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September 24, 2012

Superior Court Clerk's Office
Foreclosure Processing Services
P.O. Box 971
Trenton, New Jersey 08625
Attn: Objection to Notice of Intention to Foreclose
SENT VIA HAND DELIVERY

Hon. Margaret Mary McVeigh, P.J. Ch.
Superior Court of New Jersey
Passaic County
Chambers 100
71 Hamilton Street
Paterson, New Jersey 07505
SENT VIA CERTIFIED MAIL (RRR)

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 No. F-009564-12)

Dear Your Honor:

Please accept this letter brief in lieu of a more formal objection to the above-referenced matter on behalf of the following homeowner:

Patrick LaFontant
711 Hussa Street
Linden, NJ 07036-2628

As a matter of background, Respondent, Patrick LaFontant, retained the legal services of the undersigned this past Friday afternoon, September 21, 2012, in order to respond to the above-referenced Order to Show Cause ("OTSC") filed with the Court by Petitioner, Wells Fargo Bank, N.A., on or about July 19, 2012. Pursuant to the Court's Order of the same date, Respondent LaFontant objects to the OTSC for the reasons set forth below.

On or about September 15, 2012, Respondent received a copy of what looks to be the "OSC Package", which included a Wells Fargo Explanatory Letter, the proported Corrected Notice of Intent

On or about September 15, 2012, Respondent received a copy of what looks to be the "OSC Package", which included a Wells Fargo Explanatory Letter, the proported Corrected Notice of Intent ("NOI"), both dated August 14. 2012, as well as what looks to be an incomplete copy of the Order to Show Cause (sans a Certification of Service).

Respondent's objection to the OTSC is based upon what appears to be a possible failure to send the OSC Package to Respondent by way of Registered or Certified Mail - Return Receipt Requested ('RRR'), as required pursuant the Court's July 19th Order and under the Fair Foreclosure Act, pursuant to N.J.S.A. 2A:50-56(b). It should also be noted that Respondent's objection is made here and now, in order to avoid any potential waiver to a future objection based upon the form of service of the NOI.

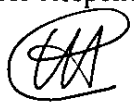
In an effort to maintain candor before the Court and with Petitioner, the Respondent (Mr. LaFontant) is currently estranged from his wife, who presently remains in the marital home. Respondent received the above documents as part of a loose stack of papers given to him by his wife on September 15th. Upon inquiry, Respondent was unable to confirm that the OSC Package was received at the marital home via Registered/Certified Mail (RRR), and nothing on either the face of Petitioner's Explanatory Letter or Corrected NOI, indicates that these documents were sent to Respondent by the required form. That is to say, nothing appears in either letter's heading, body or signatory conclusion to indicate that these documents were sent via Registered/Certified Mail (RRR). See attached.

While Respondent is mindful of the recent changes in the law pursuant to U.S. Bank N.A. v. Guillaume, 209 N.J. 449 (2012), upon which the Court granted Petitioner the opportunity to present a corrected NOI to cure any defects thereunder – if Petitioner in fact did not provide such notice via Registered/Certified Mail, such would be a failure of service (as opposed to the factual errors set forth in Guillaume), which should be considered improper notice akin to the original language of N.J.S.A. 2A:50-56(b), as well as in EMC Mortgage Corporation v. Chaudhri, 400 N.J. Super. 126 (2008), and the original argument in Bank of New York v. Laks, 422 N.J.Super. 201 (App.Div.2011).

Accordingly, unless and until Petitioner can substantiate to the Court that it in fact made proper service of the OSC Package, Respondent maintains its present objection that service of the OSC Package was improper and any Complaint filed thereto should fail and be considered void – and should therefore be dismissed (without prejudice).

Respectfully Submitted,

THE ANNESE LAW FIRM, P.C.
Of Counsel to Diaz & Associates, P.C.
Attorneys for Respondent, Patrick LaFontant



TERRANCE W. ANNESE, ESQ.

c: file
Mark S. Melodia, Esquire (Sent via fax and Certified Mail – RRR)
Enclosures

WELLS FARGO | HOME MORTGAGE

3480 Stateview Blvd
MAC# D3348-027
Fort Mill, SC 29715

Date: 8/14/2012

PATRICK LAFONTANT
711 HUSSA ST
LINDEN, NJ 07036-2628

RE: Wells Fargo Home Mortgage 708/0149759938
Mortgagor(s): PATRICK LAFONTANT
Mortgaged Premises: 711 HUSSA ST.
LINDEN
NJ
07036

NOTICE OF INTENTION TO FORECLOSE

Dear Borrower(s):

Wells Fargo Home Mortgage (hereafter, "Wells Fargo") services a mortgage (hereafter, the "Mortgage") in the original principal amount of $295,000.00 on the residential property commonly known as 711 HUSSA ST., LINDEN, NJ 07036, which Mortgage was made on 3/3/2006.

Your Mortgage is now in default because you have not made the required payments. The total amount required to cure this default, in other words, the amount required to bring your mortgage current as of 9/17/2012 is as follows:

Monthly payments (principal, interest, and escrow) from 6/1/2008 are as follows:

Payments- Totaling	$	167,922.39
Total Accrued Unpaid Late Charges	$	5,553.05
(Monthly Late Charge $ 118.15)		
Unapplied Funds	$	0.00
Miscellaneous Fees	$	2,180.00
Total Delinquency as of 8/14/2012	$	175,773.59

Your Pre-Foreclosure Action Right to cure this Default

To avoid the possibility of acceleration, you must pay this amount plus any additional monthly payments, late charges and other charges that may be due under applicable law after the date of this notice and on or before 9/17/2012 in CERTIFIED funds, to:

Payments only address:

Wells Fargo Home Mortgage
1200 W 7th Street
Suite L2-200
Los Angeles, CA 90017

There may be available to you financial assistance for curing a default from programs operated by the state or federal government or non-profit organizations, if any, as identified by the Commissioner of Banking and Insurance. A list of such governmental and non-profit entities is enclosed. You may also wish to call the following numbers to ascertain whether you qualify for such assistance:

* HUD Housing Counseling Service	1-800-569-4287
* Veterans Affairs	1-800-827-1000
* New Jersey Commissioner of Banking	1-609-292-7272
*New Jersey Commissioner of Banking Hotline:	1-800-446-7467

If you disagree with Wells Fargo's assertion that a default has occurred, or if you disagree with the correctness of Wells Fargo's calculation of the amount required to cure this default, you may contact Wells Fargo at the following:

Randy Bockenstedt, Senior Vice President
Wells Fargo Home Mortgage
Address: 3480 Stateview Boulevard
MAC D3348-027
Fort Mill, SC 29715
Phone Number: 1-800-868-0043

The lender of your loan is:

US Bank National Association, as Trustee for Citigroup Mortgage Loan Trust 2006-WFHE2, Asset-Backed Pass-Through Certificates, Series 2006-WFHE2
60 Livingston Avenue
St. Paul, MN 55107

Your right to cure this default, as provided in this Notice, is independent of any right of redemption or any other right or remedy under the common law, principles of equity, state or federal statute or rule of court. Financial Assistance for curing your default may be available. Attached you will find a list of possible programs.

Very truly yours,

Wells Fargo Home Mortgage
Default Management Department

This communication is an attempt to collect a debt and any information obtained will be used for that purpose. However, if you have received a discharge of this debt in bankruptcy or are currently in a bankruptcy case, this notice is not intended as an attempt to collect a debt and, this company has a security interest in the property and will only exercise its rights as against the property.

WELLS FARGO | HOME MORTGAGE

8/14/2012

PATRICK LAFONTANT
711 HUSSA ST
LINDEN, NJ 07036-2628

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 PATRICK LAFONTANT:

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
Count 9 -	DLJ Mortgage Capital, Inc.

Count 10 -	E*Trade
Count 11 -	EMC Mortgage
Count 12 -	Federal Deposit Guaranty Insurance Corporation
Count 13 -	Federal Home Loan Mortgage Corporation
Count 14 -	Federal National Mortgage Association
Count 15 -	Federal Home Loan Bank of Chicago
Count 16 -	FTN Financial
Count 17 -	GE Capital Mortgage Services, Inc.
Count 18 -	GMAC Bank
Count 19 -	HSBC Bank, N.A.
Count 20 -	Hudson City Savings Bank
Count 21 -	Investors Savings Bank
Count 22 -	JP Morgan Chase Bank
Count 23 -	LaSalle Bank, N.A.
Count 24 -	Lehman Brothers
Count 25 -	LEX Special Assets
Count 26 -	MidFirst Bank
Count 27 -	New York Life Assurance and Annuity Corporation
Count 28 -	PNC Bank
Count 29 -	Residential Accredit Loans, Inc.
Count 30 -	Riggs Real Estate Investment Corporation
Count 31 -	UBS Bank
Count 32 -	United States Department of Housing and Urban Development
Count 33 -	U.S. Bank, N.A.
Count 34 -	Wilmington Trust Company

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 the following Wells Fargo representative who can assist you with locating the information about your foreclosure action:

Randy Bockenstedt, Senior Vice President
Wells Fargo Home Mortgage
Address: 3480 Stateview Boulevard
MAC D3348-027
Fort Mill, SC 29715
Phone Number: 1-800-868-0043

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.

Correspondence only address:

Randy Bockenstedt, Senior Vice President
Wells Fargo Home Mortgage
Address: 3480 State view Boulevard
MAC D3348-027
Fort Mill, SC 29715
Phone Number: 1-800-868-0043

Please be advised that Wells Fargo Home Mortgage cannot guarantee that payments received at the "correspondence only address" will be applied within the required timeframes.

If you do not cure this default and bring your account current by 9/17/2012, then Wells Fargo may take steps to terminate your ownership of the Property by starting a mortgage foreclosure action against you.

If you cure this default before the filing of the foreclosure action, Wells Fargo may not institute a foreclosure action against you for that default; your Mortgage will be reinstated to the same position as if the default had not occurred, and any acceleration of any obligation under the Mortgage or Note will be nullified as of the date of cure.

You have the right to transfer the property to another person subject to the Mortgage; that person will have the right to cure this default, subject to the Mortgage and the Note, and this Notice.

Your Post-Foreclosure Action Right to cure this Default

Even if Wells Fargo starts a mortgage foreclosure action against you, you shall still have the right to cure this default, de-accelerate and reinstate your Mortgage up to the time when a final judgment for foreclosure is entered. To do so, you must pay Wells Fargo, at the address specified above, by cashier's check or certified check, all sums which would have been due in the absence of default and which are due at the time of payment including principal and interest payments, escrow payments and other necessary charges which come due prior to the date of payment and you must perform any other obligation which you would have been bound to perform in the absence of default or the exercise of an acceleration clause, if any. In addition you must pay court costs, if any, and attorney(s) fees in an amount which shall not exceed the amount permitted under the Rules governing the Courts of the State of New Jersey, plus all contractual late charges, as provided for in the Note and Mortgage. You shall not be required to pay any separate charge, fee or penalty attributable to the exercise of your right to cure this default. This right to cure your default, de-accelerate and reinstate the Mortgage after a foreclosure action has been started may only be exercised by you once every 18 months. You have the right to bring a court action to assert the non-existence of a default or any other defense you may have to acceleration and sale.

If you cure the default after a foreclosure action has been started, Wells Fargo shall give written notice of the cure to the Court and, upon such notice, the Court shall dismiss the foreclosure action, without prejudice. Your Mortgage will be reinstated to the same position as if the default had not occurred and any acceleration of any obligation under the Mortgage and Note arising from the default will be nullified as of the cure date.

We urge you to immediately seek the advice of an attorney(s) of your own choosing concerning this residential mortgage default. If you are unable to obtain an attorney(s), you may communicate with the New Jersey Bar Association or the Lawyers Referral Service of the county where the property is located. If you are unable to afford an attorney(s), you may communicate with the Legal Services Office in the county where the property is located. These telephone numbers are listed on the attached sheet; they can also be found in the local telephone directory.

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/index.htm. You may also contact the Superior Court Clerk's Office at (609) 421-6100, or at SCCOForeclosure.Mailbox@judiciary.state.nj.us.