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SEP 24 2012

JAMES MISOKA.
23 Jewett Ave.
Jersey City, New Jersey. 07304

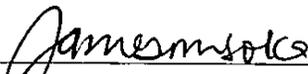
SUPERIOR COURT
CLERK'S OFFICE

IN RE APPLICATION BY WELLS : SUPERIOR COURT OF NEW JERSEY
FARGO BANK, N.A. TO ISSUE : CHANCERY DIVISION
CORRECTED NOTICE'S OF INTENT : PASSAIC COUNTY
TO FORCLOSE ON BEHALF OF :
IDENTIFIED FORECLOSURE : DOCKET NO.: F-009564-12
PLAINTIFFS IN UNCONTESTED CASES :
: CIVIL ACTION

CERTIFICATE OF SERVICE

I, the undersigned, certify that I served by regular mail to the following three parties a copy of the Show of Cause, Notice of Appearance, and Certificate in lieu of Oath or Affidavit issued by the undersigned on behalf of the Defendant in re: F-16559-09 [Hudson Co.], concerning property at 23 Jewett Avenue, Jersey City, New Jersey in reference to the above captioned matter:

1. Superior Court Clerk's Office, Foreclosure Processing Services
Attention: Objection to Notice of Intention to Foreclose
P.O. Box 971
Trenton, NJ 08625
2. Mark S Melodia, Esquire
Reed Smith LLP, Princeton Forrestal Village
136 Main St.
Princeton, NJ 08540
3. Judge McVeigh, J.S.C.
Superior Court of New Jersey, Chambers 100
71 Hamilton Street
Paterson, NJ 07505

by: 
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Special Appearance

TO: THE CLERK THE ABOVE-NAMED COURT.

PLEASE TAKE NOTICE that the undersigned hereby enters a special appearance, invoking a special court of equity always, by way of special deposit, on behalf of the defendant JAMES MISOKA.

Executed by the light of day twenty four September, 2012

by: *James Misoka*
JAMES MISOKA.
23 Jewett Ave.
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SHOW OF CAUSE

COMES NOW James Misoka, authorized representative of the alleged Defendant (hereinafter, Defendant) in re: F-16559-09 [Hudson Co.], concerning property at 23 Jewett Avenue, Jersey City, New Jersey, and responds to the above referenced Order to Show Cause as follows;

1. Plaintiff in the above referenced foreclosure action failed to serve upon the Defendant a proper Notice of Intent to Foreclose pursuant to the New Jersey Fair Foreclosure Act (hereinafter, the FFA) prior to the filing of the original Verified Complaint to Foreclose.
2. Wells Fargo, N.A., in its Corrected Notice of Intention to Foreclose fails to meet its requirement pursuant to the Order to Show Cause, to correctly identify the Lender. The FFA defines "lender" as the entity that currently holds the mortgage; therefore, the legislature has unmistakably directed that the homeowner shall be advised of the exact entity to which he or she owes the balance of the loan. In *U.S. Bank N.A. v. Guillaume* the court holds that the FFA requires that a notice of intention include the name and address of the actual lender. The court's decision applies retroactively because it is applying the plain language of a 17-year-old statute (*U.S. Bank N.A. v. Guillaume*, 209 N.J. 449 [2012]). Although the identification and contact information of a trustee may be substantive information to include in the notice of intent, it does not meet the requirements for demonstrating substantial compliance with the FFA. In plain language, the Corrected Notice of Intention to Foreclose states:

The lender of your loan is:

Deutsche Bank National Trust Company, as Trustee for BCAPB LLC Trust 2007-AB1
1761 East St. Andrew Place
Santa Ana, CA 92705

It appears that we are being given more of the same subterfuge that was intrinsic to the initial motivation for not identifying a true lender on Notices of Intent to Foreclose issued in the state of New Jersey. If I were to sell real property to an estate or trust here in New Jersey than the resulting Deed would indicate that the Estate or Trust was the Grantee, not that Mr. Smith as Executor of ABC Estate, or that XYZ LLC as Trustee of XYZ Living Trust was Grantee. I need to know whether Deutsche Bank National Trust Company is the lender or is BCAPB LLC Trust 2007-AB1(?) Otherwise, the Court will be permitting the movant to continue the same subterfuge that the FFA was designed to preclude.

Wherefore, I have complied with the Order to Show Cause as to why Wells Fargo Bank, N.A., or Deutsche Bank National Trust Company should not be granted leave to resume the above referenced foreclosure action merely by issuing a Corrected Notice of Intent to Foreclose without identifying a lender without using qualifying terms such as "as".

by: James Misoka
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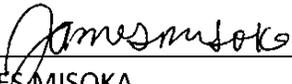
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Certificate in lieu of Oath or Affidavit

I, James Misoka, authorized representative of the Defendant in re: F-16559-09 [Hudson Co.], concerning property at 23 Jewett Avenue, Jersey City, New Jersey, do herewith certified in lieu of oath or affidavit that the statements contained in the associated Show of Cause and Certificate of Service are based upon information and belief and do not contain any willfully false information.

Executed by the light of day twenty four September, 2012

by: 
JAMES MISOKA.
23 Jewett Ave.
Jersey City, New Jersey. 07304