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Blairstown, NJ 07825

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AUG 31 2012

SUPERIOR COURT  
CLERK'S OFFICE

August 24, 2012

America's Servicing Company  
ATTN: Randy Bockenstedt, Senior Vice President  
3480 Stateview Boulevard  
MAC X7802-03H  
Fort Mill, SC 29715

RE: Docket No.: F-009564-12  
Loan No.: 1218021974

Dear Mr. Bockenstedt,

I am writing to you in regards to the packet of paperwork I received yesterday via certified mail. As I sat reading over the entire packet, I couldn't help but feel very frustrated by receiving it, for several reasons.

First, and foremost, I will admit that it was not America's Servicing Company's fault that I fell behind on my mortgage payments. My daughter had been involved in a very bad auto accident which had claimed her boyfriend's life and resulted in legal fees that she could not pay. In order to get her legal representation, I went out on a limb to help her. Unfortunately for me, as I am self-employed, my business slowed to a point that I could not recover sufficiently to catch up with the arrears to bring the mortgage current.

It was at that time that I applied with America's Servicing Company for a loan modification. Not once, but several times, in fact. Fax it here, wait a few days, call to see if paperwork was received, wasn't found, send again. Wait a few days, call again, fax to different fax number, wait again, call back, sent to wrong

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department, send again. We're not talking a few pages here. I was faxing a lot of my personal information, never knowing where it went or who had received it. When you call, you always spoke with someone different and one hand never seemed to know what the other was doing. Finally, someone took the time to look for the information only to find that the person who had requested the information failed to have me send other information that was needed, which was faxed to America's Servicing Company, only to find out that the time limit had expired and I had to start all over again. Another time, I was told that they couldn't accept my paperwork because I failed to put my account number on each individual sheet of information that I faxed, which the last person failed to mention was required. Oh, and on another attempt, I discovered that I should have signed and dated each sheet as well.

This happened so many times, I was wondering how anyone lived through one of your loan modifications without pulling out all of their hair. I feel I did my part, trying to comply with each new requirement for the loan modification and I don't understand why it became such a hard process with your company when I learned that other companies could complete the modification within a period of three months.

I even tried to go outside of America's Servicing Company to refinance but have found out that it's not a possibility because the loan is not current, which I tried to accomplish, many times, with your company.

On top of all of this, I find out yesterday that the original Notice of Intention to Foreclose paperwork that America's Servicing Company issued to me did not comply with the requirements of the Fair Foreclosure Act. Wow!

All I wanted to do was find a way to keep my home! Unfortunately, how, at this point, is that an option when the loan has fallen so far behind and with the economy the way that it is, there is no way to come up with what you're asking me to pay in order to do so. I am stunned, to say the least. I feel like you have kept me hostage to your company as I cannot go anywhere else and when I speak

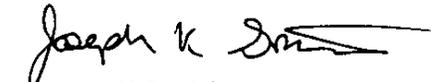
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to your representatives or receive correspondence from America's Servicing Company, it is suggested to me that I should short sale my home. Where does that help me to keep my home?

I would think, with everything I hear on the news about President Obama working along with banks and mortgage companies to keep homeowners in their homes that America's Servicing Company would be more willing to work along with me. At this point, I would have no other alternative but to let you proceed and foreclose upon me.

Sincerely,

A handwritten signature in black ink that reads "Joseph K. Smith". The signature is written in a cursive style with a long horizontal flourish at the end.

Joseph K Smith

cc.: Superior Court Clerk, Trenton, NJ

Mark S. Melodia, Esq., Princeton, NJ

Judge McVeigh, J.S.C., Superior Court of New Jersey, Paterson, NJ