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September 25, 2012

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SUPERIOR COURT
CLERK'S OFFICE

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Sent Via New Jersey Lawyer's Service

Diane Bettino
Reed Smith LLP
136 Main Street
Princeton NJ 08543

Re: Richard and Donna Rokow
F-009564-12 In re Application by Wells Fargo Bank, N.A.....
F-09992-10 US Bank N.A. TTEE v. Rokow

Dear Ms. Bettino:

We represent Defendants in the above captioned matter. Please be advised that your client's claim and requested relief brought under F-009564-12 is meritless and sanctionable as frivolous litigation. Your client has been pursuing a meritless case and any orders or judgments which may have been obtained are without valid legal and factual basis. You are currently seeking relief against Defendants in a summary proceeding Order to Show Cause concerning the Notice of Intent to Foreclose provision of the New Jersey Fair Foreclosure Act. The April 4 directive permitting the OSC specifically states that it is only to apply to uncontested foreclosure cases. Defendant's case is contested.

On behalf of Defendants, I filed an opposition to Plaintiff's motion for relief on September 17, 2012. On September 19, 2012 you, Diane Bettino personally called me and conveyed that The Honorable Margaret McVeigh (or her Honor's Chambers) called you regarding the filed opposition. You stated during our conversation that the objection was valid, that Defendants should not have been made part of the Order to Show Cause application under F-009564-12 and that Plaintiff would immediately remove Defendants from the OSC and withdrawing the application as to them. You also remarked that you were surprised by the error because this file had been and remains managed by Zucker Goldberg & Ackerman LLC, and to your knowledge that had not wrongly included anyone in the OSC motion.

Following that conversation, Plaintiff has taken additional steps to ratify its conduct and demonstrate that it has no intention to remove Defendants from the OSC. A letter hereto attached, dated September 20, 2012 received by my clients. The letter was sent from your offices at Reed Smith. The September 20 letter explains that Defendants have until October 18 to object and that the hearing date has now been moved as well.

Counsel notes that it is inappropriate for correspondence to be sent from Plaintiff directly to my client. All correspondence particularly communication concerning motion practice, should be

directed to counsel. R.P.C. 4.2. Defense Counsel is deeply troubled that Plaintiff moved the hearing date for the OSC without notifying counsel, even though Plaintiff has acknowledge existence of representation. In the future, Defendant expects that all correspondence whether written or oral concerning F-009564-12 and/or F-09992-10 will be directed at my office.

Please be advised that our clients intend to pursue all of their rights pursuant to NJSA 2A:15-59.1 (the "Frivolous Claims Act") and R 1:4-8. This statute and Court Rule together provide a vehicle for sanctions, costs and counsel fees to be issued against an attorney and/or a party who moves forward with frivolous litigation. The Frivolous claims Act seeks to compensate a party that has been victimized by another party bringing frivolous litigation, as well as the punitive purpose of deterring frivolous litigation. See, Deutsch & Shur, P.C. v. Roth 284 N.J. Super. 133 (Law Div. 1995).

Prior to continuing prosecution of this litigation, your client and law firm should proceed very cautiously as there is no question that the Complaint filed contains allegations that are frivolous and would expose both you and your client to sanctions.

A salutary purpose of the Frivolous Claims Act and R. 1:4-8 is to avoid frivolous litigation and to sanction those who fail to discharge their duty. We urge you to take seriously these obligations. We will not hesitate to seek sanctions, fees and costs against you and/or your client should you decide to continue with this Order to Show Cause.

Summary

My client is confident that if you and your client comply with the requirements of the Frivolous Claims Act and R. 1:4-8 by investigating the facts and the law before continuing these baseless claims, you will conclude that there is no factual or legal basis for this action.

Please be forewarned that defendant intends to prosecute separate actions at law for damages and also intends to file a motion to dismiss the Complaint and for sanctions, costs and fees for prosecuting this patently frivolous matter against Defendants and their property.

In accordance with the law of New Jersey, you have a 28 day Safe Harbor in which to conduct an investigation and stop pursuing this frivolous foreclosure action. I recommend your client exercise its full rights in this regard.

Sincerely,



Adam Deutch, Esq.

Cc: Randy Bockenstedt
Mark S. Melodia
Judge McVeigh
Office of Foreclosure



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

September 20, 2012

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 Sir/Madam:

In the lawsuit referenced above, Wells Fargo is asking Judge McVeigh of the Superior Court of New Jersey to allow Wells Fargo to correct the Notice of Intention to Foreclose that was served on you before your individual foreclosure case was filed.

In August, you received a package from America's Servicing Company (a Division of Wells Fargo) telling you about this lawsuit. That package included an Explanatory Letter, the Order to Show Cause signed by Judge McVeigh and a Corrected Notice of Intention to Foreclose ("NOI").

We are writing to add some information to the package that was sent to you in August, 2012.

The Corrected NOI dated August 14, 2012 that you received a few weeks ago should have given you thirty (30) days to pay the arrears on your mortgage according to the Fair Foreclosure Act. When we mailed that letter, we did not give you enough time. Wells Fargo has extended the time for you to reinstate until October 1, 2012. **You will have until October 1, 2012 to reinstate your mortgage at the amount set forth in the Corrected NOI that you received in August, 2012.**

We are giving you three documents in this Supplemental Package. First, we are including a copy of the Verified Complaint that Wells Fargo filed in this case (without the Exhibits). The Verified Complaint with the Exhibits is available on the Court's website at <http://www.judiciary.state.nj.us/>. As you can see from a review of the Verified Complaint, Wells Fargo is not suing you directly in a new lawsuit but rather, is seeking permission from the Court to correct the prior NOI that was served on you before your individual foreclosure case was filed to include the name and address of the lender on your loan. Thus, although you are not being directly sued in this Order to Show Cause case, the Court's ruling will affect your pending foreclosure and the Court has given you the right to object as outlined in the Order to Show Cause and the Amended Order to Show Cause.

The second document is a copy of the Court's Amended Order to Show Cause that was just signed by Judge McVeigh. The Court has moved the date you must file an objection from September 24, 2012 to October 18, 2012. The Court also moved the final hearing date from October 3, 2012 to November 1, 2012. The Amended Order also gives you instructions about how to object to Wells Fargo's application. That information is also included in this letter, below.

If you cannot afford an attorney, you may apply for free legal assistance on line at www.lsnjlaw.org or call the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529) or call the Legal Services office in the county where you live. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is attached.

If you are represented by an attorney in your foreclosure case, you should notify him or her that you received these papers. These papers are not being sent directly to your attorney if you have one.

Questions about the Corrected Notice of Intention to Foreclose

Should you have questions with regard to your loan or the corrected Notice of Intention to Foreclose, please contact:

Randy Bockenstedt, Senior Vice President
America's Servicing Co.
Wells Fargo Home Mortgage
Address: 3480 Stateview Boulevard
MAC X7802-03H
Fort Mill, SC 29715
Phone Number: 1-800-868-0043

How to File an Objection

The prior package that you received included information about how you can object to Wells Fargo's application to issue corrected NOIs. Your time to object to Wells Fargo's application has been extended to October 18, 2012. You must file a written objection under the docket number for the Order to Show Cause, which is F-009564-12

You also have the right to object to the previously served corrected NOI. As the prior letter explained to you, you must file a written objection under the docket number for the foreclosure action in your individual case. If you do not have that docket number, you can locate it on the Court's website on the Exhibits to the Verified Complaint or by calling Wells Fargo at the above-listed number.

For either type of objection, you must set forth with specificity the basis of the objection, and file the objection with the Superior Court Clerk's Office at the following address no later than October 18, 2012:

Superior Court Clerk's Office, Foreclosure Processing Services
Attention: Objection to Notice of Intention to Foreclose
P.O. Box 971

Trenton, New Jersey 08625

You must also serve a copy of the objection on Wells Fargo/America's Servicing Company's attorney, Mark S. Melodia, Esquire, Reed Smith LLP, Princeton Forrestal Village, 136 Main Street, Princeton, New Jersey 08540 and mail a copy of the objection to Judge McVeigh, J.S.C., Superior Court of New Jersey, Chambers 100, 71 Hamilton Street, Paterson, New Jersey 07505.

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.

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.