

REED SMITH LLP

Formed in the State of Delaware

Mark S. Melodia, Esquire

Diane A. Bettino, Esquire

Princeton Forrestal Village

136 Main Street, Suite 250

Princeton, New Jersey 08540

Tel. (609) 987-0050

K&L GATES LLP

Rosemary Alito, Esquire

Joy Lindo, Esquire

One Newark Center, 10th Floor

Newark, New Jersey 07102

Tel. (973) 848-4047

RECEIVED

MAY 10 2011

**SUPERIOR COURT
CLERK'S OFFICE**

**SUBMITTED TO SUPERIOR COURT
JUDGE WALTER R. BARISONEK, ON
RECALL**

**IN THE MATTER OF RESIDENTIAL
MORTGAGE FORECLOSURE
PLEADING AND DOCUMENT
IRREGULARITIES**

**RE: ADMINISTRATIVE
ORDER NO. 01-2010**

CIVIL ACTION

**CERTIFICATION OF KELLY FACCONO ON BEHALF OF WELLS FARGO BANK,
N.A., AS SUCCESSOR IN INTEREST TO WACHOVIA BANK, N.A., IN FURTHER
SUPPORT OF THE MOTION TO DISMISS THE DECEMBER 20, 2010
ADMINISTRATIVE ORDER AND JANUARY 31, 2011 SUPPLEMENTAL
ADMINISTRATIVE ORDER AS TO WACHOVIA BANK**

I, Kelly Faccone, of full age, certify as follows:

1. I am an Analytics Consultant at Wells Fargo in Charlotte, NC. I have been in this position for five (5) years. I am responsible for oversight of the legacy Wachovia Bank, N.A. loan portfolio, which is serviced by other entities. I have been employed by Wells Fargo, or an entity acquired by merger, since February, 1993

2 I provide this Certification in support of the Motion to Dismiss Wachovia from this Administrative Action

3. In my current capacity as an Analytics Consultant, I am familiar with the legacy Wachovia Bank, N.A portfolio of loans secured by closed-end residential home mortgages that

are serviced by third party servicers. In an effort to determine the number of residential mortgage loans that are serviced by other entities in New Jersey, I reviewed the Wells Fargo business records, which includes the records of Wachovia Bank, N.A., which was merged into Wells Fargo on March 20, 2010, and I reviewed the third-party servicers' remittance records. I have attached hereto as Exhibit A the breakdown of the loans by servicing entity that are currently serviced by servicers other than Wells Fargo.

4 In addition, I have reviewed the Wells Fargo business records and third-party servicer remittance data in an effort to determine the number of residential mortgage loans that are serviced by other entities in New Jersey as of April, 2011. I have attached hereto as Exhibit B a breakdown of the loans serviced by third-party servicers other than Wells Fargo by servicing entity that are currently in foreclosure status. As Exhibit B shows, there were 76 loans currently in a foreclosure status.

5 By virtue of Wachovia's merger into Wells Fargo, all of the loans listed on Exhibits A & B are now owned by Wells Fargo Bank.

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 false, I am subject to punishment.



Kelly Faccone

Dated: 5/5/2011

Exhibit A
As of April 2011

| Strat Type | Servicer | Loan Count |
|------------|--|------------|
| Totals | Totals | 758 |
| Servicer | BAC HOME LOANS SERVICING, LP | 233 |
| Servicer | EMC MORTGAGE CORPORATION | 98 |
| Servicer | PNC BANK, NA | 107 |
| Servicer | GMAC MORTGAGE, LLC | 36 |
| Servicer | PHH MORTGAGE CORPORATION | 32 |
| Servicer | BANK OF AMERICA, NA | 29 |
| Servicer | CHASE HOME FINANCE LLC | 43 |
| Servicer | AURORA LOAN SERVICES LLC | 30 |
| Servicer | CITIMORTGAGE, INC | 50 |
| Servicer | SPECIALIZED LOAN SERVICING LLC | 34 |
| Servicer | OCVEN LOAN SERVICING, LLC | 28 |
| Servicer | SUNTRUST MORTGAGE, INC | 7 |
| Servicer | HSBC MORTGAGE CORPORATION (USA) | 7 |
| Servicer | ONEWEST BANK FSB | 5 |
| Servicer | CENLAR FSB | 9 |
| Servicer | EVERHOME MORTGAGE COMPANY | 3 |
| Servicer | FIRST TENNESSEE BANK, NA | 1 |
| Servicer | SOVEREIGN BANK | 2 |
| Servicer | DOVENMUEHLE MTG CO | 2 |
| Servicer | SOMERSET SAVINGS BANK, SLA | 1 |
| Servicer | OLD REPUBLIC FINANCIAL ACCEPTANCE CORP | 1 |

Exhibit B
As of April 2011

| Strat Type | Servicer | Loan Count |
|---------------|--------------------------------|------------|
| Totals | Totals | 76 |
| Servicer | BAC HOME LOANS SERVICING, LP | 22 |
| Servicer | EMC MORTGAGE CORPORATION | 14 |
| Servicer | SPECIALIZED LOAN SERVICING LLC | 15 |
| Servicer | PNC BANK, NA | 10 |
| Servicer | SUNTRUST MORTGAGE, INC | 2 |
| Servicer | AURORA LOAN SERVICES LLC | 4 |
| Servicer | PHH MORTGAGE CORPORATION | 2 |
| Servicer | GMAC MORTGAGE, LLC | 2 |
| Servicer | CHASE HOME FINANCE LLC | 2 |
| Servicer | ONEWEST BANK FSB | 1 |
| Servicer | OCWEN LOAN SERVICING, LLC | 2 |