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OCT 18 2012

**SUPERIOR COURT
CLERK'S OFFICE**

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
Defendant

**SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
PASSAIC COUNTY**

DOCKET NO: F 009564 - 12

KUNLE Y. ADAMSON
Plaintiff

CIVIL ACTION

**OBJECTION TO THE APPLICATION TO
ISSUE CORRECTED NOTICES OF INTENT
TO FORECLOSE AND TO THE AMENDED
ORDER TO SHOW CAUSE**

KUNLE Y. ADAMSON, by way of objecting to the Wells Fargo Application to Issue Corrected Notices of Intent to Foreclose and to the Amended Order to Show Cause and the Verified Complaint in Support of Summary Action states that:

- 1 According to the Amended Verified Complaint in Support of its Summary Action, "Wells Fargo Bank, N.A. ("Wells Fargo"), acting on behalf of the Foreclosure Plaintiffs in pending pre-judgment *uncontested* foreclosure actions, has brought the action pursuant to the April 4, 2012 ORDER of the New Jersey Supreme Court (the "April 4th Order) that was entered following the Court's decision in U.S. Bank, N.A. v Guillaume, 209 N.J. 449 (2012).
2. In Count 33, lines 82 and 83 of its Amended Verified Complaint, Wells Fargo has alleged the followings:
 - 82 That "Wells Fargo services residential mortgage loans in New Jersey for U.S. Bank, N.A. and some of its affiliates pursuant to an agreement between the parties."
 83. That "Attached as Exhibit 33 is a list of the pending , *uncontested* foreclosures in New Jersey that are being serviced by Wells Fargo for U.S. Bank and in which Wells Fargo previously served a NOI that did not include the name and address of the lender."
3. In the Verification, in support of Wells Fargo's Amended Verified Complaint, Timothy P. O'Brien has sworn an oath as follow:
 1. "I am Senior Vice President, Manager of Default Operations for Wells Fargo, the applicant named in the foregoing Amended Verified Complaint."

2. "The *allegations* in the Amended Verified Complaint *are true* and correct copies."
3. "The *Exhibits* attached to the Amended Verified Complaint are true and correct copies.'
4. The Sworn Exhibits, in support of Wells Fargo Amended Verified Complaint, are NOT TRUE as shown here:
 - a. The Foreclosure Case in US Bank N.A. v. Kunle Y. Adamson (Docket No: F 49256 – 08) is a CONTESTED Case
 - b. The case was withdrawn without a final Order of foreclosure.
 - c. The Foreclosure Case in US Bank N.A. v. Kunle Y. Adamson *neither* belongs to the "pre-judgment *uncontested* foreclosure actions" as stipulated in Wells Fargo Amended Verified Complaint *nor* does it belong to the Sworn Exhibits in support of the Amended Verified Complaint that was used in obtaining the "Amended Order to Show Cause" of September 17, 2012.
 - d. Under Count 1, Item 10 of the contested case (Docket F 009564) Plaintiff (Kunle Y. Adamson) has alleged that U.S. Bank, N.A. has not complied with the Fair Foreclosure Act N.J.S.A. 22A:50-53, et seq especially regarding the Foreclosure Notice Requirements. Hence the "April 4th Order in the U.S. Bank, N.A. v. Guillaume, 209 N.J. 449 2012 may have justified Plaintiff's allegation against U.S. Bank, N.A.
5. I certify that the foregoing statements made by me are true to the best of my knowledge. I am aware that if any of the foregoing statements made by me are willfully false, I may be subject to punishment.

CONCLUSION

1. That since the Sworn Exhibit in support of Wells Fargo's Amended Verified Complaint is false then the Complaint against the Plaintiff (Kunle Y. Adamson) is equally false.
2. That since the Foreclosure action in US Bank N.A. v. Kunle Y. Adamson (Docket No F 49256 – 08) has been withdrawn then Wells Fargo's Application to Issue Corrected Notices of Intent to Foreclose against the Plaintiff (Kunle Y. Adamson) is inapplicable.
3. That since the Sworn Exhibits and the Amended Verified Complaint are false and the Application to Issue Corrected Notices of Intent to Foreclose is Inapplicable, then the Order to "Show Cause" is equally inapplicable to the Foreclosure action in US Bank N.A. v. Kunle Y. Adamson (Docket No F 49256 – 08).

WHEREFORE the defendant demands judgment against Wells Fargo and U.S. Bank N.A. denying the Application "To Issue Corrected Notices of Intent to Foreclose" on Plaintiff (Kunle Y. Adamson)

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This matter having being brought before the Court by Wells Fargo's Application to Issue Corrected Notices of Intent to Foreclose on behalf of U.S Bank, et.al through their Counsel ReedSmith LLP and with the Verified Complaint in Support of Summary Action and the Amended Order to Show Cause; and the Court having considered all pleadings and arguments and good cause showing.

It is on this day of 2012 ORDERED as follow:

That the Re Application of the Defendant (Wells Fargo on behalf of U.S. Bank, N.A et al) To Issue Corrected Notices of Intent to Foreclose on the Plaintiff, Kunle Y. Adamson, is denied.

That the Motion for Summary Judgment against the Plaintiff (Kunle Y. Adamson) brought by the Defendant (Wells Fargo on behalf of U.S. Bank, N.A et.al.) is hereby denied as well.

Honorable Judge McVeigh