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October 11, 2012

Via Regular Mail

Honorable Margaret Mary McVeigh, P.J Ch.
Passaic County Courthouse, Chambers 100
71 Hamilton Street
Paterson, New Jersey 07505

Re: In re application of Wells Fargo Bank, N.A.
Docket No. F-9564-12

Dear Judge McVeigh:

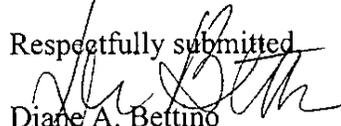
We are in receipt of the objection filed by Dawn Thompson and ask that it be stricken.

On December 7, 2010, a Complaint for Foreclosure was filed against Ms. Thompson in the matter captioned HSBC Bank USA, National Association, as Trustee v. Thompson, docket number F-059172-10, in Cape May County. Ms. Thompson did not appear or defend in the matter, and Default was entered on March 22, 2011. See enclosed *JEFIS* docket. Contrary to Ms. Thompson's statements, the foreclosure is uncontested.

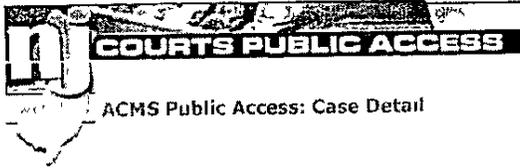
Ms. Thompson appears to object to the Order to Show Cause because she has failed to qualify for a loan modification. This is not a proper objection. The law is clear that borrowers cannot maintain a private right of action to enforce HAMP. Keosseian v. Bank of America, 2012 WL 2012 WL 458470 (D.N.J. February 10, 2012). Moreover, borrowers have no legal right to a loan modification and lenders are not required to offer modifications under the HAMP. See Edwards v. Aurora Loan Services, LLC, 791 F.Supp.2d 144, 153 (D.D.C. 2011) ("Rather than requiring mandatory modifications, the statute only "encourage[s] the servicers of the underlying mortgages ... to take advantage of ... available programs to minimize foreclosures") quoting 12 U.S.C. §5219(a)(1).

We thank the Court for its consideration of this matter.

Respectfully submitted


Diane A. Bettino

cc: Superior Court Clerk's Office (Via Regular Mail)
Dawn Thompson (Via Regular Mail)



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VENUE: SUP CLERK COURT. GENL EQUI DOCKET #. F 059172 10 CASE VENUE - CPM			
CASE TITLE - HSBC BANK USA NA AS TRUSTEE VS THOMPSON DAWN			
CASE FILED DATE	: 12 07 2010	CASE TYPE	ORF RESIDENT F
CASE STATUS	: ACTIVE	CASE INITIATION TYPE	C COMPLAINT
DISPOSITION TYPE	.	DATE DISPOSED	. 00 00 0000
DISCOVERY DATE	.	ARGUMENT REQST DATE	00 00 0000
CASE PARTY COUNT	008	JUDGMENT ENTERED	. NO
FIRST ANSWER DATE	.	ACTUAL SERVICE DATE	
EXPECTD SERVICE DATE		CONSOLIDATION STATUS	
CONOLIDATION TYPE		DATE TRANSFERRED OUT.	
TRANSFER FROM VENUE	. TO	LAST PROCEEDING DATE.	
LAST PROCEEDING TYPE.		PENDING ACTION DATE	. 12 18 2012
PENDING ACTION	PG DISPSTN	DEMAND AMOUNT	. 0.00
UNDISTRIBUTED AMOUNT	0 00	DENOVO INDICATOR	: NO
DF ATTORNEY/PRO SE	. A DF HAS AN ATTY		
CMP DISPUTE RESOLUTN.	TRIAL	TITLE 59 INDICATOR	. NO
JURY REQUEST	NO JURY	CASE IMPOUNDED	NO
DATE ENTERED	12 15 2010		

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 Session ID D4J0YG Case Count. 1
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ACMS Public Access: Case Disposition Detail



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VENUE	SUP CLERK	COURT	GENL	EQUIT	DOCKET #	F	059172	10
CASE TITLE . HSBC BANK USA NA AS TRUSTEE VS THOMPSON DAWN								
SE DISP	DISP DATE		00	00	0000	CASE STATUS. ACTIVE		
PTY NO	PARTY NAME		PTY TYPE	PTY STATUS	DISP DATE			
001	HSBC BANK USA NAAS	TRUSTEE	PF	ACTIVE				
002	THOMPSON	DAWN	DF	DEFAULTED	03	22	2011	
003	BLK 559 LOT 13		OR	ACTIVE				
004	THOMPSON, MR.	DAWN	DF	DEFAULTED	03	22	2011	
005	UNITED STATES OF AME	RICA	DF	DEFAULTED	03	22	2011	
006	TELYMONDE	ALPHONESE R	DF	DEFAULTED	03	22	2011	
007	CAPE 47 LUMBER COMPA	NY	DF	ACTIVE				
008	CONSUMER CREDIT & BU	DGET COUN S	OR	ACTIVE				

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 Session ID: D4JDYG Case Count 1
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