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Elliot Bauer
295 Plum Drive
Marlboro, NJ 07746
732-598-2543

January 24, 2014

Superior Court of New Jersey
Foreclosure Division
CN 971
Trenton, NJ 08625
Attn: Clerk

Passaic County Court House
Chancery Division
General Equity Part
Old Courthouse
71 Hamilton Street
Paterson, NJ 07505
Attn: Hon. Margaret Mary McVeigh

Regarding: In Re Application by Green Tree Servicing LLC to Issue Remediated Notices of Intent to Foreclose to Foreclose in Certain Uncontested Foreclosures
Docket Number : F-035398-13

Regarding: BAC Home Loans Servicing L.P. f/k/a Countywide Home Loans Servicing LP vs Bauer, MERS acting as nominee for Fairmont Funding Ltd., et als.
Docket Number : F-22985-10

Dear Judge McVeigh and Presiding Monmouth County Foreclosure Judge:

This letter serves as an objection to the plaintiff's motion to substitute plaintiff pursuant to docket number F- 22985-10 and seeks to deny entering final judgment therein. Additionally the Application by Green Tree Servicing, LLC to enter a final judgment by default. The primary problem is that the plaintiff is seeking a judgment for an amount far in excess of what is actually due and that the defective NOI was never received.

While it may be true that many defendants died and did not receive the NOI to foreclose, I was significantly injured requiring two months of hospitalization and many months of recuperation. Even today, I continue to suffer from the injury sustained. Any NOI "received" was not actually seen by me.

It is incredible to substitute plaintiff because this is why the accounting of amount due is not or will not be correct. I have clearly not been given credit for payments made. If the Court allows for discovery for the purpose of ascertaining the amount due, then I will be able to show that the assignee of BAC Home Loans is not aware of payments made. At this juncture, I have never actually received the foreclosure complaint docket number F-22985-10. Therefore, I am additionally requesting a copy of the complaint and maybe one week to file an answer.

The application by Green Tree and the Motion by BAC Home Loans literally made me realize that a foreclosure was pending against my condo. I need the ability to answer the complaint and I do not have a copy of the complaint and the NOI was probably served when I was in the hospital.

Accordingly, ORAL ARGUMENT IS REQUESTED ON THIS MATTER AND PLAINTIFF'S MOTION MUST BE DENIED ON BOTH MATTERS.

I certify the foregoing statements are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Respectfully submitted

Elliot Bauer

cc: David Rubin
Sandra Williams

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Marlboro, NJ 07746

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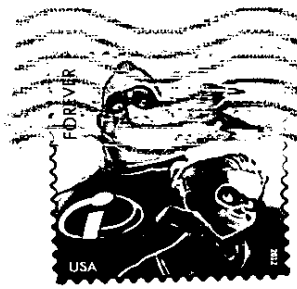

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