

RECEIVED
SEP 11 2012
SUPERIOR COURT
CLERK'S OFFICE

**Jesus Avalos
Gladys Avalos
19 Cedar Knoll
Jackson, NJ 08527**

Defendants

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
PASSAIC COUNTY
DOCKET NO. F-009564-12

WELLS FARGO BANK, N.A
And ASC,

CIVIL ACTION

Plaintiff,

v.

JESUS AVALOS

ANSWER TO SHOW CAUSE

To the state of New Jersey and to the Plaintiff WELLS FARGO BANK, N.A and ASC
I, the Defendant, Jesus Avalos who reside at 19 Cedar Knoll Jackson NJ 08527
answers the order to show cause as follows:

I deny that the Plaintiff should be able to foreclose on my home for the following
Reasons:

I ask the Court to dismiss this complaint because this is filed in the wrong County of New
Jersey. I have also filed for Bankruptcy I am attaching proof from courts. I have also tried
to work with the lender and they have not worked with me. This is also filed under the
same Docket Number for a different property. Gladys Avalos which she has no longer
any obligation to this debt please see attached.

We answer the complaint as follows

Answer

- 1) Deny Failure to respond to me on number of occasions trying to have a loan modification done do to unforeseen circumstances.
- 2) I deny this and request for dismissal due to wrong jurisdiction I'm not in Passaic County nor is the Property.
- 3) Property address 19 Cedar Knoll Jackson ,NJ 08527
- 4) I deny the intent to proceed with foreclosure because I received another complaint on another property listed with the same Docket Number. I will attach proof.

CERTIFICATE OF SERVICE

A copy of this Answer was served upon Plaintiff's attorney at the following Address:

Law Offices
Reed Smith LLP.
136 Main Street, Suite 250
Princeton, NJ 08054-1539
609-987-0050

GA for Jesus Avalos POA.
Jesus Avalos

(Date)

UNITED STATES BANKRUPTCY COURT

District of New Jersey
402 East State Street
Trenton, NJ 08608

Case No.: 10-24056-RTL
Chapter: 7
Judge: Raymond T. Lyons Jr.

In Re: Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Gladys A Avalos
19 Cedar Knoll Road
Jackson, NJ 08527

Social Security No.:

xxx-xx-1611

Employer's Tax I.D. No.:

NOTICE OF PROPOSED ABANDONMENT

Thomas Orr, Trustee for the above-captioned case, has filed a notice of intent to abandon certain property described below as being of inconsequential value to the estate.

If any creditor or other party in interest has an objection to the proposed abandonment, the objection and a request for a hearing on such objection shall be in writing, served upon the Trustee and filed with the Clerk of the United States Bankruptcy Court. Such objection and request shall be filed with the Clerk and served upon the Trustee no later than July 12, 2010.

In the event an objection is timely filed, a hearing will be held before the Honorable Raymond T. Lyons Jr. on

DATE: July 26, 2010
TIME: 10:00 a.m.
COURTROOM: 8

If no objection is filed with the Clerk and served upon the Trustee on or before July 12, 2010, the abandonment will take effect on the fifth day following the last day to file objections.

The description of the property to be abandoned is as follows:

Real estate at 19 CEDAR KNOLL ROAD
JACKSON, NJ

The debtor(s) purchased the property in 2006 for \$480,000. The property is valued at \$514,000.00 based upon an average comparative market analysis. Property is jointly owned with non-filing spouse.

Allowing for cost of sale, secured creditors and exemptions, there is no equity.

The liens on the property to be abandoned are as follows (including amount claimed due):

US Bank N.A. \$376,066.00
Wachovia Bank \$58,928.00

The amount of equity claimed as exempt by the debtor is:
\$0.00

UNITED STATES BANKRUPTCY COURT
District of New Jersey

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

A Chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 7/13/12.

You may be a creditor of the debtor. This notice lists important deadlines. You may want to consult an attorney to protect your rights.

All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below.

NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations.

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Jesus Avalos
19 Cedar Knoll Rd
Jackson, NJ 08527

Social Security/Taxpayer ID/Employer ID/Other Nos.:
141-84-2173 (Jesus Avalos)

United States Bankruptcy Judge:
Honorable Raymond T. Lyons Jr.

Attorney for Debtor(s) (name and address):

Jesus Avalos
19 Cedar Knoll Rd
Jackson, NJ 08527
Telephone number:

Trustee:

Catherine E. Youngman
Forman Holt Eliades Ravin & Youngman LLC
80 Route 4 East, Suite 290
Paramus, NJ 07652

Telephone number: 201-845-1000

The United States Trustee, Region 3 appoints the above-named individual as interim trustee as of the date of the filing of the bankruptcy petition.

Meeting of Creditors:

Date: August 17, 2012

Time: 01:30 PM

Location: Clarkson S. Fisher Federal Courthouse, 402 East State Street, Room 129, Trenton, NJ 08608-1507

Presumption of Abuse under 11 U.S.C. § 707(b)

See "Presumption of Abuse" on reverse side.

Insufficient information has been filed to date to permit the clerk to make any determination concerning the presumption of abuse. If more complete information, when filed, shows that the presumption has arisen, creditors will be notified.

Deadlines:

Papers must be received by the bankruptcy clerk's office by the following deadlines:

Deadline to Object to Debtor's Discharge or to Challenge Dischargeability of Certain Debts:

10/16/12

Deadline to Object to Exemptions:

Thirty (30) days after the conclusion of the meeting of creditors.

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.

Creditor with a Foreign Address:

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

Address of the Bankruptcy Clerk's Office:

402 East State Street
Trenton, NJ 08608
Telephone number: 609-989-2200

For the Court:

Clerk of the Bankruptcy Court:
James J. Waldron

Business Hours:

8:30 AM - 4:00 p.m., Monday - Friday (except holidays)

Date: 7/17/12



8/14/2012

JESUS AVALOS
GLADYS AVALOS
19 CEDAR KNOLL ROAD
JACKSON, NJ 08527-0000

Re: *In re Application by Wells Fargo Bank, N.A. to Issue Corrected Notices of Intent to Foreclose on Behalf of Identified Foreclosure Plaintiffs in Uncontested Cases*

Docket Number F- 009564-12

Dear JESUS AVALOS & GLADYS AVALOS:

Please be advised that the New Jersey Supreme Court recently held in *U.S. Bank N.A. 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 July 19, 2012, and in compliance with the Supreme Court's opinion in *U.S. Bank N.A. v. Guillaume*, the Hon. Margaret Mary McVeigh, P.J.Ch., Passaic Vicinage, gave permission to Wells Fargo Bank, N.A. 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:

- Count 1 - Bank of America, N.A.
- Count 2 - Bank of New York Mellon
- Count 3 - BankAtlantic
- Count 4 - Bayview Financial
- Count 5 - CitiBank, N.A.
- Count 6 - Commerce Bancorp.
- Count 7 - Copperfield Investments
- Count 8 - Deutsche Bank



8/14/2012

JESUS AVALOS
19 CEDAR KNOLL
JACKSON, NJ 08527

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- Count 6 - Commerce Bancorp.
- Count 7 - Copperfield Investments
- Count 8 - Deutsche Bank
- Count 9 - DLJ Mortgage Capital, Inc.
- Count 10 - E*Trade
- Count 11 - EMC Mortgage