose  
Jan. xx, 2013

p. 5

allows the Foreclosure to proceed while preserving the Borrower's statutory rights and opportunity to resolve the default upon which the Foreclosure is predicated.

Green Tree respectfully submits that the deviation from strict statutory compliance is readily amenable to remediation and that an appropriate equitable remedy would be to authorize the Servicer to send a "remediated" NOI (the "Remediated NOI") to each Foreclosure Defendant, without intervening expenses related to the pending Foreclosure. The foregoing equitable remedy vitiates any adverse impact and restores the Parties to the same positions they would have occupied if the original NOIs were strictly statutorily compliant. If the Foreclosure Defendant is either unwilling or unable to cure the delinquency within the time provided for by the Court, then the Foreclosure should proceed.

Further, Green Tree respectfully submits that to promote economy, avoid waste, and to afford Foreclosure Defendants the earliest opportunity to cure their defaults by providing the amount due before more monthly payments and other charges accrue, Green Tree is contemporaneously sending to each of the Foreclosure Defendants identified on the Remediated NOI List a complete Package (the "OTSC Package") consisting of the Verified Complaint, OTSC, Supporting Certification and this Letter Memorandum, Explanatory Letter and Remediated NOI in the form of the Remediated NOI Template containing substantive information pertaining to the subject Loan in each Foreclosure derived from the Loan Records. Green Tree will produce to this Court proof of service of such Remediated NOIs upon the Foreclosure Defendants at the Mortgaged Property or their last known address, if different. It is Green Tree's request that this Honorable Court find that the foregoing procedure accomplishes the salutary purpose of applicable authorities while avoiding the necessity to send duplicate mailings to all Foreclosure Defendants after a Final Order/Judgment is entered herein. Green Tree requests authorization to send the Final Order/Judgment herein only to those Foreclosure Defendants who have filed an Objection or otherwise appeared in these proceedings as directed by the Court and also to any Foreclosure Defendant who had not already been sent an OTSC Package.

Green Tree understands that the "single mailing" procedure described above (the "Single Mailing Procedure") was approved by the Court in In re Notices of Intention to Foreclose Served by MidFirst Bank, Docket No. F-12399-12 (the "MidFirst Matter") and Green Tree respectfully submits that the Single Mailing Procedure is also appropriate herein because it balances the goals of affording Foreclosure Defendant the earliest possible opportunity to cure their default, reinstate their Mortgage(s) and resolve their Foreclosure(s) while avoiding duplicative effort, waste and delay. In the alternative, if the Court is not inclined to the foregoing, then Green Tree requests leave to send the OTSC Package again upon entry of a Final Order/Judgment or as otherwise directed by the Court.

Green Tree is concerned that service of the Verified Complaint, OTSC, Explanatory Letter and Remediated NOI as a complete package upon entry of the OTSC (i.e., the Single Mailing

The Hon. M.M. McVeigh, P.J.Ch.

In re Application of Green Tree Servicing LLC, to issue Remediated Notices of Intent to Foreclose  
Jan. xx, 2013

p. 6

Procedure authorized by the Court in the MidFirst matter) may be inconsistent with certain portions of the Explanatory Letter created by the Court before the Single Mailing Procedure was developed, and to the extent that such an inconsistency exists in this regard only, Green Tree requests that the provisions of the OTSC and Pleadings herein shall be deemed to amend and supersede the Explanatory Letter.

By reason of the foregoing, Green Tree respectfully request entry of the within Order To Show Cause permitting remediation of the original NOIs at issue in the Foreclosures by sending a OTSC Package to the Foreclosure Defendants consisting of the OTSC, Supporting Certification and this Letter Memorandum, Explanatory Letter and Remediated NOI (without expenses incurred in the pending Foreclosure) to the Mortgaged Property or last known address of each Foreclosure Defendant, if different. Green Tree further requests that insofar as service of the Verified Complaint, OTSC, Explanatory Letter and Remediated NOI as a complete package may be inconsistent with certain provisions contained in the Explanatory Letter created by the Court before conception of the Single Mailing Procedure authorized by the Court in the MidFirst matter to the extent that such an inconsistency exists in this regard only, the provisions of the OTSC be deemed to amend and supersede the Explanatory Letter

By reason of the foregoing, Green Tree respectfully submits that good cause exists and has been demonstrated for the relief requested in this Application.

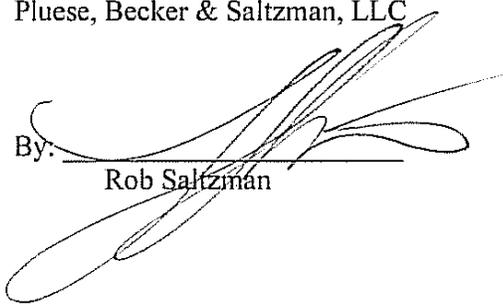
Thank you for your Honor's consideration of this matter.

Respectfully Submitted,

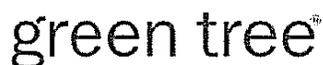
Pluese, Becker & Saltzman, LLC

By: \_\_\_\_\_

Rob Saltzman

A large, stylized handwritten signature in black ink, appearing to read "Rob Saltzman", is written over a horizontal line. The signature is highly cursive and loops around the line.

# EXHIBIT B



Green Tree Servicing LLC  
PO Box 6172  
Rapid City, SD 57709-6172  
Phone: 800-643-0202  
Fax: 866-870-9919  
GTServicing.com

April 11, 2013

<<DEFENDANT NAME>>  
<<DEFENDANT ADDRESS1>>  
<<DEFENDANT ADDRESS2>>  
<<DEFENDANT CITY, STATE ZIP>>

RE: Order to Show Cause <<Caption and Docket Number of Order to Show Cause>>

Dear <<Defendant Name(s)>>:

Please be advised that the New Jersey Supreme Court recently held in *U.S. Bank NA. v. Guillaume*, 209 N.J. 449 (2012), that mortgage lenders seeking to foreclose must comply with the New Jersey Fair Foreclosure Act's requirement that a Notice of Intention to Foreclose set forth the name and address of the lender.

**Why You Are Receiving This Letter**

You are receiving this letter because you are the defendant in a pending foreclosure action, and it is believed that the Notice of Intention to Foreclose served upon you prior to the commencement of the foreclosure action did not comply with the requirements of the Fair Foreclosure Act.

By the court's Order to Show Cause dated <<Month Day, YYYY>> and in compliance with the Supreme Court's opinion in *U.S. Bank NA. v. Guillaume*, [Hon. Paul Innes, P.J.Ch., Mercer Vicinage or Hon. Margaret Mary McVeigh, P.J.Ch., Passaic Vicinage], gave permission to Green Tree Servicing LLC ("Green Tree") to serve, along with the Order to Show Cause and verified complaint, corrected Notices of Intention 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 are copies of the Order to Show Cause and verified complaint. The verified complaint lists the following lenders in the following counts of the verified complaint:

<<List All Complaint Counts Pertaining to Green Tree>>

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 a representative from Green Tree at <<Phone Number>> who can assist you with locating the information about your foreclosure action.

**Information About the Corrected Notice of Intention to Foreclose**

Also enclosed with this letter is the corrected Notice of Intention 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 Intention to Foreclose, the foreclosure action against you will proceed. 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 Intention to Foreclose lists the name and address of the current lender on your loan.

### **Questions about the Notice of Intention to Foreclose**

Should you have questions with regard to your loan or the corrected Notice of Intention to Foreclose, please contact Green Tree at <<Phone Number>>. Additional contact information is provided in the corrected Notice of Intention 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 Intention 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 Intention to Foreclose. To do so, you must file a written objection under the docket number for the foreclosure action in your individual case.

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, <<Attorney Name>>, at <<Attorney Address>>, 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/indx.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).

Sincerely,

Green Tree

This communication is from a debt collector. It is an attempt to collect a debt, and any information obtained will be used for that purpose.

# EXHIBIT C



NEW JERSEY NOTICE OF DEFAULT AND INTENT TO FORECLOSE

Green Tree Servicing LLC  
1400 Turbine Drive  
Rapid City, SD 57703  
(800) 643-0202

Certified Mail Receipt No.«Certified\_»

Date of Notice: April 18, 2013

«Name»

«Address»

«City\_State\_Zip»

RE: Loan No. «Account\_»

Credit Transaction: Loan Secured by Real Property at: «Property\_Address»  
Original principal amount: **!Undefined Bookmark, ORIGINAL\_**  
Origination date: «Contract\_Date»

Dear «Name»:

You are now in default on the above-referenced credit transaction. You have the right to correct this default by «Cure\_Date» (Date to Cure).

**YOU HAVE NOT MADE MONTHLY MORTGAGE PAYMENTS** for the following months and the following amounts are now past due: Monthly Principal and Interest Payments due from «Months\_Past\_Due» **!Undefined Bookmark, PI\_DUE** Other charges (explain/itemize): Late Charges **!Undefined Bookmark, LATE\_FEES**, NSF Fee: **!Undefined Bookmark, NSF\_FEES**, Escrow/Other: **!Undefined Bookmark, ESCROWOTH**, Insurance: **!Undefined Bookmark, INSURANCE**, Taxes advanced: **!Undefined Bookmark, TAXES\_ADV**, TOTAL AMOUNT PAST DUE: **!Undefined Bookmark, TOTAL\_AMT**. If you cure the default, you may continue with the contract as though you did not default.

Cure of default: Before **«Cure Date»** you may cure the default by paying the reinstatement amount of **!Undefined Bookmark, TOTAL\_AMT** plus any other charges, including advances pursuant to the terms of your Note and Mortgage which become due and payable on or before the Date to Cure (or the next business day thereafter, if the Date to Cure falls on a weekend or holiday). If you want to pay by mail, send a certified check, money order or cashier's check. **DO NOT SEND CASH**. Payment must be received in our office at the servicer address listed below by the Date to Cure.

Creditor's Rights: If you do not cure the default by the Date to Cure, the lender may take steps to terminate your ownership of the property by accelerating the mortgage payments and commencing a foreclosure suit in a court of competent jurisdiction. If the mortgage is foreclosed, the mortgaged property will be sold by the Sheriff or other officer authorized by law and the proceeds of the sale applied to the mortgage 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 by law.

If you have not cured the default by the Date to Cure and foreclosure proceedings have begun, you have the right to cure the default up to the entry of Final Judgment or Order of Redemption, provided you pay all payments necessary to bring the loan current, including late and other charges due, plus attorney's fees and costs permitted by New Jersey Court Rules in connection with the foreclosure and perform any other obligations required under the Note and Mortgage. You may have the right, pursuant to the mortgage documents, to transfer the real estate

to another person subject to the security interest, and, if so the transferor may have the right to cure the default and assume the mortgage.

Please review your mortgage or deed of trust for any right you may have to reinstate your loan after acceleration but prior to the earlier of (a) five days before the sale of the property under any power of sale in the Security Instrument or (b) entry of a judgment enforcing the Security Instrument, by paying the Creditor all sums then due as if no acceleration had occurred. You may also have the right to assert in the foreclosure proceeding the non-existence of a default or any other defense available to you.

If you disagree with our assertion that the Mortgage is in default or if you disagree with the correctness of the amount required to cure the default as stated in the letter, you may contact:

Name of Representative of the Lender: «Rep\_Name»

Telephone Number of Representative of the Lender: «RO\_Phone», Ext. «Rep\_Extension»

Servicer: Green Tree Servicing LLC

Servicer's Address: 3012 Business Park Circle, Suite 100, Goodlettsville, Tennessee 37072

Lender: «Mortgage\_Owner»

Lender Address: «Mortgage\_Owner\_Address\_Full»

Please be advised that the lender does not service your account. All correspondence and inquiries concerning the servicing of your account should be addressed to the account servicer. The servicer has authority to act on the lender's behalf with regard to the administration of your account and respond to any questions.

You may be able to obtain financial assistance for curing the default from programs operated by the state or federal government or nonprofit organizations, if any, as identified by the Commissioner of Banking of the State of New Jersey, whose telephone number is 1-609-292-3420. See attached list.

You are advised to seek counsel from an attorney of your own choosing concerning your 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 where the property is located. If you are unable to afford an attorney, you may communicate with the Legal Services Office in the county where the property is located. See attached list.

*Unless you notify us in writing within thirty (30) days after receipt of this letter that the debt, or any part of it, is disputed; we will assume that the debt is valid. If you notify us of a dispute, we will obtain verification of the debt and mail it to you. Also, upon written request within thirty (30) days, we will provide you with the name and address of the original lender if different from the current lender.*

Sincerely,

Green Tree

1-800-643-0202

8:00 a.m. to 6:00 p.m. Mountain Time

This communication is from a debt collector. It is an attempt to collect a debt, and any information obtained will be used for that purpose.

## 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

**Citizen Action (Offices statewide)**  
400 Main St.  
Hackensack, NJ 07601  
1-800-NJOWNER

**Fair Housing Council of Northern New Jersey**  
131 Main St.  
Hackensack, NJ 07601  
201-489-3552

**Homelessness Prevention Program**  
New Jersey Department of Community Affairs  
(609) 633-6204\*

**Jersey Counseling & Housing Development, Inc.**  
29 S. Blackhorse Pike  
Blackwood, NJ 08012  
856-227-3683

**Monmouth County Human Services Housing Services Unit**  
P.O. Box 3000  
Freehold, NJ 07728  
732-431-7998

**Paterson Coalition for Housing, Inc.**  
262 Main St., 5th Floor  
Paterson, NJ 07505  
973-684-5998

**Urban League for Bergen County**  
106 W. Palisade Ave.  
Englewood, NJ 07631  
201-568-4988

**Atlantic Human Resources, Inc.**  
1 S. New York Ave.  
Atlantic City, NJ 08401  
609-348-4131

**Consumer Credit Counseling Service of Central New Jersey**  
117 Estates Boulevard  
Trenton, NJ 08610  
609-585-8220

**Family Service Association of Atlantic County**  
312 E. White Horse Pike  
Absecon, NJ 08201  
609-652-4100

**Housing Coalition of Central Jersey**  
78 New St.  
New Brunswick, NJ 08901  
732-249-9700

**Mercer County Hispanic Association**  
200 E. State St., 2nd Floor  
Trenton, NJ 08607  
609-392-2446

**Morris County Fair Housing Council**  
65 Spring St.  
Morristown, NJ 07963  
973-538-2975

**Paterson Task Force for Community Action, Inc.**  
155 Ellison St.  
Paterson, NJ 07505  
973-279-2333

**Urban League for Essex County**  
508 Central Ave.  
Newark, NJ 07101  
973-624-9535

**Catholic Charities of the Diocese of Metuchen**  
540-550 Route 22 East  
Bridgewater, NJ 08807  
908-722-1881

**Consumer Credit Counseling Service of New Jersey**  
185 Ridgedale Ave.  
Cedar Knolls, NJ 07927-1812  
973-267-4324

**Garden State Consumer Credit Counseling, Inc.**  
225 Willowbrook Road  
Freehold, NJ 07728  
1-800-992-4557

**Jersey Counseling & Housing Development, Inc.**  
1840 S. Broadway  
Camden, NJ 08104  
856-541-1000

**Middlesex County Economic Opportunities Corporation**  
1215 Livingston Ave.  
North Brunswick, NJ 08902  
732-846-6600, ext. 226

**Ocean Community Economic Action Now, Inc.**  
10 Washington St.  
Toms River, NJ 08753-0773  
732-244-2351, ext. 14

**Tri-County Community Action Agency, Inc.**  
110 Cohansey St.  
Bridgeton, NJ 08302  
856-451-6330

**Urban League of Union County**  
288 N. Broad St.  
Elizabeth, NJ 07208  
908-351-7200

\*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.

## List of Legal Services Offices by County

### ATLANTIC COUNTY

Deputy Clerk of the Superior Court  
Civil Division, Direct Filing  
1201 Bacharach Blvd., First Floor  
Atlantic City, NJ 08401  
LAWYER REFERRAL: 609-345-3444  
LEGAL SERVICES: 609-348-4200

### BERGEN COUNTY

Deputy Clerk of the Superior Court  
Case Processing Section, Rm. 119  
Justice Center, 10 Main Street  
Hackensack, NJ 07601-0769  
LAWYER REFERRAL: 201-488-0044  
LEGAL SERVICES: 201-487-2166

### BURLINGTON COUNTY

Deputy Clerk of the Superior Court  
Central Processing Section  
Attn: Judicial Intake, First Floor  
Courts Facility  
49 Rancocas Road  
Mt. Holly, NJ 08060  
LAWYER REFERRAL: 609-261-4862  
LEGAL SERVICES: 609-261-1088

### CAMDEN COUNTY

Deputy Clerk of the Superior Court  
Civil Processing Office  
1st Floor, Hall of Justice,  
101 S. 5th Street,  
Camden, NJ 08103  
LAWYER REFERRAL: 856-964-4520  
LEGAL SERVICES: 856-964-2010

### CAPE MAY COUNTY

Deputy Clerk of the Superior Court  
Central Processing Office  
9 N. Main Street, Box DN-209  
Cape May Court House, NJ 08210  
LAWYER REFERRAL: 609-463-0313  
LEGAL SERVICES: 609-465-3001

### CUMBERLAND COUNTY

Deputy Clerk of the Superior Court  
Civil Case Management Office  
Broad and Fayette Streets  
P.O. Box 615, Bridgeton, NJ 08302  
LAWYER REFERRAL: 609-692-6207  
LEGAL SERVICES: 609-451-0003

### ESSEX COUNTY

Deputy Clerk of the Superior Court  
237 Hall of Records  
465 Dr. Martin Luther King, Jr. Blvd.  
Newark, NJ 07102  
LAWYER REFERRAL: 973-622-6207  
LEGAL SERVICES: 973-624-4500

### GLOUCESTER COUNTY

Deputy Clerk of the Superior Court  
Civil Case Management Office  
Attn: Intake  
1st Floor, Court House  
Woodbury, NJ 08096  
LAWYER REFERRAL: 856-848-4589  
LEGAL SERVICES: 856-848-5360

### HUDSON COUNTY

Deputy Clerk of the Superior Court  
Civil Records Dept.  
Brennan Court House, 1st Floor  
583 Newark Avenue  
Jersey City, NJ 07306  
LAWYER REFERRAL: 201-798-2727  
LEGAL SERVICES: 201-792-6363

### HUNTERDON COUNTY

Deputy Clerk of the Superior Court  
Civil Division  
65 Park Avenue  
Flemington, NJ 08862  
LAWYER REFERRAL: 908-735-2611  
LEGAL SERVICES: 908-782-7979

### MERCER COUNTY

Deputy Clerk of the Superior Court  
Local Filing Office  
Courthouse, 175 S. Broad Street  
P.O. Box 8068  
Trenton, NJ 08650  
LAWYER REFERRAL: 609-890-6200  
LEGAL SERVICES: 609-695-6249

### MIDDLESEX COUNTY

Deputy Clerk of the Superior Court,  
Administration Building, Third floor  
1 Kennedy Square  
P.O. Box 2633  
New Brunswick, NJ 08903-2633  
LAWYER REFERRAL: 732-828-0053  
LEGAL SERVICES: 732-249-7600

### MONMOUTH COUNTY

Deputy Clerk of the Superior Court  
71 Monument Park  
P.O. Box 1262  
Courthouse, East Wing  
Freehold, NJ 07728-1262  
LAWYER REFERRAL: 732-431-5544  
LEGAL SERVICES: 732-866-0020

### MORRIS COUNTY

Deputy Clerk of the Superior Court  
Civil Division  
30 Schuyler Place  
P.O. Box 910  
Morristown, NJ 07960-0910  
LAWYER REFERRAL: 973-267-5882  
LEGAL SERVICES: 973-285-6911

### OCEAN COUNTY

Deputy Clerk of the Superior Court  
Court House, Room 119  
118 Washington Street  
Toms River, NJ 08754  
LAWYER REFERRAL: 732-240-3666  
LEGAL SERVICES: 732-341-2727

### PASSAIC COUNTY

Deputy Clerk of the Superior Court  
Civil Division  
Court House  
77 Hamilton Street  
Paterson, NJ 07505  
LAWYER REFERRAL: 973-278-9223  
LEGAL SERVICES: 973-345-7171

### SALEM COUNTY

Deputy Clerk of the Superior Court  
92 Market Street  
P.O. Box 18  
Salem, NJ 08079  
LAWYER REFERRAL: 609-678-8363  
LEGAL SERVICES: 609-451-0003

### SOMERSET COUNTY

Deputy Clerk of the Superior Court  
Civil Division Office  
New Court House, 3rd Floor  
P.O. Box 3000  
Somerville, NJ 08876  
LAWYER REFERRAL: 908-685-2323  
LEGAL SERVICES: 908-231-0840

### SUSSEX COUNTY

Deputy Clerk of the Superior Court  
Sussex County Judicial Center  
43-47 High Street  
Newton, NJ 07860  
LAWYER REFERRAL: 973-267-5882  
LEGAL SERVICES: 973-383-7400

### UNION COUNTY

Deputy Clerk of the Superior Court  
1st Floor, Court House  
2 Broad Street  
Elizabeth, NJ 07207  
LAWYER REFERRAL: 908-353-4715  
LEGAL SERVICES: 908-527-4769

### WARREN COUNTY

Deputy Clerk of the Superior Court  
Civil Division Office  
Court House  
Belvidere, NJ 07823-1500  
LAWYER REFERRAL: 201-267-5882  
LEGAL SERVICES: 908-475-2010

# EXHIBIT C



NEW JERSEY NOTICE OF DEFAULT AND INTENT TO FORECLOSE

Green Tree Servicing LLC  
1400 Turbine Drive  
Rapid City, SD 57703  
(800) 643-0202

Certified Mail Receipt No.«Certified\_»

Date of Notice: April 18, 2013

«Name»

«Address»

«City\_State\_Zip»

RE: Loan No. «Account\_»

Credit Transaction: Loan Secured by Real Property at: «Property\_Address»  
Original principal amount: **!Undefined Bookmark, ORIGINAL\_**  
Origination date: «Contract\_Date»

Dear «Name»:

You are now in default on the above-referenced credit transaction. You have the right to correct this default by «Cure\_Date» (Date to Cure).

**YOU HAVE NOT MADE MONTHLY MORTGAGE PAYMENTS** for the following months and the following amounts are now past due: Monthly Principal and Interest Payments due from «Months\_Past\_Due» **!Undefined Bookmark, PI\_DUE** Other charges (explain/itemize): Late Charges **!Undefined Bookmark, LATE\_FEES**, NSF Fee: **!Undefined Bookmark, NSF\_FEES**, Escrow/Other: **!Undefined Bookmark, ESCROWOTH**, Insurance: **!Undefined Bookmark, INSURANCE**, Taxes advanced: **!Undefined Bookmark, TAXES\_ADV**, TOTAL AMOUNT PAST DUE: **!Undefined Bookmark, TOTAL\_AMT**. If you cure the default, you may continue with the contract as though you did not default.

Cure of default: Before **«Cure Date»** you may cure the default by paying the reinstatement amount of **!Undefined Bookmark, TOTAL\_AMT** plus any other charges, including advances pursuant to the terms of your Note and Mortgage which become due and payable on or before the Date to Cure (or the next business day thereafter, if the Date to Cure falls on a weekend or holiday). If you want to pay by mail, send a certified check, money order or cashier's check. **DO NOT SEND CASH**. Payment must be received in our office at the servicer address listed below by the Date to Cure.

Creditor's Rights: If you do not cure the default by the Date to Cure, the lender may take steps to terminate your ownership of the property by accelerating the mortgage payments and commencing a foreclosure suit in a court of competent jurisdiction. If the mortgage is foreclosed, the mortgaged property will be sold by the Sheriff or other officer authorized by law and the proceeds of the sale applied to the mortgage 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 by law.

If you have not cured the default by the Date to Cure and foreclosure proceedings have begun, you have the right to cure the default up to the entry of Final Judgment or Order of Redemption, provided you pay all payments necessary to bring the loan current, including late and other charges due, plus attorney's fees and costs permitted by New Jersey Court Rules in connection with the foreclosure and perform any other obligations required under the Note and Mortgage. You may have the right, pursuant to the mortgage documents, to transfer the real estate

to another person subject to the security interest, and, if so the transferor may have the right to cure the default and assume the mortgage.

Please review your mortgage or deed of trust for any right you may have to reinstate your loan after acceleration but prior to the earlier of (a) five days before the sale of the property under any power of sale in the Security Instrument or (b) entry of a judgment enforcing the Security Instrument, by paying the Creditor all sums then due as if no acceleration had occurred. You may also have the right to assert in the foreclosure proceeding the non-existence of a default or any other defense available to you.

If you disagree with our assertion that the Mortgage is in default or if you disagree with the correctness of the amount required to cure the default as stated in the letter, you may contact:

Name of Representative of the Lender: «Rep\_Name»

Telephone Number of Representative of the Lender: «RO\_Phone», Ext. «Rep\_Extension»

Servicer: Green Tree Servicing LLC

Servicer's Address: 3012 Business Park Circle, Suite 100, Goodlettsville, Tennessee 37072

Lender: «Mortgage\_Owner»

Lender Address: «Mortgage\_Owner\_Address\_Full»

Please be advised that the lender does not service your account. All correspondence and inquiries concerning the servicing of your account should be addressed to the account servicer. The servicer has authority to act on the lender's behalf with regard to the administration of your account and respond to any questions.

You may be able to obtain financial assistance for curing the default from programs operated by the state or federal government or nonprofit organizations, if any, as identified by the Commissioner of Banking of the State of New Jersey, whose telephone number is 1-609-292-3420. See attached list.

You are advised to seek counsel from an attorney of your own choosing concerning your 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 where the property is located. If you are unable to afford an attorney, you may communicate with the Legal Services Office in the county where the property is located. See attached list.

*Unless you notify us in writing within thirty (30) days after receipt of this letter that the debt, or any part of it, is disputed; we will assume that the debt is valid. If you notify us of a dispute, we will obtain verification of the debt and mail it to you. Also, upon written request within thirty (30) days, we will provide you with the name and address of the original lender if different from the current lender.*

Sincerely,

Green Tree

1-800-643-0202

8:00 a.m. to 6:00 p.m. Mountain Time

This communication is from a debt collector. It is an attempt to collect a debt, and any information obtained will be used for that purpose.

## 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

**Citizen Action (Offices statewide)**  
400 Main St.  
Hackensack, NJ 07601  
1-800-NJOWNER

**Fair Housing Council of Northern New Jersey**  
131 Main St.  
Hackensack, NJ 07601  
201-489-3552

**Homelessness Prevention Program**  
New Jersey Department of Community Affairs  
(609) 633-6204\*

**Jersey Counseling & Housing Development, Inc.**  
29 S. Blackhorse Pike  
Blackwood, NJ 08012  
856-227-3683

**Monmouth County Human Services Housing Services Unit**  
P.O. Box 3000  
Freehold, NJ 07728  
732-431-7998

**Paterson Coalition for Housing, Inc.**  
262 Main St., 5th Floor  
Paterson, NJ 07505  
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**Urban League for Bergen County**  
106 W. Palisade Ave.  
Englewood, NJ 07631  
201-568-4988

**Atlantic Human Resources, Inc.**  
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Atlantic City, NJ 08401  
609-348-4131

**Consumer Credit Counseling Service of Central New Jersey**  
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**Family Service Association of Atlantic County**  
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Absecon, NJ 08201  
609-652-4100

**Housing Coalition of Central Jersey**  
78 New St.  
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732-249-9700

**Mercer County Hispanic Association**  
200 E. State St., 2nd Floor  
Trenton, NJ 08607  
609-392-2446

**Morris County Fair Housing Council**  
65 Spring St.  
Morristown, NJ 07963  
973-538-2975

**Paterson Task Force for Community Action, Inc.**  
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973-279-2333

**Urban League for Essex County**  
508 Central Ave.  
Newark, NJ 07101  
973-624-9535

**Catholic Charities of the Diocese of Metuchen**  
540-550 Route 22 East  
Bridgewater, NJ 08807  
908-722-1881

**Consumer Credit Counseling Service of New Jersey**  
185 Ridgedale Ave.  
Cedar Knolls, NJ 07927-1812  
973-267-4324

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Freehold, NJ 07728  
1-800-992-4557

**Jersey Counseling & Housing Development, Inc.**  
1840 S. Broadway  
Camden, NJ 08104  
856-541-1000

**Middlesex County Economic Opportunities Corporation**  
1215 Livingston Ave.  
North Brunswick, NJ 08902  
732-846-6600, ext. 226

**Ocean Community Economic Action Now, Inc.**  
10 Washington St.  
Toms River, NJ 08753-0773  
732-244-2351, ext. 14

**Tri-County Community Action Agency, Inc.**  
110 Cohansey St.  
Bridgeton, NJ 08302  
856-451-6330

**Urban League of Union County**  
288 N. Broad St.  
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908-351-7200

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LEGAL SERVICES: 609-348-4200

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Case Processing Section, Rm. 119  
Justice Center, 10 Main Street  
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LAWYER REFERRAL: 201-488-0044  
LEGAL SERVICES: 201-487-2166

### BURLINGTON COUNTY

Deputy Clerk of the Superior Court  
Central Processing Section  
Attn: Judicial Intake, First Floor  
Courts Facility  
49 Rancocas Road  
Mt. Holly, NJ 08060  
LAWYER REFERRAL: 609-261-4862  
LEGAL SERVICES: 609-261-1088

### CAMDEN COUNTY

Deputy Clerk of the Superior Court  
Civil Processing Office  
1st Floor, Hall of Justice,  
101 S. 5th Street,  
Camden, NJ 08103  
LAWYER REFERRAL: 856-964-4520  
LEGAL SERVICES: 856-964-2010

### CAPE MAY COUNTY

Deputy Clerk of the Superior Court  
Central Processing Office  
9 N. Main Street, Box DN-209  
Cape May Court House, NJ 08210  
LAWYER REFERRAL: 609-463-0313  
LEGAL SERVICES: 609-465-3001

### CUMBERLAND COUNTY

Deputy Clerk of the Superior Court  
Civil Case Management Office  
Broad and Fayette Streets  
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LAWYER REFERRAL: 609-692-6207  
LEGAL SERVICES: 609-451-0003

### ESSEX COUNTY

Deputy Clerk of the Superior Court  
237 Hall of Records  
465 Dr. Martin Luther King, Jr. Blvd.  
Newark, NJ 07102  
LAWYER REFERRAL: 973-622-6207  
LEGAL SERVICES: 973-624-4500

### GLOUCESTER COUNTY

Deputy Clerk of the Superior Court  
Civil Case Management Office  
Attn: Intake  
1st Floor, Court House  
Woodbury, NJ 08096  
LAWYER REFERRAL: 856-848-4589  
LEGAL SERVICES: 856-848-5360

### HUDSON COUNTY

Deputy Clerk of the Superior Court  
Civil Records Dept.  
Brennan Court House, 1st Floor  
583 Newark Avenue  
Jersey City, NJ 07306  
LAWYER REFERRAL: 201-798-2727  
LEGAL SERVICES: 201-792-6363

### HUNTERDON COUNTY

Deputy Clerk of the Superior Court  
Civil Division  
65 Park Avenue  
Flemington, NJ 08862  
LAWYER REFERRAL: 908-735-2611  
LEGAL SERVICES: 908-782-7979

### MERCER COUNTY

Deputy Clerk of the Superior Court  
Local Filing Office  
Courthouse, 175 S. Broad Street  
P.O. Box 8068  
Trenton, NJ 08650  
LAWYER REFERRAL: 609-890-6200  
LEGAL SERVICES: 609-695-6249

### MIDDLESEX COUNTY

Deputy Clerk of the Superior Court,  
Administration Building, Third floor  
1 Kennedy Square  
P.O. Box 2633  
New Brunswick, NJ 08903-2633  
LAWYER REFERRAL: 732-828-0053  
LEGAL SERVICES: 732-249-7600

### MONMOUTH COUNTY

Deputy Clerk of the Superior Court  
71 Monument Park  
P.O. Box 1262  
Courthouse, East Wing  
Freehold, NJ 07728-1262  
LAWYER REFERRAL: 732-431-5544  
LEGAL SERVICES: 732-866-0020

### MORRIS COUNTY

Deputy Clerk of the Superior Court  
Civil Division  
30 Schuyler Place  
P.O. Box 910  
Morristown, NJ 07960-0910  
LAWYER REFERRAL: 973-267-5882  
LEGAL SERVICES: 973-285-6911

### OCEAN COUNTY

Deputy Clerk of the Superior Court  
Court House, Room 119  
118 Washington Street  
Toms River, NJ 08754  
LAWYER REFERRAL: 732-240-3666  
LEGAL SERVICES: 732-341-2727

### PASSAIC COUNTY

Deputy Clerk of the Superior Court  
Civil Division  
Court House  
77 Hamilton Street  
Paterson, NJ 07505  
LAWYER REFERRAL: 973-278-9223  
LEGAL SERVICES: 973-345-7171

### SALEM COUNTY

Deputy Clerk of the Superior Court  
92 Market Street  
P.O. Box 18  
Salem, NJ 08079  
LAWYER REFERRAL: 609-678-8363  
LEGAL SERVICES: 609-451-0003

### SOMERSET COUNTY

Deputy Clerk of the Superior Court  
Civil Division Office  
New Court House, 3rd Floor  
P.O. Box 3000  
Somerville, NJ 08876  
LAWYER REFERRAL: 908-685-2323  
LEGAL SERVICES: 908-231-0840

### SUSSEX COUNTY

Deputy Clerk of the Superior Court  
Sussex County Judicial Center  
43-47 High Street  
Newton, NJ 07860  
LAWYER REFERRAL: 973-267-5882  
LEGAL SERVICES: 973-383-7400

### UNION COUNTY

Deputy Clerk of the Superior Court  
1st Floor, Court House  
2 Broad Street  
Elizabeth, NJ 07207  
LAWYER REFERRAL: 908-353-4715  
LEGAL SERVICES: 908-527-4769

### WARREN COUNTY

Deputy Clerk of the Superior Court  
Civil Division Office  
Court House  
Belvidere, NJ 07823-1500  
LAWYER REFERRAL: 201-267-5882  
LEGAL SERVICES: 908-475-2010

# EXHIBIT B



April 11, 2013

Green Tree Servicing LLC  
PO Box 6172  
Rapid City, SD 57709-6172  
Phone: 800-643-0202  
Fax: 866-870-9919  
GTServicing.com

<<DEFENDANT NAME>>  
<<DEFENDANT ADDRESS1>>  
<<DEFENDANT ADDRESS2>>  
<<DEFENDANT CITY, STATE ZIP>>

RE: Order to Show Cause <<Caption and Docket Number of Order to Show Cause>>

Dear <<Defendant Name(s)>>:

Please be advised that the New Jersey Supreme Court recently held in *U.S. Bank NA. v. Guillaume*, 209 N.J. 449 (2012), that mortgage lenders seeking to foreclose must comply with the New Jersey Fair Foreclosure Act's requirement that a Notice of Intention to Foreclose set forth the name and address of the lender.

**Why You Are Receiving This Letter**

You are receiving this letter because you are the defendant in a pending foreclosure action, and it is believed that the Notice of Intention to Foreclose served upon you prior to the commencement of the foreclosure action did not comply with the requirements of the Fair Foreclosure Act.

By the court's Order to Show Cause dated <<Month Day, YYYY>> and in compliance with the Supreme Court's opinion in *U.S. Bank NA. v. Guillaume*, [Hon. Paul Innes, P.J.Ch., Mercer Vicinage or Hon. Margaret Mary McVeigh, P.J.Ch., Passaic Vicinage], gave permission to Green Tree Servicing LLC ("Green Tree") to serve, along with the Order to Show Cause and verified complaint, corrected Notices of Intention 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 are copies of the Order to Show Cause and verified complaint. The verified complaint lists the following lenders in the following counts of the verified complaint:

<<List All Complaint Counts Pertaining to Green Tree>>

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 a representative from Green Tree at <<Phone Number>> who can assist you with locating the information about your foreclosure action.

**Information About the Corrected Notice of Intention to Foreclose**

Also enclosed with this letter is the corrected Notice of Intention 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 Intention to Foreclose, the foreclosure action against you will proceed. 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 Intention to Foreclose lists the name and address of the current lender on your loan.

### **Questions about the Notice of Intention to Foreclose**

Should you have questions with regard to your loan or the corrected Notice of Intention to Foreclose, please contact Green Tree at <<Phone Number>>. Additional contact information is provided in the corrected Notice of Intention 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 Intention 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 Intention to Foreclose. To do so, you must file a written objection under the docket number for the foreclosure action in your individual case.

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, <<Attorney Name>>, at <<Attorney Address>>, 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/indx.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).

Sincerely,

Green Tree

This communication is from a debt collector. It is an attempt to collect a debt, and any information obtained will be used for that purpose.

# EXHIBIT A

Accession Number	Plaintiff's Name	Decket Number	Case Caption	Verdict	Nature of Debt	Defendant's Last Known Address	Defendant's County	Active Date/Case File	Special Circumstances
000101111	Fern Tech Loan Group	F-146792.0	Countrywide Home Loans Servicing, LP v. Liza M. Panchal and Liza M. Panchal	Verdict	Lender not listed	241 EIGHTH STREET, SEASIDE HEIGHTS NJ 08083	NJ		
000101174	Fern Tech Loan Group	F-146966.0	BAC Home Loans Servicing LP, FIA Countrywide Home Loans Servicing, LP v. John T. Marshall Jr and Gloria E. Marshall	Verdict	Lender not listed	12544 SAKALVA STREET, LOS ANGELES, CA 90024	CA		
000101218	Fern Tech Loan Group	F-149112.0	BAC Home Loans Servicing LP, FIA Countrywide Home Loans Servicing LP, Andrew Adams and Cynthia Adams	Verdict	Lender not listed	124 BIRCHMOUNT STREET, BRIDGEVIEW, IL 60415	IL		
000101307	Fern Tech Loan Group	F-143149.0	Countrywide Home Loans Servicing, LP v. Liza Stone	Verdict	Lender not listed	14225 TROTTEN ROAD, APT. 101, CHESAPEAKE, VA 23041	VA		
000101972	Fern Tech Loan Group	F-125244.0	Bank of America N.A. v. John A. Caban	Verdict	Lender not listed	800 CROFTWATER AVE, BRIDGEVIEW, IL 60417	IL		
00010210	Fredrik Lambert, woman and Woman	F-11027.0	The Bank of New York, as Trustee for the Certificateholders of CWAHS, Inc., Asset-Backed Certificates, Series 2004-11 v. Michael F. Bickel, Trustee A. American Bank	Verdict	Lender not listed	1021 W. Campbell Rd., Elmhurst, IL 60120	IL		
00010266	Fredrik Lambert, woman and Woman	F-12124.0	The Bank of New York Mellon for the Bank of New York, as Trustee for the Certificateholders CWAHS, Inc., Asset-Backed Certificates, Series 2004-11 v. Bruce Werning, ASB Trust Services, Inc. and Social Point North Condominium Assn/et al	Verdict	Lender not listed	73 Lincoln Ave, 1st Fl, Springfield, MA 01103	MA		
00010313	Fredrik Lambert, woman and Woman	F-11274.0	The Bank of New York as Trustee for the Certificateholders CWAHS, Inc. Asset-Backed Certificates, Series 2004-11 v. Kathleen A. Fazzari, ASB Trustee, husband of Kathleen A. Fazzari	Verdict	Lender not listed	10101 Flamingo Rd., Charlotte, NC 28212	NC		
00010371	ESB, Loan Group, P.C.	F-20444.0	The Bank of New York as Trustee for the Certificateholders CWAHS, Inc. Asset-Backed Certificates, Series 2004-11 v. Kevin E. Sackel	Verdict	Lender not listed	114 W. Clayton Ave., Chicago, IL 60612	IL		
00010372	ESB, Loan Group, P.C.	F-144010.0	The Bank of New York Mellon for the Bank of New York, as Trustee for the Certificateholders CWAHS, Inc., Asset-Backed Certificates, Series 2004-11 v. Guy DeGuzman & Dawn M. DeGuzman	Verdict	Lender not listed	77 Walling Ave., Newark, NJ 07102	NJ		
00010373	Dexter MACAY P.A.	F-141144.0	Bank of New York as Trustee for the Certificateholders CWAHS 2004-11 v. Dexter Macay	Verdict	Lender not listed	125 Franklin Terrace, Mount Laurel, NJ 08054	NJ		
00010378	Dexter MACAY P.A.	F-146344.0	BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATE HOLDERS CWAHS, INC. ASSET-BACKED CERTIFICATES, SERIES 2004-11 v. Roger Roseman	Verdict	Lender not listed	65 E. Lake St., Apt. 83, Mount, NJ 08054	NJ		
00010381	Dexter MACAY P.A.	F-124010.0	Bank of New York as Trustee for the Certificateholders CWAHS, Inc. Asset-Backed Certificates, Series 2004-11 v. Robert Rosenblatt	Verdict	Lender not listed	22 Woodmont Ter., Washington, DC 20012	DC		
00010383	Dexter MACAY P.A.	F-120144.0	Bank of New York as Trustee for the Certificateholders CWAHS, Inc. Asset-Backed Certificates, Series 2004-11 v. Kenneth Linn	Verdict	Lender not listed	8142 Ashland Dr., Memphis, TN 38124	TN		
00010384	Dexter MACAY P.A.	F-120744.0	Bank of New York as Trustee for the Certificateholders CWAHS, Inc. Asset-Backed Certificates, Series 2004-11 v. Charles Williams	Verdict	Lender not listed	2042 Union Ave., Elkhart, IN 46517	IN		
00010386	Dexter MACAY P.A.	F-101174.0	Bank of New York Mellon for the Bank of New York as Trustee for the Certificateholders CWAHS 2004-11 v. Desmond Tison	Verdict	Lender not listed	1310 Thomas St., Camden, NJ 08104	NJ		
00010426	Dexter MACAY P.A.	F-121674.0	Bank of New York as Trustee for the Certificateholders CWAHS, Inc. Asset-Backed Certificates, Series 2004-11 v. Susan Susan Butler	Verdict	Lender not listed	1304 Delaware Way, Apt. 124, Atlantic, NJ 08401	NJ		
00010461	PHILIP HALDIMAN & SCHROEDER PC	F-123410.0	BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATE HOLDERS CWAHS, INC. ASSET-BACKED CERTIFICATES, SERIES 2004-11 v. FRANKIE D. WARDLE, AIR MARRIAGE, HUSBAND OF FRANKIE D. WARDLE	Verdict	Lender not listed	127 S. Valley Rd., West Union, MO 65052	MO		
00010462	PHILIP HALDIMAN & SCHROEDER PC	F-12314.0	THE BANK OF NEW YORK, AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATE HOLDERS, CWAHS, INC., ASSET-BACKED CERTIFICATES, SERIES 2004-11 v. CHRIS PAPAIOYIOU, AIRS SERIES PAPAIOYIOU, HIS WIFE	Verdict	Lender not listed	3-9 Ross Ave., Secaucus, NJ 07094	NJ		
00010463	PHILIP HALDIMAN & SCHROEDER PC	F-13074.0	BANK OF NEW YORK AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATE HOLDERS OF CWAHS 2004-11, INC. V. JANET SOULEY, AIR SOULEY, HUSBAND OF JANET SOULEY, CARE OF BOUTFIELD	Verdict	Lender not listed	334 Hansen Rd., CM 201, Care & Court House, NJ 08210	NJ		
00010464	PHILIP HALDIMAN & SCHROEDER PC	F-10114.0	THE BANK OF NEW YORK MELLON FOR THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATE HOLDERS CWAHS, INC. ASSET-BACKED CERTIFICATES, SERIES 2004-11 v. LINDA D. CLARK, HER HUSBAND, AND PERSONAL REPRESENTATIVES, AND HER, TRUST, OR ANY OF THEIR SUCCESSORS OR HEIRS, HEIR AND HEIRESS, AIR CLARK, HUSBAND OF LINDA D. CLARK, BORN IN NEW JERSEY; CONSUMERS UNION ASSOCIATION, INC., EMPLOYMENT DISCRIMINATION COMPLAINT REGISTERED FINANCIAL INSTITUTIONS, STATE OF NEW JERSEY, UNITED STATES OF AMERICA	Verdict	Lender not listed	45 Hartsfield Rd., Hightstown, NJ 08520	NJ		
00010467	PHILIP HALDIMAN & SCHROEDER PC	F-12364.0	THE BANK OF NEW YORK MELLON FOR THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATE HOLDERS CWAHS, INC., ASSET-BACKED CERTIFICATES, SERIES 2004-11 v. HARRY ESCOBAR, AIR HARRY ESCOBAR, HIS WIFE, COUNTRYWIDE HOME LOANS, INC., SURETY HOLDING COMPANY, INC., UNITED STATES OF AMERICA, INC., JACKSON CAPITAL, INC., UNITED STATES OF AMERICA	Verdict	Lender not listed	31 Avenue C, Gateway, NJ 08024	NJ		
00010468	PHILIP HALDIMAN & SCHROEDER PC	F-10111.0	ASB TRUST	Verdict	Lender not listed	418 Cornelia Dr., Newark, NJ 07102	NJ		
00010469	Pharm, Banker and Submitter 007046	F-141834.0	Green Tree v. Gregory A. Lemons	Verdict	Lender not listed	20145 NW Ashburton Dr., NJ 07092	NJ		
00010470	Pharm, Banker and Submitter 007047	F-141835.0	Green Tree v. Carlos A. Mann	Verdict	Lender not listed	1830 Lafayette Ave., Apt. 25, Elizabeth, NJ 07208	NJ		
00010471	Pharm, Banker and Submitter 007048	F-141836.0	Green Tree v. Kathleen Alford	Verdict	Lender not listed	12 Cranford Pl., Leno River, NJ 07037	NJ		
00010472	Pharm, Banker and Submitter 007049	F-141837.0	Green Tree v. Alan Kowalski	Verdict	Lender not listed	101 Hartsfield Ave., Apt. 414, Camden, NJ 08104	NJ		
00010473	Pharm, Banker and Submitter 007050	F-141838.0	Green Tree v. Terrence Traylor	Verdict	Lender not listed	36 Avenue A, Elizabeth, NJ 07208	NJ		
00010474	Pharm, Banker and Submitter 007051	F-141839.0	Green Tree v. Hilma Lerman	Verdict	Lender not listed	401 S. Ash Ave., Gateway, NJ 08024	NJ		
00010475	Pharm, Banker and Submitter 007052	F-141840.0	Green Tree v. Lisa Salamouch	Verdict	Lender not listed	418 Linden Way, Freshkill, NJ 07722	NJ		
00010476	Pharm, Banker and Submitter 007053	F-141841.0	Green Tree v. Don Casparotto	Verdict	Lender not listed	2018 Hightstown Dr., Hightstown, NJ 08520	NJ		
00010477	Pharm, Banker and Submitter 007054	F-141842.0	Green Tree v. Charles Kalkowski	Verdict	Lender not listed	118 Wallace Ave., Newark, NJ 07102	NJ		
00010478	Pharm, Banker and Submitter 007055	F-141843.0	Green Tree v. David Alban	Verdict	Lender not listed	18 Greenway Ter., Irvington, NJ 07031	NJ		
00010479	Pharm, Banker and Submitter 007056	F-141844.0	Green Tree v. Thomas W. Remy	Verdict	Lender not listed	118 W. Wood Rd., Yorkland, NJ 08063	NJ		
00010480	Pharm, Banker and Submitter 007057	F-141845.0	Green Tree v. Lakshmi Venkatesh	Verdict	Lender not listed	4500 Sunset Ave., Springfield, NJ 07081	NJ		
00010481	Pharm, Banker and Submitter 007058	F-141846.0	Green Tree v. John L. Duggan	Verdict	Lender not listed	11813 1/2 Ave., Apt. B-1, Leno, PA 17043	PA		
00010482	Pharm, Banker and Submitter 007059	F-141847.0	Green Tree v. Vikas Kulkarni	Verdict	Lender not listed	18 Acacia St., Ironsboro, NJ 07031	NJ		
00010483	Pharm, Banker and Submitter 007060	F-141848.0	Green Tree v. Gloria Roman	Verdict	Lender not listed	10 W. Hightstown Ex. Ave. 12, Verona, NJ 07094	NJ		
00010484	Pharm, Banker and Submitter 007061	F-141849.0	Green Tree v. Yusef Benali	Verdict	Lender not listed	401 Hartsfield Ave., Camden, NJ 08104	NJ		
00010485	Pharm, Banker and Submitter 007062	F-141850.0	Green Tree v. Patricia L. Demayo	Verdict	Lender not listed	508 Atlantic Rd., Westmonte, NJ 08054	NJ		
00010486	Pharm, Banker and Submitter 007063	F-141851.0	Green Tree v. Christoff Kowalski	Verdict	Lender not listed	415 1/2 South Lansing, Plainville, NJ 08532	NJ		
00010487	Pharm, Banker and Submitter 007064	F-141852.0	Green Tree v. Michael Hilligan	Verdict	Lender not listed	107 E. Elm St., Apt. 101, W. 2441	PA		
00010488	Pharm, Banker and Submitter 007065	F-141853.0	Green Tree v. Hector Sarragosa	Verdict	Lender not listed	90 Route 70, Leno, NJ 07024	NJ		
00010489	Pharm, Banker and Submitter 007066	F-141854.0	Green Tree v. Christine A. Conway	Verdict	Lender not listed	730 Greenway Ave., Hightstown, NJ 08042	NJ		
00010490	Pharm, Banker and Submitter 007067	F-141855.0	Green Tree v. Nicholas Crawford Robinson	Verdict	Lender not listed	1073 East 1347, Mount Vernon, NY 10553	NY		
00010491	Pharm, Banker and Submitter 007068	F-141856.0	Green Tree v. George Panella	Verdict	Lender not listed	140 Hightstown Ave., Hightstown, NJ 08042	NJ		
00010492	Pharm, Banker and Submitter 007069	F-141857.0	Green Tree v. Bill Brown	Verdict	Lender not listed	255 Route 30, Philadelphia, NJ 08107	PA		
00010493	Pharm, Banker and Submitter 007070	F-141858.0	Green Tree v. Eugene Lewis	Verdict	Lender not listed	103 East 117, Fort Monmouth, NJ 08040	NJ		
00010494	Pharm, Banker and Submitter 007071	F-141859.0	Green Tree v. Justin Koval	Verdict	Lender not listed	111 Lafayette St., Elmville, NJ 07824	NJ		
00010495	Pharm, Banker and Submitter 007072	F-141860.0	Green Tree v. William Henry Allmon	Verdict	Lender not listed	1407 E. Hightstown Rd., Hightstown, NJ 08042	NJ		
00010496	Pharm, Banker and Submitter 007073	F-141861.0	Green Tree v. Charles Seibert	Verdict	Lender not listed	675 So. Ave., Cherry, NJ 07810	NJ		
00010497	Pharm, Banker and Submitter 007074	F-141862.0	Green Tree v. Michael Darnas	Verdict	Lender not listed	117 So. Meadway Ln., Hightstown, NJ 07810	NJ		
00010498	Pharm, Banker and Submitter 007075	F-141863.0	Green Tree v. Albert J. Epton	Verdict	Lender not listed	114 Cedar Ave., Hopewell, NJ 07942	NJ		
00010499	Pharm, Banker and Submitter 007076	F-141864.0	Green Tree v. Fredy Torres	Verdict	Lender not listed	112 E. 11th St., Hightstown, NJ 08042	NJ		
00010500	Pharm, Banker and Submitter 007077	F-141865.0	Green Tree v. Leland Sabat	Verdict	Lender not listed	16 Hightstown St., Hightstown, NJ 07810	NJ		
00010501	Pharm, Banker and Submitter 007078	F-141866.0	Green Tree v. Edward Barth N	Verdict	Lender not listed	38 Hightstown, Hightstown, NJ 07810	NJ		
00010502	Pharm, Banker and Submitter 007079	F-141867.0	Green Tree v. Laurence Brown	Verdict	Lender not listed	421 Lincoln Ave., Hightstown, NJ 07810	NJ		
00010503	Pharm, Banker and Submitter 007080	F-141868.0	Bank of New York as Trustee for the Certificateholders CWAHS, Inc. Asset-Backed Certificates, Series 2004-11 v. Ricardo Martinez	Verdict	Lender not listed	1910 W. Washington Valley Rd., Suite 7, Mount Laurel, NJ 08054	NJ		
00010504	Pharm, Banker and Submitter 007081	F-141869.0	Green Tree v. Bianca Torres	Verdict	Lender not listed	1407 E. Hightstown Rd., Hightstown, NJ 08042	NJ		
00010505	Pharm, Banker and Submitter 007082	F-141870.0	Green Tree v. Armand Desrosier	Verdict	Lender not listed	2511 Grove Ave., Leno, NJ 07024	NJ		
00010506	Pharm, Banker and Submitter 007083	F-141871.0	Green Tree v. Aarti Rangoo	Verdict	Lender not listed	51 Long Hill Ex., Cherry, NJ 07810	NJ		
00010507	Pharm, Banker and Submitter 007084	F-141872.0	BAC Home Loans Servicing LP, FIA Countrywide Home Loans Servicing LP v. Trone Kuchale	Verdict	Lender not listed	1033 E. 11th St., Hightstown, NJ 08042	NJ		
00010508	Pharm, Banker and Submitter 007085	F-141873.0	BAC Home Loans Servicing LP v. Jeffrey E. Vesp	Verdict	Lender not listed	1815 W. Washington Ave., Newark, NJ 07102	NJ		
00010509	Pharm, Banker and Submitter 007086	F-141874.0	BAC Home Loans Servicing LP v. Emma de Melinas-Lopez	Verdict	Lender not listed	111 W. 130th Ave., New York, NY 10020	NY		
00010510	Pharm, Banker and Submitter 007087	F-141875.0	BAC Home Loans Servicing LP v. Carl G. Gorman	Verdict	Lender not listed	111 W. 130th Ave., New York, NY 10020	NY		
00010511	Pharm, Banker and Submitter 007088	F-141876.0	BAC Home Loans Servicing LP v. Ronald G. Cox	Verdict	Lender not listed	111 W. 130th Ave., New York, NY 10020	NY		
00010512	Pharm, Banker and Submitter 007089	F-141877.0	Bank of America, N.A. v. Heidi A. Frett and Christine Williams	Verdict	Lender not listed	36 MANLYN ST., WEST WOODBURY, NJ 07093	NJ		
00010513	Pharm, Banker and Submitter 007090	F-141878.0	BAC Home Loans Servicing LP v. Day Buchanan	Verdict	Lender not listed	1021 BUCKINGHAM BLVD., BRIDGEVIEW, NJ 08012	NJ		
00010514	Pharm, Banker and Submitter 007091	F-141879.0	Bank of America, N.A. v. Jennifer L. Virginia	Verdict	Lender not listed	105 N. RIVER ST., SUITE 700, IRVINGTON, NJ 07030	NJ		
00010515	Pharm, Banker and Submitter 007092	F-141880.0	Bank of America, N.A. v. Miron Shapovalov	Verdict	Lender not listed	164 S. 4th Street, Hightstown, NJ 08042	NJ		
00010516	Pharm, Banker and Submitter 007093	F-141881.0	Bank of America, N.A. v. Sanku J. Hattar	Verdict	Lender not listed	2810 NEWTON BLVD., SUITE 200, IRVINGTON, NJ 07030	NJ		
00010517	Pharm, Banker and Submitter 007094	F-141882.0	Bank of America, N.A. v. Gary Yermolen	Verdict	Lender not listed	146 W. WASHINGTON AVE., SUITE 200, IRVINGTON, NJ 07030	NJ		

9318341	Stem Laxenthal, Margaret & Karpov	F-21118-09	THE BANK OF NEW YORK MELLON/FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWARD, INC., ASSET-BACKED CERTIFICATES, SERIES 2010-14 - STEPHEN HAZEL	Texas	No due care not provided	1107 Spring Creek Ln, Dallas, TX 75249	NY
9318353	Stem Laxenthal, Margaret & Karpov	F-21117-10	THE BANK OF NEW YORK MELLON/FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWARD, INC., ASSET-BACKED CERTIFICATES, SERIES 2010-14 V. SHAIN HADGRAVES	Illinois	No due care not provided	283 Clifton Ave, Morrisville, NJ 08851	NY
9318379	Stem Laxenthal, Margaret & Karpov	F-21126-08	THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWARD, INC., ASSET-BACKED CERTIFICATES, SERIES 2010-14 - AMORGHETTE E. DONNELLY	Illinois	No due care not provided	43 Pine Brook Rd, Towson, MD 21282	NY
9318381	Stem Laxenthal, Margaret & Karpov	F-21115-09	Green Tree V. Branch/Melton	Illinois	No due care not provided	116 7th Ave, Toms River, NJ 08017	NY
9318385	Stem Laxenthal, Margaret & Karpov	F-20174-08	Green Tree V. Lando/Kortshon	Illinois	No due care not provided	24-26 Linn St, Plainfield, NJ 07068	NY
9318389	Stem Laxenthal, Margaret & Karpov	F-21111-09	Green Tree V. Eric Lee	Illinois	No due care not provided	1601 Adams Ave, Blackwood, NJ 08012	NY
9318393	Stem Laxenthal, Margaret & Karpov	F-21224-09	Green Tree V. Gregory Whelan	Illinois	No due care not provided	111 Lincoln St, Marlinton, NJ 07842	NY
9318397	Ulmer Law Offices, P.C.	F-21264-09	Wells Fargo Bank, N.A. as Trustee for BSSP Trust Series 2017-EA01 vs. Gary A. Davis, et al	Massachusetts	Verpage	117 Shrewsbury Avenue, Scituate, MA 01976	NY
9318403	Ulmer Law Offices, P.C.	F-21444-08	Wells Fargo Bank, N.A. as Trustee for BSSP Trust Series 2017-EA01 vs. Carlos Ruiz, et al	Illinois	Verpage	2199 Mackin Avenue, Fort Lee, NJ 07024	NY
9318408	Ulmer Law Offices, P.C.	F-22114-09	Wells Fargo Bank, N.A. as Trustee for BSSP Trust Series 2017-EA01 vs. U.S. Bank, N.A. as Trustee on behalf of SASCO Mortgage Loan Trust 2017-201 vs. Timothy Washer, et al	Washington	Verpage	125 Duran Avenue, Portersville, PA 15861	NY
9318412	Zuckerman, Richard & Ackerman	F-20159-12	U.S. Bank, National Association, as trustee on behalf of GMACM Mortgage Loan Trust 2011-2, Mortgage Pass-Through Certificate Series 2011-2 v. Evelyn Sorenson, et al	Washington	Lender not listed	64 Park Lane, Willimantic, CT 06296	NY
9318416	Zuckerman, Richard & Ackerman	F-20159-12	U.S. Bank, National Association, as Trustee for SerVest REIT Pass Through Trust I v. Karen A. Tomerlin, et al	Illinois	NOX not sent to all that report defaults. Property address not referenced accurately. Lender Name incorrect. Lender's address not provided. Contact name and number not provided with payment entry. No contact name provided for dispute entry	3311 Tall Pine Drive Hill, NJ 08023	NY
9318420	Zuckerman, Richard & Ackerman	F-20108-12	U.S. Bank, National Association, as Trustee for SerVest REIT Trust 2011-1 Mortgage Trust Certificate, Series 2011-1 v. Karen Tomerlin, et al	Illinois	Property address not referenced accurately. Lender and lender's address is incorrectly referenced. Contact name and number not provided with payment entry. No contact name provided for dispute entry	949 North Green Avenue, Ventnor City, NJ 08406	NY
9318424	Zuckerman, Richard & Ackerman	F-20116-12	Citibank, N.A. as Trustee for the Certificateholders of Structured Asset Mortgage Investments II Inc., How Structured A.M.T.A. Trust, Mortgage Pass-Through Certificate Series 2017.1 v. Tazala Abella, et al	Washington	Name and address of lender disclosed does not match name of plaintiff	4443 Church Rd., Wood Laurel, NJ 08014	NY
9318428	Zuckerman, Richard & Ackerman	F-20114-09	Southeast II, L.P. v. Pamela Harris-Roberts, et al	Massachusetts	Address of lender not provided	60 Hammond Avenue, Passaic, NJ 07055	NY
9318432	Zuckerman, Richard & Ackerman	F-20229-12	Deutsche Bank Trust Company Americas as Trustee v. Lou DiPietro, et al	Massachusetts	Lender not properly disclosed, no address for lender	45 Linn St, Plainfield, NJ 07068	NY
9318436	Zuckerman, Richard & Ackerman	F-20495-10	Wells Fargo Bank, N.A. as Trustee for BSSP Trust Series 2017-EA01 vs. Jo Ann Roberts et al	Massachusetts	The lender address was not properly listed. The name of a certain person provided if the address appears the same amount was not provided.	1 Foxstone Lane, Marlinton, NJ	NY
9318440	Zuckerman, Richard & Ackerman	F-20309-10	Wells Fargo Bank, N.A. as Trustee for BSSP Trust Series 2017-EA01 vs. HENRY WOLFGANG, et al	Texas	Does not address borrower that they have the right to transfer property to a third party after foreclosure initiated	34 Brookline Avenue, Seattle, WA 98105	NY
9318444	Zuckerman, Richard & Ackerman	F-20481-12	Bank of New York as Trustee for the Certificateholders CWARD, Inc. Asset-Backed Certificate, Series 2010-12, vs. Virginia E. Uhlmann	Illinois	Lender not listed	121 Cambridge Avenue, Jersey City, NJ 07310	NY
9318448	Zuckerman, Richard & Ackerman	F-20432-08	Bank of New York as Trustee for the Certificateholders CWARD, Inc. Asset-Backed Certificate, Series 2010-14 vs. Christopher Lora	Illinois	Lender not listed	71 Marlow Ct, Franklin, NJ 07030	NY
9318452	Zuckerman, Richard & Ackerman	F-21266-10	The Bank of New York Mellon/FKA The Bank of New York, as Trustee for the Certificateholders CWARD, Inc., Asset-Backed Certificate, Series 2017-002 v. William Otto Rode	Illinois	Lender not listed	18 Peachtree Rd, Woodstock, TN 37185	NY
9318456	Zuckerman, Richard & Ackerman	F-20211-08	Green Tree V. Michael Spanik	Illinois	Lender not listed	601 Hill St, Trenton, NJ 08619	NY
9318460	Zuckerman, Richard & Ackerman	F-21119-08	Green Tree V. Charlotte Williams	Illinois	Lender not listed	1121 Rosemont Dr, Roselle, NJ 07068	NY

**PLUESE, BECKER & SALTZMAN, LLC**  
Attorneys At Law  
20000 Horizon Way, Suite 900  
Mount Laurel, NJ 08054-4318  
(856) 813-1700  
Attorneys for Plaintiff

**IN RE NOTICES OF INTENTION TO  
FORECLOSE SENT BY GREEN TREE  
SERVICING LLC**

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**SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
PASSAIC COUNTY  
DOCKET NO. F-**

**CIVIL ACTION**

**ORDER TO SHOW CAUSE  
SUMMARY PROCEEDING  
PURSUANT TO R. 4:67-2**

**THIS MATTER** being brought before the Court by **GREEN TREE SERVICING LLC** (“the Servicer” or “Green Tree”), in pending foreclosure cases (“the Foreclosures”), by and through counsel, Pluese, Becker & Saltzman, LLC, Rob Saltzman, Esquire, appearing, pursuant to the April 4, 2012 Order of the New Jersey Supreme Court (the “April 4<sup>th</sup> Order”) and based upon the facts and circumstances described in the Verified Complaint filed herewith and incorporated herein by reference, including defined terms; and the Court having determined that this matter is appropriately commenced by Order To Show Cause as a summary proceeding pursuant to R. 4:67-2, and for good cause shown:

**IT IS** on this \_\_\_\_\_ day of \_\_\_\_\_, 2013,

**ORDERED** that Foreclosure Defendants identified in Exhibit “A” of the Verified Complaint (the “Remediated NOI List”) appear and show cause on the \_\_\_\_\_ day of \_\_\_\_\_, 2013 before the Honorable Margaret Mary McVeigh, P.J.Ch., Superior Court, Passaic County, Chancery Division, at 71 Hamilton Street, Paterson, NJ 07505 at \_\_\_\_\_ o’clock (the “Hearing”), why a Final Order/Judgment should not be entered as follows:

- A. Declaring the Servicer's Remediated NOIs in the form of the Remediated NOI Template that contain accurate information regarding each subject Loan derived from the Servicer's Loan Records to be compliant with the requirements of the Fair Foreclosure Act; and
- B. Allowing the Servicer to send Remediated Notices of Intention to Foreclose (the "Remediated NOI"), affording Foreclosure Defendants at least thirty (30) days from the date the Remediated NOI is mailed to cure the default on their Mortgage without attorneys' fees or costs incurred in the pending Foreclosure; and
- C. Allowing Foreclosures to proceed where more than 35 days have passed since a Remediated Notice of Default was sent to a Foreclosure Defendant without the default at issue having been cured; and
- D. Granting such other relief as the Court deems equitable and just.

**IT IS FURTHER ORDERED** that:

1. Plaintiff shall serve upon each Foreclosure Defendant a complete package (the "OTSC Package") consisting of a conformed copy of this Order To Show Cause, Verified Complaint without Exhibits, Supporting Certification, Letter Memorandum, Explanatory Letter and Remediated NOI.
2. Service of the OTSC Package shall be effectuated by simultaneous certified mail, return receipt requested, and regular mail to the subject Mortgaged Property's address and the

Foreclosure Defendant's last known address if different.

3. A copy of this Order To Show Cause and Verified Complaint shall be posted on the Judiciary's Web Page at <http://www.judiciary.state.nj.us>.
  
4. Regarding any Foreclosure Defendant involved in a Bankruptcy case wherein the Automatic Stay enjoins prosecution of the Foreclosure,
  - a. The Servicer may serve a copy of this Order to Show Cause and Verified Complaint, but may defer serving a Remediated NOI if it believes that doing so may violate the Automatic Stay.
  - b. If the Court grants final relief on the return date of this Order To Show Cause and the Servicer has not already sent a Remediated NOI, then the Servicer may send the Remediated NOI once the Automatic Stay is vacated, modified or otherwise inapplicable. In the alternative, Plaintiff may apply to the United States Bankruptcy Court for relief from the Automatic Stay to effectuate service of the Remediated NOI pursuant to this Order.
  - c. In the event that the Servicer does not serve a Remediated NOI with this Order To Show Cause, Plaintiff's Foreclosure action may not proceed until such Remediated NOI is served pursuant to this Court's Order and the time provided therein to cure the default has passed without the default having been cured.
  - d. If the Servicer believes that service of this Order To Show Cause may be a violation of the Automatic Stay, then once the Stay is vacated, modified or

otherwise no longer enjoins service of a Remediated NOI, then the Servicer may send an OTSC Package to the Foreclosure Defendant(s) and the Foreclosure(s) may proceed where more than 35 days have passed after such OTSC Package was sent without the default having been cured. Plaintiff shall not be required to file another Order To Show Cause to Remediate NOIs at issue in Foreclosures subject to the Automatic Stay.

5. Plaintiff shall publish legal notices of this OTSC as on at least two days prior to

\_\_\_\_\_ in the following newspapers:

- a. Star Ledger
- b. Bergen Record
- c. The Press of Atlantic City
- d. The Gloucester County Times

6. The Court will only entertain objections (the “Objections”) to the process provided for by the April 4<sup>th</sup> Order. Any Party who wishes to object to the process shall file the Objection under the Docket Number for this Order to Show Cause, **in writing**, with the:

Clerk of the Superior Court, Foreclosure Processing Services  
Attn: Objection to Notice of Intention to Foreclose  
25 Market Street  
P.O. Box 971  
Trenton, New Jersey 08625-0971

A copy of the Objection must also be sent to:

Honorable Margaret Mary McVeigh, P.J.Ch.  
Passaic County Courthouse  
71 Hamilton Street, Chambers 100  
Paterson, New Jersey 07505

A copy of the Objection must also be served upon the attorney for the Plaintiff:

Rob Saltzman, Esquire  
Pluese, Becker & Saltzman, LLC  
20000 Horizon Way, Suite 900  
Mt. Laurel, New Jersey 08054

Objections must state with specificity the basis for the Objection and must be filed no later than \_\_\_\_\_, 2013.

7. If a timely Objection is not filed, the matter may proceed to Final Order/Judgment in accordance with applicable Rules of Court.
8. Any objection regarding a particular Remediated NOI in a particular Foreclosure case must be filed in writing under the Docket Number of that particular Foreclosure action, NOT this Order To Show Cause. Any such Objection must state the basis for the objection with specificity and be filed and served as set forth in Paragraph 6 above. Objections to a particular Remediated NOI will be referred for resolution to the Chancery Judge in the Vicinage where the Mortgaged Property is located.
9. Foreclosure Defendants are hereby informed that a telephone call to the Plaintiff, to the Plaintiff's attorney, to the Servicer, to the Superior Court Clerk's Office, or to this Court, will not protect your rights nor constitute a valid Objection; you must file and serve your written Objection as provided for by in this Order.
10. If you cannot afford an attorney, you may call the Legal Services office in the County in which you live. If you do not have an attorney or are not eligible for free legal assistance through the Legal Services office (or such office does not provide services for this

particular type of proceeding), you may obtain a referral to an attorney by calling one of the Lawyer Referral Services.

11. If no Foreclosure Defendant timely files and serves an Objection as provided for above, this application may be decided by the Court at the Hearing or otherwise upon submission of a Certification of Service and a proposed form of Final Order/Judgment as required by this Order To Show Cause.
12. If written Objection is properly filed and served, the Plaintiff's written reply (the "Reply") shall be filed and served by \_\_\_\_\_, 2013. A copy of the Reply, if any, shall be served upon the Clerk of Superior Court, with a courtesy copy to the Honorable Margaret Mary McVeigh, P.J.Ch. The Reply need only be served upon the particular Foreclosure Defendant who properly filed and served his/her/their Objection.
13. Plaintiff shall submit to the Court an original and two copies of a proposed form of Final Order/Judgment incorporating the relief sought no later than \_\_\_\_\_ days before the Hearing.
14. The Plaintiff shall file a Certificate of Service of the Verified Complaint, this Order to Show Cause and all supporting documents with the Clerk of Superior Court no later than nine (9) days before the Hearing.

15. The Court will entertain argument, but not testimony, at the Hearing, unless the Court otherwise directs.

By The Court,

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Hon. Margaret Mary McVeigh, P.J.Ch.

**PLUESE, BECKER & SALTZMAN, LLC**  
Attorneys At Law  
20000 Horizon Way, Suite 900  
Mount Laurel, NJ 08054-4318  
(856) 813-1700  
Attorneys for Plaintiff

**IN RE NOTICES OF INTENTION TO  
FORECLOSE SENT BY GREEN TREE  
SERVICING LLC**

**SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
PASSAIC COUNTY  
DOCKET NO. F-**

**CIVIL ACTION**

**ORDER TO SHOW CAUSE  
SUMMARY PROCEEDING  
PURSUANT TO R. 4:67-2**

**THIS MATTER** being brought before the Court by **GREEN TREE SERVICING LLC** (“the Servicer” or “Green Tree”), in pending foreclosure cases (“the Foreclosures”), by and through counsel, Pluese, Becker & Saltzman, LLC, Rob Saltzman, Esquire, appearing, pursuant to the April 4, 2012 Order of the New Jersey Supreme Court (the “April 4<sup>th</sup> Order”) and based upon the facts and circumstances described in the Verified Complaint filed herewith and incorporated herein by reference, including defined terms; and the Court having determined that this matter is appropriately commenced by Order To Show Cause as a summary proceeding pursuant to R. 4:67-2, and for good cause shown:

**IT IS** on this \_\_\_\_\_ day of \_\_\_\_\_, 2013,

**ORDERED** that Foreclosure Defendants identified in Exhibit “A” of the Verified Complaint (the “Remediated NOI List”) appear and show cause on the \_\_\_\_\_ day of \_\_\_\_\_, 2013 before the Honorable Margaret Mary McVeigh, P.J.Ch., Superior Court, Passaic County, Chancery Division, at 71 Hamilton Street, Paterson, NJ 07505 at \_\_\_\_\_ o’clock (the “Hearing”), why a Final Order/Judgment should not be entered as follows:

- A. Declaring the Servicer's Remediated NOIs in the form of the Remediated NOI Template that contain accurate information regarding each subject Loan derived from the Servicer's Loan Records to be compliant with the requirements of the Fair Foreclosure Act; and
- B. Allowing the Servicer to send Remediated Notices of Intention to Foreclose (the "Remediated NOI"), affording Foreclosure Defendants at least thirty (30) days from the date the Remediated NOI is mailed to cure the default on their Mortgage without attorneys' fees or costs incurred in the pending Foreclosure; and
- C. Allowing Foreclosures to proceed where more than 35 days have passed since a Remediated Notice of Default was sent to a Foreclosure Defendant without the default at issue having been cured; and
- D. Granting such other relief as the Court deems equitable and just.

**IT IS FURTHER ORDERED** that:

1. Plaintiff shall serve upon each Foreclosure Defendant a complete package (the "OTSC Package") consisting of a conformed copy of this Order To Show Cause, Verified Complaint without Exhibits, Supporting Certification, Letter Memorandum, Explanatory Letter and Remediated NOI.
2. Service of the OTSC Package shall be effectuated by simultaneous certified mail, return receipt requested, and regular mail to the subject Mortgaged Property's address and the

Foreclosure Defendant's last known address if different.

3. A copy of this Order To Show Cause and Verified Complaint shall be posted on the Judiciary's Web Page at <http://www.judiciary.state.nj.us>.
  
4. Regarding any Foreclosure Defendant involved in a Bankruptcy case wherein the Automatic Stay enjoins prosecution of the Foreclosure,
  - a. The Servicer may serve a copy of this Order to Show Cause and Verified Complaint, but may defer serving a Remediated NOI if it believes that doing so may violate the Automatic Stay.
  - b. If the Court grants final relief on the return date of this Order To Show Cause and the Servicer has not already sent a Remediated NOI, then the Servicer may send the Remediated NOI once the Automatic Stay is vacated, modified or otherwise inapplicable. In the alternative, Plaintiff may apply to the United States Bankruptcy Court for relief from the Automatic Stay to effectuate service of the Remediated NOI pursuant to this Order.
  - c. In the event that the Servicer does not serve a Remediated NOI with this Order To Show Cause, Plaintiff's Foreclosure action may not proceed until such Remediated NOI is served pursuant to this Court's Order and the time provided therein to cure the default has passed without the default having been cured.
  - d. If the Servicer believes that service of this Order To Show Cause may be a violation of the Automatic Stay, then once the Stay is vacated, modified or

otherwise no longer enjoins service of a Remediated NOI, then the Servicer may send an OTSC Package to the Foreclosure Defendant(s) and the Foreclosure(s) may proceed where more than 35 days have passed after such OTSC Package was sent without the default having been cured. Plaintiff shall not be required to file another Order To Show Cause to Remediate NOIs at issue in Foreclosures subject to the Automatic Stay.

5. Plaintiff shall publish legal notices of this OTSC as on at least two days prior to

\_\_\_\_\_ in the following newspapers:

- a. Star Ledger
- b. Bergen Record
- c. The Press of Atlantic City
- d. The Gloucester County Times

6. The Court will only entertain objections (the “Objections”) to the process provided for by the April 4<sup>th</sup> Order. Any Party who wishes to object to the process shall file the Objection under the Docket Number for this Order to Show Cause, **in writing**, with the:

Clerk of the Superior Court, Foreclosure Processing Services  
Attn: Objection to Notice of Intention to Foreclose  
25 Market Street  
P.O. Box 971  
Trenton, New Jersey 08625-0971

A copy of the Objection must also be sent to:

Honorable Margaret Mary McVeigh, P.J.Ch.  
Passaic County Courthouse  
71 Hamilton Street, Chambers 100  
Paterson, New Jersey 07505

A copy of the Objection must also be served upon the attorney for the Plaintiff:

Rob Saltzman, Esquire  
Pluese, Becker & Saltzman, LLC  
20000 Horizon Way, Suite 900  
Mt. Laurel, New Jersey 08054

Objections must state with specificity the basis for the Objection and must be filed no later than \_\_\_\_\_, 2013.

7. If a timely Objection is not filed, the matter may proceed to Final Order/Judgment in accordance with applicable Rules of Court.
8. Any objection regarding a particular Remediated NOI in a particular Foreclosure case must be filed in writing under the Docket Number of that particular Foreclosure action, NOT this Order To Show Cause. Any such Objection must state the basis for the objection with specificity and be filed and served as set forth in Paragraph 6 above. Objections to a particular Remediated NOI will be referred for resolution to the Chancery Judge in the Vicinage where the Mortgaged Property is located.
9. Foreclosure Defendants are hereby informed that a telephone call to the Plaintiff, to the Plaintiff's attorney, to the Servicer, to the Superior Court Clerk's Office, or to this Court, will not protect your rights nor constitute a valid Objection; you must file and serve your written Objection as provided for by in this Order.
10. If you cannot afford an attorney, you may call the Legal Services office in the County in which you live. If you do not have an attorney or are not eligible for free legal assistance through the Legal Services office (or such office does not provide services for this

particular type of proceeding), you may obtain a referral to an attorney by calling one of the Lawyer Referral Services.

11. If no Foreclosure Defendant timely files and serves an Objection as provided for above, this application may be decided by the Court at the Hearing or otherwise upon submission of a Certification of Service and a proposed form of Final Order/Judgment as required by this Order To Show Cause.
12. If written Objection is properly filed and served, the Plaintiff's written reply (the "Reply") shall be filed and served by \_\_\_\_\_, 2013. A copy of the Reply, if any, shall be served upon the Clerk of Superior Court, with a courtesy copy to the Honorable Margaret Mary McVeigh, P.J.Ch. The Reply need only be served upon the particular Foreclosure Defendant who properly filed and served his/her/their Objection.
13. Plaintiff shall submit to the Court an original and two copies of a proposed form of Final Order/Judgment incorporating the relief sought no later than \_\_\_\_\_ days before the Hearing.
14. The Plaintiff shall file a Certificate of Service of the Verified Complaint, this Order to Show Cause and all supporting documents with the Clerk of Superior Court no later than nine (9) days before the Hearing.

15. The Court will entertain argument, but not testimony, at the Hearing, unless the Court otherwise directs.

By The Court,

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Hon. Margaret Mary McVeigh, P.J.Ch.

**PLUESE, BECKER & SALTZMAN, LLC**  
Attorneys At Law  
20000 Horizon Way, Suite 900  
Mount Laurel, NJ 08054-4318  
(856) 813-1700  
Attorneys for Plaintiff

**IN RE NOTICES OF INTENTION TO  
FORECLOSE SENT BY GREEN TREE  
SERVICING LLC**

**SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
PASSAIC COUNTY  
DOCKET NO. F-**

**CIVIL ACTION**

**ORDER TO SHOW CAUSE  
SUMMARY PROCEEDING  
PURSUANT TO R. 4:67-2**

**THIS MATTER** being brought before the Court by **GREEN TREE SERVICING LLC** (“the Servicer” or “Green Tree”), in pending foreclosure cases (“the Foreclosures”), by and through counsel, Pluese, Becker & Saltzman, LLC, Rob Saltzman, Esquire, appearing, pursuant to the April 4, 2012 Order of the New Jersey Supreme Court (the “April 4<sup>th</sup> Order”) and based upon the facts and circumstances described in the Verified Complaint filed herewith and incorporated herein by reference, including defined terms; and the Court having determined that this matter is appropriately commenced by Order To Show Cause as a summary proceeding pursuant to R. 4:67-2, and for good cause shown:

**IT IS** on this \_\_\_\_\_ day of \_\_\_\_\_, 2013,

**ORDERED** that Foreclosure Defendants identified in Exhibit “A” of the Verified Complaint (the “Remediated NOI List”) appear and show cause on the \_\_\_\_\_ day of \_\_\_\_\_, 2013 before the Honorable Margaret Mary McVeigh, P.J.Ch., Superior Court, Passaic County, Chancery Division, at 71 Hamilton Street, Paterson, NJ 07505 at \_\_\_\_\_ o’clock (the “Hearing”), why a Final Order/Judgment should not be entered as follows:

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Attn: Objection to Notice of Intention to Foreclose  
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A copy of the Objection must also be served upon the attorney for the Plaintiff:

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Mt. Laurel, New Jersey 08054

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7. If a timely Objection is not filed, the matter may proceed to Final Order/Judgment in accordance with applicable Rules of Court.
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By The Court,

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Hon. Margaret Mary McVeigh, P.J.Ch.