

FORM A

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OCT 17 2012

SUPERIOR COURT  
CLERK'S OFFICE

DONEY E. IBARGUEN

(Your Name(s))  
15 LOG CABIN ROAD

(Your Mailing Address)

SICKLERVILLE, NJ 08081

(Your Daytime Telephone Number)

Defendant(s) *Pro Se*

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION – GENERAL EQUITY  
Camden COUNTY

(County where the property is located)

Docket No F- 009564-12

Mark S. Melodia, Esquire; Diane A. Bettino, Esquire  
(Name of company or bank that filed the foreclosure complaint)

*Plaintiff(s),*

vs.

Doney E. Ibarguen  
(Name of first defendant listed on the complaint)

*Defendant(s),*

CIVIL ACTION

ANSWER

Doney E. Ibarguen

(Insert your name(s))

15 Log Cabin Road

(Insert your street address)

residing at

in the City of Sicklerville, County of Camden and State of New Jersey,  
by way of Answer to the plaintiff's complaint herein, says:

**AS TO THE FIRST COUNT:**

Defendant admits/denies or is without knowledge or information sufficient to form a belief as to the truth of the allegation of each of the following paragraphs of the first count of the complaint as follows:

[Empty rectangular box for text entry]

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**AS TO THE SECOND COUNT:**

Defendant admits/denies or is without knowledge or information sufficient to form a belief as to the truth of the allegation of each of the paragraphs of the second count of the complaint as follows:

[Note: Defendants must include all separate (see *R. 4:5-3*) and affirmative defenses (see *R. 4:5-4*), raise them by motion as permitted in *R. 4:6-2*, or otherwise raise the defense in a timely manner or those separate defenses and affirmative defenses are waived.]

**FIRST SEPARATE DEFENSE**

1. Through a letter dated 7/30/12, I was told by Deborah King, my Wells Fargo Home Preservation Specialist, "if we don't speak with you and received all required documents before the scheduled foreclosure sale, we may not be able to stop the sale". The documents had been sent on 7/28. I immediately called and informed Wells Fargo, through a representative, that all documentation had been already submitted on July 28, 2012.

**SECOND SEPARATE DEFENSE**

I have been providing Wells Fargo Home Mortgage with all the requested documentation for more than one year, while being told that my application for a Loan Modification is under review. In the meantime, my assigned point of contact and Home Preservation Specialist, has failed to return any of my multiples messages left either directly by me or through one of her associates, which told me in at least three separate occasions that they would notify her, via e-mail to ensure she receives the message, that I was looking forward to speaking with her regarding any available option for keeping my house.

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THIRD SEPARATE DEFENSE

As stated in my hardship letter dated 6/17/2011, my intention all along has been to remain in this house, but in order for me to do this, an affordable loan modification is a must.

FIRST AFFIRMATIVE DEFENSE

[Empty box for First Affirmative Defense]

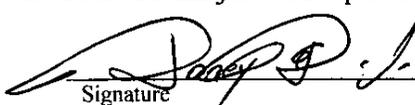
SECOND AFFIRMATIVE DEFENSE

[Empty box for Second Affirmative Defense]

Wherefore, Defendant demands judgment:

- A. Dismissing the plaintiff's complaint;
- B. Awarding defendant costs incurred in defending against this action; and
- C. For such other relief as the court deems just and equitable.

Dated: 10/15/12



Signature  
Doney E. Ibarguen  
Print or Type Name

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Print or Type Name

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CERTIFICATION PURSUANT TO RULE 4:5-1

The matter in controversy is not the subject of any other action pending in any other New Jersey court. There are no pending arbitration proceedings. No other action or arbitration proceedings are contemplated. No non-party is known who would be subject to inclusion or joinder in this case because of potential liability.

Dated: 10/15/12

[Handwritten Signature]

Signature

Doney E. Ibarguen

Print or Type Name

Dated: \_\_\_\_\_

Signature

Print or Type Name

CERTIFICATION OF MAILING ANSWER TO COURT AND TO THE ATTORNEY FOR THE PLAINTIFF

I hereby certify that:

1. A copy of the within Answer was filed within the time prescribed by the Rules of Court.

2. On 10/15/2012 I, the undersigned, mailed to Mark S. Melodia, Esquire (insert the date) (insert the name of the plaintiff's attorney)

Attorneys for Plaintiff, at 136 Main Street, Suite 250; Princeton, New Jersey 08540

(insert the address of the plaintiff's attorney)

by regular mail, a true copy of the within Answer.

I hereby certify that the statements made by me in this document are true. I am aware that if any are willfully false, I am subject to punishment.

Dated: 10/15/12

[Handwritten Signature]

Signature

Doney E. Ibarguen

Print or Type Name

Dated: \_\_\_\_\_

Signature

Print or Type Name