

PASSIC COUNTY

DOCKET NO.: F009564-12

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

Michelle German, Defendant  
Docket No. F-27172-08

**REPLY BRIEF: OBJECTION TO Judge McVeigh, P.J. Ch,  
decision made in error, declaring my case as post-judgment,  
during 11/15/12, proceeding**

**Dated: 1/9/13**

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
PASSIC COUNTY

DOCKET NO.: F009564-12

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

CIVIL ACTION

OBJECTION TO Judge McVeigh, P.J. Ch,  
decision made in error, declaring my case as  
post-judgment, during 11/15/12, proceeding

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

I, Michelle German, defendant by fraud, in a foreclosure action in Superior Court of New Jersey in the Chancery Division, docket # F27172-08 do hereby certify that I was present and spoke before the court during the 11/15/12 proceeding, held in the Superior Court of N.J. located in Patterson, N.J...

The day before the proceeding, with the court's and the plaintiff's permission, I faxed a copy of my **NOTICE OF AFFIDAVIT OF INFORMATION:** FROM A THIRD PARTY OF INTEREST, WHO HAS BEEN EXCLUDED FROM YOUR LIST, OF THOSE WHO ARE DEEMED QUALIFIED TO RECEIVE A CORRECTED NOI/NOTICE OF INTENT TO FORECLOSE, to Judge McVeigh and to the attorneys for the plaintiffs. The purpose of the hearing, as stated by the judge, was to give all 4,277 parties contacted by the plaintiff in reference to receiving a corrected NOI an opportunity to express their objections and to possibly have them addressed. The huge courtroom was a mob scene – attorneys on the right side and defendants on the left side,

with standing room only several hours past before I was called to approach the bench. I approached the bench and gave my appearance and the judge asked me if I had submitted an objection previously, and I replied I had. She stated there was no proof of service; I replied the plaintiff received the objection, since he requested that it be stricken from the record. She then asked why I was there.

I restated that which was already stated in the Notice of Affidavit of Information that I faxed to the judge's chambers the previous day; the fact that I had on the record two Final Judgments that are void, fraudulent and unlawful. The Judge then asked her law clerks if they had any information on my case. I saw the law clerk bring up my Notice of Information and present it to the judge. This same Notice was also very openly lying on the table in front of the plaintiff's attorneys. Even though available and previously submitted to both parties, my Notice of Information by a Third Party of Interest was not discussed and was ignored.

Without looking at the Notice, the judge asked the plaintiff's attorney one question, what is the status of this defendant case? The attorney for the plaintiff responded by stating post-judgment. In reference to my case, this is the only question the judge asked of the plaintiff. The judge continued by stating that any problems I had with the judgment, had to be resolved in the court or case where the action occurred. I then asked the judge, which of the two Final Judgments on my record qualified to be classified as post-judgment for a corrected NOI; and she stated 5/3/10.

Earlier, in that same proceeding, Judge McVeigh stated that she had the power to dismiss cases that had a verifiable defense of improprieties that merited dismissal. She made this statement before I approached the bench; yet when I was before her, she never bothered to look at or mention my verified proof of never receiving a NOI. This infraction of the law alone carries a penalty for plaintiff, of an automatic dismissal without prejudice in favor of the defendant.

N.J.S.A. § 2A: 50 & 57: (a) Upon failure to perform any obligation of a residential mortgage by the residential mortgage debtor and before any residential mortgage lender may accelerate the maturity of any residential mortgage obligation and commence any foreclosure or other legal action to take possession of the residential property which is the subject of the mortgage, the residential mortgage lender shall give the residential mortgage debtor notice of such intention at least 30 days in advance of such action as provided in this section. (b) Notice of intention to take action as specified in subsection of this section shall be in writing sent to the debtor by registered or certified mail, return receipt requested, at the debtor's last known address, and if different to the address of the property which is the subject of the residential mortgage. The notice is deemed to have been effectuated on the date the notice is delivered in person or mailed to the party.

The 30-day Notice of intent to foreclosure required by the FFA § 6 of 30 days notice to debtor/defendant before plaintiff file their complaint, was not adhered to by the plaintiff. Since the plaintiff (see exhibit C) admits in his Certification of mailing of Notice

Pursuant § 6 Fair Foreclosure Act, is certified as being mailed on 11/13/08, several months after he allegedly filed his complaint on 7/16/08, in clear violation of the FFA.

The FFA affords the plaintiff the opportunity, after dismissal without prejudice, to reenter the action properly by starting the legal process over again, giving the plaintiff a new chance to properly and timely serve the NOI. However the plaintiff elected not to take advantage of that opportunity, instead he opted to proceed fraudulently. The plaintiff's proof of mail for his NOI dated 11/13/08, if mailed at all, it was not mailed in accordance with § 6 of the FFA or N.J.S.A. § 2A: 50 (b), which require personal service or service by certified mail. We found no evidence of any attempted personal service by plaintiff. The plaintiff did however submit his certified mail proof, which was not timely served or filed and consisted of unpaid for, un-cancelled, blank certified postal receipts. Which is inconsistent with U.S. Postal Services sales procedures making plaintiff's blank certified postal receipts to not qualify to be considered as evidential matter for supporting documents for proof of mail (see Exhibit A).

N.J.S.A. § 2A: 50 (c) & (d) states:

The written notice shall clearly and conspicuously state the manner calculated to make the debtor aware of the situation:

- (1) the particular obligation or real estate security interest:
  - (2) the nature of the default claimed:
  - (3) the right of the debtor to cure the default as provided in section 5 of this act;
- the plaintiff's NOI is not in compliance with the above items 2 & 3.

The plaintiff filed a Notice Motion on 7/28/09 it is dated 6/25/09 the plaintiff claims that this is his Notice of Intent to Foreclose. If so, it appears to be about a year late. Plaintiff's NOI and/or Notice Motion is giving Notice of Final Judgment and is not a 30-day Notice of Intent to Foreclose as required by § 6 of the FFA. The Notice itself, states that it is a NOTICE OF MOTION FOR ENTRY OF JUDGMENT and it does not state that it is a 30-day Notice of Intent to Foreclose; [see exhibit B] yet this Notice Motion is what the plaintiff is claiming as his proof of filing and serving an NOI. A lawful NOI cannot concern itself with any type of judgment, nonetheless, a final judgment. The plaintiff is deliberately creating ambiguity and confusion in its Notice. Necessary since this Notice Motion is being used on the Record interchangeably as a Notice of Intent to Foreclose and as a Notice of Motion for Final Judgment and it is neither. As either, it would be required to have proof of mail entered on the docket record, and it does not.

At this time, even though proof of mail is not disclosed on the docket record, as proof of mail; proof of mail is in the system. We discovered the supporting documents for proof of mail for plaintiff's Notice Motion entry hidden in the Summary System. This system provided a copy of a certified envelope from plaintiff with the defendant's name on it while claiming and using a wrong address as the defendant's mailing address. This unlawful hidden proof of service, not yet on the docket record, is addressed to the defendant, using the Hackensack Court's mailing address as the defendant's address.

Years later, the plaintiff realized that without proof of mail on the docket record, his Notice motion would be void. He remedied this by sneaking his proof of mail into the Docket Record System using computer fraud to backdate and place an entry onto the Record that did not previously exist. The backdated entry was placed on the docket record as being filed on 6/30/10; the supporting documents for this entry is the Notice Motion/NOI, dated 6/25/09. In our files we have two copies of this proof of mail, one is stamped as being received by the court on 6/30/09, the other is unstamped by the court. On 5/30/12, in an attempt to use the Record, as verification of information, we received an unstamped photocopy of this service. On 9/24/12 still seeking to use the Record for verification of information, we requested the system to again give us the supporting documents for the same entries. This time, we received a stamped copy by court of being received on 6/30/09. However, if received it did not appear on the docket record until 6/30/10, a year later. If it is the Notice for the NOI it should have been filed on the record by 6/16/08 and because of its many improprieties it does not qualify to be considered as a duly or timely filed proof of service. The service (proof of mail) is dated 6/24/09 and the Notice Motion/NOI is dated 6/25/09 this date arrangement suggest that the Notice Motion/NOI was served before it was written. In addition, this proof of mail does not appear on the docket record in 2009.

The Notice Motion/NOI is filed on the docket record on 7/28/09 for the first time, the day after plaintiff filed his application for Final Judgment, on 7/27/09. The plaintiff is noticing the defendant of his motion/order for final judgment, after it has been filed on the record. At the same time the Notice Motion is notifying the defendant of plaintiff's Notice of Intent to Foreclose. The Notice of Intent to Foreclose is a necessary part of the NOI process and is generated and/or necessary whenever a plaintiff contemplates filing a complaint. Since the nature of an NOI is to be a forewarning to the debtor/defendant of an impending complaint, it the NOI, must precede a complaint and not a final judgment. Therefore the Judge erred when she stated that my NOI was issued based on the second fraudulent Final Judgment Ordered on 5/3/10 and not on the unsigned first fraudulent final judgment order.

The system's document requirement of a new NOI cannot happen without the plaintiff filing a new complaint to trigger the system to require a new NOI and for the 5/3/10 Judgment order there was no new complaint filed. The law is you can only have one NOI, just as you can only lawfully file one complaint, and one final judgment under this same docket number. In addition because of the inconsistent format of the plaintiff's Notice Motion/NOI, the plaintiff is in violation of several court rules and is not in compliance with legal/lawful standards as established by the Court's Rules for filing notices and/or motions. When we researched this entry in and on the docket record, we found it to be on the docket record but not in the docket record; there is/were no supporting documents in the docket record system to support this entry. However, their fraudulently filed notice of service by mail dated 6/24/09 buried in the summary system, is being used as the supporting document for this entry, without being tied/connected by document number to the entry made on the docket record.

Because the plaintiff unlawfully used the same proof of mail as his proof of service of his Final Judgment application – while using the same proof of mail for his Notice of Intention to Foreclose, and again using the same proof for his Notice of Motion of Final Judgment; causing the sequence of events to not always coincide properly. Since the proof of mail for his motion/order for the Final Judgment's service is dated 6/24/09 and the entry for Final Judgment is not entered on the Record until 7/27/09, more than a month after it was served. And because the actual physical document itself, actually state in its contents that the figures are computed up until July 1, 2009, this is verification that the motion/order was created sometime after July 1, 2009. Proving that this motion/order was not served on 6/24/09, since the motion/order itself, indicates it was not written/created until after 7/1/09. In addition this proof of mailing ambiguously also purports to be verifying that it is serving the Notice Motion/NOI and not the motion/order for Final Judgment, which it is claiming to be the supporting document for. In violation of:

Court Rule 4:42 JUDGMENT; ORDERS; DAMAGES; COSTS

*4:42-1 Form: Settlement (a) Form; Contents. A judgment or order shall not contain a recital of the pleadings or the record of prior proceedings. It shall, however, include the following (1) a designation of the subject of the judgment or order; (2) the dates the matter was heard or submitted; (5) the effective date of the judgment or order or of each provision if the effective date of any provision is different from the date of entry;*

*(b) Settlement by Motion or Consent: Except as otherwise provided by paragraph (c) and (d) of this rule, by other rule and by law, and except for ex parte matters, no judgment or order shall be signed by the court unless the form thereof has been settled on motion on notice to all parties affected thereby who are not in default for failure to appear, or unless the written approval of such attorneys, or parties to the form thereof is endorsed thereon. Formal written judgments or orders shall be presented to the court for execution within 10 days after its decision is made known, unless such time is enlarged for good cause.*

*(c) Settlement on Notice. In lieu of settlement by motion or consent, the party proposing the form of judgment or order may forward the original thereof to the judge who heard the matter and shall serve a copy thereof on every other party not in default together with a notice advising that unless the judge and the proponent of the judgment or order are notified in writing of specific objections thereto within 5 days after such service, the judgment or order may be signed in the judge's discretion. If no such objection is timely made, the judge may forthwith sign the judgment or order. If objection made, the matter may be listed for hearing in the discretion of the court.*

*(d) Form of Consent Judgments and Orders. The court may enter a consent judgment or order without the signatures of all counsel of record and parties pro se who have filed a responsive pleading or who have otherwise entered an appearance in the action, provided the form of judgment or order contains the recital that all parties have in fact consented to the entry of the judgment or order in the form submitted. If any party to be bound to the consent judgment has not filed a responsive pleading or entered*

*an appearance in the action, the consent judgment must bear the signature of each such party or such party's attorney, indicating consent to the form and entry of the judgment. No supporting papers shall be required for the entry of a consent judgment unless the court specifically finds good cause to require the filling of such submissions. Consent judgments may be entered in accordance with this rule at any time following service of the complaint, whether or not an answer or any other responsive pleading has been served or filed.*

*(e) Submission and Filing of Orders and Judgments. An original and one copy of all forms or orders and judgments shall be submitted to the judge together with a self-addressed, stamped envelope. The judge signing the order or judgment shall file the original in accordance with R.1:5-6(b), and the copy shall be returned by the judge to the attorney submitting the order or judgment. The proponent may transmit the copy to the Clerk of the Superior Court, together with the fee prescribed by N.J.S.A., 22A: 2-7, for appropriate disposition pursuant to R. 4:101.*

Neither the plaintiff nor his Notice (of motion) brought to my attention or informed me of the existence of a process/procedure identified as a '**consent judgment process**' that I could participate in and could even agree upon the format of the plaintiff's order; a process that perhaps both parties could have benefited from.

On 12/18/09 the plaintiff was granted an uncontested summary judgment on the same day I requested reconsideration of the summary judgment. The format and language on the Notice motion and on the Order was extremely confusing to us. So much so, that we were not aware that there was a hearing or proceeding scheduled for that morning, we were under the impression that we had received a Notice that was informing us that the plaintiff would be submitting a motion requesting Summary Judgment sometime in the future but not on 12/18/09. We showed up in the afternoon with our Objection to Plaintiff receiving Summary Judgment, in our hand, only to be told that the plaintiff was granted Summary Judgment two hours earlier.

There has been much undue dramatization surrounding this final judgment by all parties concerned, since the actual motion/order for final judgment is not in either system, as verified by the following facts: While in the docket record system, we clicked on the entry for Final Judgment Appl, it showed no supporting documents for entry. Yet when we asked the system to print whatever was in the system for this entry, it printed the plaintiff's hidden unstamped and unsigned motion/order. Meaning that this entry is on the docket record and in the docket record, but is being suppressed from being viewed by the users of the system and/or select users of the system. Verified by the fact that we received the photocopies of the 7/27/09 motion/order from the court's system, while not seeing it anyway in the system. It was sometime after 5/30/12, before we were actually able to view (to physically view but not to electronically view) and receive a physical copy of this judgment, a three year waiting period for discovery. Even now there is still no proof of mail on the docket record for this unsigned 7/27/09 motion/order that I was never served with and which my NOI is/was based on. The '**consent judgment process/procedure**' states: No supporting papers shall be required for the entry of a '**consent judgment**' unless the court specifically finds good cause to require the filling of

such submissions and there was/is no supporting documents in the docket record system for this entry. Which is an indication that both Final Judgments was and or is processed under this 'Consent Judgment Program and/or proceeding', without the defendant being aware of the process. However because I was denied an opportunity to participate in the 'consent judgment process/procedure', I was denied due process.

*Rule 4:42-1 Paragraph (b): Settlement by Motion or Consent: Clearly proceedings pursuant to paragraph (b) of this rule to settle the form of judgment must be held in open court and on the record. Stout v. Stout, 155 N.J. Super. 196 (App. Div 1977)*

At the time of occurrence, without proper notice I was unaware of both Final Judgment proceedings.

*Paragraph (c) Settlement on Notice: Thus, in lieu of settlement of the order by consent or motion, paragraph (c) provides that the proponent of the order may forward the original thereof to the trial judge, serving a copy on every other party not in default together with a notice stating that unless objection to the form is made to the court within five days in writing and stating the specific basis for objection, the order may be signed in the court's discretion. The clear intent of the rule is that in the absence of objection the court should sign the proposed order or judgment if it finds the terms thereof to constitute an accurate statement of its disposition. If an objection is made however, the matter may be listed for hearing in the court's discretion and the parties then, of course would have the opportunity to agree as to form and to submit to the court a revised form of judgment or order duly consented to. Alternatively, the court is free to enter the order without hearing and despite objections if, for example, it is satisfied that the form comports with its directives and the objections are frivolous or, should it be satisfied that the objections are meritorious, the court itself may amend the form of order as submitted. It is of course clear that an order should never be either submitted or signed under this rule unless it accurately memorializes court dispositions, is submitted following default, or has all parties consent endorsed thereon. See City of Jersey City v Roosevelt Stadium, 210 N.J. Super 315 (App. Div 1986).*

*Rule 4:42-1(4) Paragraph (d); Form of Consent Judgments and Orders. 4.1 General principles. Paragraph (d) of this rule is intended to facilitate and expedite the entry of a consent judgment or order by dispensing with the signatures of all parties provided the proponent states therein that all parties have consented to entry in the form submitted. As to the binding nature of counsel's agreement placed on the record, see Brown v. Kennedy Memorial Hospital, 312 N. J. Super. 579, 596, - 597 (App. Div) certif. den. 156 N.J. 426 (1998), affirming the trial judge's ruling that plaintiff's counsel was required to execute a consent judgment as prepared since it accurately reflected the terms of the agreement.*

The plaintiff and I did not have an agreement, but we should have had one since the plaintiff used the consent judgment process to apply for both of his final judgments.

*Rule 4.2 Defaulting parties. This paragraph of the rule also provides a mechanism for entry of consent judgment by defaulting parties. Such parties may be bound by the judgment if it is signed both by the party and the party's attorney. No supporting documentation is required unless the court for good cause otherwise requires, and the consent judgment or order may be entered at any time after commencement of the action provided the defendant has been properly served.*

On 9/25/09 in a court of proper jurisdiction, in a legal court proceeding, the presiding Judge, Judge Koblitz deceptively tricked me. By vacating the default against me, while telling me that she was not vacating the default against me, but that she was actually vacating the default against my non-existing husband when she was not. Since the default was vacated against my non-existing husband on 10/30/08, as not a proper party to the case and at that time I was declared as the only defendant on the case. The supporting documents for all entries made on the docket record dated 10/30/08 were not available or verifiable by physical supporting documents, until 2012. Therefore these documents was not timely filed in the record in violation of Court Rule 1:5-6.

The order I was given by the Judge, on the day of the proceeding, listed my name only as the defendant that the judgment was being vacated against and my fictitious non-existing husband's name did not appear on the order. Because the judge vacated the only default, of record, it left my case without a default in or on the record. This left me with the slight dilemma of not being able to cure the default: since it was cancelled. After the judge vacated the default on 9/25/09 it was removed from the record. According to the record and the law, a default after being vacated does not exist. Because I relied on what the judge told me there is an estoppel by misrepresentation (Black's Law Dictionary 4th Edition).

*2A: 50-57 Cure of a default reinstates the debtor to the same position as if default had not occurred. It nullifies, as of the date of cure, any acceleration of any obligation under the mortgage, note or bond arising from the default.*

*If a default is cured prior to the filing of a foreclosure action the lender shall not institute a foreclosure action for that default. If default is cured after the filing of a foreclosure action, the lender shall give written notice of the cure to the court. Upon such notice the court shall dismiss the action without prejudice*

*The right to cure a default under this section is independent of any right of redemption or any other right or remedy under the common law, principles of equity, State or federal statute or rule of court.*

*4:50-1(4) Default Judgments 4.1 Generally: An application to vacate a default judgment is "viewed with great liberality, and every reasonable ground for indulgence is tolerated to the end that a just result is reached." Marder V Realty Construction Co., 313, 319. (App. Div.), aff'd 43 NJ 508 (1964)*

*Nevertheless a default judgment will not be disturbed unless the failure to answer or otherwise appear and defend was excusable under the circumstances and unless the defendant has a meritorious defense; either to the cause of action itself, or, if liability is not disputed, to the quantum of damages assessed. Marder V Realty Construction, supra; Mancini v. EDS, supra; Court Invest. Co. v. Perillo, 48 N.J. 334 (1966).*

Though the judge knowingly gave an untrue reason, (as proven by the record), for vacating the default, we believe her decision to vacate the default was based on my having a meritorious defense as to the cause of action.

*While the meritorious defense conditions has been typically uniformly imposed on the setting aside of a default judgment, that condition may not, as a matter of due process, be required if the default was procured on the basis of defective service of process. Peralta v Heights Medical Center, Inc., 485 U.S. 80 (1988). "But see Intek Auto Leasing v. Zetes Microtech, 268 N.J. Super. 426, 430-431 (App. 1993), holding that Peralta does not apply if the defendant is accorded the opportunity to demonstrate a meritorious defense before suffering any adverse consequences of the default. See further: Comment 5:4:2 as to the defective service ground for relief."*

The fact that several years after the judge vacated/cancelled the default secretly against me, and that I am still fighting this action, demonstrates that I was not, and still am not being afforded an opportunity to affect a meritorious defense. Especially since initially my qualifying to receive an NOI depended upon me having a default on record against me. Since there is none, I was denied due process, before and after suffering adverse consequences of the judge deceptively vacating the default against me, the only defendant; information that was not verifiable until four years later, in 2012.

*450-1 (5.2) Subsection (b); newly discovered evidence. In order for relief to be granted on the ground of newly discovered evidence, the new evidence must be material to the issue and not merely cumulative or impeaching, (2) have been discovered since the trial and must be such as by the exercise of due diligence could not have been discoverable prior to the expiration of the time for moving for a new trial and (3) be of such a nature as to have likely to have changed the result if a new trial had been granted. DEG, LLC v Township of Fairfield, 198 N.J. 242, 264 (2009); Quick Chek Food Stores v. Springfield Tp., 83 N.J. 438 (1980); Aiello v Myzie 88 N.J. Super. 187 (App. Div.), certif. den 45 N.J. 594 (1965); State v. Speare, 86 N.J. Super. 565 (App. Div.), certif. den 45 N.J. 589 (1965); Nieves v. Baran, 164 N.J. Super. 86 (App. Div. 1978; Posta v Chung-Loy, 306 N.J. Super. 182, 206 (App. Div. 1997), certif. den. 154 N.J. 609 (1998).*

The order for the 9/25/09 proceeding was not placed on the record for a long period and when it did appear it was different than the order I received, since it stated it was vacating a default against EX-TM, an abbreviation that was not on the order issued to me and that I don't recognize. In violation of Court Rule 4:41-5,

*paragraph (c): Submission and Filing of Orders and Judgments. Paragraph (c) requires the proponent of the order to submit it for entry in the Civil Judgment and Order Docket accompanied by the required fee instead of the court doing so automatically. As to the necessity of a signed judgment or order both to effectuate the decree itself and to trigger all post-judgment or post-order time periods, see R. 4:47 and Comment thereon. See also*

*R 1:5-1(a) requiring the party obtaining the order or the judgment to effect the service on all other parties within seven days after its signing unless the court otherwise therein orders.*

On 11/15/12 when I appeared before Judge McVeigh, the judge in error or by mistake, misclassified my case as being post-judgment, based on the 5/3/10, secret double jeopardy proceeding, that granted Final Judgment to the plaintiff. For the following reasons this judgment is void on its face.

- The Final Judgment signed and ordered on 5/3/10 is not the Final Judgment my NOI is based on, since this notice is triggered by the threat of a plaintiff filing a complaint. There is no evidence on or in the record, of the plaintiff filing or even attempting to file a new complaint, under my docket number, since this is the only act that can trigger a new NOI.
- There was no default in or on the record at the time the judgment was signed.
- This order was not duly filed or timely served
- The order is dated 5/3/10 and stamped as being filed in the court on 5/3/10 but it is not entered on or in the docket record until 5/6/10.
- I have a contested action. Recognized as a contesting action for the first time by plaintiff in their 1/11/10 correspondence. Received by me after plaintiff received my Amended Answer with Defenses and Counterclaims, this is/was on and in the docket record on 1/7/10, **before summary judgment was granted**. Prior to this allowed submission, I submitted four other contesting answers. My first three contesting answers was deliberately prevented or kept off the docket record, until the plaintiff could secure a consent final judgment. The fourth contesting answer on the docket record dated 10/8/09 is properly on and in the docket record. But the proof of service for this pleading has been tampered with electronically. Since the plaintiff/court through computer fraud, changed the filing party to the plaintiff's name. Their deceptive act of placing the wrong filing party on my submission, effectively and fraudulently voided my entered contesting answer.
- Through fraud my case was classified/considered as uncontested.
- On 1/8/10 Judge Koblitz, the same judge who ordered the deceptive default, erred or was mistaken in her decision to grant the plaintiff summary judgment. Since

the judge failed to recognize my case as a contesting action, even though the plaintiff acknowledged my changed status from un-contesting to contesting. Because my submission was stamped by the court as a contesting pleading, on and in the docket record as timely and duly filed on 1/7/10, with proof of mail timely and duly filed on and in the record. Everything was properly submitted to the court, the day before the judge granted plaintiff summary judgment. If the judge had intended to apply due diligence she would have discovered and/or recognize the changed status of the case. Therefore the judge is bared by 'estoppel by negligence' (Black's Law 4<sup>th</sup> ED. Dictionary) from granting summary judgment in a contested action.

- In addition months before submitting my contesting answer on 1/7/10, Judge Koblitz received a directive from the Superior Court in Trenton, NJ dated in November of 2009, which she ignored; directing the court to include my case on its General Equity calendar, and prepare it for discovery, since that court had received an Answer, which they considered contesting. Consent Judgments and Summary Judgments are both judgments/orders, which must be agreed too and cannot be classified as contesting.
- The 1/8/10 order is defective in its form, since it contains two conflicting directives on the same order; granting summary judgment to the plaintiff, while granting reconsideration of summary judgment to the defendant, at the same time, on the same order.
- The Final Judgment Document/Order dated 5/3/10 is not in proper form, since it contains crossed out information, written in information, and uses and discloses a previous incorrect principle sum in default as due, without calculating new figures.
- The record reveals that there were two unlawful Final Judgment proceedings held in my case, neither proceeding was I aware of (both conducted ex-parte). This act by the plaintiff constitutes the fraudulent acts of double jeopardy and collusion.

On 5/3/10 the plaintiff filed 12 entries on the docket record at the same time. Many of the entries were entered on the record but not in the record. All supporting documents for entries entered on docket record on 5/3/10 & 5/6/10 are outdated since they are dated in 2009, a year prior to being used and entered into the docket record as the supporting documents for the 5/3/10 entries. All 12 entries either involve improper format, or as supporting documents for several entries that was/are backdated and forced into the docket record/summary system, or the filing parties listed on the record, was changed or switched from the correct filing party to the wrong filing party (indicating computer fraud), or the supporting document for the entry is missing altogether, i.e., the uncontested judgment, or many of the entries are being used to installing fraudulent documents into the system, this I believe, to support fraudulent entries already on the docket record system. There are three affidavits of services filed on 5/3/10 on that date; the filing party for these three entries was the plaintiff. Sometime later, when comparing

the docket record for two different time periods, we discovered that the plaintiff had entered into the system, either by force or invited and changed and/or switched the filing party for the service of his fraudulent documents filed on 5/3/10 from himself to the defendant. On 5/3/10 the fraudulent documents that the plaintiff is claiming proof of mailing in the defendant's name is for the Fair Foreclosure Act, dated 11/13/08, needed to substantiate a new NOI for their 5/3/10 signed judgment and a new Default Judgment needed to qualify for final judgment, also dated 11/13/08.

We could not pinpoint the exact third document used for the third affidavit of service. By switching the filing parties, the plaintiff is stating on the record, that the defendant served herself with his fraudulent documents constituting malicious prosecution.

- I offer the above recital of a chain of events that rely upon one another that cause the 5/3/10 Final Judgment to be void and completely unenforceable. These verifiable facts, stand as a testimony to my assertion that my case is improperly classified as post-judgment as asserted by Judge McVeigh on 11/15/12. When she ordered me to return to the court my case was originally adjudicated in; in order to address any deficiencies on the 5/3/10 order.

In further defense of my Objection to my case being classified as post-judgment I offer the following additional case law:

- *R. 1:5-6 Filing (a) Time for Filing. In any trial court unless otherwise stated, all papers required to be served by R. 1:5-1 shall be filed with the court either before service or promptly thereafter, unless the rule requiring service or filing provides otherwise.*
- *R. 4:49-2 1. Time for Motion. The time period runs from the date of service of the order or judgment rather than the date of its entry. See further R. 1.7-4.*

*The time prescription of this rule applies only to final judgments and orders. Rusak v Ryan Automotive, L.L.C., 418 N.J. Super. 107, 117 n. 5 (App. Div. 2011).*

- *Applicability. This rule is particularly useful where an opinion or order deals with un-litigated or un-argued matters. Calcaterra v Calcaterra, 206 N.J. Super. 398 (app. Div. 1986). My Contesting Answer submitted on 1/7/10 was never adjudicated. Had it been, it would have had a definite effect on the 1/8/10 Order, since summary judgment cannot be ordered in a contesting case.*

- *R. 4:50-1(6) (f) where client was completely without fault and unnoticed Davis v DND/Fidoreo, Inc., 317 N.J. Super. 92 (App. Div. 1998). (affording relief where service was valid but corporate defendant with meritorious defense never received effective actual notice of the suit; Monmouth County Social Serv. v P.A.Q., 317 N.J. Super. 187 (App. Div. 1998). (f) (Although there was no excusable neglect, defendant was entitled to relief under (f) where plaintiff right to judgment presented a novel question of law and defendant was not accorded notice of proof of hearing or right to participate); City of East Orange v, Kynor, 383 N.J. Super 639, 646,649 (App. Div.) certif. den. 188 N.J. 352 (2006).*
- *R. 4:50-1(6.1) (judgments incorporating an agreement may be set aside when the agreement results from fraud or overreaching by a party having the power to take advantage of a confidential relationship); Harrington v Harrington 281 N.J. Super. 39, 48 (App. Div.), certif. den. 142 N.J. 455 (1995)*
- *R. 4:42-92.8.2) (false statements in pleading do not render it frivolous unless made in bad faith or to harass, delay or maliciously cause injury). K.D. v Bozarth, 313 N.J. Super. 561, 574-575 (App. Div.)*
- *R. 4:42-1 the reduction of the court's directive to a formal writing is, of course, necessary "where subsequent activity is bottomed upon that order." Stephenson v. Stephenson, 112 N.J. Super. 531, 533 (Ch. Div. 1970).*
- *Involuntary Dismissal: Effect Thereof*
  - (a) *For Failure to Comply with Rule or Order. For failure of the plaintiff to cause a summons to issue within 15 days from the date of the Track Assignment Notice or to comply with these rules or any order of the court, the court in its discretion may on defendant's motion dismiss an action or any claim against the defendant. Such a dismissal shall be without prejudice unless otherwise specified in the order. (I am not aware of a Track Assignment Notice, but I am aware of the fact that the plaintiff's fraudulent assignments are not on or in the docket record as required by court rules).*
- *R. 4:50 RELIEF FROM JUDGMENT OR ORDER:*
  - *Grounds of Motion*  
*On motion, with briefs, and upon such terms as are just, the court may relieve a party or the party's legal representative from a final judgment or*

*order for the following reasons: (a) mistake, inadvertence, surprise, or excusable neglect; (b) newly discovered evidence which was probably after the judgment or order and which by due diligence could not have been discovered in time to move for a new trial under R. 4: 49; (c) fraud (whether heretofore denominated intrinsic or extrinsic), misrepresentation, or other misconduct, of an adverse party; (d): the judgment or order is void; (e) the judgment or order has been satisfied, released or discharged, or a prior judgment or order upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that the judgment or order should have prospective application, or (f) any other reason justifying relief from this operation of the judgment or order.*

- *R. 4:50-5.3 Subsection (c) Fraud, misrepresentation, or other misconduct of an adverse party. The nature of fraud warranting relief under this rule has been held to be such as would warrant also the grant of a new trial following a municipal court conviction under R 7:4-7. See State v Hill, 267 N.J. Super. 223 (App. Div.1993), summarily reversed and remanded 136 N.J. 292 (1994).*

*The ground of fraud encompassed by subsection (c) includes perjurious testimony even if not accompanied or concealed by other and collateral acts of fraud provided that the testimony was willfully false, material to the result, and not earlier discoverable by reasonable diligence. Pavlicka v. Pavlicka, 84 N.J. Super. 357 (App. Div 1964).*

- *R. 4:50 Distinguished from Clerical Error. With respect to distinguishing between a clerical error correctable pursuant to R. 1:13-1 from error to which this rule applies, compare Wicks v. Central R.R. Co. of N.J., 129 N.J. Super. 145 (App. Div.), certif. den. 66 N.J. 317 (1074).*
- *R. 4:50-1 1. General Principles. This rule provides a mechanism for direct attack of a judgment or order entered by a court of this state. It does not provide a mechanism for collateral attack on a foreign judgment or order entitled in full faith and credit. See, e.g., Simmermon V Dryvit Systems, Inc., 196 N.J. Super. 316, 337-338 (2008);*
- *R 4:37-2(1) (d) Dismissal with Prejudice; Exceptions, Unless the order of dismissal otherwise specifies, a dismissal under R. 4:347-2(b) or (c) and any dismissal not specifically provided for by R.4::37, other than a dismissal for lack of jurisdiction, operates as an adjudication on the merits.*

- *R. 4:50-4.3 Condition of relief.* In setting aside a default judgment, the court may impose terms, including an award of attorney's fees for obtaining the default judgment and defending the motion to set aside. See *ATFH Real Prop. V. Winberry Rlty*, 417 N.J. Super. 518, 526-529 (App. Div. 2010).
- *R. 4:50-5.1 .2 Excusable neglect.* Excusable neglect has been defined as excusable carelessness "attributable to an honest mistake that is compatible with due diligence or reasonable prudence." *Mancini v. EDS*, 132 N.J. 330, 335 (1993).
- *R. 4:50-5.5 .2 Judgment no longer equitable.* While ordinarily stringently applied, this provision is particularly applicable to judgments entered in public interest litigation calling for continuing judicial oversight and, in that contest, has been typically applied to Mount Laurel litigation. See *Toll Bros. V. West Windsor Twp*, 334 N.J. Super. 77 (App. Div. 2000), certif. den. 168 N.J. 295 (2001).
- *R. 4:50-5.6 Subsection (f): other reasons.*

*5.6.1 Generally. Subsection (f) is the elusive "catchall" category. As explained by Court Invest. Co. V. Perillo, 48 N.J. 334, 341 (1966) "No categorization can be made of the situation which warrant redress under subsection (f)... [T]he very essence of (f) is its capacity for relief in exceptional situations. And in such exceptional cases its boundaries are as expansive as the need to achieve equity and justice". See also DEG, LLC v. Township of Fairfield, 198 N.J. 242, 269-271(2009). It is, however, clear that an applicant's right to relief depends on the totality of the circumstances and that the correctness or error of the original judgment is ordinarily an irrelevant consideration. See in re Guardianship of J.N.H, 172 N.J. 440, 476 (2002). Thus, in order to obtain relief under this subsection, the movant must ordinarily show that the circumstances are exceptional and that enforcement of the order or judgment would be unjust, oppressive or inequitable. See Lawson Mardon Wheaton, Inc. v. Smith, 160 N.J. 383, 404-407 (1999).*

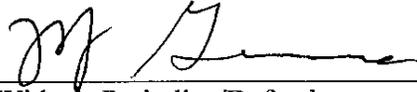
I have listed many reasons, along with citing the many laws which support my claim that my case cannot legally/lawfully be classified as post-judgment. I believe the laws we have selected, support my reasons/objection to being placed in the category of post-judgment, and not being able to receive a corrected NOI. Even if all the laws don't apply, many do and even if only one law is applicable, if not applied, then I am still being

denied due process. In good faith, I make this submission to the Honorable Judge McVeigh who has stated that she has the authority to dismiss defendant's cases that are involved in their NOI process, that merit dismissal. I make my submission, with its annexed exhibits, to this honorable court of proper jurisdiction, requesting the court to make a decision based on this Objection to dismiss the unlawful 5/3/10 Order for Final Judgment, dismiss the case with prejudice and grant any other such relief as the court may deem just and equitable under the circumstances for this issue

In the past the plaintiff has asked my objections to be stricken from the record, I object to my objections being stricken, and particularly this objection to being stricken, not recognized by the court or simply ignored. I pray this Honorable Court will exercise its authority.

**Without prejudice, reservation of all rights UCC 1-308 & UCC 1-207**

Dated: 1/14/13  
(Date on which defendant signs this document)

By:   
Without Prejudice/Defendant:  
Michelle German  
180 Lindbergh Blvd  
Teaneck, NJ 07666

CERTIFICATION

I hereby certify that the OBJECTION TO Judge McVeigh, P.J. Ch. decision made in error, declaring my case as post-judgment, during 11/15/12, proceeding, served within the time period allowed pursuant to the time period of the court. Copies of this Objection were served upon the Plaintiff

SHIMBERG & FRIEL, P.C.  
20 Brace Road, Suite 350  
Cherry Hill, NJ 08034  
(856) 857-0700  
Attorney for the Plaintiff

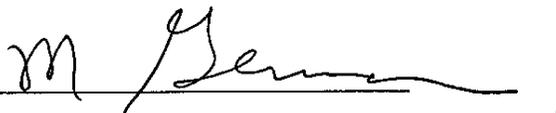
Dated: 1/11/13

Without prejudice, reservation of all rights UCC 1-308&UCC 1-207

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

1/14/13

By: \_\_\_\_\_



MICHELLE GERMAU

(Defendant's name printed)

**CERTIFICATE OF SERVICE**

I, Gloria Bolden being duly sworn, disposes and says that deponent is upward of the age of eighteen years and resides at 403 Quincy St., Brooklyn, NY 11221

CERTIFY THAT ON January 11, 2013 I SERVED A COPY OF OBJECTION TO Judge McVeigh, P.J. Ch, decision made in error, declaring my case as post-judgment, during 11/15/12, proceeding: and OBJECTION TO PROCESS BEING APPLIED BY WELLS FARGO BANK, N.A TO ISSUE CORRECTED NOTICES OF INTENT TO FORECLOSE ON BEHALF OF IDENTIFIED FORECLOSURE PLAINTIFFS IN UNCONTESTED CASES, in Docket No.: F-27172-08, CIVIL ACTION, filed December 18, 2012, (IN RE: APPLICATION BY DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST FRANKLIN MORTGAGE LOAN TRUST 2006-FF11, served the following parties by:

regular mail  **certified mail**  personal service

SUPERIOR COURT OF NEW JERSEY  
10 Main Street  
Hackensack, New Jersey,

Judge McVeigh, J.S.C., Superior Court  
Of New Jersey, Chambers 100, 71 Hamilton Street,  
Paterson, New Jersey 07505.08540

Randy Brockenstedt, Senior Vice President  
America's Servicing Co.  
3480 Stateview Boulevard  
MAC X 7802-03H  
Fort Mill, SC 29715

APPEALS DIVISION  
ATTN: JULIE GOLDING  
SUPERIOR COURT CLERK'S OFFICE  
FORECLOSURE PROCESSING SERVICES  
P.O. Box 971  
TRENTON, NEW JERSEY 08625

Mark S. Melodia, Esquire,  
Reed Smith LLP, Princeton Forrestal Village,  
136 Main Street, Princeton,  
NEW JERSEY 08540

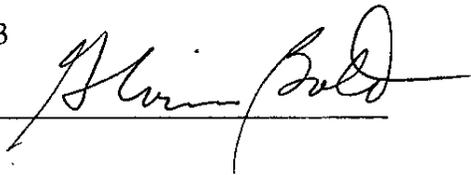
SUPERIOR COURT CLERK'S OFFICE  
FORECLOSURE PROCESSING UNIT  
HUGHES JUSTICE COMPLEX  
25 MARKET STREET, CN 971  
TRENTON, NEW JERSEY 08625

PHELAN HALLINAN & SCHMIEG, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054

SCHIMBERG & FRIEL PC  
20 Brace Road, suite 350  
Cherry Hill, New Jersey 08034

Dated January 11, 2013

By: Gloria Bolden

A handwritten signature in black ink, appearing to read "Gloria Bolden", written over a horizontal line.

Sworn to before me: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I, Gloria Bolden being duly sworn, disposes and says that deponent is upward of the age of eighteen years and resides at 403 Quincy St., Brooklyn, NY 11221, do hereby Certify that on January 11, 2013 I am also RESERVING a copy of my first **Objection** to OSC for ASC NOI under Docket # F-009564-12, originally served September 24, 2012, along with a copy of my: NOTICE OF AFFIDAVIT OF INFORMATION: FROM A THIRD PARTY OF INTEREST, WHO HAS BEEN EXCLUDED FROM YOUR LIST, OF THOSE WHO ARE DEEMED QUALIFIED TO RECEIVE A CORRECTED NOI/NOTICE OF INTENT TO FORECLOSE, faxed to the Court and Plaintiff on 11/14/12, served on behalf of Michelle German, Docket # F-27172-08, to the following parties by:

regular mail    **certified mail**    personal

SUPERIOR COURT OF NEW JERSEY  
10 Main Street  
Hackensack, New Jersey,

Judge McVeigh, J.S.C., Superior Court  
Of New Jersey, Chambers 100, 71 Hamilton Street,  
Paterson, New Jersey 07505.08540

Randy Brockenstedt, Senior Vice President  
America's Servicing Co.  
3480 Stateview Boulevard  
MAC X 7802-03H  
Fort Mill, SC 29715

APPEALS DIVISION  
ATTN: JULIE GOLDING  
SUPERIOR COURT CLERK'S OFFICE  
FORECLOSURE PROCESSING SERVICES  
P.O. Box 971  
TRENTON, NEW JERSEY 08625

Mark S. Melodia, Esquire,  
Reed Smith LLP, Princeton Forrestal Village,  
136 Main Street, Princeton,  
NEW JERSEY 08540

SUPERIOR COURT CLERK'S OFFICE  
FORECLOSURE PROCESSING UNIT  
HUGHES JUSTICE COMPLEX  
25 MARKET STREET, CN 971  
TRENTON, NEW JERSEY 08625

PHELAN HALLINAN & SCHMIEG, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054

SCHIMBERG & FRIEL PC  
20 Brace Road, suite 350  
Cherry Hill, New Jersey 08034

Dated January 11, 2013

By: Gloria Bolden



Sworn to before me: \_\_\_\_\_

## SUMMARY INDEX

### OBJECTION TO JUDGE McVeigh, P.J. Ch, DECISION MADE IN ERROR, DECLARING MY CASE AS POST-JUDGMENT DURING 11/15/12 PROCEEDING

<u>EXHIBITS</u>	<u># Of Pgs</u>	<u>SUPPORTING DOCUMENT TYPE</u>
A	11	NOTICE PURSUANT TO SECTION 6 OF THE FAIR FORECLOSURE ACT
B	8	NOTICE OF INTENT TO FORECLOSE/NOTICE OF MOTION FOR ENTRY OF JUDGMENT
C	4	Plaintiff's Attorneys' Certification of service of NOI Pursuant to FFA§6 dated 12/23/08.
D	9	DEFAULT VACATED
E	8	ORDER of 1/8/10 (ordering Summary Judgment)
F	12	FINAL JUDGMENT on docket record 5/6/10, stamped as FILED by Court on 5/3/10.
G	4	NOTICE MOTION/NOTICE OF INTENT TO FORECLOSE/(NOI)/ NOTICE OF MOTION FOR FINAL JUDGMENT on the docket record entry dated 5/6/10.
H	50	COMPUTER FRAUD in case (examples)

(Total exhibit pages 105, count include additional supporting documents)

## **EXHIBIT 'A'**

**A: NOTICE PURSUANT TO SECTION 6 OF THE  
FAIR FORECLOSURE ACT (1 pg)**

**A(1) Postal Receipts:  
(Submitted by plaintiff as proof of Certified  
Mail of NOI.) (5 pgs)**

**A(2) USPS Tracking sheets for postal receipts  
(5 pgs)**

**Total pages 11**

PI 06 12

A

19 1 06 1

**PHELAN HALLINAN & SCHMIEG, PC**

Suite 100

400 Fellowship Road

Mt. Laurel, NJ 08054

856-813-5500

Fax: 856-813-5501

Rosemarie Diamond, Esquire  
Managing Partner for New Jersey

Representing Lenders in  
Pennsylvania and New Jersey

Date: 11/13/08

MICHELLE GERMAN  
180 LINDBERGH BOULEVARD  
TEANECK, NJ 07666

MICHELLE GERMAN  
C/O CLERK OF THE SUPERIOR COURT  
CN-971 HUGHES JUSTICE COMPLEX  
TRENTON, NJ 08628

MICHELLE GERMAN  
403 QUINCY STREET  
BROOKLYN, NY 11221

MICHELLE GERMAN  
90 VERMONT STREET  
BROOKLYN, NY 11207

MICHELLE GERMAN  
4 RIDGEVIEW AVENUE  
ATLANTIC HEIGHTS, NJ 07716

**RE: NOTICE PURSUANT TO SECTION 6 OF THE FAIR FORECLOSURE ACT**  
DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST FRANKLIN  
MORTGAGE LOAN TRUST 2006-FF11 vs. MICHELLE GERMAN, et al.  
Docket No. F-27172-08  
Mortgaged Premises: 180 LINDBERGH BOULEVARD, TEANECK, NEW JERSEY 07666  
Our File No. ASC-7074

You are hereby notified that DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST FRANKLIN MORTGAGE LOAN TRUST 2006-FF11, the Plaintiff in the above captioned matter, is now ready to submit its proof to the Superior Court Foreclosure Unit for entry of a Final Judgment of Foreclosure, relating to the within matter.

You have ten (10) days after receipt of this Notice to notify this office of any reasonable likelihood that you will be able to provide payment necessary to cure the default within forty-five (45) days of the date of this Notice. The Notice must be sent by registered or certified mail, return receipt requested, to the following address:

**PHELAN HALLINAN & SCHMIEG**  
**(PHONE) 856-813-5500 (FAX) 856-813-5501**  
**ATTN: REINSTATEMENT AND PAYOFF DEPARTMENT**  
**400 Fellowship Road, Suite 100, Mt. Laurel, NJ 08054**



13 of 1  
A(1)  
(2 of 6)

default.

The name and address of the lender are:

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST FRANKLIN  
MORTGAGE LOAN TRUST 2006-FF11  
C/o America Servicing Company  
3476 Stateview Boulevard  
Fort Mill, SC 29715

This is an attempt to collect a debt and any information obtained will be used for that purpose.

Very truly yours,  
PHELAN HALLINAN & SCHMIEG  
Rosemarie Diamond  
Rosemarie Diamond

via Certified Mail, return receipt requested and regular mail

7009 2820 0002 5333 6963

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark  
Here

Sent To

Street, Apt. No.,  
or PO Box No.

City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

7009 2820 0002 5333 6970

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark  
Here

Sent To

Street, Apt. No.,  
or PO Box No.

City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

7009 2820 0002 5333 6963

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark  
Here

Sent To

Street, Apt. No.,  
or PO Box No.

City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

7009 2820 0002 5333 6956

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark  
Here

Sent To

Street, Apt. No.,  
or PO Box No.

City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

14 03 12  
ACI  
P93036

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)  
For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To  
Street, Apt. No.,  
or PO Box No.  
City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

7009 1680 0000 899T 4002  
E269 REE2 0000 899T 4002

PS 07 12  
ACI)  
Pg 2/26

PHELAN HALLINAN & SCHMIEG, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Fax: (856) 813-5501

Rosemarie Diamond, Esquire  
Managing Attorney for New Jersey

Representing Lenders in  
Pennsylvania and New Jersey

March 15, 2010

Michelle German  
180 Lindbergh Boulevard  
Teaneck, NJ 07666

c/o Clerk of the Superior Court  
CN-971 Hughes Justice Complex  
Trenton, NJ 08628

RE: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST 2006-FF11 vs. MICHELLE GERMAN, et al.  
Docket No.: F-27172-08  
Our File No.: ASC-7074

Dear Sir/Madam:

Service is hereby made upon you with the enclosed Notice of Motion for Entry of Final  
Judgment, relative to the above referenced-matter.

Very Truly Yours

tcw

Regular and Certified Mail, Return Receipt Requested

7009 2820 0001 1731 7299

<b>U.S. Postal Service</b> <b>CERTIFIED MAIL</b> <b>RECEIPT</b> <i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage \$	Postmark Here
Certified Fee \$	
Return Receipt Fee (Endorsement Required) \$	
Restricted Delivery Fee (Endorsement Required) \$	
Total Postage & Fees \$	
Sent to	
Street, Apt. No. or PO Box No.	
City, State, ZIP+4	
PS Form 3800, August 2006 See Reverse for Instructions	

PG 06 12  
A(1)  
(P95 06)



P 7 03 12

A (1)

(P 9 6 0 3 6)



Representing Lenders in  
Pennsylvania and New Jersey

**PHELAN HALLINAN & SCHMIEG, PC**  
400 Fellowship Road, Suite 100  
Mount Laurel, NJ 08054  
856-813-5500  
Fax: 856-813-5501  
Vladimir.Palma@fedpnc.com

Vladimir Palma, Esquire  
Ext. 7559

January 20, 2010

Michelle German  
180 Lindberg Blvd.  
Teaneck, NJ 07666

RE: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST 2006-FP11 vs. MICHELLE GERMAN, et al.  
Docket No. F-27172-08  
Our File No. ASC-7074  
Property Address: 180 LINDBERGH BOULEVARD, TEANECK, NEW JERSEY  
07666

Dear Sir/Madam:

Enclosed please find a copy of the Order for Summary Judgment, entered by the Honorable Ellen  
L. Koblitz, P.J.Ch. on January 8, 2010.

Very truly yours,  
**Paul Mullen**  
Paul Mullen  
Legal Assistant

U.S. Postal Service  
**CERTIFIED MAIL - RECEIPT**  
(Domestic Mail Only; NO Insurance Coverage Provided)

For delivery instructions visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Package #		Postmark Date
Certified Fee		
Return Receipt Fee (Optional Fee/Postage)		
Registered Delivery Fee (Optional Fee/Postage)		
Mail Package & Postage	\$	

SENT TO: \_\_\_\_\_  
 ZIP CODE: \_\_\_\_\_  
 ZIP+4: \_\_\_\_\_  
 ZIP+4: \_\_\_\_\_

PS Form 3800, Revised 2008



P8 0812  
A(2)  
P9105

[Track & Confirm](#)   [FAQs](#)

## Track & Confirm

### Search Results

Label/Receipt Number: 7008 1300 0001 1798 6506

There is no record of this item.

### Why Are You Receiving This Message?

1. Event information may not be available if your item was mailed recently. Please try again later.
2. The number was entered incorrectly. Be sure to enter all of the letters and numbers as they appear on your mailing label or receipt.

### Track & Confirm

Enter Label/Receipt Number.

[Go >](#)





P 9 06 12  
A(2)  
P 9 Z 0 5

[Track & Confirm](#) [FAQs](#)

## Track & Confirm

### Search Results

Label/Receipt Number: 7008 1300 0001 1798 6490

There is no record of this item.

### Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

### Why Are You Receiving This Message?

1. Event information may not be available if your item was mailed recently. Please try again later.
2. The number was entered incorrectly. Be sure to enter all of the letters and numbers as they appear on your mailing label or receipt.



[Home](#) | [Help](#) | [Sign In](#)

[Track & Confirm](#) [FAQs](#)

P10 1212  
A(2)  
P9 305

## Track & Confirm

### Search Results

Label/Receipt Number: 7008 1300 0001 1798 6483

There is no record of this item.

### Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

### Why Are You Receiving This Message?

1. Event information may not be available if your item was mailed recently. Please try again later.
2. The number was entered incorrectly. Be sure to enter all of the letters and numbers as they appear on your mailing label or receipt.

[Site Map](#) [Customer Service](#) [Forms](#) [Gov't Services](#) [Careers](#) [Privacy Policy](#) [Terms of Use](#) [Business Customer Gateway](#)





[Home](#) | [Help](#) | [Sign In](#)

P11 06 12  
A(2)  
P9 4 06 5

[Track & Confirm](#) [FAQs](#)

## Track & Confirm

### Search Results

Label/Receipt Number: 7008 1300 0001 1798 6476

There is no record of this item.

### Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

### Why Are You Receiving This Message?

1. Event information may not be available if your item was mailed recently. Please try again later.
2. The number was entered incorrectly. Be sure to enter all of the letters and numbers as they appear on your mailing label or receipt.

[Site Map](#)

[Customer Service](#)

[Forms](#)

[Govt Services](#)

[Careers](#)

[Privacy Policy](#)

[Terms of Use](#)

[Business Customer Gateway](#)





## EXHIBIT 'B'

- B: NOTICE OF INTENT TO FORECLOSE/NOTICE OF MOTION FOR ENTRY OF JUDGMENT:**  
dated 6/25/09, on docket record 7/28/09 (2 pgs)
- B(1) PLAINTIFF'S COMPLAINT: (cover-page only), filed on docket record 7/16/08 (1 pg)**
- B(2) FINAL JUDGMENT ORDER: (unsigned), entered on docket record 7/27/09, the day before plaintiff filed his Notice of Intent to Foreclose (NOI). (3 pgs)**
- B(3) PROOF OF MAIL: for plaintiff's NOI/NOTICE MOTION**  
This proof of mail is in the docket record but not on the record. The supporting documents for this entry were and still are being hidden in the Summary System. These hidden documents contained an envelope with the defendants name on it, while using the address of the Hackensack Court as the defendant's address. The photocopies for proof of mail for the NOI was provided compliments of the Court. (2 pgs)

(Total 8 pgs)

ASC-7074  
PHELAN HALLINAN & SCHMIEG, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorneys for the Plaintiff

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST 2006-  
FF11

PLAINTIFF,

VS.

MICHELLE GERMAN, ET AL.

DEFENDANT(S)

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
BERGEN COUNTY

DOCKET NO: F-27172-08

CIVIL ACTION

NOTICE OF MOTION FOR ENTRY OF  
JUDGMENT

TO: Michelle German  
180 Lindbergh Boulevard  
Teaneck, NJ 07666

Michelle German  
c/o Clerk of the Superior Court of New Jersey  
CN-971 Hughes Justice Complex  
Trenton, NJ 08625

PLEASE TAKE NOTICE that, the undersigned, attorney for Plaintiff, will make application to the Superior Court of New Jersey, Chancery Division, at the Hughes Justice Complex-CN971, Trenton, New Jersey, for Entry of Final Judgment in the above foreclosure action. You are receiving this Motion and copy of Plaintiff's Proof of Amount Due: (a) in accordance with R.4:64-9; (b) because you have filed an Answer or appeared in the above action, or (c) because Plaintiff failed to enter Judgment within the required six (6) month period following the entry of default pursuant to the rules of the Superior Court of

WULFH... ..

P2 068  
B  
pg 2 of 2

New Jersey. Plaintiff is filing herewith its proof required by law, which proof will establish that there is due upon the plaintiff's mortgage on 180 LINDBERGH BOULEVARD, TEANECK, NEW JERSEY in the sum of \$561,479.97 plus costs and attorney's fees to be taxed. The Order/Judgment sought shall be at the discretion of the Court unless you proceed as directed below.

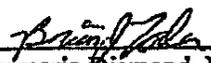
PLEASE TAKE FURTHER NOTICE THAT IF YOU WISH TO OBJECT TO THIS MOTION YOU MUST DO SO IN WRITING WITHIN 10 DAYS AFTER YOU RECEIVED THIS MOTION. YOU MUST FILE YOUR OBJECTION WITH THE OFFICE OF FORECLOSURE, P.O. BOX 971, 25 MARKET STREET, TRENTON, NJ 08625 AND SERVE A COPY ON THE MOVING PARTY.

THE OFFICE OF FORECLOSURE DOES NOT CONDUCT HEARINGS, YOUR PERSONAL APPEARANCE AT THE OFFICE WILL NOT QUALIFY AS AN OBJECTION. IF YOU FILE AN OBJECTION, THE CASE WILL BE SENT TO A JUDGE FOR RESOLUTION. YOU WILL BE INFORMED BY THE JUDGE OF THE TIME AND PLACE OF THE HEARING ON THE MOTION.

Annexed hereto, please find a copy of the Certification of Amount Due.

PLEASE TAKE FURTHER NOTICE that at said time and place if you are a lienholder/mortgagor that filed an answer are required to present proof of the amount due to you on the encumbrance set forth in your Answer along with your original documents to be marked as exhibits.

PHELAN HALLINAN & SCHMIEG, PC

  
\_\_\_\_\_  
Rosemarie Diamond, Esquire  
Vladimir Palma, Esquire  
Brian J. Yoder, Esquire  
Brian Blake, Esquire  
Thomas M. Brodowski, Esquire

Date: June 25, 2009

REC'D & FILED  
SUPERIOR COURT  
OF NEW JERSEY

JUL 16 2008

Christine P. Higgins  
ACTING CLERK

*R*

*Person unknown / Don't live here  
Wrong Address / Return to Sender*

*3 08*

ASC-7074  
Phelan Hallinan and Schmieg, P.C.  
400 Fellowship Road, Suite 100  
Mount Laurel, NJ 08054  
(856) 813-5500  
Attorneys for Plaintiff

*BCI*

*pg 1 of 1*

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST  
2006-FF11  
PLAINTIFF

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
BERGEN COUNTY

Vs.

DOCKET NO: F- *27172-08*

MICHELLE GERMAN;  
MR. GERMAN, HUSBAND OF MICHELLE  
GERMAN  
DEFENDANT(S)

CIVIL ACTION  
FORECLOSURE COMPLAINT

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR  
FIRST FRANKLIN MORTGAGE LOAN TRUST 2006-FF11, having its place of business at  
3476 Stateview Blvd., Fort Mill SC 29715, by way of Complaint says:

FIRST COUNT

1. On May 26, 2006, MICHELLE GERMAN executed to FIRST FRANKLIN, A  
DIVISION OF NAT. CITY BANK OF IN an obligation (NOTE), to secure the sum of  
\$495,000.00, payable on June 1, 2036, with the initial rate of interest of 8.99% per annum,  
payable by payments of \$3,979.32 per month for interest and principal. <sup>F132</sup> The Note further  
provides for a late charge of 5 percent for any payment not received 15 days from the date due.
2. To secure the payment of the obligation described in Paragraph 1, MICHELLE  
GERMAN executed to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A  
NOMINEE FOR FIRST FRANKLIN, A DIVISION OF NAT. CITY BANK OF IN ITS  
SUCCESSORS AND ASSIGNS a Purchase Money Mortgage on the same date as the Note, and

ASC-7074  
PHELAN HALLINAN & SCHMIEG, PC  
By: Rosemarie Diamond, Esquire  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorneys for Plaintiff

P4  
B(2)  
(pg 1 2 3)

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST  
2006-FF11  
PLAINTIFF

MICHELLE GERMAN, ET AL.  
DEFENDANT (S)

SUPERIOR COURT OF NEW JERSE  
CHANCERY DIVISION  
BERGEN COUNTY

DOCKET NO: F-27172-08

CIVIL ACTION

FINAL JUDGMENT

This matter having been opened to the Court by Phelan Hallinan & Schmieg, PC attorney for the plaintiff, and it appearing that service of the Summons/Notice and Complaint/ Amended Complaint and amendment(s) and order(s), if any, has/have been made upon the defendants, in accordance with the Rules of this Court and default having been entered against all non-answering defendants, the plaintiff's obligation, Mortgage and assignment of Mortgage having been presented and made known to the Court, and exhibits by the Court, and proof having been submitted of the amount due on the plaintiff's Mortgage and sufficient cause appearing:

It is on this                      day of                      2009, ORDERED and ADJUDICATED  
that the plaintiff is entitled to have the sum of \$561,479.97 together with interest at the Contract rate  
of 8.99% on \$501,846.70 being the principal sum in default including advances from July 1,

Docket#

P5 of 5  
B(2)  
Pg 2 of 3

And lawful interest thereafter on the total sum due plaintiff together with costs of this suit to be taxed including counsel fee of \$ \_\_\_\_\_ raised and paid in the first place out of the mortgaged premises,

And it is further ordered that the plaintiff, its assignee or purchaser at sale recover against the following defendants:

**MICHELLE GERMAN**

and all parties holding under said defendants the possession of the premises so mentioned and described in the said Complaint and Amendment with the appurtenances; and it is further

ORDERED and ADJUDGED that the mortgaged premises be sold to raise and satisfy the several sums of money due, in the first place to the plaintiff, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST FRANKLIN MORTGAGE LOAN TRUST 2006-FF11, in the sum of \$561,479.97 together with contract and lawful interest thereon to be computed as aforesaid, the plaintiff's costs to be taxed, with interest thereon, and that an execution for the purpose by duly issued out of this Court directed to the Sheriff of BERGEN County, commanding said Sheriff to make sale according to law of the mortgaged premises described in the Complaint, and out of the money arising from said sale, that said Sheriff pay in the first place, to the plaintiff, said plaintiff's debt, with interest thereon as aforesaid and said plaintiff's costs with interest thereon as aforesaid, and in case more money shall be realized by the said sale than shall be sufficient to satisfy such several payments as aforesaid, that such surplus be brought into this Court to abide the further Order of this Court and that the Sheriff aforesaid make a report of the aforesaid sale without delay as required by the rules of this Court, and it is further

Docket # F00956412

P6 of 8

B(2)

(p9373)

ORDERED and ADJUDGED that the defendants in this cause, and each of them stand absolutely debarred and foreclosed of and from all equity of redemption of, in and to said mortgaged premises described in the Complaint, when sold as aforesaid by virtue of this judgment

This judgment shall not affect the right of any person protected by the provisions of the New Jersey Tenant Anti-Eviction Statute (N.J.S.A. 2A: 18-61.1 et seq.)

Docket # F009564-12

PHELAN HALLINAN & SCHMIEG, PC

400 Fellowship Road, Suite 100

Mt. Laurel, NJ 08054

(856) 813-5500

Fax: (856) 813-5501

DEMAN - Docket # F00956412

P7 168

B(3)

P8 192

Rosemarie Diamond, Esquire  
Managing Attorney for New Jersey

Representing Lenders in  
Pennsylvania and New Jersey

June 24, 2009

Michelle German  
180 Lindbergh Boulevard  
Teaneck, NJ 07666

Michelle German  
c/o Clerk of the Superior Court of New Jersey  
CN-971 Hughes Justice Complex  
Trenton, NJ 08625

RE: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST 2006-FF11 vs. MICHELLE GERMAN, et al.  
Docket No.: F-27172-08  
Our File No.: ASC-7074

Dear Sir/Madam:

Service is hereby made upon you with the enclosed Notice of Motion for Entry of Final Judgment, relative to the above referenced-matter.

Very Truly Yours

*Lisa Wilson*

lw

Regular and Certified Mail, Return Receipt Requested



## **EXHIBIT 'C'**

### **PLAINTIFF'S CERTIFICATION:**

- C: Plaintiff's Attorneys' Certification of service of NOI  
pursuant to FFA §6 dated 12/23/08.  
(Attorney's testimony of mailing NOI on 11/13/08.)** (2pgs)
- C(1) FFA §6 dated 11/13/08** (2pgs)

(Total 4 pgs)

Pl 0 of 7

Docket# F0075 01

pg 1 of 2

ASC-7074

**PHELAN HALLINAN & SCHMIEG, PC**

By: Rosemarie Diamond, Esq.

400 Fellowship Road, Suite 100

Mt. Laurel, NJ 08054

(856) 813-5500

Attorneys for Plaintiff

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST 2006-  
FF11

PLAINTIFF

VS.

MICHELLE GERMAN, ET AL  
DEFENDANT (S)

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
BERGEN COUNTY

DOCKET NO: F-27172-08

CIVIL ACTION  
CERTIFICATION OF MAILING OF NOTICE  
PURSUANT TO SECTION (6) OF THE FAIR  
FORECLOSURE ACT

I, Michelle Laskowski, do hereby certify:

1. I am a legal assistant at the law firm of Phelan, Hallinan & Schmieg, P.C., attorneys for the plaintiff in the above-entitled action.

2. On 11/13/08 this office did mail a Notice Pursuant to Section 6 of the Fair Foreclosure Act to the mortgagor(s), MICHELLE GERMAN, , in the above entitled action, by regular and certified mail to the mortgaged premises located at 180 LINDBERGH BOULEVARD, TEANECK, NEW JERSEY 07666 AND ASLO TO, C/O CLERK OF THE SUPERIOR COURT, CN-971, HUGHES JUSTICE COMPLEX, TRENTON, NJ; 403 QUINCY STREET, BROOKLYN, NY, 90 VERMONT STREET, BROOKLYN, NY AND 4 RIDGEVIEW AVENUE, ATLANTIC HIGHLANDS, NJ advising them that the Plaintiff intends to proceed with the entry of judgment and that in the event they do not notify the Plaintiff within ten (10) days upon receipt of a reasonable likelihood of an ability to cure the default within 45 days of the notice, Judgment would be entered and that they will lose their right to cure the default on the Mortgage pursuant to Section 5 of

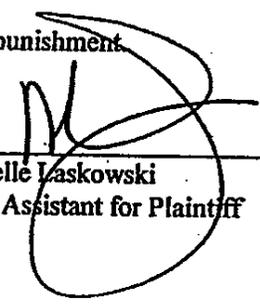
2  
C 204  
pg 202

the Fair Foreclosure Act:

3. More than ten (10) days have passed from the date of the receipt of the mailing of the Notice Pursuant to Section 6 and no response has been received; therefore, Plaintiff requests that Final Judgment be entered.

4. I hereby certify that the foregoing statements made by me are true and I am aware that if any of the foregoing statements made by me are false, I am subject to punishment.

By:

  
Michelle Laskowski  
Legal Assistant for Plaintiff

Dated: 12/23/08

pg 4:  
(1)  
pg 1 of 2

Docket # F009564  
-12

**PHELAN HALLINAN & SCHMIEG, PC**

Suite 100  
400 Fellowship Road  
Mt. Laurel, NJ 08054  
856-813-5500  
Fax: 856-813-5501

Rosemarie Diamond, Esquire  
Managing Partner for New Jersey

Representing Lenders in  
Pennsylvania and New Jersey

Date: 11/13/08

MICHELLE GERMAN  
180 LINDBERGH BOULEVARD  
TEANECK, NJ 07666

MICHELLE GERMAN  
C/O CLERK OF THE SUPERIOR COURT  
CN-971 HUGHES JUSTICE COMPLEX  
TRENTON, NJ 08628

MICHELLE GERMAN  
403 QUINCY STREET  
BROOKLYN, NY 11221

MICHELLE GERMAN  
90 VERMONT STREET  
BROOKLYN, NY 11207

MICHELLE GERMAN  
4 RIDGEVIEW AVENUE  
ATLANTIC HEIGHTS, NJ 07716

**RE: NOTICE PURSUANT TO SECTION 6 OF THE FAIR FORECLOSURE ACT**  
DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST FRANKLIN  
MORTGAGE LOAN TRUST 2006-FF11 vs. MICHELLE GERMAN, et al.  
Docket No. F-27172-08  
Mortgaged Premises: 180 LINDBERGH BOULEVARD, TEANECK, NEW JERSEY 07666  
Our File No. ASC-7074

You are hereby notified that DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR  
FIRST FRANKLIN MORTGAGE LOAN TRUST 2006-FF11, the Plaintiff in the above captioned matter, is  
now ready to submit its proof to the Superior Court Foreclosure Unit for entry of a Final Judgment of  
foreclosure, relating to the within matter.

You have ten (10) days after receipt of this Notice to notify this office of any reasonable likelihood that you will  
be able to provide payment necessary to cure the default within forty-five (45) days of the date of this Notice.  
The Notice must be sent by registered or certified mail, return receipt requested, to the following address:

Any requests regarding the amount necessary to cure the default can be directed to the above address and/or telephone number. In the event that you fail to notify this office within ten (10) days and tender sufficient sums to reinstate the mortgage within forty-five (45) days hereof, please note that a Final Judgment will be entered and the mortgaged premises ultimately will be listed for Sheriff's Sale and you will lose your right to cure the default.

The name and address of the lender are:

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST FRANKLIN

MORTGAGE LOAN TRUST 2006-FF11

C/o America Servicing Company

3476 Stateview Boulevard

Fort Mill, SC 29715

84 74  
C(1)  
Pg 2 of 2

This is an attempt to collect a debt and any information obtained will be used for that purpose.

Very truly yours,  
PHELAN HALLINAN & SCHMIEG  
Rosemarie Diamond  
Rosemarie Diamond

via Certified Mail, return receipt requested and regular mail.

## **EXHIBIT 'D'**

### **DEFAULT VACATED:**

- D: ORDER dated 9/25/09**
- D(1) Docket Record pg 2 dated 3/12/10, disclosing entry for 9/25/09 as – ORD VC DF EX TM.**
- D(2) REQ DEFAULT dated 10/21/08, naming Michelle German as the only defendant.**
- D(3) NOTICE OF VOLUNTARY DISMISSAL:  
Dismissal of defendant's non-existing husband as not a proper party defendant, dated 10/20/08.**
- D(4) Docket record dated 6/24/09, showing entry of voluntary dismissal of fictitious Mr. German.**
- D(5) Supplemental docket record dated 6/24/09 (ACMS) reveals that JEFIS is still showing and holding in its system, the non-existing husband as a proper party defendant. Court personnel circled and pointed out that the non-existing husband was still active on the case. In spite of a voluntary dismissal being entered on the record almost a year prior for this (made-up) person as not a proper party defendant.**
- D(6) Supplemental docket record (ACMS) dated 9/21/09 shows Mr. German as defendant who requires an attorney.**
- D(7) Supplemental docket record (ACMS) dated 9/24/09 the day before the judge made her decision to vacate the default, we again inquired into the voluntary dismissal.**

**And was told by court personnel in the foreclosure office, that Mr. German was still active on/in the case. (Physical supporting documents not available until 2012).**

**D(8) PROOF OF MAILING**

**CERTIFICATION OF 'NEW' DEFAULT:**

**Default fraudulently forced into system, dated 11/13/08 and filed 5/3/10. This new default is not in proper order, and has many problems. Chief among them being it failed to state a cause, or to state what the defendant has defaulted in? The original default of record was for me not answering the complaint, which I certainly have done. So what is this new default for?**

**(Each document is 1-page only, total 9 pages)**

P-1  
D  
P-1081

**FILED**

**SEP 25 2009**

This Order was prepared by the Court.

----- x  
 DEUTSCHE BANK NATIONAL TRUST :  
 COMPANY, AS TRUSTEE FOR FIRST :  
 FRANKLIN MORTGAGE LOAN TRUST 2006- :  
 FF11, :  
 :  
 Plaintiff, :  
 :  
 vs. :  
 :  
 MICHELLE GERMAN, :  
 :  
 Defendants. :  
 x

Ellen L. Koblitz  
 Superior Court of New Jersey  
 Chancery Division  
 Bergen County  
 Docket No.: F-27172-08

Civil Action

**ORDER VACATING DEFAULT**

-----  
 THIS MATTER having been opened to the Court by the defendant, Michelle German, Pro Se, and Deutsche Bank National Trust Company, by and through its attorney Phelan Hallinan & Schmieg, PC, appearing, on Defendant's Motion to Vacate Default, and for good cause shown and for the reasons stated on the record;

IT is on this the 25<sup>th</sup> day of September, 2009,

1. ORDERED that the default entered against defendant Michelle German is hereby vacated and set aside.
2. ORDERED that the defendant file an answer within ten days of this order.



Hon. Ellen L. Koblitz, P.J. Ch.

2 9  
D(1)  
P81031

CVM1023 AUTOMATED CASE MANAGEMENT SYSTEM 03/12/10  
PAGE: 002 OF 003 DOCUMENT LIST 15:19

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
*	09 25 2009	011	ORD VC DF EX TM		GERMAN	PRO SE	N GR
	10 08 2009	014	ANSWER		GERMAN	PRO SE	N
	10 21 2009	012	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	Y
	11 05 2009	013	MOTN SUMM JDGMT		DEUTSCHE BAN	PHELAN HALLI	N GR
	12 18 2009	016	ORDR SUMM JDGMT		DEUTSCHE BAN	PHELAN HALLI	N GR
	12 18 2009	017	MOTN RECONS ORD		GERMAN	PRO SE	N GR
	12 23 2009	015	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	N
-	01 05 2010	018	MISC BRIEF		DEUTSCHE BAN	PHELAN HALLI	N
	01 07 2010	019	AMENDED ANSWER		GERMAN	PRO SE	N
	01 07 2010	020	PRF MAIL		GERMAN	PRO SE	N

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-© 1 Sess-1 172.16.1.27 TAOC0191 2/8

FILED  
SUPERIOR COURT  
OF NEW JERSEY  
OCT 21 2008

ASC-7074  
PHELAN HALLINAN & SCHMIEG, PC  
By: Rosemarie Diamond, Esq.  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorneys for Plaintiff

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST  
2006-FFH  
PLAINTIFF

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
BERGEN COUNTY

VS.

DOCKET NO: F-27172-08

MICHELLE GERMAN, ET AL.  
DEFENDANT(S)

CIVIL ACTION  
REQUEST AND CERTIFICATION OF  
DEFAULT

TO THE CLERK OF THE SUPERIOR COURT OF NEW JERSEY

You will please enter the default of the following defendant(s) herein

MICHELLE GERMAN

for failure to plead or otherwise defend as provided by the rules of Civil Practice of the Superior Court.

3 9  
D(2)  
pg 1 of 1

PHELAN HALLINAN & SCHMIEG, PC

By: VLP  
Rosemarie Diamond, Esquire  
Vladimir Palma, Esquire  
Brian J. Yoder, Esquire  
Brian Blake, Esquire  
Attorneys for Plaintiff

Dated: October 21, 2008

ASC-7074

PHELAN HALLINAN & SCHMIEG, PC

By: Rosemarie Diamond, Esq.

400 Fellowship Road, Suite 100

MT Laurel, NJ 08054

(856) 313-5500

Attorneys for Plaintiff

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST  
2006-FFII

PLAINTIFF

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
BERGEN COUNTY

VS.

MICHELLE GERMAN, ET AL.  
DEFENDANT(S)

DOCKET NO: F-27172-08

CIVIL ACTION  
NOTICE OF VOLUNTARY DISMISSAL

Plaintiff DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR

FIRST FRANKLIN MORTGAGE LOAN TRUST 2006-FFII, requests that the within matter be

dismissed as to the defendant, Mr. German, husband of Michelle German, only, because he is not

proper party defendant.

4

1

D(3)

Pg 1 of 1

PHELAN HALLINAN & SCHMIEG, PC

*YLP*

Rosemarie Diamond, Esquire

Vladimir Palma, Esquire

Brian J. Yoder, Esquire

Brian Blake, Esquire

Attorneys for Plaintiff

Dated: October 20, 2008

PO

5 9  
D(4)  
(1081)

CVM1023 AUTOMATED CASE MANAGEMENT SYSTEM \* 06/24/09  
PAGE: 001 OF 001 DOCUMENT LIST 15:40

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	07 16 2008	001	COMPLAINT		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	002	<del>REQ DEFLT</del>		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	003	AFFID/CERT INQ		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	004	VOL DISM		DEUTSCHE BAN	PHELAN HALLI	N

CV900123 END OF SEARCH

PF1=INQRY PF2=MAINT

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-© 1 Sess-1 172.16.1.27 TBER0062 DOC» 4/67

6 9  
D(5)  
C181

# Chancery General Equity

CVM1063  
PAGE: 001

AUTOMATED CASE MANAGEMENT SYSTEM  
PARTY DISPOSITION ENTRY/MAINTENANCE

06/24/09  
15:40

VENUE : CLERK COURT : GENL EQUIT DOCKET # : F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

SEARCH PARTY NAME :  
CASE STATUS : ACTIVE CASE DISP: DISP DATE :  
PG ACTION: PG ACTION/STAYED UNTIL:

PRTY NUM	PARTY NAME	PARTY TYPE	3RD PTY	PARTY STATUS	DISPOSITION DATE
001	DEUTSCHE BANK NATL T RUST	PLAINTIFF		A	
002	GERMAN MICHELLE	DEFENDANT		<del>D</del>	10 30 2008
003	<u>GERMAN MR</u>	DEFENDANT		<del>F</del>	10 30 2008

CV900123 END OF SEARCH

PF1-GLOBAL UPDATE PF3-CASE COMMENTS/ENTRY PF4-PROCEEDING LIST PF5-PROMPT  
PF2-ADMINISTRATIVE OPEN PF9-PENDING ACTION LIST PF7-PRIOR PF8-NEXT

4-© 1 Sess-1 172.16.1.27 TBER0062 DOC» 11/61

7	9
D(6)	
C(101)	

CVM1118  
PAGE: 0001

AUTOMATED CASE MANAGEMENT SYSTEM  
ASSOCIATED PARTY LIST

09/21/09  
15:20

VENUE : CLERK COURT : GENL EQUIT DOCKET # : F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

DOCUMENT TYPE : VOL DISM DATE FILED : 10 30 2008

----- PARTY NAME -----

PTY NUM	LAST	FIRST	MI	PTY/DOC ASSOC	PTY TYP	ATTORNEY OF RECORD
003	GERMAN	MR		T	DF	ATTY REQUIRED
001	DEUTSCHE BANK NATL T	RUST		P	PF	PHELAN HALLINAN & SC

CV900123 END OF SEARCH

PF1-REASSOC

PF7-PRIOR PF8-NEXT PF22-HELP:

---

4-© 1 Sess-1 172.16.1.27 TAOC0030 #§2/8

8 9  
D(7)  
C(31)

CVM1145 000 AUTOMATED CASE MANAGEMENT SYSTEM \* 09/24/09  
PAGE: 001 OF 1 MOTION ENTRY 13:31  
VENUE: CLERK COURT: GENL EQUIT DOCKET # : SWC F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN DISP:

----- P A R T Y D A T A -----

S PARTY NAME/SEARCH: TYPE STAT ATTY-NO ATTY-OF-RECORD 3RD  
DEUTSCHE BANK NATL T RUST PF A 8568135500 PHELAN HALLINAN &  
GERMAN MICHELLE DF D ATTY REQUIRED  
GERMAN MR DF F ATTY REQUIRED

----- M O T I O N D A T A -----

MOTION TYPE : STATUS: PH ALL P-O-S FILED : N DATE FILED: 00 00 0000  
CROSS-MOTION: N ARGUMENT: OPPOSITIONS FILED: N P-O-S DATE: 00 00 0000  
COMMENT#1: EF:  
COMMENT#2: IMPOUND: N  
RETURN DATE: 00 00 0000 RETURN OVERRIDE: N NOTICE REQST: N  
JUDGE ID : COURT ROOM : AM/PM CODE : A  
PROCED TIME: 09 00 MULTI-DOC-SCHED : N CAL/RD SEQ#: 0000 0000  
AMT RECVD: TRANS TYPE: FLF PAYMENT TYPE: BATCH NUM:  
CK/CHG/RCPT NO: CHARGE REF#:  
PF1-ATTY-ENT PF2/PF18-PROMPT PF3-CALENDAR PF4-PARTY MAINT PF5-NO-SCHED  
PF6-ATTY-MAINT PF10-PROCED-LIST PF24-ENTER PF11-UNAVAILABLE DATES  
CV900900 NO CASE LOCATION ON RECORD. - COUNTY OF VENUE IS BER

4-© 1 Sess-1 172.16.1.27 TBER0056 3/67

*Rachel Magalotti*

D(8)  
(1 2 1)

FILED  
SUPERIOR COURT OF NJ

MAY 03 2010

R

ASC-7074  
PHELAN HALLINAN & SCHMIEG, PC  
By: Rosemarie Diamond, Esq.  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorneys for Plaintiff

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST  
2006-FF11  
PLAINTIFF

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
BERGEN COUNTY

VS.

DOCKET NO: F-27172-08

MICHELLE GERMAN, ET AL.  
DEFENDANT

CIVIL ACTION  
PROOF OF MAILING

TO: Michelle German  
c/o Clerk of the Superior Court  
CN-971 Hughes Justice Complex  
Trenton, NJ 08628

I, Michelle Laskowski, did mail on 11/13/08, a copy of the filed REQUEST AND  
CERTIFICATION OF DEFAULT and/or ORDER OF ENTRY DEFAULT, via regular mail, to  
the above defendants at their principal places of business or place of residence.

I hereby certify that the foregoing statements made by me are true and I am aware that if  
any of the foregoing statements made by me are willfully false, I am subject to punishment.

PHELAN HALLINAN & SCHMIEG, PC  
  
Michelle Laskowski  
Legal Assistant

Dated: 11/13/08

## **EXHIBIT 'E'**

- E: ORDER of 1/8/10, ordering Summary Judgment (is not in proper form since it contains two conflicting orders on same order.)**
- E(1) CONTESTING ANSWER IN WRITING (cover-page only), duly filed 10/08/09 on and in docket record.**
- E(2) Defendant's PROOF OF MAIL for above Contesting Answer on docket record filed 10/21/09 but fraudulently entered with wrong filing party (WFP). The WFP was initially entered in error, mistakenly, or by fraud. Whatever the case, the plaintiff is now claiming on the record to have served my contesting answer as if it was his answer. This recognition of the system (JEFIS), of the plaintiff as the proper filing party for my only contesting answer allowed on the record, caused my case to be classified as uncontested. Because JEFIS allowed this fraudulent act, the plaintiff's diabolical scheme was effective in striking or voiding my lone Contesting Answer (at that time) even though it made it on and in the record (see E(3)).**
- E(3) Docket record, pg 2 copy of record, dated 9/14/10), showing WFP.**
- E(4) Letter from THE SUPERIOR COURT OF NEW JERSEY, in Trenton, N.J., dated 11/24/09. Stating that, that Court had received an Answer, which they considered contesting and accordingly instructed the judge to add our case to the general equity calendar, pursuant to Rule 4:36-2. Judge Koblitz, who at that time was adjudicating the case, ignored the directive and granted summary judgment to the plaintiff.**

- E(5) Copy of correspondence from SUPERIOR COURT OF NEW JERSEY, Chancery General Equity, dated 7/21/09. Submitted here as one example of how the court rejected and prevented us from filing our pleading. After resubmitting our answer several times, we were told by court personnel that our contesting answer was a motion, and we were forced to pay to file our answer.**
- E(6) AMENDED ANSWER WITH DEFENSES & COUNTERCLAIMS duly filed in and on the docket record Dated 1/7/10.**
- E(7) ABOVE AMENDED ANSWER stamped contesting by the Superior Court in Trenton, NJ on 1/7/10.**

(Total 8 pages)

P1

E (1031) 08

FILED

JAN 08 2010

This Order was prepared by the Court.

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST 2006-  
FF11,

Plaintiff,

vs.

MICHELLE GERMAN,

Defendants.

Ellen L. Koblitz  
SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
BERGEN COUNTY  
DOCKET NO.: F-27172-08

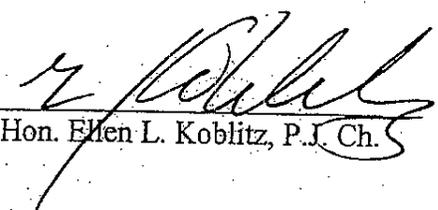
Civil Action

**ORDER**

THIS MATTER having been opened to the Court by the defendant, Michelle German, Pro Se, and Deutsche Bank National Trust Company, by and through its attorney Phelan Hallinan & Schmiegel, PC, appearing on Defendant's Motion for reconsideration, and for good cause shown and for the reasons stated on the record;

IT is on this the 8<sup>th</sup> day of January, 2010, ORDERED

1. That the defendant's motion for reconsideration is granted.
2. Upon oral argument of the plaintiff's motion for summary judgment, originally returnable on December 18, 2009, summary judgment is hereby granted as of today's date.
3. The parties are directed to participate in the court mediation program.

  
Hon. Ellen L. Koblitz, P.J. Ch.

P2 E(1)<sup>58</sup>  
C1 081

ASC-7074

PHELAN HALLINAN&SCHMIEG, PC  
400 Fellowship Road, Suit 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorney for the Plaintiff

RECEIVED  
CHANCERY DIVISION  
2009 OCT -5 PM 3:13  
GENERAL CUSTODY  
CASE PROCESSING

<p>DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST FRANKLIN MORTGAGE LOAN TRUST 2006- FF11 PLAINTIFF VS. MICHELLE GERMAN, ETAL. DEFENDANTS</p>	<p>SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION BERGEN COUNTY  DOCKET NO: F-27172-08  CONTESTING ANSWER in WRITING AND CERTIFICATION <b>LACK OF JURISDICTION</b> <b>FRAUD ON THE COURT</b> Demand to Dismiss with Prejudice</p>
---	---

TO: Dear Messer:

PHELAN HALLINAN&SCHMIEG, PC  
400 Fellowship Road, Suit 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorney for the Plaintiff

CONTESTING ANSWER

I, Michelle German, am the Defendant (by fraud) in this proceeding.

As my answer to the allegations made in the Complaint (by plaintiff) I offer the Following:

I was not served with a notice of (foreclosure procedure) complaint by the plaintiff in any lawful process or in any legal way that would afford me the opportunity to respond or resolve the issue/dispute in a fair, lawful and timely manner. Due to the many glaring acts of fraud, by the plaintiff, to deny my constitutionally protected rights under the law, and its determination to use the court as an engine to complete these fraudulent acts, it is necessary at this time to expose these acts and have the court take appropriate actions and dismiss this void complaint for fraud in the acquisition of jurisdiction.

FRAUD OF SERVICE, failure of personal jurisdiction. FRAUD ON THE COURT, failure of subject instrument.

**The following is a list of the acts of fraud in the documents related to the "service of notice of complaint"**

1. The plaintiff mailed and used the **Docket #: F-27172-08** before 7/16/08, which is before the date document is signed and dated by the attorney who wrote it.
2. Upon investigations of the documents filed in this case the **Docket #: F-27172-08** was mailed and used to summons the defendant before that **Docket #: F-27172-08** was purchased by the Plaintiff. The summons is worded in a way that suggests that the court is party to the summoning, and is the coercing agent in the case.

P3 98

E(2)  
(1031)

FORM B

FILED

OCT 21 2009

CERTIFICATE OF SERVICE

SUPERIOR COURT  
CLERK'S OFFICE

I CERTIFY THAT ON OCTOBER 5<sup>TH</sup>, 2009 I SENT A <sup>copy</sup> OF THE CONTESTING ANSWER in WRITING; and VERIFICATION, LACK OF JURISDICTION, FRAUD ON THE COURT, Demand to Dismiss with Prejudice, (Docket # F27172-08), to the

following by: (check which mailing method you choose. If you sent it by both regular and certified mail, check both)

regular mail  certified mail,

List each party to the lawsuit; use the attorney's name and address if the party is represented by counsel.

PHELAN HALLINAN & SCHMIEG, PC  
400 Fellowship Road, Suit 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorney for the Plaintiff

RECEIVED

OCT 21 2009

SUPERIOR COURT  
CLERK'S OFFICE

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION BERGEN COUNTY  
Office of Foreclosure, P.O. Box 25  
Market Street, Trenton, N.J. 08625

*Gloria Bolden*  
server  
GLORIA BOLDEN

Sworn to before me this 14<sup>th</sup> day October, 2009.

Notary Public, State of New Jersey  
No. 245000000  
Qualified in Bergen County  
Notary public

P4 78  
E(2)a  
(1031)

CVM1023 AUTOMATED CASE MANAGEMENT SYSTEM 09/14/10  
PAGE: 002 OF 006 DOCUMENT LIST 14:22

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	09 25 2009	011	ORD VC DF EX TM		GERMAN	PRO SE	N GR
	10 08 2009	014	ANSWER		GERMAN	PRO SE	N
*	10 21 2009	012	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	Y
	11 05 2009	013	MOTN SUMM JDGMT		DEUTSCHE BAN	PHELAN HALLI	N GR
	12 18 2009	016	ORDR SUMM JDGMT		DEUTSCHE BAN	PHELAN HALLI	N GR
	12 18 2009	017	MOTN RECONS ORD		GERMAN	PRO SE	N GR
	12 23 2009	015	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	N
	01 05 2010	018	MISC BRIEF		DEUTSCHE BAN	PHELAN HALLI	N
	01 07 2010	019	AMENDED ANSWER		GERMAN	PRO SE	N
	01 07 2010	020	PRF MAIL		GERMAN	PRO SE	N

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-© 1 Sess-1 172.16.1.27 TAOC0089 2/8

15 78  
E(3)  
C121

SUPERIOR COURT OF NEW JERSEY

GLENN A. GRANT, J.A.D.  
ACTING ADMINISTRATIVE DIRECTOR  
OF THE COURTS



OFFICE OF THE CLERK  
RECORDS MANAGEMENT  
P.O. BOX 971  
TRENTON, NEW JERSEY 08625-0971  
(609) 421-6100  
SCCOTrakit.Mailbox@judiciary.state.nj.us

JENNIFER M. PÉREZ, ESQ.  
ACTING SUPERIOR COURT CLERK

November 24, 2009

Hon. Ellen Koblitz, P.J.Ch.  
Bergen County Justice Center  
10 Main Street, Chambers 322  
Hackensack, NJ 07601

Re: Deutsche Bank National Trust Co. v. Michelle  
German  
F-27172-08

Dear Judge Koblitz:

This office has received an answer on behalf of Michelle German in the above-captioned case. As it has been determined that the answer contests the subject of the foreclosure complaint in this matter, the file is being transferred to your office. Therefore, please add this case to the general equity calendar pursuant to Rule 4:36-2. Thank you.

Respectfully,

William Carlin  
Administrative Supervisor

Enc.: (Superior Court File)  
cc: Michelle German, Pro Se  
Phelan, Hallinan & Schmieg, PC

P6 11-8  
E(4)  
(1931)

SUPERIOR COURT OF NEW JERSEY

BERGEN VICINAGE  
Bergen County Justice Center  
Chancery General Equity  
Room 340  
Hackensack, New Jersey 07601-7699  
(201) 527-2896  
(201) 527-2678

5-27-2700 x 2896  
Angelica

Chancery Division  
General Equity



Bergen County Justice Center  
Hackensack, New Jersey 07601

Date July 21, 2009

8/12/09

To Whom It May Concern:

Re: DEUTSCHE BANK VS GERMAN  
NON- CONFORMING PAPERS

Dear Sir or Madam:

Pursuant to R.1:5-6(c), please be advised that your pleading have been returned and stamped "Received But Not Filed (date)" as the pleadings were unaccompanied by:

- (a) The required filing fee \$30 for NOTICE OF MOTION & ORIGINAL DOCUMENTATION.
- (b) There was no signature of the attorney that \_\_\_\_\_ he/ she is permitted to practice law in this State pursuant to R.1:21-1
- (c) There is no signature of a party appearing \_\_\_\_\_ pro se

If the pleading is re-transmitted, together with the required signature, document or fee, as appropriate within ten (10) days after the date of this notice, filing shall be deemed to have been made on the stamped, received date.

Please be advised accordingly.

Very truly yours,  
*Angelica Rivera*  
Clerk of the Superior Court  
Chancery Division - General Equity

Enc.

17 E(5) 18  
C1 21

Michelle German  
180 Lindbergh Blvd  
Teaneck, New Jersey 07666  
917-499-3359  
Defendant (by error)

RECEIVED  
CHANCERY  
2010 JAN -7 PM 3:29

GENERAL EQUITY  
CASE PROCESSING

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST FRANKLIN MORTGAGE LOAN TRUST 2006- FF11	SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION BERGEN COUNTY
PLAINTIFF VS.	DOCKET NO: F-27172-08
MICHELLE GERMAN, ETAL.	AMENDED ANSWER WITH DEFENSES AND COUNTERCLAIMS UNDER DURESS (LACK OF JURISDICTION, AND FRAUD ON THE COURT)
DEFENDANTS	

TO: Dear Messer:

PHELAN HALLINAN&SCHMIEG, PC  
400 Fellowship Road, Suit 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorney for the Plaintiff

AMENDED ANSWER

I, Michelle German, am the Defendant (by fraud) in this proceeding.

As my answer to the allegations made in the Complaint (by plaintiff) I offer the Following:

I was not served with a notice of (foreclosure procedure) complaint by the plaintiff in any lawful process or in any legal way that would afford me the opportunity to respond or resolve the issue/dispute in a fair, lawful and timely manner. Due to the many glairing acts of fraud, by the plaintiff, to deny my constitutionally protected rights under the law, and its determination to use the court as an engine to complete these fraudulent acts, it is necessary at this time to expose these acts and have the court take appropriate actions and dismiss this void complaint for fraud in the acquisition of jurisdiction:

FRAUD OF SERVICE, failure of personal jurisdiction. FRAUD ON THE COURT, failure of subject instrument.

**The following is a list of the acts of fraud in the documents related to the  
"service of notice of complaint"**

1. The plaintiff mailed and used the **Docket #: F-27172-08** before 7/16/08, which is before the date document is signed and dated by the attorney who wrote it.
2. Upon investigations of the documents filed in this case the **Docket #: F-27172-08** was mailed and used to summons the defendant before that **Docket #: F-27172-08**, was purchased by the Plaintiff. That summons is worded in a way that suggests that the court is party to the summoning, and is the coercing agent in the case.

P8 168  
E(6)  
(131)

**CONTESTED**  
Superior Court Clerk's Office

Michelle German  
180 Lindbergh Blvd  
Teaneck, New Jersey 107666  
917-499-3359  
Defendant (by error)

<p>DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST FRANKLIN MORTGAGE LOAN TRUST 2006- FF11 PLAINTIFF VS MICHELLE GERMAN, ETAL DEFENDANTS</p>	<p>SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION BERGEN COUNTY  DOCKET NO F-27172-08  AMENDED ANSWER WITH DEFENSES AND COUNTERCLAIMS UNDER DURESS (LACK OF JURISDICTION, AND FRAUD ON THE COURT)</p>
---	---

TO Dear Messer

PHELAN HALLINAN&SCHMIEG, PC  
400 Fellowship Road, Suit 100  
Mt Laurel, NJ 08054  
(856) 813-5500  
Attorney for the Plaintiff

**AMENDED ANSWER**

I, Michelle German, am the Defendant (by fraud) in this proceeding  
As my answer to the allegations made in the Complaint (by plaintiff) I offer the Following  
I was not served with a notice of (foreclosure procedure) complaint by the plaintiff in any lawful process or in any legal way that would afford me the opportunity to respond or resolve the issue/dispute in a fair, lawful and timely manner Due to the many glaring acts of fraud, by the plaintiff, to deny my constitutionally protected rights under the law, and its determination to use the court as an engine to complete these fraudulent acts, it is necessary at this time to expose these acts and have the court take appropriate actions and dismiss this void complaint for fraud in the acquisition of jurisdiction

FRAUD OF SERVICE, failure of personal jurisdiction FRAUD ON THE COURT, failure of subject instrument

**The following is a list of the acts of fraud in the documents related to the "service of notice of complaint"**

- 1 The plaintiff mailed and used the Docket #: F-27172-08 before 7/16/08, which is before the date document is signed and dated by the attorney who wrote it
- 2 Upon investigations of the documents filed in this case the Docket #: F-27172-08 was mailed and used to summons the defendant before that Docket #: F-27172-08, was purchased by the Plaintiff That summons is worded in a way that suggests that the court is party to the summoning, and is the coercing agent in the case

## **EXHIBIT 'F'**

**(F) FINAL JUDGMENT, dated and stamped as FILED by Court on 5/3/10 but entered on the docket record on 5/6/10**

**The supporting documents for this entry of Final Judgment, is word-for-word, the same as the unsigned order already on the docket record 7/27/09. Final Judgment is final and cannot be done over because the Plaintiff did not do it right the first time or even the second time. (And in any honorable court of proper jurisdiction, plaintiff's action, would be considered in violation of the laws ruling over double jeopardy.)**

**(3 pgs)**

**F(1) FINAL JUDGMENT/Order on docket record 7/27/09 (blank and unsigned).**

**(3 pgs)**

**DOUBLE JEOPARDY proven by JEFIS: JEFIS (Judiciary Electronic Filing Imaging System, the system, which creates the docket record. JEFIS proved Judge McVeigh erred on 11/15/12, when she stated that my case being classified as post-judgment is/was based on the 5/3/10 Judgment. The incorrectness of the judge's statement was verified by JEFIS when it automatically updated the first entered record of Final Judgment (dated 7/27/09), from Judgment Package Received (JDG PKG RECD on record) to Final Judgment Appl. on 5/6/10.**

**After the plaintiff entered his second Final Judgment Application into the docket record on 5/3/10 or 5/6/10, or more accurately sometime after 5/10/10. Page 4 of docket record reveals the status on the record for the entry of Judgment Package Received, (attached to document number 35), on date of 5/6/10: print-date of record 5/10/10. On 5/10/10 JEFIS is reporting that the status of this entry has not changed, and it has not changed since 9/21/09 as verified by attached F exhibits of Docket Records dated 9/21/09 - 9/14/10.**

The forced entry of a 2<sup>nd</sup> final judgment on 5/3/10 or 5/6/10 was apparently not all of the information JEFIS was waiting for; in order to automatically turn the 7/27/09 Judgment package into a Final Judgment. Since at the end of the day on 5/10/10, the plaintiff did not have a Final Judgment in JEFIS. Apparently JEFIS required something more, before it would internally trigger an automatic Final Judgment Appl., response. On 5/10/10 the internal system, which audits and tracks the automatic transaction, responsible for updating the 7/27/09 Judgment Package Received entry, to a Final Judgment status; refused to do so since some qualification obviously had not been satisfied. That qualification, whatever it was, was satisfied sometime after 5/10/10 and before 9/14/10. JEFIS finally allowed the plaintiff his Final Judgment for his 7/27/09 application for a Final Judgment, but it was granted sometime after 5/10/10. At the same time JEFIS apparently also simultaneously granted Plaintiff Final Judgment for his double jeopardy 5/6/10 Order. Verified by the fact that the status of both entries, changed on the record at the exact same time, to a Final Judgment Appl. status.

Because JEFIS recognized and held active in its system the 7/27/09 unsigned judgment, until the information it required was supplied. Once satisfied, (once again), sometime after 5/10/10, JEFIS changed the entry's status to Final Judgment Appl for the 7/27/09 order. The system updated this entry because it was/is the first Final Judgment filed and is the only Final Judgment JEFIS requires an NOI for and not the 5/6/10 or 5/3/10 Final Judgment; as mistakenly stated by Judge McVeigh, on 11/15/12. I recognize this is a moot question, since both proceedings were illegal/unlawful.

F(2, 3, 4 & 5) Docket Records (DR(s)) dated 9/21/09–9/14/10, pg 1 tracking the status of the entry for Judgment Package Received (JDG PKG RECD) on record filed 7/27/09 and attached to Document number 5 shown on docket record:

**F(2) DR dated 9/21/09 JDG PKG RECD filed 7/27/09**  
**F(3) DR dated 3/12/10 JDG PKG RECD filed 7/27/09**  
**F(4) DR dated 5/10/10 JDG PKG RECD filed 7/27/09**  
**F(5) DR dated 9/14/10 FINAL JUDG APPL filed 7/27/09**

(4 pgs)

**F(6) & F(7) Docket Records DR(s) dated 5/10/10 &  
9/14/10 pg 4, tracking the status of the entry for  
Judgment Package Received (JDG PKG RECD) filed on  
docket record on 5/6/10 and attached to Document # 35:**

**F(6) DR dated 5/10/10 JDG PKG RECD filed 5/6/10**

**F(7) DR dated 9/14/10 FINAL JUDG APPL filed 5/6/10**

(2 pgs)

(Exhibit F total pages 12)

p1 112  
F  
(P-1063)

ASC-7074  
PHELAN HALLINAN & SCHMIEG, PC  
By: Rosemarie Diamond, Esquire  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorneys for Plaintiff

FILED  
SUPERIOR COURT OF NJ  
MAY 03 2010

R

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST  
2006-FF11  
PLAINTIFF

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
BERGEN COUNTY

MICHELLE GERMAN, ET AL.  
DEFENDANT (S)

DOCKET NO: F-27172-08

CIVIL ACTION

FINAL JUDGMENT

This matter having been opened to the Court by Phelan Hallinan & Schmieg, PC attorneys for plaintiff, and it appearing that service of the Summons/Notice and Complaint/ Amended Complaint and amendment(s) and order(s), if any, has/have been made upon the defendants, in accordance with the Rules of this Court and default having been entered against all non-answering defendants; and plaintiff's obligation, Mortgage and assignment of Mortgage having been presented and marked as exhibits by the Court, and proof having been submitted of the amount due on the plaintiff's Mortgage and sufficient cause appearing:

It is on this 3rd day of May 2010

2009, ORDERED and ADJUDGED

that the plaintiff is entitled to have the sum of \$561,479.97 together with interest at the Contract rate of 8.99% on \$501,846.70 being the principal sum in default including advances from July 1, 2009 to 5/3/10

2 13  
F  
(p2 of 3)

And lawful interest thereafter on the total sum due plaintiff together with costs of this suit to be taxed including counsel fee of \$ 5,764.80 raised and paid in the first place out of the mortgaged premises,

And it is further ordered that the plaintiff, its assignee or purchaser at sale recover against the following defendants:

**MICHELLE GERMAN**

and all parties holding under said defendants the possession of the premises so mentioned and described in the said Complaint and Amendment with the appurtenances; and it is further

ORDERED and ADJUDGED that the mortgaged premises be sold to raise and satisfy the several sums of money due, in the first place to the plaintiff, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST FRANKLIN MORTGAGE LOAN TRUST 2006-FF11, in the sum of \$561,479.97 together with contract and lawful interest thereon to be computed as aforesaid, the plaintiff's costs to be taxed, with interest thereon, and that an execution for the purpose by duly issued out of this Court directed to the Sheriff of BERGEN County, commanding said Sheriff to make sale according to law of the mortgaged premises described in the Complaint, and out of the money arising from said sale, that said Sheriff pay in the first place, to the plaintiff, said plaintiff's debt, with interest thereon as aforesaid and said plaintiff's costs with interest thereon as aforesaid, and in case more money shall be realized by the said sale than shall be sufficient to satisfy such several payments as aforesaid, that such surplus be brought into this Court to abide the further Order of this Court and that the Sheriff aforesaid make a report of the aforesaid sale without delay as required by the rules of this Court, and it is further

P3  
F of 12  
(P3 of 3)

ORDERED and ADJUDGED that the defendants in this cause, and each of them stand absolutely debarred and foreclosed of and from all equity of redemption of, in and to said mortgaged premises described in the Complaint, when sold as aforesaid by virtue of this judgment

This judgment shall not affect the right of any person protected by the provisions of the New Jersey Tenant Anti-Eviction Statute (N.J.S.A. 2A: 18-61.1 et seq.)

*Mary C. Jacobson, P.J.Ch.*  
MARY C. JACOBSON, P.J.Ch.

Respectfully recommended  
R 1:34-6 OFFICE OF FORECLOSURE



15 112  
F(1)  
P203

And lawful interest thereafter on the total sum due plaintiff together with costs of this suit to be taxed including counsel fee of \$ \_\_\_\_\_ raised and paid in the first place out of the mortgaged premises,

And it is further ordered that the plaintiff, its assignee or purchaser at sale recover against the following defendants:

**MICHELLE GERMAN**

and all parties holding under said defendants the possession of the premises so mentioned and described in the said Complaint and Amendment with the appurtenances; and it is further

ORDERED and ADJUDGED that the mortgaged premises be sold to raise and satisfy the several sums of money due, in the first place to the plaintiff, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST FRANKLIN MORTGAGE LOAN TRUST 2006-FF11, in the sum of \$561,479.97 together with contract and lawful interest thereon to be computed as aforesaid, the plaintiff's costs to be taxed, with interest thereon, and that an execution for the purpose by duly issued out of this Court directed to the Sheriff of BERGEN County, commanding said Sheriff to make sale according to law of the mortgaged premises described in the Complaint, and out of the money arising from said sale, that said Sheriff pay in the first place, to the plaintiff, said plaintiff's debt, with interest thereon as aforesaid and said plaintiff's costs with interest thereon as aforesaid, and in case more money shall be realized by the said sale than shall be sufficient to satisfy such several payments as aforesaid, that such surplus be brought into this Court to abide the further Order of this Court and that the Sheriff aforesaid make a report of the aforesaid sale without delay as required by the rules of this Court, and it is further

Docket # F00956412

P6 4/12  
F(1)  
(p9 3-23)

ORDERED and ADJUDGED that the defendants in this cause, and each of them stand absolutely debarred and foreclosed of and from all equity of redemption of, in and to said mortgaged premises described in the Complaint, when sold as aforesaid by virtue of this judgment

This judgment shall not affect the right of any person protected by the provisions of the New Jersey Tenant Anti-Eviction Statute (N.J.S.A. 2A: 18-61.1 et seq.)

F(2)

(10/1)

CVM1023 AUTOMATED CASE MANAGEMENT SYSTEM 09/21/09  
PAGE: 001 OF 001 DOCUMENT LIST 14:56

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	07 16 2008	001	COMPLAINT		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	002	REQ DEFLT		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	003	AFFID/CERT INQ		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	004	VOL DISM		DEUTSCHE BAN	PHELAN HALLI	N
	07 27 2009	005	JDG PKG RECD		COURT INIT		N
	07 28 2009	006	NOTICE MOTION		DEUTSCHE BAN	PHELAN HALLI	N
	08 13 2009	007	MOT VAC DEFAULT		GERMAN	ATTY REQUIRE	N PH
	08 13 2009	008	PRF MAIL		GERMAN	ATTY REQUIRE	N
	09 02 2009	009	MISC BRIEF		GERMAN	ATTY REQUIRE	N
	09 02 2009	010	CERTIFICTN		DEUTSCHE BAN	PHELAN HALLI	N

CV900123 END OF SEARCH

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-© 1 Sess-1 172.16.1.27 TAOC0216 2/8

P 8 81

F(3)  
C191

CVM1023 AUTOMATED CASE MANAGEMENT SYSTEM 03/12/10  
PAGE: 001 OF 003 DOCUMENT LIST 15:19

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	07 16 2008	001	COMPLAINT		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	002	REQ DEFLT		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	003	AFFID/CERT INQ		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	004	VOL DISM		DEUTSCHE BAN	PHELAN HALLI	N
	07 27 2009	005	JDG PKG RECD		COURT INIT		N
	07 28 2009	006	NOTICE MOTION		DEUTSCHE BAN	PHELAN HALLI	N
	08 13 2009	007	MOT VAC DEFAULT		GERMAN	PRO SE	N GR
	08 13 2009	008	PRF MAIL		GERMAN	PRO SE	N
	09 02 2009	009	MISC BRIEF		GERMAN	PRO SE	N
	09 02 2009	010	CERTIFICTN		DEUTSCHE BAN	PHELAN HALLI	N

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-© 1 Sess-1 172.16.1.27 TAOC0191 2/8

P 9 7 12  
F (4)  
(10/1)

CVM1023 . AUTOMATED CASE MANAGEMENT SYSTEM 05/10/10  
PAGE: 001 OF 004 DOCUMENT LIST 15:15

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	07 16 2008	001	COMPLAINT		DEUTSCHE BAN	PHELAN HALLI	Y
	10 30 2008	002	REQ DEFLT		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	003	AFFID/CERT INQ		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	004	VOL DISM		DEUTSCHE BAN	PHELAN HALLI	N
	07 27 2009	005	JDG PKG RECD		COURT INIT		N
	07 28 2009	006	NOTICE MOTION		DEUTSCHE BAN	PHELAN HALLI	N
	08 13 2009	007	MOT VAC DEFAULT		GERMAN	PRO SE	N GR
	08 13 2009	008	PRF MAIL		GERMAN	PRO SE	N
	09 02 2009	009	MISC BRIEF		GERMAN	PRO SE	N
	09 02 2009	010	CERTIFICTN		DEUTSCHE BAN	PHELAN HALLI	N

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-@ 1 Sess-1 172.16.1.27 TA000103

2/8 ?



P 11 8-12  
F(6)  
(1031)

CVM1023 AUTOMATED CASE MANAGEMENT SYSTEM 05/10/10  
PAGE: 004 OF 004 DOCUMENT LIST 15:18

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	05 03 2010	031	AFFDVT SRV		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	032	TAXED COST FORM		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	033	UNCNTSTD JUDGMT		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	034	WRIT EXEC		DEUTSCHE BAN	PHELAN HALLI	N
	05 06 2010	035	JDG PKG RECD		COURT INIT		N
	05 06 2010	036	NOTICE MOTION		DEUTSCHE BAN	PHELAN HALLI	N

CV900123 END OF SEARCH

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-0 1 Sess-1 172.16.1.27 TAOC0032 2/8

P-12 8/12  
 F(7)  
 (1031)

CVM1023  
 PAGE: 004 OF 006

AUTOMATED CASE MANAGEMENT SYSTEM  
 DOCUMENT LIST

09/14/10  
 14:22

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
 CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	05 03 2010	031	AFFDVT SRV		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	032	TAXED COST FORM		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	033	UNCNTSTD JUDGMT		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	034	WRIT EXEC		DEUTSCHE BAN	PHELAN HALLI	N
	05 06 2010	035	FINAL JUDG APPL		COURT INIT		N
	05 06 2010	036	NOTICE MOTION		DEUTSCHE BAN	PHELAN HALLI	N
	05 20 2010	037	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	N
	05 28 2010	038	MOTN VAC DEF&RE		GERMAN	PRO SE	N DN
	05 28 2010	039	MOTN DISM COMPL		GERMAN	PRO SE	N DN
	05 28 2010	040	MOTN MISC		GERMAN	PRO SE	N DN

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-© 1 Sess-1 172.16.1.27 TAOC0089 2/8

## EXHIBIT 'G'

**G: NOTICE MOTION/NOTICE OF INTENT TO FORECLOSE/(NOI)/ NOTICE OF MOTION FOR FINAL JUDGMENT on the docket record entry dated 5/6/10.**

(2 pgs)

**G(1) NOTICE MOTION/NOTICE OF INTENT TO FORECLOSE/(NOI)/ NOTICE OF MOTION FOR FINAL JUDGMENT on the docket record entry dated 7/27/09.**

(2 pgs)

The NOTICE MOTION/(NOI) filed on 5/6/10 is again noticing me after Final Judgment Appl., has been entered on the record, of the plaintiff's intent to foreclose! The NOTICE MOTION is also noticing me of a Motion for Final Judgment, in addition to, noticing me that Final Judgment has been entered on the docket record.

The NOTICE MOTION/(NOI) is being used interchangeably as all three documents. The NOTICE MOTION entry dated 7/28/09 is on as well as, in the docket record several times. The plaintiff used the same NOTICE MOTION/(NOI) that he used for his 7/28/09 Notice, again on 5/6/10.

The NOTICE MOTION filed on the docket record on 5/6/10 is on the docket record, but not in the docket record. And is the exact same document as the 7/28/09, Notice Motion already filed on the docket record. Neither of the two judgments qualifies to be considered as a proper Order/Judgment, under court rules. Consequently, the ambiguous NOI, Notice Motion used illegally/unlawfully is also disqualified. JEFIS' exact duplication of this unlawful/illegal transaction is an indictment of the plaintiff's actions of double jeopardy.

NOTICE RECEIVED FOR 7/28/09

ASC-7074  
PHELAN HALLINAN & SCHMIEG, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorneys for the Plaintiff

P 1 94  
G  
(pgs 1 032)

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST 2006-  
FF11

PLAINTIFF,

VS.

MICHELLE GERMAN, ET AL.

DEFENDANT(S)

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
BERGEN COUNTY

DOCKET NO: F-27172-08

CIVIL ACTION

NOTICE OF MOTION FOR ENTRY OF  
JUDGMENT

TO: Michelle German  
180 Lindbergh Boulevard  
Teaneck, NJ 07666

Michelle German  
c/o Clerk of the Superior Court of New Jersey  
CN-971 Hughes Justice Complex  
Trenton, NJ 08625

PLEASE TAKE NOTICE that, the undersigned, attorney for Plaintiff, will make application to the Superior Court of New Jersey, Chancery Division, at the Hughes Justice Complex-CN971, Trenton, New Jersey, for Entry of Final Judgment in the above foreclosure action. You are receiving this Motion and copy of Plaintiff's Proof of Amount Due: (a) in accordance with R.4:64-9; (b) because you have filed an Answer or appeared in the above action, or (c) because Plaintiff failed to enter Judgment within the required six (6) month period following the entry of default pursuant to the rules of the Superior Court of

WILEY H. F. ...

New Jersey. Plaintiff is filing herewith its proof required by law, which proof will establish that there is due upon the plaintiff's mortgage on 180 LINDBERGH BOULEVARD, TEANECK, NEW JERSEY in the sum of \$561,479.97 plus costs and attorney's fees to be taxed. The Order/Judgment sought shall be at the discretion of the Court unless you proceed as directed below.

82 84

G  
Pg 2 of 1

PLEASE TAKE FURTHER NOTICE THAT IF YOU WISH TO OBJECT TO THIS MOTION YOU MUST DO SO IN WRITING WITHIN 10 DAYS AFTER YOU RECEIVED THIS MOTION. YOU MUST FILE YOUR OBJECTION WITH THE OFFICE OF FORECLOSURE, P.O. BOX 971, 25 MARKET STREET, TRENTON, NJ 08625 AND SERVE A COPY ON THE MOVING PARTY.

THE OFFICE OF FORECLOSURE DOES NOT CONDUCT HEARINGS, YOUR PERSONAL APPEARANCE AT THE OFFICE WILL NOT QUALIFY AS AN OBJECTION. IF YOU FILE AN OBJECTION, THE CASE WILL BE SENT TO A JUDGE FOR RESOLUTION. YOU WILL BE INFORMED BY THE JUDGE OF THE TIME AND PLACE OF THE HEARING ON THE MOTION.

Annexed hereto, please find a copy of the Certification of Amount Due.

PLEASE TAKE FURTHER NOTICE that at said time and place if you are a lienholder/mortgagor that filed an answer are required to present proof of the amount due to you on the encumbrance set forth in your Answer along with your original documents to be marked as exhibits.

PHELAN HALLINAN & SCHMIEG, PC

Rosemarie Diamond, Esquire  
Rosemarie Diamond, Esquire  
Vladimir Palma, Esquire  
Brian J. Yoder, Esquire  
Brian Blake, Esquire  
Thomas M. Brodowski, Esquire

Date: June 25, 2009

NOTICE RECEIVED FOR 5/6/10

P 3 24  
G (1)  
(Pg 1 of 2)

ASC-7074  
PHELAN HALLINAN & SCHMIEG, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorneys for the Plaintiff

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST 2006-  
FF11

PLAINTIFF,

VS.

MICHELLE GERMAN, ET AL.

DEFENDANT(S)

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
BERGEN COUNTY

DOCKET NO: F-27172-08

CIVIL ACTION

NOTICE OF MOTION FOR ENTRY OF  
JUDGMENT

TO: Michelle German  
180 Lindbergh Boulevard  
Teaneck, NJ 07666

Michelle German  
c/o Clerk of the Superior Court of New Jersey  
CN-971 Hughes Justice Complex  
Trenton, NJ 08625

PLEASE TAKE NOTICE that, the undersigned, attorney for Plaintiff, will make application to the Superior Court of New Jersey, Chancery Division, at the Hughes Justice Complex-CN971, Trenton, New Jersey, for Entry of Final Judgment in the above foreclosure action. You are receiving this Motion and copy of Plaintiff's Proof of Amount Due: (a) in accordance with R.4:64-9; (b) because you have filed an Answer or appeared in the above action, or (c) because Plaintiff failed to enter Judgment within the required six (6) month period following the entry of default pursuant to the rules of the Superior Court of

WUETH FOUNDATION

New Jersey. Plaintiff is filing herewith its proof required by law, which proof will establish that there is due upon the plaintiff's mortgage on 180 LINDBERGH BOULEVARD, TEANECK, NEW JERSEY in the sum of \$561,479.97 plus costs and attorney's fees to be taxed. The Order/Judgment sought shall be at the discretion of the Court unless you proceed as directed below.

P-4 of 4  
GC  
Pg 2 of 2

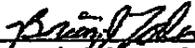
PLEASE TAKE FURTHER NOTICE THAT IF YOU WISH TO OBJECT TO THIS MOTION YOU MUST DO SO IN WRITING WITHIN 10 DAYS AFTER YOU RECEIVED THIS MOTION. YOU MUST FILE YOUR OBJECTION WITH THE OFFICE OF FORECLOSURE, P.O. BOX 971, 25 MARKET STREET, TRENTON, NJ 08625 AND SERVE A COPY ON THE MOVING PARTY.

THE OFFICE OF FORECLOSURE DOES NOT CONDUCT HEARINGS, YOUR PERSONAL APPEARANCE AT THE OFFICE WILL NOT QUALIFY AS AN OBJECTION. IF YOU FILE AN OBJECTION, THE CASE WILL BE SENT TO A JUDGE FOR RESOLUTION. YOU WILL BE INFORMED BY THE JUDGE OF THE TIME AND PLACE OF THE HEARING ON THE MOTION.

Annexed hereto, please find a copy of the Certification of Amount Due.

PLEASE TAKE FURTHER NOTICE that at said time and place if you are a lienholder/mortgagor that filed an answer are required to present proof of the amount due to you on the encumbrance set forth in your Answer along with your original documents to be marked as exhibits.

PHELAN HALLINAN & SCHMIEG, PC

  
\_\_\_\_\_  
Rosemarie Diamond, Esquire  
Vladimir Palma, Esquire  
Brian J. Yoder, Esquire  
Brian Blake, Esquire  
Thomas M. Brodowski, Esquire

Date: June 25, 2009

Plaintiff: DEUTSCHE BANK = DB  
Defendant: Michelle German = MG  
Wrong Filing Party: WFP  
Right Filing Party: RFP

## EXHIBIT 'H' COMPUTER – FRAUD

EX #	<u>DR date</u> <u>of entry</u>	<u>Title of Entry on Docket record</u>	<u>Total</u> <u>Pages</u>
H(1)	10/21/09	PRF MAIL Defendant's stamped Cert of Service	(1 pg)
<hr/>			
		a: Cover page only, of Contesting Answer filed 10/05/09 not entered on DR until 10/7/09	(1 pg)
		b: 3/12/10 DR pg 2 Showing WFP, proof of plaintiff voiding Defendant's Contesting Answer Wrong Filing Party: DB Right Filing Party: MG	(1 pgs) 3
H(2)	9/2/09	MISC BRIEF CERTIFICTN	
		(2): 9/14/10 DR pg 1 showing WFP	(1 pg)
		(2)a: ACMS (JEFIS) subsidiary record dated 9/21/09 reveals plaintiff's Attorney, Brian Blake, filed his Cert on 9/2/09. He filed it at the exact same time that he fraudulently filed the WFP as the defendant for his brief. As verified by both documents having the same Misc Document Inquiry # 15:21	(1 pg)

<b>EX #</b>	<b>DR date of entry</b>	<b>Title of Entry on Docket record</b>	<b>Total Pages</b>
H(2)	9/2/09	<p>b: ACMS (JEFIS) subsidiary record dated 9/21/09 reveals plaintiff's Attorney, Brian Blake fraudulently filed the defendant's name as the WFP for his fraudulent MISC BRIEF. This Misc Document Inquiry# also 15:21 does not disclose, connect or tie into any document number and it should.</p> <p>Mainly because JEFIS was/is designed to Use sequential document numbers as a system's controlling factor in the docket record file. The use of that check and balance system's control was removed and or rendered ineffective.</p>	(1 pg) 3
H(3)	12/18/09	<p><b>MOTN RECONS ORD</b>  Cover page of defendant's motion duly filed, with proof of service filed on the same day, as summary judgment, on the record as being granted to plaintiff. For this motion the parties on the record are correctly filed. Stamped cover page of motion filed and submitted on 12/18/09 but stamped by Court as being received on 7/26/10.</p>	(1 pg) 1
H(4)	12/23/09	<p><b>PROOF OF MAIL (stamped)</b>  for MOTN RECONS ORD  Defendant's proof of mail proving MG to be the right filing party for entered proof of mail.</p>	(1 pg)
		<p>(4)a 11/18/10 docket record (DR) pg 2  Showing Wrong Filing Party DB</p>	(1 pg) 2

<b>EX #</b>	<b>DR date of entry</b>	<b><u>Title of Entry on Docket record</u></b>	<b><u>Total Pages</u></b>
H(5)	06/02/10	<b>PROOF OF MAIL</b> Plaintiff's cert of proof of mail of Notice of Sale, dated 5/28/10 and stamped as received by court on two different dates; 6/2/10 & 5/2/10. The plaintiff is faking an entry of a Notice of sale on 5/28/10, this Notice is not on or in the docket record. The sale is his cover for stealing my 5/28/10 proof of mail.	(1 pg)
		<b>a: Defendant's stamped cert of service dated 5/28/10 for service of motion filed and not on DR for 5/28/10 but proof of mailing entered on DR on 6/2/10, is for defendant's 5/28/10 motion.</b>	(1 pg)
		<b>b: 11/18/10 DR pgs 4 &amp; 5 disclosing defendant submitting three motions without proof of mail on the record for any of the motions. Proof of mail was submitted for all three motions at time of filing.</b>	(2 pgs) 4
		<b>c: 11/18/10 DR pgs 4 &amp; 5 (same as b) disclosing plaintiff proof of mail on docket record 6/2/10 being strategically placed under defendant's three motions; making it appear, as if his proof is for defendant's motions. Thus voiding all three of defendant's motions.</b>	
H(6)	01/08/10	<b>ORDER</b> <b>ORDER, that states on its face, that "This Order was prepared by the Court." It further states: IT is on this the 8<sup>th</sup> day of January, 2010, ORDERED</b> <b>1. That the defendant's motion for reconsideration is granted. My motion requested the judge to reconsider her decision to grant the plaintiff summary judgment and to deny plaintiff summary judgment. If she had granted my motion than the plaintiff would have to be denied summary judgment, since that is what my motion required.</b>  <b>The ORDER and/or JUDGMENT is CONFLICTING since the plaintiff was granted summary judgment on the same Order. Even though this act was allowed</b>	

EX #	DR date of entry	Title of Entry on Docket record	Total Pages
------	---------------------	---------------------------------	----------------

H(6)	01/08/10	(6): and accepted by JEFIS, the error, mistake, or fraud of placing 2 conflicting directives on the same Order, by law, voided the 1/8/10 Order.	(1 Pg)
------	----------	--	--------

	a:	ACMS Order Maintenance file for JEFIS dated 3/12/10, discloses Order Type for this Order as: 049 NON-CONFORMING, date filed 1/8/10. The file does not disclose or explain what 049 stands for or what a NON-CONFORMING Order is? The file conceals the type of Order/Judgment this Order is.	(1 pg)	2
--	----	--	--------	---

Is it a Consent Judgment, Summary Judgment, Final Judgment or something else? The Judge's ID is shown as ELK01, is this Judge Koblitz? There is no entry or information entered or clearly stated in this Order File to indicate a summary judgment/order was granted.

As of 3/12/10, print date of file record there is no mention of my Amended Contesting Answer duly filed and served. As well as being properly recorded on 1/7/10 on and in the record. With everything correct, the process completely ignored my Contesting Amended Answer with Defenses & Counterclaims and determined my case as uncontested.

In addition the file incorrectly indicates that there is no proof of service for my Motion requesting Reconsideration. It (JEFIS) made this incorrect determination because of the plaintiff's fraudulent action of claiming to be the correct filing party for my motion requesting Reconsideration. This act voided the last Answer that was allowed in and on the system that was submitted by me; before plaintiff was allowed summary judgment, on 12/18/10. JEFIS was tricked again and manipulated into allowing every fraudulent entry the Plaintiff/Court made and/or desired to make to be entered onto or into the Docket Record and/or Summary System.

<b>EX #</b>	<b><u>DR date</u> <u>of entry</u></b>	<b><u>Title of Entry on Docket record</u></b>	<b><u>Total</u> <u>Pages</u></b>
-------------	---	---	--------------------------------------

01/08/10	(6)a: The Judge entered her obscure Order for Summary Judgment in the subsidiary Order File (ACMS) of the JEFIS, docket record system, on 1/11/10, the same day that the plaintiff communicated in writing to me, that they considered my case a Contesting Action.	(3 pgs)
----------	---	---------

**H(7) 5/3/10 FINAL JUDGMENT**

Final Judgment/Order alleged and stamped by Court as being filed on 5/3/10 when JEFIS revealed that this judgment entry was in a Judgment Package Received status on 5/10/10, and was not a Final Judgment as of 5/10/10 and certainly not on 5/6/10 as filed. The Final Judgment/Order filed on 5/3/10 is the exact same Order used for the unsigned 7/27/09 Final Judgment and/or Order.

(3 pgs)

a: Docket record dated 5/10/10 pg 4, showing status of Order entered on DR 5/6/10 as Judgment Package Received and not as a Final Judgment.

(1 pg)

b: Docket record dated 9/14/10 pg 4, showing status of Order changed, after 5/3 and/or after, 5/6/10 to Final Judgment.

(1 pg) 5

**H(8) 7/27/09 FINAL JUDGMENT**

Undated, unsigned Final Judgment/Order, on but not in docket record and used by plaintiff as if it was a lawfully signed Final Judgment and/or Order in his continuing proceedings. JEFIS is also verifying that plaintiff held 2 ex-parte Double Jeopardy Proceedings, by automatically updating the earlier Judgment Package Receive entry to Final Judgment on 5/6/10 or 5/10/10, or sometime before 9/14/10; (it is difficult to determine, which date the entry for (the second) Final Judgment actually was placed on and in the docket record). However, the automatic updating by JEFIS of the 7/27/10 Final Judgment is proof provided by the system that this is the Final Judgment package my NOI is/was based on.

(3 pgs)

<b>EX #</b>	<b>DR date of entry</b>	<b>Title of Entry on Docket record</b>	<b>Total Pages</b>
H(8)	7/27/09	a: Docket record dated 9/21/09 pg 1 showing status of 7/27/09 entry for Judgment Package Received as of 9/21/09.	(1 pg)
		b: Docket record dated 5/10/10 pg 1 showing status of 7/27/09 entry for Judgment Package Received as of 5/10/10.	(1 pg)
		c: Docket record dated 9/14/10 pg 1 showing status of 7/27/09 Judgment Package Received changed to FINAL JUDGMENT APPL.	(1 pg) 6
H(9)	7/28/09	NOTICE OF MOTION FOR ENTRY OF JUDGMENT/NOI/NOTICE MOTION	(2 pgs) 2
H(10)	5/6/10	NOTICE OF MOTION FOR ENTRY OF JUDGMENT/NOI/NOTICE MOTION	(2 pgs) 2

The NOTICE MOTION filed on 5/6/10 is the exact same NOTICE MOTION filed on 7/28/09 being used again as a Notice of Foreclosure, (NOI), while simultaneously being used as a Notice of entry of Final Judgment entered on 5/6/10.

The 5/6/10 Notice Motion filed on the docket record is being used in the same way as the 7/28/09 Notice Motion filed on the docket record - both being filed and served after Final Judgment. JEFIS allowed 2 NOTICE MOTIONS or NOI'S to be entered into the system. In addition JEFIS allowed 2 Final Judgments Applications to be entered into the system before the NOI'S or NOTICE MOTIONS were in the system. Lastly, JEFIS allowed on the record 2 Final Judgments based on one complaint.

Which brings up the question, has JEFIS been totally disabled? Or is this system still adequately functional?

EX #	DR date of entry	Title of Entry on Docket record	Total Pages
H(10)	5/6/10	Since JEFIS does not appear to have sufficient or any security, which prevents, intruders from entering into the system or that prevents unauthorized personnel from changing existing data already in the system .	
H(11)	5/3/10	<p><b>PROOF OF MAILING</b>  of CERTIFICATION OF DEFAULT and/or ORDER OF ENTRY DEFAULT. This default is dated 11/13/08 and is a carbon copy of the original default entered and vacated on and in the record. Is now being reused 2 years later and is dated the same date as their fraudulent FFA§6 Notice dated 11/13/08. The default of record against the only defendant, Michelle German was vacated on 9/25/09, leaving no Default in the system, until this vacated default was snuck back into the system, tricking JEFIS once again. In order for the system to justify allowing the entering of Final Judgment, a default has to be in the system before the Final Judgment entry can be allowed. The fraudulent attached exhibit labeled H(11) is the replacement/reused and un-served, unlawful default used to substantiate the 5/3/10 Final Judgment.</p>	(1 pg) 1
H(12)	5/3/10	<p><b>AFFIDAVITS OF SERVICES</b>  The discovery of three entries for three of plaintiff's Affidavits of Services duly entered on and in the docket record dated 8/30/11, pages 3 &amp; 4. At that time with the <u>Correct Filing Party</u> on and in the record shown as the plaintiff; was changed.</p>	(2 pgs)
a:		<p>These three entries were deliberately changed to the Wrong Filing Party, the defendant, Michelle German as disclosed in the docket record dated 2/6/12, pages 3 &amp; 4.</p>	(2 pgs) 4
		<p>This premeditated act by the plaintiff of claiming that the defendant served on herself, the plaintiff's fraudulent documents is a strong indictment of vicious prosecution.</p>	

**H(13) 6/30/10 PROOF OF MAILING**

This proof of mail appears to be on the docket record, as the proof for the 6/21/10, Order to pay and for the Affirmed Proof of Amount Due. However this entry for proof of mail, is serving a dual purpose This stamped document alleges that the Court received the plaintiff's false proof of mail on 6/30/10; in addition this fake proof of mail is also being Electronically filed on 6/30/10.

(1 pg)

(13)a Docket record dated 9/14/10 pg 5 reveals that this entry was not on or in the system on 6/30/10, as of 9/14/10 and was therefore added sometime later. The supporting document for this fraudulent entry backdated and entered into the system is the plaintiff's attorney's cert.

(1 pg)

The attorney's cert for proof of mail is deliberately dated 6/24/10, directing the Sheriff to pay additional sums to the plaintiff. This is the first Order to pay on the system, and it was not calculated or included in the 5/3/10 transactions used to compute the amount owed/due to plaintiff before final judgment could be entered and or granted.

(13)b: On the same day (6/30/10) there was a second fraudulent back dated Proof of mailing, again placed in the system by the plaintiff. Only the supporting document for this proof of mailing is stamped as being received on 6/30/09 but not entered into the system until 6/30/10; a whole year later.

(1 pgs)

On two different dates we requested and received a court photocopy of this proof of mail dated 6/24/09. On 5/30/12, we received an unstamped court photocopy, on 9/24/12, we received a court stamped photocopy of proof of mailing as being received on 6/30/09 and filed on 6/30/10.

(1 pgs) 4

<b>EX #</b>	<b>DR date of entry</b>	<b><u>Title of Entry on Docket record</u></b>	<b><u>Total Pages</u></b>
-------------	-----------------------------	---	-------------------------------

**Continued Disclosure of three entries:**

**BACK DATED and fraudulently ENTERED into the SYSTEM**

**H(13) 6/30/10** The second proof of mail is dated 6/24/09 exactly one year earlier than the above proof of mail dated 6/24/10 this is not a coincidence. The dates are deliberately similar to cloud the issue of the back dated entry not being legitimately entered on the docket record as proof of mail of something

(13)a: That something turned out to be the 5/3/10 Final Judgment/Order. Since this time, it is also being used as proof of mail for the Final Judgment dated 5/3 but entered on 5/6/10. Thus this proof of mail is serving its dual purpose of providing proof on the docket record, for the 6/21/10 Order to pay and as proof of service of plaintiff's 5/6/10 fraudulent Final Judgment. Both supporting documents (H(13) & H(13)a,) for this entry alleging to have been received by the Court on 6/30/10 are unlawful and are deceptively being used to legitimize the verified back dated entry entered/filed on the Docket record by the plaintiff/court on 6/30/10.

(See the same above 2pgs stamped & unstamped)

**H(14) 8/5/10 ORDER DIRECTING SHERIFF TO PAY  
ADDITIONAL SUMS TO PLAINTIFF:** This Order is on but not in the docket record. This fraudulent Order was not on the docket record on 9/14/10, and was added to the record sometime before 11/18/10. In addition, on the face of the Order it states that IT IS ORDERED on this 20<sup>th</sup> day of September 2010; the plaintiff is claiming that this Order was electronically filed on 8/5/10 more than a month before the Judge wrote the Order and more than a month after it was recorded on the docket record .

(2 pgs)

The same Judge who signed the 5/3 and/or the 5/6/10 Final Judgment Order, also signed this 8/5/10 Order.

(14)a: Docket record (pg 5) dated 9/14/10 the 9<sup>th</sup> & 10<sup>th</sup> transaction, (last two transactions on page). Note there is no 8/5/10 transaction filed between 7/29 & 8/12/10.

(1 pg)

<b>EX #</b>	<b>DR date of entry</b>	<b>Title of Entry on Docket record</b>	<b>Total Pages</b>
-------------	-----------------------------	--	------------------------

**Continued Disclosure of three entries:  
BACK DATED and fraudulently ENTERED into the SYSTEM**

	8/5/10 14)b: Docket record (pgs 5 & 6) dated 11/18/10 Note for the first time there is now a 8/5/10 transaction filed after 7/29 & before 8/12/10.	(2 pg)	5
--	--	--------	---

H(15)	8/5/10	<b>CERTIFICATION OF PROOF OF AMOUNT DUE</b> This Certification of Proof of Amount due is on but not in the docket record. This Certification of proof was not on the docket record on 9/14/10, and was added to the record. The disclosure of three entries BACK DATED and fraudulently ENTERED into the SYSTEM sometime before 11/18/10 is revealed on pg 5 of 9/14/10docket record, see (14)a.	(3 pgs) 3
-------	--------	---	-----------

This fraudulent Certification of Proof of Amount Due is certifying the amount owed as \$561,479.97. The Judge wrote/quoted this INCORRECT amount as the total liability due to Plaintiff on the 5/6/10 Final Judgment. Both 8/5/10 transactions were fraudulently added to the record at the same time.

(See above Docket records 14 a & b)

**COLLABORATED COMPUTER FRAUD**

H(16)	The status of the property was researched in the Bergen County Finance Office. To determine whether the plaintiff timely and duly filed a proper assignment with that office. In the Bergen County Finance Office we requested a printout of the record for my property. When we received the printout of the record, there was no assignment on the record. We inquired as to why this transaction was missing from the record, the employee told us it was not missing (even though we didn't see it there). He then looked up the information in another system/subsystem and wrote the information by pen onto the Record. He than directed us to shelves of logbooks, filled with assignments, filed by assignment numbers/date. He helped us to look up the assignments based on the information he wrote
-------	---

EX #	DR date of entry	<u>Title of Entry on Docket record</u>	<u>Total Pages</u>
------	---------------------	--	------------------------

on the record. We found the assignments in the book, and based on the assignments being in the book, the employee said that all assignments recorded in the book were legally acceptable assignments duly filed. The law states the assignment must be on and in the record of the Bergen County Finance Office.

(2 pgs) 2

TOTAL EXHIBIT H (COMPUTER FRAUD) 50

TOTAL EXHIBITS (A - G) 55

TOTAL EXHIBITS (A - H) 105

I, Michelle German, the defendant by fraud, submit the above 104 pages of exhibits as proof of the insurmountable amount of fraud involved in my case. This verified evidence cannot be ignored, dismissed or denied, it must be investigated.

If this Honorable Court of proper jurisdiction, chooses not to investigate, and/or to turn a 'Blind Eye to Justice' than that old adage of 'Justice being Blind' is inadequate. The denial of the existence of mountains of verified proof by this Court would be beyond blind. Since the symbol of Justice would not only be blind, but it would die, crumble to the ground in a heap of dust and blow away. Leaving our society, with no alternative but to once again return to the dark ages of lawlessness.

Respectfully submitted by:



Michelle German

Sworn to:

*State of New York  
County of Kings  
Signed before me this  
11th day of January 2013  
Helen M. Zalzman*

Helen M. Zalzman  
Notary Public State of New York  
Qualified in Nassau County  
No. 01ZA4696355  
Comm. Exp. July 31, 2013

H(1)  
Pg 1 of 3

(See FC3) for  
Stamped Court  
copy

FORM B

CERTIFICATE OF SERVICE

I CERTIFY THAT ON OCTOBER 5<sup>TH</sup>, 2009 I SENT <sup>copy</sup> A OF THE CONTESTING ANSWER in WRITING, and VERIFICATION, LACK OF JURISDICTION, FRAUD ON THE COURT, Demand to Dismiss with Prejudice, (Docket # F27172-08), to the

following by: (check which mailing method you choose. If you sent it by both regular and certified mail, check both)

regular mail                       certified mail,

List each party to the lawsuit; use the attorney's name and address if the party is represented by counsel.

PHELAN HALLINAN & SCHMIEG, PC  
400 Fellowship Road, Suit 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorney for the Plaintiff

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION BERGEN COUNTY  
Office of Foreclosure, P.O. Box 25  
Market Street, Trenton, N.J. 08625

Gloria Bolden  
server  
GLORIA BOLDEN

Sworn to before me this 14<sup>th</sup> day October, 2009.

[Signature]  
Notary Public, State of New Jersey  
No. 2785  
Qualified in Bergen County  
Notary public

F

ASC-7074  
PHELAN HALLINAN&SCHMIEG, PC  
400 Fellowship Road, Suit 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorney for the Plaintiff

RECEIVED  
CHANCERY  
2009 OCT -5 PM 3: 13

H(1)a  
Pg 2 of 3

GENERAL  
CASE PROCESSING

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST FRANKLIN MORTGAGE LOAN TRUST 2006- FF11 PLAINTIFF VS. MICHELLE GERMAN, ETAL. DEFENDANTS	SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION BERGEN COUNTY  DOCKET NO: F-27172-08  CONTESTING ANSWER in WRITING AND CERTIFICATION LACK OF JURISDICTION FRAUD ON THE COURT Demand to Dismiss with Prejudice
--	---

TO: Dear Messer:

PHELAN HALLINAN&SCHMIEG, PC  
400 Fellowship Road, Suit 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorney for the Plaintiff

CONTESTING ANSWER

I, Michelle German, am the Defendant (by fraud) in this proceeding.  
As my answer to the allegations made in the Complaint (by plaintiff) I offer the Following:  
I was not served with a notice of (foreclosure procedure) complaint by the plaintiff in any lawful process or in any legal way that would afford me the opportunity to respond or resolve the issue/dispute in a fair, lawful and timely manner. Due to the many glairing acts of fraud, by the plaintiff, to deny my constitutionally protected rights under the law, and its determination to use the court as an engine to complete these fraudulent acts, it is necessary at this time to expose these acts and have the court take appropriate actions and dismiss this void complaint for fraud in the acquisition of jurisdiction.

FRAUD OF SERVICE, failure of personal jurisdiction. FRAUD ON THE COURT, failure of subject instrument.

The following is a list of the acts of fraud in the documents related to the  
"service of notice of complaint"

1. The plaintiff mailed and used the Docket #: F-27172-08 before 7/16/08, which is before the date document is signed and dated by the attorney who wrote it.
2. Upon investigations of the documents filed in this case the Docket #: F-27172-08 was mailed and used to summons the defendant before that Docket #: F-27172-08 was purchased by the Plaintiff. The summons is worded in a way that suggests that the court is party to the summoning, and is the coercing agent in the case.

H(1)b  
Pg 3 of 3

CVM1023 AUTOMATED CASE MANAGEMENT SYSTEM 03/12/10  
PAGE: 002 OF 003 DOCUMENT LIST 15:19

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	09 25 2009	011	ORD-VC-DF-EX-TM		GERMAN	PRO SE	N GR
	10 08 2009	014	ANSWER		GERMAN	PRO SE	N
	10 21 2009	012	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	Y
	11 05 2009	013	MOTN SUMM JDGMT		DEUTSCHE BAN	PHELAN HALLI	N GR
	12 18 2009	016	ORDR SUMM JDGMT		DEUTSCHE BAN	PHELAN HALLI	N GR
	12 18 2009	017	MOTN RECONS ORD		GERMAN	PRO SE	N GR
	12 23 2009	015	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	N
-	01 05 2010	018	MISC BRIEF		DEUTSCHE BAN	PHELAN HALLI	N
	01 07 2010	019	AMENDED ANSWER		GERMAN	PRO SE	N
	01 07 2010	020	PRF MAIL		GERMAN	PRO SE	N

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-© 1 Sess-1 172.16.1.27 TA0C0191 2/8

#3

H(2)  
Pg 143

CVM1023  
PAGE: 001 OF 006

AUTOMATED CASE MANAGEMENT SYSTEM  
DOCUMENT LIST

09/14/10  
14:22

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	07 16 2008	001	COMPLAINT		DEUTSCHE BAN	PHELAN HALLI	Y
	10 30 2008	002	REQ DEFLT		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	003	AFFID/CERT INQ		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	004	VOL DISM		DEUTSCHE BAN	PHELAN HALLI	N
	07 27 2009	005	FINAL JUDG APPL		COURT INIT		N
	07 28 2009	006	NOTICE MOTION		DEUTSCHE BAN	PHELAN HALLI	N
	08 13 2009	007	MOT VAC DEFAULT		GERMAN	PRO SE	N GR
	08 13 2009	008	PRF MAIL		GERMAN	PRO SE	N
	09 02 2009	009	MISC BRIEF		GERMAN	PRO SE	N
	09 02 2009	010	CERTIFICTN		DEUTSCHE BAN	PHELAN HALLI	N

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-@

1

Sess-1

172.16.1.27

TAOC0089

2/8

H(2)a  
Pg 2 of 3

CVM1002 AUTOMATED CASE MANAGEMENT SYSTEM 09/21/09  
MISC DOCUMENT INQUIRY 15:21

VENUE : CLERK COURT : GENL EQUIT DOCKET # : F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

FILING PARTY : DEUTSCHE BANK NATL T RUST MULTI PARTY INDIC : N  
MULTI TARGET INDIC: N

----- DOCUMENT DATA -----  
DOCUMENT TYPE : CERTIFICTN DOCUMENT STATUS : ACTIVE  
DATE FILED : 09 02 2009 IMPOUND INDICATOR: NO  
NON-CONFORMING: NO NOTICE REQ IND : NO

COMMENTS : BRIAN BLAKE CERT IN RESPONSE TO DFS MT

DATE ENTERED : 09 02 2009  
LST MAINT DTE: 09 02 2009  
OPERATOR ID : JUBRIV

PF1-PARTY-DOCUMENT-LIST PF22-HELP:

4-© 1 Sess-1 172.16.1.27 TAOC0030 23/37

H(2)b  
Pg 3 of 3

CVM1002 AUTOMATED CASE MANAGEMENT SYSTEM 09/21/09  
MISC DOCUMENT INQUIRY 15:21

VENUE : CLERK COURT : GENL EQUIT DOCKET # : F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

FILING PARTY : GERMAN MICHELLE MULTI PARTY INDIC : N  
MULTI TARGET INDIC: N

----- D O C U M E N T D A T A -----  
DOCUMENT TYPE : MISC BRIEF DOCUMENT STATUS : ACTIVE  
DATE FILED : 09 02 2009 IMPOUND INDICATOR: NO  
NON-CONFORMING: NO NOTICE REQ IND : NO

COMMENTS : MEMO IN RESPONSE TO DFS MT 9/11

DATE ENTERED : 09 02 2009  
LST MAINT DTE: 09 02 2009  
OPERATOR ID : JUBRIV

PF1-PARTY-DOCUMENT-LIST PF22-HELP:

4-© 1 Sess-1 172.16.1.27 TAOC0030 23/37

FORM A

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION

H(3)  
pg 1 of 1  
Michelle German

Your Name

BERGEN County

180 Lindbergh Blvd.

Street Address

Docket Number E-27172-08

Teaneck, New Jersey [07666]

Town, State, Zip Code

SUPERIOR COURT BERGEN COUNTY  
FILED

CIVIL ACTION A MOTION  
FOR RECONSIDERATION OF MOTION  
PETITION FOR ~~REVIEW~~ SUMMARY  
JUDGMENT WITH ~~PETITION~~  
~~INTERVENTION DENIED TO~~  
~~DISMISS WITH PREJUDICE~~

917-499-3359

Telephone Number

DEC 18 2009

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST  
FF11

Plaintiff

vs.

MICHELLE GERMAN, ETAL.

Defendant

Date Filed	<u>12/18/09</u>			
Payment #	<u>0227</u>			
CA	CK	CC	MO	CG
Amount	<u>30-</u>			
Favor	<u>German</u>			
Fee	<u>209</u>			

TO:

Take Notice that the undersigned will apply to the above named Court located at

10 Main Street, Hackensack, NJ 07601, on 1/8/10

at 9:00 a.m. for an Order to: A Motion

~~Dismiss~~: MOTION FOR SUMMARY JUDGMENT

TO RECONSIDER

I will rely on the attached certification which contains the grounds for the relief sought.

Pursuant to R. 1:6-2(d), the undersigned: (check one)

- Waives oral argument and consents to disposition on the papers.
- Requests oral argument if this matter is contested.
- Requests oral argument for the following reasons

RECEIVED  
DEC 26 2009  
SUPERIOR COURT  
CLERK'S OFFICE

A proposed form of Order is attached.

Michelle German

Michelle German

Sworn to before me on 17  
of December 20 09.

Twana N. Benjamin

Twana N. Benjamin  
Commissioner of Deeds  
City of New York Number: 3-7353  
Certificate filed in: Kings County  
Commission Expires on: June 1, 2011

12/18/10 ELK 01  
N49

H(4)  
Pg 1 of 2

SUPERIOR COURT BERGEN COUNTY  
FILED

FORM B

DEC 23 2009

CERTIFICATE OF SERVICE



I, Gloria Bolden being duly sworn, deposes and says that deponent is upward of the

age of eighteen years and resides at 403 Quincy St., Brooklyn, NY 11221

CERTIFY THAT ON 12/21/09 I SERVED A COPY OF A MOTION, FOR  
RECONSIDERATION FOR MOTION OF SUMMARY JUDGMENT,

(Docket # F27172-08), to the following parties:

Clerk/agent of SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION,  
Office of Foreclosure, POB 971 - 25 Market St., Trenton NJ 08625

CHANCERY  
2009 DEC 23 AM 11:36  
GENERAL PROCESSING

PHELAN HALLINAN & SCHMIEG, PC  
Attorneys for the Plaintiff  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
ATTN: Brian

by:  regular mail  certified mail  personal service

Gloria Bolden  
server

Sworn to before me this 21<sup>st</sup> day December, 2009.

Twana N. Benjamin  
Notary Public  
Twana N. Benjamin  
Commissioner of Deeds  
City of New York Number: 1-7353  
Certificate filed in: Kings County  
Commission Expires on: June 1, 2011

Summary Judgment

H (4)<sub>a</sub>  
pg 2 of 2

CVM1023  
PAGE: 002 OF 006

AUTOMATED CASE MANAGEMENT SYSTEM  
DOCUMENT LIST

11/18/10  
15:45

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	09 25 2009	011	ORD VC DF EX TM		GERMAN	PRO SE	N GR
	10 08 2009	014	ANSWER		GERMAN	PRO SE	N
	10 21 2009	012	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	Y
	11 05 2009	013	MOTN SUMM JDGMT		DEUTSCHE BAN	PHELAN HALLI	N GR
	12 18 2009	016	ORDR SUMM JDGMT		DEUTSCHE BAN	PHELAN HALLI	N GR
	12 18 2009	017	MOTN RECONS ORD		GERMAN	PRO SE	N GR
	12 23 2009	015	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	N
	01 05 2010	018	MISC BRIEF		DEUTSCHE BAN	PHELAN HALLI	N
	01 07 2010	019	AMENDED ANSWER		GERMAN	PRO SE	N
	01 07 2010	020	PRF MAIL		GERMAN	PRO SE	N

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-© 1 Sess-1 172.16.1.27 TAOC0055 2/8

ASC-7074  
Phelan Hallinan & Schmieg, PC  
By: Rosemarie Diamond  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054-3422  
(856) 813-5500  
Attorney for Plaintiff

**FILED**  
**SUPERIOR COURT OF NJ**

**JUN 02 2010**

RECEIVED  
SUPERIOR CT CLERKS OFFICE  
2010 MAY -2 A 9:14

H(5)

pg 1 of 4

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST  
2006-FF11  
PLAINTIFF,

VS.  
MICHELLE GERMAN ET AL  
DEFENDANT (S)

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
BERGEN COUNTY

DOCKET NO: F-27172-08

CIVIL ACTION  
CERTIFICATION OF PROOF OF  
MAILING OF NOTICE OF SALE

I, Michael Donzuso do hereby certify:

1. I am a Legal Assistant of the law firm of Phelan Hallinan & Schmieg, P.C., Attorney's for the Plaintiff.
2. On May 28, 2010, I by regular and certified mail, return receipt requested, did serve the following Defendant(s) with notice of Sheriff's foreclosure sale pursuant to R4:65-2:

Michelle German  
180 Lindbergh Boulevard  
Teaneck, NJ 07666

Michelle German  
403 Quincy Street  
Brooklyn, NY 11221

Michelle German  
90 Vermont Street  
Brooklyn, NY 11207

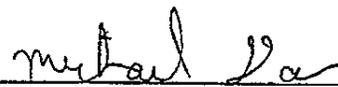
Michelle German  
4 Ridgeview Avenue  
Atlantic Heights, NJ 07716

Michelle German  
C/O Clerk of the Superior Court  
CN-971 Hughes Justice Complex  
Trenton, NJ 08628

**RECEIVED**  
**JUN 02 2010**  
**SUPERIOR COURT**  
**CLERK'S OFFICE**

3. I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: May 28, 2010

  
Michael Donzuso  
Legal Assistant

ASC-7074  
F-27172-08

H165  
P928

SUPERIOR COURT CLARENCE COUNTY  
FILED

MAY 28 2010

  
DEPUTY CLERK

CERTIFICATE OF SERVICE

I, Gloria Bolden being duly sworn, disposes and says that deponent is upward of the age of eighteen years and resides at 403 Quincy St., Brooklyn, NY 11221

CERTIFY THAT ON May 28 2010, I SERVED A COPY OF **Resubmission: For the Third Time of MOTION TO DENY PLAINTIFF'S SUBMISSION OF PROOF FOR ENTRY OF FINAL JUDGMENT OF FORECLOSURE**

to the following party:

OFFICE OF FORECLOSURE,  
SUPERIOR COURT OF NEW JERSEY, OFFICE OF THE CLERK  
ATTN: FORECLOSURE UNIT, HUGHES JUSTICE COMPLEX  
25 MARKET STREET, CN 971  
TRENTON, NEW JERSEY 08625

PHELAN HALLINAN & SCHMIEG, PC  
Attorneys for the Plaintiff  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054

by:         regular mail    certified mail         personal service

  
server

Sworn to before me this 28<sup>th</sup> day May, 2010.  
  
Notary public

H(5)

Pg 3 of 4

CVM1023 AUTOMATED CASE MANAGEMENT SYSTEM 11/18/10  
PAGE: 004 OF 006 DOCUMENT LIST 15:45

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	05 03 2010	031	AFFDVT SRV		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	032	TAXED COST FORM		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	033	UNCNTSTD JUDGMT		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	034	WRIT EXEC		DEUTSCHE BAN	PHELAN HALLI	N
	05 06 2010	035	FINAL JUDG APPL		COURT INIT		N
	05 06 2010	036	NOTICE MOTION		DEUTSCHE BAN	PHELAN HALLI	N
	05 20 2010	037	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	N
	05 28 2010	038	MOTN VAC DEF&RE		GERMAN	PRO SE	N DN
	05 28 2010	039	MOTN DISM COMPL		GERMAN	PRO SE	N DN
	05 28 2010	040	MOTN MISC		GERMAN	PRO SE	N DN

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-© 1 Sess-1 172.16.1.27 TA000055 2/8

H(5)  
Pg 4 of 4

CVM1023 AUTOMATED CASE MANAGEMENT SYSTEM 11/18/10  
PAGE: 005 OF 006 DOCUMENT LIST 15:45

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	06 02 2010	041	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	N
	06 18 2010	042	MISC BRIEF		DEUTSCHE BAN	PHELAN HALLI	N
	06 18 2010	043	CERTIFICTN		DEUTSCHE BAN	PHELAN HALLI	N
	06 21 2010	044	ORDER TO PAY		DEUTSCHE BAN	PHELAN HALLI	N GR
	06 21 2010	045	AFF PRF AMT DUE		DEUTSCHE BAN	PHELAN HALLI	N
	06 25 2010	046	ORDR VAC DEF&RE		GERMAN	PRO SE	N DN
	07 15 2010	048	MOTN RECONS ORD		GERMAN	PRO SE	N DN
	07 27 2010	047	MOT STAY SHF ME		GERMAN	PRO SE	N GR
	07 29 2010	049	ORD STAY SHF SL		GERMAN	PRO SE	N GR
	08 05 2010	054	ORDER TO PAY		DEUTSCHE BAN	PHELAN HALLI	N GR

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-© 1 Sess-1 172.16.1.27 TAOC0055 2/8



H(6)  
Pg 2 of 2

CVM1084 AUTOMATED CASE MANAGEMENT SYSTEM 03/12/10  
ORDER MAINTENANCE 15:38

VENUE : CLERK COURT : GENL EQUIT DOCKET # : F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

----- I N I T I A T I N G M O T I O N -----

FILING PARTY : GERMAN MICHELLE MULTI PTY IND : N  
MOTION TYPE : MOTN RECONS ORD MOTION RETURN DATE : 01 08 2010  
DATE FILED : 12 18 2009 PROOF OF SERV IND : N  
JUDGE ID : ELK01 PROOF OF SERV DATE :  
ARG REQ IND : N DOCUMNT IMPOUND IND : N

----- R E S U L T I N G O R D E R -----

ORDER TYPE : 049 NON-CONFORMING: DATE FILED : 01 08 2010  
JUDGE ID : ELK01 STATUS CODE : A  
ORDR OUTCOM : GR SEND NOTICE : N

COMMENTS : RECONSIDER SJ-GRANTED-SEE ORDER  
COMMENTS : ARG PH CERT APPRVL

DATE ENTERED: 01 11 2010  
LAST MAINT :  
OPERATOR ID : JUJAD4

PF1 - PTYDOC LIST PF2 - CURRENT ORDER TO BE DELETED OR PRESS ENTER TO CANCEL  
4-© 1 Sess-1 172.16.1.27 TAOC0141 14/18

H (7)  
29 1 3 5

ASC-7074  
PHELAN HALLINAN & SCHMIEG, PC  
By: Rosemarie Diamond, Esquire  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorneys for Plaintiff

FILED  
SUPERIOR COURT OF NJ  
MAY 03 2010

R

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST FRANKLIN MORTGAGE LOAN TRUST 2006-FF11 PLAINTIFF	SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION BERGEN COUNTY
MICHELLE GERMAN, ET AL. DEFENDANT (S)	DOCKET NO: F-27172-08  CIVIL ACTION  FINAL JUDGMENT

This matter having been opened to the Court by Phelan Hallinan & Schmieg, PC attorneys for plaintiff, and it appearing that service of the Summons/Notice and Complaint/ Amended Complaint and amendment(s) and order(s), if any, has/have been made upon the defendants, in accordance with the Rules of this Court and default having been entered against all non-answering defendants; and plaintiff's obligation, Mortgage and assignment of Mortgage having been presented and marked as exhibits by the Court, and proof having been submitted of the amount due on the plaintiff's Mortgage and sufficient cause appearing:

It is on this 3rd day of May 2010 2009, ORDERED and ADJUDGED

that the plaintiff is entitled to have the sum of \$561,479.97 together with interest at the Contract rate of 8.99% on \$501,846.70 being the principal sum in default including advances from July 1, 2009 to 5/3/10

H (7)  
Pg 2 of 5

And lawful interest thereafter on the total sum due plaintiff together with costs of this suit to be taxed including counsel fee of \$ 5,764.80 raised and paid in the first place out of the mortgaged premises,

And it is further ordered that the plaintiff, its assignee or purchaser at sale recover against the following defendants:

**MICHELLE GERMAN**

and all parties holding under said defendants the possession of the premises so mentioned and described in the said Complaint and Amendment with the appurtenances; and it is further

ORDERED and ADJUDGED that the mortgaged premises be sold to raise and satisfy the several sums of money due, in the first place to the plaintiff, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST FRANKLIN MORTGAGE LOAN TRUST 2006-FF11, in the sum of \$561,479.97 together with contract and lawful interest thereon to be computed as aforesaid, the plaintiff's costs to be taxed, with interest thereon, and that an execution for the purpose by duly issued out of this Court directed to the Sheriff of BERGEN County, commanding said Sheriff to make sale according to law of the mortgaged premises described in the Complaint, and out of the money arising from said sale, that said Sheriff pay in the first place, to the plaintiff, said plaintiff's debt, with interest thereon as aforesaid and said plaintiff's costs with interest thereon as aforesaid, and in case more money shall be realized by the said sale than shall be sufficient to satisfy such several payments as aforesaid, that such surplus be brought into this Court to abide the further Order of this Court and that the Sheriff aforesaid make a report of the aforesaid sale without delay as required by the rules of this Court, and it is further

H(7)  
P9 305

ORDERED and ADJUDGED that the defendants in this cause, and each of them stand absolutely debarred and foreclosed of and from all equity of redemption of, in and to said mortgaged premises described in the Complaint, when sold as aforesaid by virtue of this judgment

This judgment shall not affect the right of any person protected by the provisions of the New Jersey Tenant Anti-Eviction Statute (N.J.S.A. 2A: 18-61.1 et seq.)

*Mary C. Jacobson, P.J.Ch.*  
\_\_\_\_\_  
MARY C. JACOBSON, P.J.Ch.

Respectfully recommended  
R 1:34-6 OFFICE OF FORECLOSURE

H(7a)  
Pg 4 of 5

CVM1023 AUTOMATED CASE MANAGEMENT SYSTEM 05/10/10  
PAGE: 004 OF 004 DOCUMENT LIST 15:18

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	05 03 2010	031	AFFDVT SRV		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	032	TAXED COST FORM		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	033	UNCNTSTD JUDGMT		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	034	WRIT EXEC		DEUTSCHE BAN	PHELAN HALLI	N
	05 06 2010	035	JDG PKG RECD		COURT INIT		N
	05 06 2010	036	NOTICE MOTION		DEUTSCHE BAN	PHELAN HALLI	N

CV900123 END OF SEARCH

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-© 1 Sess-1 172.16.1.27 TAOC0032 2/8

H (7B)  
P95086

CVM1023 AUTOMATED CASE MANAGEMENT SYSTEM 09/14/10  
PAGE: 004 OF 006 DOCUMENT LIST 14:22

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	05 03 2010	031	AFFDVT SRV		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	032	TAXED COST FORM		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	033	UNCNTSTD JUDGMT		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	034	WRIT EXEC		DEUTSCHE BAN	PHELAN HALLI	N
	05 06 2010	035	FINAL JUDG APPL		COURT INIT		N
	05 06 2010	036	NOTICE MOTION		DEUTSCHE BAN	PHELAN HALLI	N
	05 20 2010	037	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	N
	05 28 2010	038	MOTN VAC DEF&RE		GERMAN	PRO SE	N DN
	05 28 2010	039	MOTN DISM COMPL		GERMAN	PRO SE	N DN
	05 28 2010	040	MOTN MISC		GERMAN	PRO SE	N DN

PF1=DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-© 1 Sess-1 172.16.1.27 TAOC0089 2/8



H (8)

1092036

And lawful interest thereafter on the total sum due plaintiff together with costs of this suit to be taxed including counsel fee of \$ \_\_\_\_\_ raised and paid in the first place out of the mortgaged premises,

And it is further ordered that the plaintiff, its assignee or purchaser at sale recover against the following defendants:

**MICHELLE GERMAN**

and all parties holding under said defendants the possession of the premises so mentioned and described in the said Complaint and Amendment with the appurtenances; and it is further

ORDERED and ADJUDGED that the mortgaged premises be sold to raise and satisfy the several sums of money due, in the first place to the plaintiff, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST FRANKLIN MORTGAGE LOAN TRUST 2006-FF11, in the sum of \$561,479.97 together with contract and lawful interest thereon to be computed as aforesaid, the plaintiff's costs to be taxed, with interest thereon, and that an execution for the purpose by duly issued out of this Court directed to the Sheriff of BERGEN County, commanding said Sheriff to make sale according to law of the mortgaged premises described in the Complaint, and out of the money arising from said sale, that said Sheriff pay in the first place, to the plaintiff, said plaintiff's debt, with interest thereon as aforesaid and said plaintiff's costs with interest thereon as aforesaid, and in case more money shall be realized by the said sale than shall be sufficient to satisfy such several payments as aforesaid, that such surplus be brought into this Court to abide the further Order of this Court and that the Sheriff aforesaid make a report of the aforesaid sale without delay as required by the rules of this Court, and it is further

Docket # F00956412

HL8)

Pg 3 of 6

ORDERED and ADJUDGED that the defendants in this cause, and each of them stand absolutely debarred and foreclosed of and from all equity of redemption of, in and to said mortgaged premises described in the Complaint, when sold as aforesaid by virtue of this judgment

This judgment shall not affect the right of any person protected by the provisions of the New Jersey Tenant Anti-Eviction Statute (N.J.S.A. 2A: 18-61.1 et seq.)

Docket # F009564-12

H (8a)  
Pg 4 of 6

CVM1023 AUTOMATED CASE MANAGEMENT SYSTEM 09/21/09  
PAGE: 001 OF 001 DOCUMENT LIST 14:56

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	07 16 2008	001	COMPLAINT		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	002	REQ DEFLT		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	003	AFFID/CERT INQ		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	004	VOL DISM		DEUTSCHE BAN	PHELAN HALLI	N
	07 27 2009	005	JDG PKG RECD		COURT INIT		N
	07 28 2009	006	NOTICE MOTION		DEUTSCHE BAN	PHELAN HALLI	N
	08 13 2009	007	MOT VAC DEFAULT		GERMAN	ATTY REQUIRE	N
	08 13 2009	008	PRF MAIL		GERMAN	ATTY REQUIRE	N
	09 02 2009	009	MISC BRIEF		GERMAN	ATTY REQUIRE	N
	09 02 2009	010	CERTIFICTN		DEUTSCHE BAN	PHELAN HALLI	N

CV900123 END OF SEARCH

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-© 1 Sess-1 172.16.1.27 TAOC0216 2/8



H(86)  
P15866

CVM1023 AUTOMATED CASE MANAGEMENT SYSTEM 05/10/10  
PAGE: 001 OF 004 DOCUMENT LIST 15:15

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	07 16 2008	001	COMPLAINT		DEUTSCHE BAN	PHELAN HALLI	Y
	10 30 2008	002	REQ DEFLT		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	003	AFFID/CERT INQ		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	004	VOL DISM		DEUTSCHE BAN	PHELAN HALLI	N
	07 27 2009	005	JDG PKG RECD		COURT INIT		N
	07 28 2009	006	NOTICE MOTION		DEUTSCHE BAN	PHELAN HALLI	N
	08 13 2009	007	MOT VAC DEFAULT		GERMAN	PRO SE	N GR
	08 13 2009	008	PRF MAIL		GERMAN	PRO SE	N
	09 02 2009	009	MISC BRIEF		GERMAN	PRO SE	N
	09 02 2009	010	CERTIFICTN		DEUTSCHE BAN	PHELAN HALLI	N

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-© 1 Sess-1 172.16.1.27 TA0C0103

2/8 ?

H(8c)  
P9607b

CVM1023 AUTOMATED CASE MANAGEMENT SYSTEM 09/14/10  
PAGE: 001 OF 006 DOCUMENT LIST 14:22

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	07 16 2008	001	COMPLAINT		DEUTSCHE BAN	PHELAN HALLI	Y
	10 30 2008	002	REQ DEFLT		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	003	AFFID/CERT INQ		DEUTSCHE BAN	PHELAN HALLI	N
	10 30 2008	004	VOL DISM		DEUTSCHE BAN	PHELAN HALLI	N
	07 27 2009	005	FINAL JUDG APPL		COURT INIT		N
	07 28 2009	006	NOTICE MOTION		DEUTSCHE BAN	PHELAN HALLI	N
	08 13 2009	007	MOT VAC DEFAULT		GERMAN	PRO SE	N GR
	08 13 2009	008	PRF MAIL		GERMAN	PRO SE	N
	09 02 2009	009	MISC BRIEF		GERMAN	PRO SE	N
	09 02 2009	010	CERTIFICTN		DEUTSCHE BAN	PHELAN HALLI	N

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-© 1 Sess-1 172.16.1.27 TAOC0089 2/8

H (9)

Pg 1 of 2

ASC-7074  
PHELAN HALLINAN & SCHMIEG, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorneys for the Plaintiff

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST 2006-  
FF11

PLAINTIFF,

VS.

MICHELLE GERMAN, ET AL.

DEFENDANT(S)

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
BERGEN COUNTY

DOCKET NO: F-27172-08

CIVIL ACTION

NOTICE OF MOTION FOR ENTRY OF  
JUDGMENT

TO: Michelle German  
180 Lindbergh Boulevard  
Teaneck, NJ 07666

Michelle German  
c/o Clerk of the Superior Court of New Jersey  
CN-971 Hughes Justice Complex  
Trenton, NJ 08625

PLEASE TAKE NOTICE that, the undersigned, attorney for Plaintiff, will make application to the Superior Court of New Jersey, Chancery Division, at the Hughes Justice Complex-CN971, Trenton, New Jersey, for Entry of Final Judgment in the above foreclosure action. You are receiving this Motion and copy of Plaintiff's Proof of Amount Due: (a) in accordance with R.4:64-9; (b) because you have filed an Answer or appeared in the above action, or (c) because Plaintiff failed to enter Judgment within the required six (6) month period following the entry of default pursuant to the rules of the Superior Court of

H(9)  
P 2 06 2

New Jersey. Plaintiff is filing herewith its proof required by law, which proof will establish that there is due upon the plaintiff's mortgage on 180 LINDBERGH BOULEVARD, TEANECK, NEW JERSEY in the sum of \$561,479.97 plus costs and attorney's fees to be taxed. The Order/Judgment sought shall be at the discretion of the Court unless you proceed as directed below.

PLEASE TAKE FURTHER NOTICE THAT IF YOU WISH TO OBJECT TO THIS MOTION YOU MUST DO SO IN WRITING WITHIN 10 DAYS AFTER YOU RECEIVED THIS MOTION. YOU MUST FILE YOUR OBJECTION WITH THE OFFICE OF FORECLOSURE, P.O. BOX 971, 25 MARKET STREET, TRENTON, NJ 08625 AND SERVE A COPY ON THE MOVING PARTY.

THE OFFICE OF FORECLOSURE DOES NOT CONDUCT HEARINGS, YOUR PERSONAL APPEARANCE AT THE OFFICE WILL NOT QUALIFY AS AN OBJECTION. IF YOU FILE AN OBJECTION, THE CASE WILL BE SENT TO A JUDGE FOR RESOLUTION. YOU WILL BE INFORMED BY THE JUDGE OF THE TIME AND PLACE OF THE HEARING ON THE MOTION.

Annexed hereto, please find a copy of the Certification of Amount Due.

PLEASE TAKE FURTHER NOTICE that at said time and place if you are a lienholder/mortgagor that filed an answer are required to present proof of the amount due to you on the encumbrance set forth in your Answer along with your original documents to be marked as exhibits.

PHELAN HALLINAN & SCHMIEG, PC

  
\_\_\_\_\_  
Rosemarie Diamond, Esquire  
Vladimir Palma, Esquire  
Brian J. Yoder, Esquire  
Brian Blake, Esquire  
Thomas M. Brodowski, Esquire

Date: June 25, 2009

H (10)  
Pg 1 of 1

ASC-7074  
PHELAN HALLINAN & SCHMIEG, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorneys for the Plaintiff

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST 2006-  
FF11

PLAINTIFF,

VS.

MICHELLE GERMAN, ET AL.

DEFENDANT(S)

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
BERGEN COUNTY

DOCKET NO: F-27172-08

CIVIL ACTION

NOTICE OF MOTION FOR ENTRY OF  
JUDGMENT

TO: Michelle German  
180 Lindbergh Boulevard  
Teaneck, NJ 07666

Michelle German  
c/o Clerk of the Superior Court of New Jersey  
CN-971 Hughes Justice Complex  
Trenton, NJ 08625

PLEASE TAKE NOTICE that, the undersigned, attorney for Plaintiff, will make application to the Superior Court of New Jersey, Chancery Division, at the Hughes Justice Complex-CN971, Trenton, New Jersey, for Entry of Final Judgment in the above foreclosure action. You are receiving this Motion and copy of Plaintiff's Proof of Amount Due: (a) in accordance with R.4:64-9; (b) because you have filed an Answer or appeared in the above action, or (c) because Plaintiff failed to enter Judgment within the required six (6) month period following the entry of default pursuant to the rules of the Superior Court of

H (10)  
P92082

New Jersey. Plaintiff is filing herewith its proof required by law, which proof will establish that there is due upon the plaintiff's mortgage on 180 LINDBERGH BOULEVARD, TEANECK, NEW JERSEY in the sum of \$561,479.97 plus costs and attorney's fees to be taxed. The Order/Judgment sought shall be at the discretion of the Court unless you proceed as directed below.

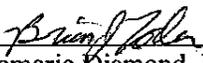
PLEASE TAKE FURTHER NOTICE THAT IF YOU WISH TO OBJECT TO THIS MOTION YOU MUST DO SO IN WRITING WITHIN 10 DAYS AFTER YOU RECEIVED THIS MOTION. YOU MUST FILE YOUR OBJECTION WITH THE OFFICE OF FORECLOSURE, P.O. BOX 971, 25 MARKET STREET, TRENTON, NJ 08625 AND SERVE A COPY ON THE MOVING PARTY.

THE OFFICE OF FORECLOSURE DOES NOT CONDUCT HEARINGS, YOUR PERSONAL APPEARANCE AT THE OFFICE WILL NOT QUALIFY AS AN OBJECTION. IF YOU FILE AN OBJECTION, THE CASE WILL BE SENT TO A JUDGE FOR RESOLUTION. YOU WILL BE INFORMED BY THE JUDGE OF THE TIME AND PLACE OF THE HEARING ON THE MOTION.

Annexed hereto, please find a copy of the Certification of Amount Due.

PLEASE TAKE FURTHER NOTICE that at said time and place if you are a lienholder/mortgagor that filed an answer are required to present proof of the amount due to you on the encumbrance set forth in your Answer along with your original documents to be marked as exhibits.

PHELAN HALLINAN & SCHMIEG, PC

  
\_\_\_\_\_  
Rosemarie Diamond, Esquire  
Vladimir Palma, Esquire  
Brian J. Yoder, Esquire  
Brian Blake, Esquire  
Thomas M. Brodowski, Esquire

Date: June 25, 2009

H (11)  
Pg 1 of 1

FILED  
SUPERIOR COURT OF NJ

MAY 03 2010

R

ASC-7074  
PHELAN HALLINAN & SCHMIEG, PC  
By: Rosemarie Diamond, Esq.  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorneys for Plaintiff

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST  
2006-FF11  
PLAINTIFF

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
BERGEN COUNTY

VS.

DOCKET NO: F-27172-08

MICHELLE GERMAN, ET AL.  
DEFENDANT

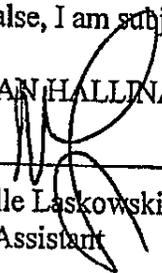
CIVIL ACTION  
PROOF OF MAILING

TO: Michelle German  
c/o Clerk of the Superior Court  
CN-971 Hughes Justice Complex  
Trenton, NJ 08628

I, Michelle Laskowski, did mail on 11/13/08, a copy of the filed REQUEST AND CERTIFICATION OF DEFAULT and/or ORDER OF ENTRY DEFAULT, via regular mail, to the above defendants at their principal places of business or place of residence.

I hereby certify that the foregoing statements made by me are true and I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

PHELAN HALLINAN & SCHMIEG, PC

  
Michelle Laskowski  
Legal Assistant

Dated: 11/13/08

H(12)  
 (pg 1 of 4)

CVM1023                      AUTOMATED CASE MANAGEMENT SYSTEM                      08/30/11  
 PAGE: 003 OF 008                      DOCUMENT LIST                      15:10

VENUE : CLERK                      COURT : GENL EQUIT                      DOCKET #: F 027172 08  
 CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN.

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	01 07 2010	021	PRF MAIL		GERMAN	PRO SE	N
	01 08 2010	022	ORDR RECONS ORD		GERMAN	PRO SE	N GR
	05 03 2010	023	AFF PRF AMT DUE		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	024	AFFD SEARCH FEE		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	025	AFFDVT NMS		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	026	CERTIFICTN		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	027	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	028	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	029	AFFDVT SRV		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	030	AFFDVT SRV		DEUTSCHE BAN	PHELAN HALLI	N

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-©                      1                      Sess-1                      172.16.1.27                      TAOC0130                      2/8

H(12)  
P9204

CVM1023                    AUTOMATED CASE MANAGEMENT SYSTEM                    08/30/11  
PAGE: 004 OF 008                    DOCUMENT                    LIST                    15:10

VENUE            : CLERK                    COURT : GENL EQUIT            DOCKET #: F            027172    08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	05 03 2010	031	AFFDVT SRV		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	032	TAXED COST FORM		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	033	UNCNTSTD JUDGMT		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	034	WRIT EXEC		DEUTSCHE BAN	PHELAN HALLI	N
	05 06 2010	035	FINAL JUDG APPL		COURT INIT		N
	05 06 2010	036	NOTICE MOTION		DEUTSCHE BAN	PHELAN HALLI	N
	05 20 2010	037	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	N
	05 28 2010	038	MOTN VAC DEF&RE		GERMAN	PRO SE	N DN
	05 28 2010	039	MOTN DISM COMPL		GERMAN	PRO SE	N DN
	05 28 2010	040	MOTN MISC		GERMAN	PRO SE	N DN

PF1-DOCUMENT-DETAIL  
PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

H (12)  
Pg 3 of 4

CVM1023 AUTOMATED CASE MANAGEMENT SYSTEM 02/06/12  
PAGE: 003 OF 008 DOCUMENT LIST 15:54

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	01 07 2010	021	PRF MAIL		GERMAN	PRO SE	N
	01 08 2010	022	ORDR RECONS ORD		GERMAN	PRO SE	N GR
	05 03 2010	023	AFF PRF AMT DUE		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	024	AFFD SEARCH FEE		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	025	AFFDVT NMS		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	026	CERTIFICTN		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	027	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	028	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	029	AFFDVT SRV		GERMAN	PRO SE	N
	05 03 2010	030	AFFDVT SRV		GERMAN	PRO SE	N

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

H(12)  
 P94034

CVM1023                                    AUTOMATED CASE MANAGEMENT SYSTEM                                    02/06/12  
 PAGE: 004 OF 008                                    DOCUMENT                                    LIST                                    15:54

VENUE                    : CLERK                                    COURT : GENL EQUIT                    DOCKET #: F                    027172                    08  
 CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	05 03 2010	031	AFFDVT SRV		GERMAN	PRO SE	N
	05 03 2010	032	TAXED COST FORM		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	033	UNCNTSTD JUDGMT		DEUTSCHE BAN	PHELAN HALLI	N
	05 03 2010	034	WRIT EXEC		DEUTSCHE BAN	PHELAN HALLI	N
	05 06 2010	035	FINAL JUDG APPL		COURT INIT		N
	05 06 2010	036	NOTICE MOTION		DEUTSCHE BAN	PHELAN HALLI	N
	05 20 2010	037	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	N
	05 28 2010	038	MOTN VAC DEF&RE		GERMAN	PRO SE	N DN
	05 28 2010	039	MOTN DISM COMPL		GERMAN	PRO SE	N DN
	05 28 2010	040	MOTN MISC		GERMAN	PRO SE	N DN

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

ASC-7074

PHELAN HALLINAN & SCHMIEG, P.C.

By: Rosemarie Diamond, Esq.  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorneys for Plaintiff

RECEIVED

JUN 30 2010

SUPERIOR COURT  
CLERK'S OFFICE

H(13)  
Pg 2 of 4

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST  
2006-FF11

PLAINTIFF,

VS.

MICHELLE GERMAN, ET AL  
DEFENDANT (S)

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
BERGEN COUNTY

DOCKET NO: F-27172-08

CIVIL ACTION  
PROOF OF MAILING

TO:

Michelle German  
180 Lindbergh Boulevard  
Teaneck, NJ 07666

Michelle German  
403 Quincy Street  
Brooklyn, NY 11221

Michelle German  
90 Vermont Street  
Brooklyn, NY 11207

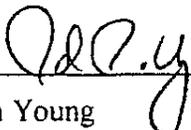
Michelle German  
4 Ridgeview Avenue  
Atlantic Heights, NJ 07716

Michelle German  
C/O Clerk of the Superior Court  
CN-971 Hughes Justice Complex  
Trenton, NJ 08628

I, John Young, did mail on June 24, 2010 a copy of the entered Order directing the Sheriff to pay Additional Sums to Plaintiff, via regular mail, to the above defendants at their principal places of business or place of residence.

I hereby certify that the foregoing statements made by me are true and I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

PHELAN HALLINAN & SCHMIEG, P C

  
\_\_\_\_\_  
John Young  
Legal Assistant

Dated: 6/24/2010

H (13)  
P9 1064

CVM1023 AUTOMATED CASE MANAGEMENT SYSTEM 09/14/10  
PAGE: 005 OF 006 DOCUMENT LIST 14:22

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	06 02 2010	041	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	N
	06 18 2010	042	MISC BRIEF		DEUTSCHE BAN	PHELAN HALLI	N
	06 18 2010	043	CERTIFICTN		DEUTSCHE BAN	PHELAN HALLI	N
	06 21 2010	044	ORDER TO PAY		DEUTSCHE BAN	PHELAN HALLI	N GR
	06 21 2010	045	AFF PRF AMT DUE		DEUTSCHE BAN	PHELAN HALLI	N
	06 25 2010	046	ORDR VAC DEF&RE		GERMAN	PRO SE	N DN
	07 15 2010	048	MOTN RECONS ORD		GERMAN	PRO SE	N PH
	07 27 2010	047	MOT STAY SHF ME		GERMAN	PRO SE	N GR
	07 29 2010	049	ORD STAY SHF SL		GERMAN	PRO SE	N GR
	08 12 2010	050	OBJECT MOTION		DEUTSCHE BAN	PHELAN HALLI	N

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-© 1 Sess-1 172.16.1.27 TAOC0089 2/8

PHELAN HALLINAN & SCHMIEG, PC

400 Fellowship Road, Suite 100

Mt. Laurel, NJ 08054

(856) 813-5500

Fax: (856) 813-5501

H (13)<sub>a</sub>  
P93064

Rosemarie Diamond, Esquire  
Managing Attorney for New Jersey

Representing Lenders in  
Pennsylvania and New Jersey

June 24, 2009

Michelle German  
180 Lindbergh Boulevard  
Teaneck, NJ 07666

Michelle German  
c/o Clerk of the Superior Court of New Jersey  
CN-971 Hughes Justice Complex  
Trenton, NJ 08625

RE: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST 2006-FF11 vs. MICHELLE GERMAN, et al.  
Docket No.: F-27172-08  
Our File No.: ASC-7074

Dear Sir/Madam:

Service is hereby made upon you with the enclosed Notice of Motion for Entry of Final Judgment, relative to the above referenced-matter.

Very Truly Yours

*Lisa Wilson*

lw

Regular and Certified Mail, Return Receipt Requested

H(13)<sub>a</sub>  
Pg 4 of 4

PHELAN HALLINAN & SCHMIEG, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Fax: (856) 813-5501

RECEIVED  
JUN 30 2009  
SUPERIOR COURT  
CLERK'S OFFICE

Rosemarie Diamond, Esquire  
Managing Attorney for New Jersey

Representing Lenders in  
Pennsylvania and New Jersey

June 24, 2009

Michelle German  
180 Lindbergh Boulevard  
Teaneck, NJ 07666

Michelle German  
c/o Clerk of the Superior Court of New Jersey  
CN-971 Hughes Justice Complex  
Trenton, NJ 08625

RE: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST 2006-FF11 vs. MICHELLE GERMAN, et al.  
Docket No.: F-27172-08  
Our File No.: ASC-7074

Dear Sir/Madam:

Service is hereby made upon you with the enclosed Notice of Motion for Entry of Final Judgment, relative to the above referenced-matter.

Very Truly Yours

*Lisa Wilson*

lw

Regular and Certified Mail, Return Receipt Requested

ASC-7074  
PHELAN HALLINAN & SCHMIEG, PC  
400 FELLOWSHIP ROAD  
MT. LAUREL, NJ 08054  
Attorney for the Plaintiff

H (14)  
Pg 1 of 5

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST  
2006-FF11

PLAINTIFF  
vs.

MICHELLE GERMAN ET AL  
DEFENDANTS

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
BERGEN COUNTY

Docket No: F-27172-08

CIVIL ACTION

ORDER DIRECTING SHERIFF TO PAY  
ADDITIONAL SUMS TO PLAINTIFF

This matter being opened to the Court by Phelan Hallinan & Schmieg, P.C., Attorneys for the Plaintiff, requesting an Order Directing the Sheriff of BERGEN County to pay the Plaintiff amount in addition to the amount adjudged to be paid to the Plaintiff by virtue of the Writ of Execution in this action, and it appearing that the Plaintiff has advanced sums of money subsequent to the Final Judgment for taxes, etc. and for good cause appearing;

IT IS ORDERED on this 20th day of September, 2010, that the Sheriff of BERGEN County pay the Plaintiff the following amounts in addition to the amount adjudged to be paid to the Plaintiff by the Writ of Execution in this action.

1. The sum of \$2,589.24

IT IS FURTHER ORDERED that lawful interest on the aforesaid amounts shall be awarded as of the date of this Order; and

IT IS FURTHER ORDERED that a copy of this Order be served upon all answering defendants within 10 days from the date hereof.

H(14)  
P92085

This Order is only effective when entered and delivered to the Sheriff prior to the foreclosure sale.

*Mary C. Jacobson, P.J.Ch.*  
MARY C. JACOBSON, P.J.Ch

Respectfully Recommended  
R. 1:34-6 OFFICE OF FORECLOSURE

H(14)  
Pg 305

CVM1023 AUTOMATED CASE MANAGEMENT SYSTEM 09/14/10  
PAGE: 005 OF 006 DOCUMENT LIST 14:22

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	06 02 2010	041	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	N
	06 18 2010	042	MISC BRIEF		DEUTSCHE BAN	PHELAN HALLI	N
	06 18 2010	043	CERTIFICTN		DEUTSCHE BAN	PHELAN HALLI	N
	06 21 2010	044	ORDER TO PAY		DEUTSCHE BAN	PHELAN HALLI	N GR
	06 21 2010	045	AFF PRF AMT DUE		DEUTSCHE BAN	PHELAN HALLI	N
	06 25 2010	046	ORDR VAC DEF&RE		GERMAN	PRO SE	N DN
	07 15 2010	048	MOTN RECONS ORD		GERMAN	PRO SE	N PH
	07 27 2010	047	MOT STAY SHF ME		GERMAN	PRO SE	N GR
	07 29 2010	049	ORD STAY SHF SL		GERMAN	PRO SE	N GR
	08 12 2010	050	OBJECT MOTION		DEUTSCHE BAN	PHELAN HALLI	N

PF1-DOCUMENT-DETAIL  
PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-© 1 Sess-1 172.16.1.27 TAOC0089 2/8

H(14)  
Pg 4 of 5

CVM1023                    AUTOMATED CASE MANAGEMENT SYSTEM                    11/18/10  
 PAGE: 005 OF 006            DOCUMENT            LIST                    15:45

VENUE            : CLERK                    COURT : GENL EQUIT    DOCKET #: F    027172    08  
 CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	06 02 2010	041	PRF MAIL		DEUTSCHE BAN	PHELAN HALLI	N
	06 18 2010	042	MISC BRIEF		DEUTSCHE BAN	PHELAN HALLI	N
	06 18 2010	043	CERTIFICTN		DEUTSCHE BAN	PHELAN HALLI	N
	06 21 2010	044	ORDER TO PAY		DEUTSCHE BAN	PHELAN HALLI	N GR
	06 21 2010	045	AFF PRF AMT DUE		DEUTSCHE BAN	PHELAN HALLI	N
	06 25 2010	046	ORDR VAC DEF&RE		GERMAN	PRO SE	N DN
	07 15 2010	048	MOTN RECONS ORD		GERMAN	PRO SE	N DN
	07 27 2010	047	MOT STAY SHF ME		GERMAN	PRO SE	N GR
	07 29 2010	049	ORD STAY SHF SL		GERMAN	PRO SE	N GR
	08 05 2010	054	ORDER TO PAY		DEUTSCHE BAN	PHELAN HALLI	N GR

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-©                    1    Sess-1    172.16.1.27                    TAOC0055                    2/8

End of #3

H (14) b  
P9585

CVM1023 AUTOMATED CASE MANAGEMENT SYSTEM 11/18/10  
PAGE: 006 OF 006 DOCUMENT LIST 15:45

VENUE : CLERK COURT : GENL EQUIT DOCKET #: F 027172 08  
CASE TITLE : DEUTSCHE BANK NATL TRUST CO VS GERMAN

S	DATE FILED	DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
	08 05 2010	055	AFF PRF AMT DUE		DEUTSCHE BAN	PHELAN HALLI	N
	08 12 2010	050	OBJECT MOTION		DEUTSCHE BAN	PHELAN HALLI	N
	08 17 2010	051	ORD STAY SHF SL		GERMAN	PRO SE	N GR
	09 03 2010	052	LTTR MEMRD		COURT INIT		N
	09 09 2010	053	ORDR RECONS ORD		GERMAN	PRO SE	N DN
	09 13 2010	056	MISC NOT APPEAL		GERMAN	PRO SE	N

CV900123 END OF SEARCH

PF1-DOCUMENT-DETAIL

PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP:

4-© 1 Sess-1 172.16.1.27 TAOC0055 2/8

H(15)  
pg 1 of 3

ASC-7074  
PHELAN HALLINAN & SCHMIEG, PC  
By: Rosemarie Diamond, Esq.  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
(856) 813-5500  
Attorneys for Plaintiff

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR FIRST  
FRANKLIN MORTGAGE LOAN TRUST  
2006-FF11  
PLAINTIFF

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
BERGEN COUNTY

VS.

DOCKET NO: F-27172-08

MICHELLE GERMAN, ET AL.  
DEFENDANT (S)

CIVIL ACTION  
CERTIFICATION OF PROOF OF  
AMOUNT DUE

I, Xee Moua, of full age, hereby certifies::

1. I am employed by Wells Fargo, Attorney in Fact for America's Servicing Company at its Fort Mill, South Carolina(*city and state*) office as a Vice President of Loan Documentation(*title*). Said company is a mortgage servicing company authorized to service and handle mortgage transactions on behalf of the plaintiff involving the mortgage debtors named in the plaintiff's complaint. The plaintiff has not revoked said mortgage servicing company's authority and as such, mortgage servicing companies representative has the authority to make on behalf of the plaintiff, the computation of amount due herein set forth.

2. I have thoroughly reviewed America's Servicing Company books and records concerning the note and mortgage loan described in the plaintiff's complaint and am fully familiar with the facts set forth herein.

3. I find from said records that there is due to the plaintiff in this action the sum of

\$ 561,479.97, as set forth in schedule "A" annexed hereto. I have reviewed all entries and calculations, and they are correct. Per diem interest, as set forth in the annexed schedule, will accrue on the principal from July 1, 2009.

PG 203  
11-11-09

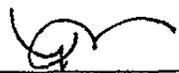
4. I further state that the property described in the Complaint filed in this cause cannot be divided and should be sold as a single tract.

5. There are no just debts, set-offs, credits or allowances due or to become due from the plaintiff to the defendants, other than those set forth herein.

6. Plaintiff is the holder and owner of the aforesaid obligation and mortgage.

7. I understand that the court will rely upon this affidavit in support of the plaintiff's application for a foreclosure judgment in the within action.

8. I hereby certify that the foregoing statements made by me are true and I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



\_\_\_\_\_  
Signature of Lender or Servicing Agent

Xee Moua, Vice President of Loan Documentation

Dated: June 10, 2009

AMOUNT DUE SCHEDULE

H(15)  
R 9 3063

Note Dated: May 26, 2006  
Mortgage Dated: May 26, 2006  
Recorded on: June 15, 2006, in BERGEN County, in Book 16024 at Page 101  
Property Address: 180 LINDBERGH BOULEVARD TEANECK, NEW JERSEY 07666  
Mortgage Holder: MICHELLE GERMAN

Unpaid Principal Balance as of April 1, 2008 \$ 488,862.98

Interest from March 1, 2008 to June 30, 2009 \$ 58,638.42

(Interest rate = 8.99% per year; \$ .120.41 per day x 486 days)

Late charges from April 1, 2008 to July 16, 2008  
(\$ 198.97 per mo. X 3 months =) \$ 596.94

Advances through June 30, 2009 for:

Real Estate Taxes	\$ 10,851.72
***see attached breakdown***	
Hazard Insurance	\$ 2,042.00
Mortgage Insurance Premiums	\$ 0.00
Inspections	\$ 0.00
Winterizing/Securing	\$ 90.00
Sub-Total of Advances	\$ 12,983.72
Less Escrow Monies	(\$0.00)
Net Advances	\$ 12,983.72

Interest on advances from \_\_\_\_\_ to \_\_\_\_\_ \$ 0.00

Other Charges (specify) Prior Accum. Late Charge \$ 397.91

Total due as of June 30, 2009 \$ 561,479.97

Date: June 10, 2009

  
\_\_\_\_\_  
Xee Moua, Vice President of Loan Documentation  
Signature of Lender or Servicing Agent

Surplus Money: If after the sale and satisfaction of the mortgage debt, including costs and expenses, there remains any surplus money, the money will be deposited into the Superior Court Trust Fund and any person claiming the surplus, or any part thereof, may file a motion pursuant to Court Rules 4:64-3 and 4:57-2 stating the nature and extent of that person's claim and asking for an order directing payment of the surplus money. The Sheriff or other person conducting the sale will have information regarding the surplus, if any.

HC(16)  
19182

en County

Search Criteria: Search Type: Individual; First Name: MICHELLE; Last Name: GERMAN; Party: both

Displaying 1-6 of 6 Items

Instrument	Name	Other Name	Doc Type	Recorded	Verified
71827	+ 1 GERMAN MICHELLE	+ 2 DEUTSCHE BANK NATIONAL TRUST COMPANY MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INCORPORATED	Lis Pendens Foreclosure	07/30/2008	✓
MTGE 16024 0101	+ 1 GERMAN MICHELLE	2	Mortgage	06/15/2006	✓
MUNICIPALITY: TEANECK DEED 09100 0339	2 GERMAN MICHELLE	1 JOSEPH GEORGE	Deed > 350,000	06/15/2006	✓
MUNICIPALITY: TEANECK 342612	1 GERMAN MICHELLE	2 NATIONAL CITY BANK OF INDIANA	Notice of Settlements	05/30/2006	✓
MUNICIPALITY: TEANECK 342611	2 GERMAN MICHELLE	1 GEORGE JOSEPH	Notice of Settlements	05/30/2006	✓
MUNICIPALITY: TEANECK DEED 08521 0802	1 GERMANO MICHELLE	+ 2 CONNIE VENUTI TRUST	Deed	10/25/2002	✓
MUNICIPALITY: MAHWAH					

ASSIG. 1430 - 279

V-92-602

H016
P9292

**Bergen County**

**Search Criteria:** Search Type: Individual; First Name: MICHELLE; Last Name: GERMAN; Party: both

**Displaying 1-3 of 3 Items**

Instrument	Name	Other Name	Doc Type	Recorded	Verified
MTGE 16024 0101	+ 1 GERMAN MICHELLE	2 MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INCORPORATED	+ Mortgage	06/15/2006	✓
MUNICIPALITY: TEANECK					
342612	1 GERMAN MICHELLE	2 NATIONAL CITY BANK OF INDIANA	+ Notice of Settlements	05/30/2006	✓
MUNICIPALITY: TEANECK					
342611	2 GERMAN MICHELLE	1 GEORGE JOSEPH	Notice of Settlements	05/30/2006	✓
MUNICIPALITY: TEANECK					

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

CIVIL ACTION

OBJECTION TO PROCESS BEING  
APPLIED BY WELLS FARGO BANK, N.A  
TO ISSUE CORRECTED NOTICES OF  
INTENT TO FORECLOSE ON BEHALF  
OF IDENTIFIED FORECLOSURE  
PLAINTIFFS IN UNCONTESTED CASES

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

I, Michelle German, defendant by fraud, in a foreclosure action in Superior Court of New Jersey in the Chancery Division, docket # F27172-08 do hereby certify that on two prior occasions I submitted Objections under docket number F009564-12, and was present and spoke before the Court during the 11/15/12 proceeding, held in the Superior Court of N.J. located in Patterson, N.J... The purpose of the hearing, as stated by the judge, was to give all 4,277 parties included in the survey/contacted by the plaintiff in reference to receiving a corrected NOI; an opportunity to express their objections and to possibly have them addressed, before signing Plaintiff's Final Judgment Application.

The courtroom was crowded with people objecting to many different aspects of the plaintiff's Corrected Notices of Intent to Foreclose process. As well as seeking clarification of plaintiff's Corrected NOI process. Most of the objections and confusion revolved around the process used to classify the cases as an exclusion or inclusion for the corrected NOI list.

According to the plaintiff's survey (pg 3, footnote 1), "the overwhelming majority of the 4,277 cases were post-judgment, as is set forth on the Exclusion Order. Meaning: that the process errors caused some long-defaulted New Jersey residential mortgage borrowers to receive an opportunity to cure that the New Jersey Supreme Court, General Assembly and this Court did not require".

Yet according to the plaintiff his survey was designed to search for cases that were uncontested. The fact that the majority of the cases his system selected is/were classified as post-judgment is an indication that the system found that the vast majority of the cases that was dismissed were not contested. Leaving the question wide-open as to whether the plaintiffs were granted 'Consent Judgments', without the defendants' knowledge of process, and without defendants receiving an NOI, as I was. If the defendant were not notified of the 'consent process', that process is void and cannot qualify to be classified as post-judgment since it is based on fraudulent action. There is no classification or recognition of these types of issues that require an automatic dismissal.

A few contesting cases qualified to be included for a corrected NOI. While the majority of the contesting cases were placed on the exclusion list as post-judgment and did not qualify for a corrected NOI. Contesting answers have been kept off the record through mistake, error or fraud and those of us suffering with this injury of being considered as uncontested by the system, is what qualified us for plaintiff's survey as an uncontested case. In addition those contesting answers involved with a case dismissed based on a summary judgment; is a void judgment. Since answers considered as contesting cannot be adjudicated through the summary process, but rather should be adjudged through the equity process, where the defendant would be afforded an opportunity to defend himself or herself. Many of these contesting cases may have been issued a NOI and many more may have not received an NOI, there is no category or relief from erroneous judgments for these people either.

In the plaintiff's survey (pg 5, footnote 4), states that "some of the JEFIS dockets are not up to date and/or are not accurate and we therefore worked with foreclosure counsel to compare results and understand the actual status of the various cases." **The JEFIS docket record system is not only not up to date and not accurate, but upon my investigation and belief the entire system has been breeched and is totally corrupted from top to bottom, and at least 80% of my docket record has been corrupted and/or compromised.**

The information in and on the JEFIS, the creator of the docket record, is totally unverifiable and undependable as proven by the record of my case, in addition to the normal mistakes and errors made in and on the docket record. We discovered that the plaintiff and/or court employees in collusion can add, delete, change or whatever they want to do, in the JEFIS, docket record system and this JEFIS system will accept the information. Without a security check and without a system's check and balance, audit. My family members and I have studied this system for almost three years in an effort to correct the record and in doing so we became very familiar with some of the problems

with JEFIS. Some inherent and many created. Since our audit of the JEFIS determined it to be an unreliable system and since JEFIS is the system you used to create your classification of cases, for your NOI correction process; your classification of the cases could not be correct, since the system used to determine the status of the cases is not reliable/contaminated.

The plaintiff's corrected NOI process, transgresses a fundamental principle when it purports to only address the issue of whether the lender name and address is on the NOI and dismissing the case if it is not. While completely ignoring and disqualifying the cases that never received an NOI, to verify whether the lender name was on or not. During the 11/15/12 proceeding, Judge McVeigh stated that the estimate she was given was at least 60,000 people, in the State of New Jersey was involved with this corrected NOI confusion. The plaintiff's survey addressed less than 10% of the people in the State of New Jersey, what percentage of that 10% represents people who did not receive an NOI? What percentage of the 90% represents people who did not receive an NOI? This is a very important fundamental question that your survey/process failed to address; since you cannot correct what you do not have. For all of the above reasons, I Object to the plaintiff's Corrected NOI process and to the plaintiff being granted Final Judgment through this process. I do not consent to this process, which pose such a great potential threat and trespass upon my constitutionally protected right to DUE PROCESS OF LAW

Without prejudice, reservation of all rights UCC 1-308 & UCC 1-207

Dated: \_\_\_\_\_  
(Date on which defendant signs this document)

By:  \_\_\_\_\_

Pro se Defendant:  
Michelle German  
180 Lindbergh Blvd.  
Teaneck, NJ 07666

Michelle German

\_\_\_\_\_  
(Defendant's name printed)

**CERTIFICATE OF SERVICE**

I, Gloria Bolden being duly sworn, disposes and says that deponent is upward of the age of eighteen years and resides at 403 Quincy St., Brooklyn, NY 11221

CERTIFY THAT ON January 11, I2013 I SERVED A COPY OF OBJECTION TO Judge McVeigh, P.J. Ch, decision made in error, declaring my case as post-judgment, during 11/15/12, proceeding: and OBJECTION TO PROCESS BEING APPLIED BY WELLS FARGO BANK, N.A TO ISSUE CORRECTED NOTICES OF INTENT TO FORECLOSE ON BEHALF OF IDENTIFIED FORECLOSURE PLAINTIFFS IN UNCONTESTED CASES, in Docket No.: F-27172-08, CIVIL ACTION, filed December 18, 2012, (IN RE: APPLICATION BY DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST FRANKLIN MORTGAGE LOAN TRUST 2006-FF11, served the following parties by:

regular mail    **certified mail**    personal service

SUPERIOR COURT OF NEW JERSEY  
10 Main Street  
Hackensack, New Jersey,

Judge McVeigh, J.S.C., Superior Court  
Of New Jersey, Chambers 100, 71 Hamilton Street,  
Paterson, New Jersey 07505.08540

Randy Brockenstedt, Senior Vice President  
America's Servicing Co.  
3480 Stateview Boulevard  
MAC X 7802-03H  
Fort Mill, SC 29715

APPEALS DIVISION  
ATTN: JULIE GOLDING  
SUPERIOR COURT CLERK'S OFFICE  
FORECLOSURE PROCESSING SERVICES  
P.O. Box 971  
TRENTON, NEW JERSEY 08625

Mark S. Melodia, Esquire,  
Reed Smith LLP, Princeton Forrestal Village,  
136 Main Street, Princeton,  
NEW JERSEY 08540

SUPERIOR COURT CLERK'S OFFICE  
FORECLOSURE PROCESSING UNIT  
HUGHES JUSTICE COMPLEX  
25 MARKET STREET, CN 971  
TRENTON, NEW JERSEY 08625

PHELAN HALLINAN & SCHMIEG, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054

SCHIMBERG & FRIEL PC  
20 Brace Road, suite 350  
Cherry Hill, New Jersey 08034

Dated January 11, 2013

By: Gloria Bolden

Sworn to before me:

  
  
1/14/13

JUAN DIAZ  
Notary Public, State of New York  
No. 01D16129505  
Qualified in Queens County  
Commission Expires June 27, 2013