

ZUCKER, GOLDBERG & ACKERMAN, LLC  
200 Sheffield Street, Suite 101  
P.O. Box 1024  
Mountainside, New Jersey 07092-0024  
(908) 233-8500  
Attorneys for Plaintiffs

**RECEIVED**  
JUL 03 2012  
SUPERIOR COURT  
CLERK'S OFFICE

**IN RE NOTICES OF INTENTION TO  
FORECLOSE SERVED BY MIDFIRST  
BANK**

SUPERIOR COURT OF NEW JERSEY  
PASSAIC COUNTY  
CHANCERY DIVISION

Civil Action

Docket No: F-012399-12

**ORDER TO SHOW CAUSE TO PROCEED  
SUMMARILY PURSUANT TO R. 4:67-2**

**THIS MATTER** being brought before the court by the law firm of Zucker, Goldberg & Ackerman, L.L.C., attorneys for plaintiff, MidFirst Bank, seeking relief by way of summary action as set forth in Chief Justice Stuart Rabner's April 4, 2012 Order and based upon the facts set forth in the Verified Complaint filed herewith; and the Court having determined that this matter may be commenced by Order to Show Cause as a summary proceeding pursuant to R. 4:67-2 and for good cause shown;

**IT IS** on this \_\_\_\_\_ day of \_\_\_\_\_, 2012,

**ORDERED** that the parties in interest listed in Exhibit "B" of the Certification of Thad Burr appear and show cause on the \_\_\_\_\_ day of \_\_\_\_\_, 2012 before the Honorable \_\_\_\_\_, Superior Court, Chancery Division, at the \_\_\_\_\_ County Courthouse in \_\_\_\_\_,

New Jersey at \_\_\_\_\_ o'clock, why judgment should not be entered as follows:

- A. Declaring Plaintiffs' Form Notice of Intention to Foreclose to be compliant with the requirements of the Fair Foreclosure Act; and
- B. Deeming the Notices of Intention to Foreclose sent by MidFirst on pending foreclosure cases to have cured any deficiency; or
- C. Allowing MidFirst to send new Notices of Intention to Foreclose in the form attached to the Verified Complaint, giving the borrower(s) at least thirty days from the date the letter is mailed to cure the default on the mortgage without having to pay legal fees or costs; and
- D. Granting such other relief as the court deems equitable and just.

**IT IS FURTHER ORDERED** that:

1. Plaintiff shall serve a copy of this Order to Show Cause upon all individuals obligated on the Note secured by a Mortgage on residential property that is the borrower's, or their immediate family's, principle residence. Service shall be effectuated by certified mail to the property address and the last known address (if different) in plaintiff's records.

2. A copy of this Order to Show Cause and Verified Complaint shall be posted on the Judiciary Web Page.
3. A true copy of this Order to Show Cause, Verified Complaint, and Certification of Thad Burr (without Exhibits), shall be served upon the parties in interest listed in Exhibit "B" of the Certification of Thad Burr, by certified mail, return receipt requested (or by registered mail, return receipt requested with respect to any party in interest who resides outside the United States).
4. Along with this Order to Show Cause, Plaintiff may serve the corrective Notice of Intention to Foreclose allowing the borrower at least thirty days to cure the default on the subject mortgage without having to pay attorneys fees or costs, in a form as set forth in Exhibit "A" of the Certification of Thad Burr. Plaintiff shall also serve a Cover Letter in the form set forth in Exhibit "D" of the Certification of Brian C. Nicholas, Esq.

a. For any borrower in an active Bankruptcy case where the provisions of the automatic stay are still in place, Plaintiff may serve a copy of this Order to Show Cause and Verified Complaint but may choose to delay serving a corrective Notice of Intention to Foreclose until such time that the stay is vacated, if it believes that doing so will violate the automatic stay.

b. If the Court grants final relief on the return date of this Order to Show Cause and plaintiff has not already sent a corrective Notice of Intention to Foreclose, Plaintiff shall serve the corrective Notice of Intention to Foreclose once the provisions of the automatic stay in the bankruptcy case are no longer in place. In the alternative, Plaintiff may apply to the United States Bankruptcy Court for relief from the provisions of the automatic stay to effectuate service of the corrective Notice of Intention to Foreclosure pursuant to this Order.

c. In the event that plaintiff does not serve a corrective Notice of Intention to Foreclose with this Order to Show Cause, Plaintiff may not proceed with a foreclosure action until such Notice of Intention is served as authorized by this Court's Order.

5. Plaintiff shall publish the legal notice of this action as set forth in Exhibit "C" to the Certification of Brian C. Nicholas, Esq. on at least two days prior to \_\_\_\_\_ in the following newspapers:

- a. Star Ledger
- b. Bergen Record
- c. The Press of Atlantic City
- d. The Gloucester County Time

6. The Court will only entertain objections to the process outlined in the Supreme Court's April 4, 2012 Order. Any party in interest who wishes to object to the process shall file the objection, **in writing**, with the:

Clerk of the Superior Court  
Hughes Justice Complex  
25 Market Street  
P.O. Box 971  
Trenton, New Jersey 08625-0971

A copy of the Opposition to the Order to Show Cause must also be sent to:

Honorable Margaret Mary McVeigh, P.J.Ch.  
Passaic County Courthouse  
71 Hamilton St., Chambers 100  
Paterson, NJ 07505

Honorable Paul Innes, P.J.Ch  
Mercer County Civil Courthouse  
175 South Broad Street  
Trenton, NJ 08650

A copy of the Opposition to the Order to Show cause must also be served upon the attorney for the Plaintiff at:

Brian C. Nicholas, Esq.  
Zucker, Goldberg & Ackerman, L.L.C.  
200 Sheffield Ave, Suite 101  
Mountainside, N.J. 07092

Any opposition shall be in writing and be limited to any objections to the Order to Show Cause process. Answers to the Order to Show Cause should not be filed. Objections to this order to show cause and to the relief requested in the verified complaint must be filed no later than \_\_\_\_\_, 2012.

7. If timely opposition is not filed, the matter may proceed to judgment without any further notice to, or participation by, such defaulting party in interest, and the judgment shall be binding upon such defaulting party in interest.
8. Any opposition filed in regard to a specific foreclosure case or a specific NOI in a specific foreclosure case will be referred to this Court or to the Chancery Judge in the vicinage in which the property lies for resolution.
9. Parties in interest are hereby advised that a telephone call to the Plaintiff, to the Plaintiff's attorney, to the Office of Foreclosure, or to the Court will not protect your rights; you must file and serve your opposition, motion or other response with the filing fee required by statute. The check or money order for the filing fee shall be made payable to the Clerk of the Court where this matter is being heard.
10. If you cannot afford an attorney, you may call the Legal Services office in the county in which you live. A list of these offices is provided. If you do not have an attorney or are not eligible for free legal assistance through the Legal Services office (or such office does not provide services for this particular type of proceeding), you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these office numbers is also provided.

11. If no party in interest timely files and serves a response to this Order to Show Cause as provided for above, the application may be decided by the Court on the date this matter is scheduled to be heard, and may be decided on the papers without a hearing, provided that the Plaintiff has filed a proof of service and a proposed form of judgment as required by this Order to Show Cause.
12. If written opposition to this Order to Show Cause is filed, the Plaintiff's written reply shall be filed and served by \_\_\_\_\_, 2012. A copy of the reply, if any, shall be served upon the Office of Foreclosure, with a courtesy copy directly to the Honorable \_\_\_\_\_. Plaintiff is only required to serve its response upon any party or parties who have filed written objections to this Order to Show Cause.
13. Plaintiff shall submit to the Court an original and two copies of a proposed form of judgment addressing the relief sought on the date this matter is scheduled to be heard no later than \_\_\_\_\_ days before the date this matter is scheduled to be heard.
14. The Plaintiff shall file proof of service of the Verified Complaint, this Order to Show Cause and all supporting documents with the Office of Foreclosure no later than nine (9) days before the return date of this matter.

15. The court will entertain argument, but not testimony, on the return date of the order to show cause, unless the court advised to the contrary no later than \_\_\_\_\_ days before the return date.

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**ZUCKER, GOLDBERG & ACKERMAN, LLC**  
**ATTORNEYS AT LAW**

LEONARD B. ZUCKER  
MICHAEL S. ACKERMAN  
JOEL ACKERMAN\*

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BRIAN C. NICHOLAS ♦♦  
STEVEN D. KROL  
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DENISE CARLON ♦  
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DOUGLAS J. McDONOUGH  
TIMOTHY J. ZIEGLER  
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ELIZABETH P. RIZZO  
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RACHEL G. PACKER ‡  
KACIE W. BROWN

\* ALSO MEMBER OF NY, PA AND CA BAR  
♦ ALSO MEMBER OF NY, PA AND ME BAR  
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200 SHEFFIELD STREET- SUITE 101  
P O BOX 1024  
MOUNTAINSIDE, NJ 07092-0024

TELEPHONE 908-233-8500  
FACSIMILE 908-233-1390  
E-MAIL [bnicholas@zuckergoldberg.com](mailto:bnicholas@zuckergoldberg.com)

For payoff/reinstatement figures  
Please send your request to [zuckergoldberg.com/pr](mailto:zuckergoldberg.com/pr)

**REPLY TO NEW JERSEY ADDRESS**

FOUNDED IN 1923  
AS ZUCKER & GOLDBERG

MAURICE J. ZUCKER (1918-1979)  
LOUIS D. GOLDBERG (1923-1967)  
LEONARD H. GOLDBERG (1929-1979)  
BENJAMIN WEISS (1949-1981)

Pennsylvania Office  
P O Box 650  
Hershey, PA 17033

OF COUNSEL

SCOTT A. DIETTERICK, ESQ. ‡  
KIMBERLY A. BONNER, ESQ. ‡  
RALPH M. SALVIA, ESQ. ‡

‡ MEMBER OF PA BAR ONLY

July 3, 2012

Honorable Margaret McVeigh, P.J.Ch.  
Passaic County Superior Court  
71 Hamilton Street, Chambers 100  
Paterson, N.J. 07505

RE: In re Notices of Intention to Foreclose  
Served by MidFirst Bank

Dear Judge McVeigh:

Our firm represents MidFirst Bank (hereinafter "MidFirst") in relation to the above captioned matter. Please accept this letter brief in lieu of a more formal submission in support of MidFirst's Verified Complaint and Order to Show Cause seeking authority from the Court to send out corrected Notices of Intention to Foreclose pursuant to the New Jersey Supreme

Court's April 4, 2012 Order in furtherance of its ruling in U.S. Bank, N.A. v. Guillaume, 209 N.J. 449 (2012).

MidFirst is a federally chartered savings association headquartered in Oklahoma City, Oklahoma. MidFirst services residential mortgage loans throughout the country, including loans in the State of New Jersey. The servicer is responsible for collecting the monthly mortgage payments and maintaining the books and records for each mortgage. While foreclosure is always the last resort, after a loan goes into default, the servicer is also responsible for sending the Notice of Intention to Foreclose (hereinafter "NOI"). See, Certification of Thad Burr, ¶ 5 (hereinafter "Burr Cert").

The Fair Foreclosure Act, N.J.S.A. 2A:50-56(c) (hereinafter "FFA"), enumerates eleven categories of information that are to be included in the NOI. One such category is the name and address of the lender. N.J.S.A. 2A:50-56(c)(11). Pursuant to the FFA, the term 'lender' means "any person, corporation, or other entity which makes or holds a residential mortgage, and any person, corporation or other entity to which such residential mortgage is assigned." N.J.S.A. 2A:50-55.

On February 27, 2012, the New Jersey Supreme Court issued its opinion in Guillaume. It held that the requirements in the FFA in regard to a Notice of Intention to Foreclosure are to be strictly complied with, and that failure to include the name and

address of the lender renders the notice non-compliant. As the Guillaume Court stated: "[t]he FFA requires that a notice of intention include the name and address of the actual lender, in addition to contact information for any loan servicer who is charged by the lender with the responsibility to accept mortgage payments and/or negotiate a resolution of the dispute between the lender and the homeowner." Guillaume at 475.

The Court further held that the appropriate remedy for addressing a non-compliant NOI should be left to the sound discretion of the trial judge assigned to the case. Guillaume at 479.

After the Guillaume opinion, MidFirst identified a population of loans that did not disclose the name and address of the "lender" as required by the FFA. MidFirst undertook revisions to the form NOI that it sends to borrowers in order to ensure that it strictly complies with all of the requirements of the FFA. It immediately sent new NOIs to the borrowers in foreclosure, utilizing the new form, giving them thirty days to reinstate the loan without having to pay attorney's fees or costs. More than thirty days have elapsed since the NOIs were mailed but none of the borrowers on Exhibit "B" attached to the Certification of Thad Burr have reinstated their loans. See Burr Cert at, ¶ 6 and 9.

On April 4, 2012, Chief Justice Stewart Rabner issued an Order in furtherance of the Court's holding in Guillaume, authorized the filing of a,

summary action by Order to Show Cause as to why plaintiffs in any uncontested residential mortgage foreclosure action ... in which final judgment has not yet been entered, who served Notices of Intention to Foreclose that are deficient under the Fair Foreclosure Act, N.J.S.A. 2A:50-56, should not be allowed to serve corrected Notices of Intention to Foreclose on defendant mortgagors and/or parties obligated on the debt.

The Order further designated the Honorable Margaret Mary McVeigh, Presiding Judge of General Equity for Passaic County and Honorable Paul Innes, Presiding Judge of General Equity for Mercer County to hear any Order to Show Cause.

The Guillaume Court held that when confronted with a deficient NOI, in determining what the appropriate remedy, trial courts should "consider the express purpose of the provision: to provide notice that makes 'the debtor aware of the situation,' and to enable the homeowner to attempt to cure the default." Guillaume at 479. The Court continued that, "Accordingly, a trial court fashioning an equitable remedy for a violation of N.J.S.A. 2A:50-56(c) should consider the impact of the defect in the notice of intention upon the homeowner's information about the status of the loan, and his or her opportunity to cure the default." Id.

In regard to MidFirst's loans, the appropriate and equitable remedy is to allow MidFirst to send corrective NOIs to the affected borrowers. Just like the NOI in the Guillaume case, the NOI sent by MidFirst did not include the name and address of the lender but rather included the name and address of the servicer. Regardless, the NOI made the borrower aware of the situation in regard to the default under the terms of the mortgage and how same could be cured. Furthermore, prior to the Supreme Court's April 4, 2012 Order, MidFirst was proactive and sent corrective NOIs to its borrowers and gave them thirty days to reinstate the loan without having to pay fees and costs. None of the borrowers included in the schedule of loans have reinstated their loans. As noted by the Supreme Court,

the FFA was intended to 'advance the public policies of the State by giving debtors every opportunity to pay their home mortgages, and thus keep their homes,' while ensuring that 'lenders will be benefited when debtors cure their defaults and return the residential mortgage loan to performing status.' The FFA was intended to expedite foreclosure proceedings to bring 'New Jersey in line with its neighboring states,' thus encouraging financial institutions to increase their lending activity in New Jersey.

Guillaume at 469-470 (internal citations omitted). As can be seen from Exhibit "B" to the Certification of Thad Burr, the foreclosures which are subject of this Order to Show Cause date back as far as 2003! It would simply be inequitable not to

grant MidFirst's application to allow it to send corrective NOIs pursuant to the Supreme Court's April 4, 2012 Order.

Accordingly, MidFirst respectfully requests that this Court issue an Order to Show Cause, allowing MidFirst to send out corrective NOIs, and setting a return date by which any borrower shall object to the relief requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brian C. Nicholas', with a long, sweeping horizontal stroke extending to the right.

Brian C. Nicholas, Esq.

ZUCKER, GOLDBERG & ACKERMAN, LLC  
200 Sheffield Street, Suite 101  
P.O. Box 1024  
Mountainside, New Jersey 07092-0024  
(908) 233-8500  
Attorneys for Plaintiffs

IN RE NOTICES OF INTENTION TO  
FORECLOSE SERVED BY MIDFIRST  
BANK

SUPERIOR COURT OF NEW JERSEY

CHANCERY DIVISION

Civil Action

Docket No:

CERTIFICATION OF THAD BURR

THAD BURR, of full age, hereby certifies as follows:

1. I am a First Vice President of MidFirst Bank (hereinafter "MidFirst"). In this capacity, I am the person responsible for managing the overall operations of the Foreclosure Department. As such, I have the authority to make this Certification on behalf of MidFirst. I am the officer in the best position to provide this Certification and explain MidFirst's policies and procedures as they relate to foreclosures and Notices of Intention to Foreclose. I am fully familiar with the facts set forth in this Certification and make this Certification in support of MidFirst's Verified Complaint and Order to Show Cause pursuant to the Supreme Court's April 4, 2012 Order in furtherance of the Guillaume decision.

2. I have managed the overall operations of the Foreclosure Department for over twelve (12) years. Prior to assuming my current position, I worked as a manager in the

foreclosure department for three years. I have over fifteen (15) years of experience with our company. Given my experience in the Foreclosure Department, I have extensive knowledge of the policies, procedures and processes that MidFirst follows as a loan becomes delinquent, referred to foreclosure, and ultimately liquidated. As such, I submit this Certification based upon personal knowledge as well as knowledge gained through a personal review of the business records where necessary.

3. MidFirst is a federally chartered savings association headquartered in Oklahoma City, Oklahoma that services residential mortgage loans, primarily loans insured by the Department of Housing and Urban Development (HUD), throughout the country, including in the state of New Jersey.

4. Prior to July 15, 2011, MidFirst serviced loans through a wholly owned operating subsidiary of MidFirst called Midland Mortgage Co.

5. Once a loan goes into default, multiple attempts are made to contact the borrower to see if any arrangement short of foreclosure can be reached, including a repayment plan, loan modification, forbearance agreement, deed in lieu of foreclosure or short sale. If the borrower opts not to communicate with us or does not otherwise resolve the default through reinstatement or one of the aforementioned plans, MidFirst sends out a Notice of Intention to Foreclose (hereinafter "NOI") as required by the Fair Foreclosure Act, giving the borrower at least thirty days

to cure the default. If the default is not cured, or the other arrangements made to resolve the delinquency, the loan is referred to local foreclosure counsel to initiate the foreclosure after the NOI expires.

6. In light of the New Jersey Supreme Court's opinion in U.S. Bank National Association v. Guillaume, 209 N.J. 449 (2012), MidFirst revised its form NOI to ensure it strictly complies with the Fair Foreclosure Act.

7. Attached as Exhibit "A" is a true and accurate copy of the form Notice of Intention to Foreclose that MidFirst currently utilizes.

8. Attached as Exhibit "B" is a spreadsheet of the pending uncontested pre-judgment residential mortgage foreclosures pending in the State of New Jersey that MidFirst requests permission to send new NOIs.<sup>1</sup>

9. The new NOI has already been mailed by regular and certified mail to all borrowers in default in cases identified

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<sup>1</sup> But for six (6) foreclosures, the foreclosures listed in Exhibit "B" are cases where MidFirst is the plaintiff in the action. In three foreclosures the plaintiff is Mortgage Electronic Registration Systems, Inc. MidFirst will be making a separate application to substitute itself as the plaintiff in both actions. There are two foreclosure actions that were initiated in the name of the prior servicer, GMAC Mortgage, L.L.C and one foreclosure action that was initiated in the name of the prior servicer, American Home Mortgage Servicing. MidFirst is now the servicer of these loans.

on Exhibit "B".<sup>2</sup> More than thirty days have elapsed since the NOIs were mailed but the borrowers on the attached exhibit have failed to reinstate their loans.

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.



THAD BURR

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<sup>2</sup> This includes the loans where Mortgage Electronic Registration Systems, Inc., GMAC Mortgage, L.L.C. and American Home Mortgage Servicing are the plaintiff.

# Exhibit “A”



**Midland Mortgage** A Division of MidFirst Bank

P.O. Box 268806 • Oklahoma City, OK 73126

Tel: 800.552.3000 • Fax: 405.767.5815 • MyMidlandMortgage.com

02/27/12

MD409 R 140 E 140 B 1 P 1 of 3



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**WRITTEN NOTICE OF INTENT TO FORECLOSE**  
(NJ STAT ANN SEC. 2A:50-56)

Dear

Please read the following important information concerning your mortgage loan that is serviced by Midland Mortgage, a Division of MidFirst Bank (Midland Mortgage):

1. This notice concerns your obligation under a Note and Mortgage/Deed of Trust on property address \_\_\_\_\_ (Loan Number \_\_\_\_\_),
2. You are presently **In default** due to the failure to make required monthly mortgage payments owed under your Note and Mortgage/Deed of Trust.
3. You have the right to cure the default and avoid foreclosure as provided in section 5, NJ Stat Ann. Sec. 2A:50-57.
4. The Total Sum of Money Due to cure the default as of the date of this letter is \$11,435.93, which includes the following:

Missed monthly mortgage payments (including interest)	
from _____ through _____	\$ _____
Late charges	\$ _____
Applicable fees and costs	\$ _____
<b>Total Sum of Money Due as of date of letter:</b>	<b>\$ _____</b>

Please note that payment of the Total Sum of Money Due to cure the default does not affect your continuing obligation to make future monthly mortgage payments that become due after the date of this letter.

5. To avoid initiation of foreclosure proceedings, you must cure the default by \_\_\_\_\_ by tendering the Total Sum Due payable to Midland Mortgage and delivering that payment to Midland Mortgage, c/o Danny Sullivan or New Jersey Payment Processor, P.O. Box 268888, Oklahoma City, OK 73126-8888, 1-800-552-3000.
6. If the default is not cured by \_\_\_\_\_, the lender may take steps to terminate your ownership in the property by commencing a foreclosure suit in a court of competent jurisdiction.

\*If you have received a bankruptcy discharge of the debt secured by the Mortgage/Deed of Trust or you are currently in bankruptcy under the protection of the automatic stay, this letter is not an attempt to collect the debt, but any default will need to be cured to avoid foreclosure. If your loan was in default at the time MidFirst Bank acquired the servicing of your loan and you have not filed bankruptcy or received a discharge of the debt secured by the Mortgage/Deed of Trust, we are required to advise you that this communication is from a debt collector, this is an attempt to collect a debt, and any information obtained will be used for that purpose.



**Midland Mortgage** A Division of MidFirst Bank

P.O. Box 26648 • Oklahoma City, OK 73126 • 800.552.3000



0092

7. If the lender takes steps to terminate your ownership interest in the property by commencing a foreclosure suit in a court of competent jurisdiction, you shall still have the right to cure your default pursuant to section 5, NJ Stat. Ann. Sec. 2A:50-57, but you shall be responsible for the lender's court costs and attorney fees in an amount not to exceed that amount permitted pursuant to the Rules Governing the Courts of the State of New Jersey.
8. You may have the right to transfer the real estate to another person subject to the security interest and that transferee may have the right to cure the default as provided herein, subject to the mortgage documents.
9. You are advised to seek counsel from an attorney of your own choosing concerning your residential mortgage default situation. If you are unable to obtain an attorney, you may communicate with the New Jersey Bar Association or Lawyer Referral Service in the county in which the residential property securing the mortgage loan is located. If you are unable to afford an attorney, you may communicate with the Legal Services Office in the county in which the property is located.
10. Financial assistance for curing your default may be available from programs operated by the State or Federal Government or non-profit organizations, if any, as identified by the Commissioner of Banking and Insurance. A list of those organizations identified on the Commissioner of Banking and Insurance website is enclosed.
11. The name and address of the lender is: MidFirst Bank, 999 NW Grand Blvd, Oklahoma City, OK 73118. You may contact Twila Ballard or any other loan counselor at Midland Mortgage, representative of lender, toll free at 1-800-552-3000, if you disagree with the lender's assertion that a default has occurred or the correctness of the lender's calculation of the amount required to cure the default.

Please be advised that you have the opportunity to receive home ownership counseling regarding the retention of your home from various local agencies approved by the Department of Housing and Urban Development (HUD). For a list of the agencies nearest you, contact HUD at their toll-free number 1-800-569-4287.

**Please contact our Delinquency Assistance Center toll-free at 1-800-552-3000, Monday through Friday, 8:00 a.m. to 9:00 p.m. (Central Time) to discuss how we can assist you in resolving your default and saving your home.**

Sincerely,

Delinquency Assistance Center  
Midland Mortgage, a Division of MidFirst Bank

Enclosure

\*If you have received a bankruptcy discharge of the debt secured by the Mortgage/Deed of Trust or you are currently in bankruptcy under the protection of the automatic stay, this letter is not an attempt to collect the debt, but any default will need to be cured to avoid foreclosure. If your loan was in default at the time MidFirst Bank acquired the servicing of your loan and you have not filed bankruptcy or received a discharge of the debt secured by the Mortgage/Deed of Trust, we are required to advise you that this communication is from a debt collector, this is an attempt to collect a debt, and any information obtained will be used for that purpose.

The following is a list of governmental and non-profit entities that may provide financial assistance or counseling to borrowers in foreclosure.

<p><b>American Credit Alliance, Inc.</b> 26 S. Warren St. Trenton, NJ 08608 609-393-5400</p>	<p><b>Atlantic Human Resources, Inc.</b> 1 S. New York Ave. Atlantic City, NJ 08401 609-348-4131</p>	<p><b>Consumer Credit Counseling Service of Central New Jersey</b> 1931 Nottingham Way Hamilton, NJ 08619 609-586-2574</p>
<p><b>Consumer Credit Counseling Service of New Jersey</b> 185 Ridgedale Ave. Cedar Knolls, NJ 07927-1812 973-267-4324</p>	<p><b>Fair Housing Council of Northern New Jersey</b> 131 Main St. Hackensack, NJ 07601 201-489-3552</p>	<p><b>Garden State Consumer Credit Counseling, Inc.</b> 225 Willowbrook Road Freehold, NJ 07728 1-800-992-4557</p>
<p><b>Jersey Counseling &amp; Housing Development, Inc.</b> 29 S. Blackhorse Pike Blackwood, NJ 08012 856-227-3683</p>	<p><b>Jersey Counseling &amp; Housing Development, Inc.</b> 1840 S. Broadway Camden, NJ 08104 856-541-1000</p>	<p><b>Mercer County Hispanic Association</b> 200 E. State St., 2nd Floor Trenton, NJ 08607 609-392-2446</p>
<p><b>Middlesex County Economic Opportunities Corporation</b> 1215 Livingston Ave. North Brunswick, NJ 08902 732-790-3344</p>	<p><b>Monmouth County Human Services Housing Services Unit</b> P O. Box 3000 Freehold, NJ 07728 732-431-7998</p>	<p><b>NJ Citizen Action (main office/financial education center)</b> 744 Broad St., Suite 2080 Newark, NJ 07102 973-643-8800 1-800-NJ-OWNER (loan counseling) 1-888-TAXES-11 (free tax preparation assistance)</p>
<p><b>NJ Citizen Action (Central Jersey)</b> 85 Raritan Ave., Suite 100 Highland Park, NJ 08904 732-246-4772</p>	<p><b>NJ Citizen Action (South Jersey)</b> 2 Riverside Drive, Suite 362 Camden, NJ 08103 856-966-3091</p>	<p><b>Ocean Community Economic Action Now, Inc.</b> 22 Hyers St. Toms River, NJ 08753-0773 732-244-2351, ext. 2</p>
<p><b>Paterson Coalition for Housing, Inc.</b> 262 Main St., 5th Floor Paterson, NJ 07505 973-684-5998</p>	<p><b>Paterson Task Force for Community Action, Inc.</b> 155 Ellison St. Paterson, NJ 07505 973-279-2333</p>	<p><b>Puerto Rican Action Board Housing Coalition Unit</b> 90 Jersey Ave. New Brunswick, NJ 08903 732-249-9700</p>
<p><b>Tri-County Community Action Agency, Inc.</b> 110 Cohansey St. Bridgeton, NJ 08302 856-451-6330</p>	<p><b>Urban League for Bergen County</b> 106 W. Palisade Ave. Englewood, NJ 07631 201-568-4988</p>	<p><b>Urban League for Essex County</b> 508 Central Ave. Newark, NJ 07101 973-624-9535</p>
<p><b>Urban League of Union County</b> 288 N. Broad St. Elizabeth, NJ 07208 908-351-7200</p>	<p><b>Homelessness Prevention Program</b> New Jersey Department of Community Affairs (866) 889-6270*</p>	

\*Basic eligibility is limited to: (a) single family owner/occupied dwellings with all those on the deed and mortgage occupying the house; (b) no more than one mortgage or lien encumbrance on the property; (c) no initiated or ongoing bankruptcy. Assistance will be in the form of a loan, and a lien will be placed on the property. The family must document the financial reason for nonpayment. At the time of the eligibility decision, the household must have and document income sufficient to support the household and repay the loan. There is a fee for the credit check and property search.

# Exhibit “B”

Vicinage	Docket Number	Plaintiff	Defendant Name
Atlantic	F-11795-05	Mortgage Electronic Registration Systems Inc.	DEBORAH A. ROBINSON
Atlantic	F-007334-11	MIDFIRST BANK	DANG V. NGUYEN
Atlantic	F-007342-11	Midfirst Bank	Raymond Torres
Atlantic	F-64469-09	Midfirst Bank	GREGORIO VIOLA
Atlantic	F-001084-11	MIDFIRST BANK	Fiordaliza Martinez
Atlantic	F-33686-09	Midfirst Bank	Rebekah Ramos
Atlantic	F-001039-11	MIDFIRST BANK	Juan J. Rios
Atlantic	F-16608-10	Midfirst Bank	KRISTY L. SNYDER
Atlantic	F-060441-10	MIDFIRST BANK	Albert J. Cain
Atlantic	F-15373-09	Midfirst Bank	CALVIN GAYNOR
Atlantic	F-6045-10	MidFirst Bank	Rodney Owens
Atlantic	F-12731-10	Midfirst Bank	CHARLES WALTON
Atlantic	F-34298-09	Midfirst Bank	JAMES J. REILLY, IV
Atlantic	F-38834-08	Midfirst Bank	Aboubacar M. Toure
Atlantic	F-060836-10	MIDFIRST BANK	Christopher Diehl
Atlantic	F-004599-11	MIDFIRST BANK	Olen B. Soifer
Atlantic	F-001043-11	MIDFIRST BANK	Walter Mullin
Atlantic	F-25996-09	Midfirst Bank	George J. Sciblo, Jr.
Bergen	F-36194-08	MidFirst Bank	LARNI RICHARDSON, III
Bergen	F-003829-11	Midfirst Bank	Margaret M. Feigle
Bergen	F-21945-10	MIDFIRST BANK	Michael T. Cullen
Bergen	F-3343-10	Midfirst Bank	RONALD B. GIBBS
Burlington	F-10614-09	Midfirst Bank	RAMONA L RAMSEY-PINEDO
Burlington	F-003802-11	Midfirst Bank	Scott M. Colgan
Burlington	F-15533-09	Midfirst Bank	ROBERT F. SCOTT
Burlington	F-060341-10	MIDFIRST BANK	Roland J. Good
Burlington	F-8314-09	Midfirst Bank	Kristi McKenna
Burlington	F-46085-09	Midfirst Bank	Keith Cohen
Burlington	F-47943-08	Midfirst Bank	Darell B. White
Burlington	F-33029-09	Midfirst Bank	JOANNE D. COSME
Burlington	F-038124-10	MIDFIRST BANK	Tracey E Goodjohn
Burlington	F-004533-11	MIDFIRST BANK	MERDITHA O'REILLY
Burlington	F-005833-11	MIDFIRST BANK	Russell Cook

Burlington	F-15467-10	Midfirst Bank	Brenda L. Morrison
Burlington	F-11773-10	MidFirst Bank	EDWARD W. WILLIAMS
Burlington	F-003851-11	Midfirst Bank	DERRICK S. APPEGATE
Burlington	F-004324-11	MIDFIRST BANK	Shannon Monk
Burlington	F-001145-11	MIDFIRST BANK	Kevin Johnson
Burlington	F-053485-10	MIDFIRST BANK	Raymond H. Giles
Burlington	F-18154-08	Midfirst Bank	DENISE WILLIAMS
Burlington	F-8895-08	Midfirst Bank	GRACE BRIGHT
Burlington	F-16238-10	Midfirst Bank, a Federally Chartered Savings Association	Fernando Andrade, deceased
Burlington	F-037173-10	MIDFIRST BANK	Carmen Bell
Burlington	F-40725-08	Midfirst Bank	OLUFUNLOLA A. SOBOWALE HARRIS aka OLUFUNLOLA A. SOBOWALE
Burlington	F-004632-11	MIDFIRST BANK	WAYNE M. FISHER
Burlington	F-10191-10	MidFirst Bank	Jerry G. Cash
Burlington	F-59421-09	MidFirst Bank	JOHN A. SADOWSKI, JR.
Burlington	F-036021-10	MidFirst Bank	Trudi Desjardins/Sean Desjardins
Burlington	F-048803-10	MidFirst Bank	Dolores Francis/ Francis, husband of Dolores Francis
BURLINGTON	F-5858-12	Midfirst Bank	Johnathan M Johnson
Camden	F-23271-07	Midfirst Bank	ASBURY E. NAPPER
Camden	F-37580-09	Midfirst Bank	BRUCE A. ABRAHAM
Camden	F-26121-09	Midfirst Bank	Dorothy D. Yocum
Camden	F-060733-10	MIDFIRST BANK	James H McNeal, deceased
Camden	F-49237-08	Midfirst Bank	ALICE M. LEAKINS
Camden	F-007345-11	MIDFIRST BANK	Joseph F. McVeigh, IV
Camden	F-3165-08	MidFirst Bank	Brett Middleton
Camden	F-50122-08	Midfirst Bank	CRAIG J. STEINBISS
Camden	F-26025-10	MIDFIRST BANK	SUSAN A. HOCKSTEIN
Camden	F-31839-08	GMAC Mortgage, LLC	Leonard B. Bandoch, Jr.
Camden	F-27801-10	MIDFIRST BANK	DEBORAH GORAJ
Camden	F-003814-11	Midfirst Bank	Paul M. Tomlin
Camden	F-21257-09	Midfirst Bank	JOSEPH A. MARCHELLINO
Camden	F-42881-09	Midfirst Bank	ROBERT KENNY, JR.
Camden	F-1017-10	Midfirst Bank	Brian Gaskill
Camden	F-47776-09	Midfirst Bank	WILLIAM S. SOMMERVILLE

Camden	F-037958-10	MIDFIRST BANK	Robert T. Cairns
Camden	F-053561-10	MIDFIRST BANK	Dominick DiFelice, Jr.
Camden	F-9610-10	Midfirst Bank	Michael Howard
Camden	F-051205-10	Midfirst Bank	Ewa Trmal
Camden	F-8635-10	Midfirst Bank	TIMOTHY PAYNE
Camden	F-005947-11	Midfirst Bank	William LeRoy Walker
Camden	F-30474-10	Midfirst Bank	Cathy L. Moser
Camden	F-16748-10	Midfirst Bank	Audrey E. Jackson, Individually and as Administratrix of the Est
Camden	F-055779-10	MIDFIRST BANK	Rocco L Gentile
Camden	F-28950-10	Midfirst Bank	Robert O'Donnell
Camden	F-27024-09	Midfirst Bank	Douglas J. Bailey, Jr.
Camden	F-056045-10	MIDFIRST BANK	Eric G. Renart, Jr.
Camden	F-003875-11	MIDFIRST BANK	Darryl C. Ackerman
Camden	F-000751-11	MIDFIRST BANK	Scott Jones
Camden	F-004598-11	MIDFIRST BANK	ELIZABETH M. LEPRE, INDIVIDUALLY AND AS EXECUTRIX OF THE ESTATE
Camden	F-046586-10	MIDFIRST BANK	Kevin P. Kenney Jr.
Camden	F-26020-09	Midfirst Bank	Monica Penick
Camden	F-13676-08	Midfirst Bank	Michael J. Ferguson
Camden	F-23278-08	MidFirst Bank	Daniel A. Leadbeater
Camden	F-32925-10	Midfirst Bank	Stephen A. Holman
Camden	F-002778-11	MIDFIRST BANK	Michael C. Carter
Camden	F-36695-09	MidFirst Bank	William Leahey/Suzanne G. Cross
Camden	F-62664-09	MidFirst Bank	Calvin Green
Camden	F-42794-09	MidFirst Bank	Peter Colletti/Donna L. Colletti
Camden	F-16033-10	MidFirst Bank	Roger Waller, son of Roger Waller, Deceased/ Reggie McLeod/ Briana C. McLeod
Camden	F-25566-07	Midfirst Bank	Jerry Lee Lewis
Camden	F-6556-04	Mortgage Electronic Registration Systems Inc.	Amy L. Williams
Camden	F-14578-04	MidFirst Bank	Matthew C. Benish
Camden	F-8189-10	Midfirst Bank	Ernest Jennings
Camden	F-3860-11	MidFirst Bank	Michael Masciarelli
CAMDEN	F-10924-12	Midfirst Bank	Heddie L. Williams

CAMDEN	F-10242-12	Midfirst Bank	Miguel Rivera, Jr.
CAMDEN	F-007352-11	Midfirst Bank	Ada Ortiz, deceased
Cumberland	F-053218-10	MidFirst Bank, a Federally Chartered Savings Association	Raymond A. Michalski
Cumberland	F-003817-11	MIDFIRST BANK	Luis R. Olivera
Cumberland	F-004589-11	MIDFIRST BANK	Javier Marrero
Cumberland	F-16641-10	MidFirst Bank	Juan G. Rodriguez
Cumberland	F-003666-11	MIDFIRST BANK	Harry W. Blizzard
Cumberland	F-29920-09	Midfirst Bank	Michael P. Greenfield
Cumberland	F-1429-09	Midfirst Bank	MARTHA WILCHER, DECEASED
Cumberland	F-045692-10	Midfirst Bank	Richard T. Klawitter
Cumberland	F-22053-09	Midfirst Bank	JAMES B MCFADDEN
Cumberland	F-62661-09	Midfirst Bank	Ire Riley, Her Heirs...
Cumberland	F-8708-07	MidFirst Bank	Linda K. Brandriff
Cumberland	F-21077-10	MidFirst Bank	Juan M. Stewart
Cumberland	F-16080-10	MidFirst Bank	Jackie N. Singh
Cumberland	F-33093-10	Midfirst Bank	Richard F. Bluit, Sr.
Essex	F-20844-09	Midfirst Bank	BRENDA BROOMES
Essex	F-003852-11	Midfirst Bank	Bernard Williams
Essex	F-14205-09	Midfirst Bank	Chalder Louis
Essex	F-28849-10	Midfirst Bank	Sarah Kerkulah
Essex	F-39175-08	Midfirst Bank	Robert Alton
Essex	F-4250-09	Midfirst Bank	LUIS B TORRES
Essex	F-8501-09	Midfirst Bank	CLEIA CHAVES
Essex	F-4108-10	MidFirst Bank	PAULA R. CHESTINE
Essex	F-037246-10	Midfirst Bank	JOAN E. BLANCHARD
Essex	F-005829-11	Midfirst Bank	Alice Whitehurst
Essex	F-20643-10	Midfirst Bank	Jean F. Rogers
Essex	F-003821-11	MIDFIRST BANK	Richard D. Young
Essex	F-11099-10	MidFirst Bank	ANTHONY GONNELLA
Essex	F-21488-09	Midfirst Bank	CARNELL HARDEE
Essex	F-62023-09	MidFirst Bank	Juan J Carrasco
Essex	F-43917-09	MidFirst Bank	Geneva Rambaran
Essex	F-38189-09	MidFirst Bank	Robert L. Pulliam/ Mary Pulliam
Essex	F-35702-10	MidFirst Bank	Kim Crawley

Essex	F-51943-10	Midfirst Bank	Doris Folkes-Epps
Gloucester	F-11144-09	Midfirst Bank	Gregory P. Helwig
Gloucester	F-12020-09	Midfirst Bank	NICHOLAS IVES
Gloucester	F-58015-09	Midfirst Bank	Donald Crooker
Gloucester	F-001088-11	MIDFIRST BANK	Pamela S. Fluharty
Gloucester	F-002827-11	MIDFIRST BANK	Mel D. Duka
Gloucester	F-045495-10	MIDFIRST BANK	Donald C. Gibbs, Jr.
Gloucester	F-001576-11	MIDFIRST BANK	Sandra Cowgill
Gloucester	F-10554-09	Midfirst Bank	James J. Clifford Jr.
Gloucester	F-15925-09	Midfirst Bank	MARY LOUISE WILLIAMS
Gloucester	F-25394-09	Midfirst Bank	HILDRED M ROBINETTE
Gloucester	F-035955-10	MIDFIRST BANK	Judy Ellen Moyer
Gloucester	F-038942-10	MIDFIRST BANK	ANTHONY A. MACK
Gloucester	F-003667-11	Midfirst Bank	Kathleen Clifford
Gloucester	F-16837-09	Midfirst Bank	PAUL D CONVERY
Gloucester	F-26072-09	Midfirst Bank	Timothy S. Hayes
Gloucester	F-848-07	American Home Mortgage Servicing	Patrick Stanish
GLOUCESTER	F-489-11	Midfirst Bank	Danny M. Locantora
GLOUCESTER	F-2521-11	Midfirst Bank	Allen Greco
GLOUCESTER	F-6405-12	Midfirst Bank	Alexander Rosario
Hudson	F-002775-11	MIDFIRST BANK	Simone Julien
Hudson	F-003763-11	MIDFIRST BANK	Fawzi Kaldas
Hudson	F-006042-11	MIDFIRST BANK	ALBERTO MOSSO
Hudson	F-003823-11	Midfirst Bank	Juan L. Rivas
Hudson	F-43951-09	MidFirst Bank	Remmill J. Valenzuela
Hudson	F-43466-09	MidFirst Bank	Lisa A. Gourdine/Ronald G. Gourdine
Hunterdon	F-002076-11	Midfirst Bank	ADAN B. MENENDEZ
Mercer	F-20625-10	MIDFIRST BANK	SHAWN R. FOOSE
Mercer	F-33914-08	Midfirst Bank, a Federally Chartered Savings Association	STACI M. HARDY-THORPE
Mercer	F-23455-08	MidFirst Bank	Romy Almonte
Mercer	F-30756-08	Midfirst Bank	Paul M. Mullins
Mercer	F-28026-09	MidFirst Bank	Renee Wagner
Mercer	F-40825-08	Midfirst Bank	Sandra J. Mitchell

Mercer	F-004772-11	MIDFIRST BANK	Frico Augustin
Mercer	F-007337-11	MIDFIRST BANK	JOSE G. MUNOZ
Mercer	F-001036-11	MIDFIRST BANK	Isabel Cruz
Mercer	F-002079-11	Midfirst Bank	Fred C. Anderson
Mercer	F-001568-11	MidFirst Bank	Angelo Sanchez/Doris Martinez
Mercer	F-044648-10	MidFirst Bank	Manuel D. Reyes/Mrs. Manuel D. Reyes
Mercer	F-42838-09	Midfist Bank	Girau
Middlesex	F-25979-10	Midfirst Bank	Judith Isaac, deceased
Middlesex	F-14594-09	MidFirst Bank	LUIS ARANGUREN
Middlesex	F-29912-09	Midfirst Bank	SHEBA DATT
Middlesex	F-17681-10	Midfirst Bank	GLORIA BERRY
Middlesex	F-004335-11	Midfirst Bank	DENIS LEBOUTHILLIER
Middlesex	F-49665-08	Midfirst Bank	ANIBAL MORALES
Middlesex	F-060943-10	MidFirst Bank	Gary Arthur Nebus
Middlesex	F-000897-11	MidFirst Bank	Magdalena Redroban
MIDDLESEX	F-2813-11	Midfirst Bank	Mahmoud EI Dekki
Monmouth	F-16897-09	Midfirst Bank	ANTHONY R. SUNNERVILLE
Monmouth	F-15406-10	MIDFIRST BANK	Christopher Langan
Monmouth	F-21097-09	Midfirst Bank	JOHN ZAREMBA
Monmouth	F-41457-09	Midfirst Bank	DAVID SUTTLES
Monmouth	F-001082-11	MIDFIRST BANK	Stanley Davis Jr.
MONMOUTH	F-2815-11	Midfirst Bank	Gary D. Gerns
Morris	F-52950-09	Midfirst Bank	Anthony L. Norris
Morris	F-16033-03	MERS	Albeiro Escobar/Alix Escobar
MORRIS	F-59113-09	Midfirst Bank	Courtney Wohlgemuth
Ocean	F-27463-10	Midfirst Bank	GARY P. LEVIN, JR.
Ocean	F-5006-10	MidFirst Bank	BARBARA DENERO
Ocean	F-060323-10	MIDFIRST BANK	Jennifer Cantrell
Ocean	F-004339-11	Midfirst Bank	RICHARD A. SCHAMBACH
Ocean	F-049939-10	MIDFIRST BANK	Lorraine Bill
Ocean	F-29995-09	Midfirst Bank	Anthony Zadzielski
Ocean	F-035056-10	Midfirst Bank	VITO J. GELOSI
Ocean	F-003764-11	MidFirst Bank	Robert McElroy
Ocean	F-003765-11	MIDFIRST BANK	Scott P. Collins
Ocean	F-002806-11	Midfirst Bank	Nelson Calderon

Ocean	F-25190-08	Midfirst Bank	Cheryl V. O'Connor
Ocean	F-001062-11	MidFirst Bank	Christopher Snowden/Gail Snowden
Ocean	F-052733-10	MidFirst Bank	Arthur Belfiore/Maura Belfiore
Ocean	F-17192-10	MidFirst Bank	Justin Byrnes/Liubinca Draghici/Stefanie Leahy
Ocean	F-28015-10	Midfirst Bank	Dameon Prescott
Passaic	F-18947-07	Midfirst Bank	ALVIN J TELLER
Passaic	F-9297-99	MidFirst Bank	PEDRO MEDINA, deceased
Passaic	F-39208-09	Midfirst Bank	LYNETTE QUINONES
Passaic	F-18681-10	Midfirst Bank	BARBARA SPENCER
Passaic	F-27091-09	Midfirst Bank	NATASHA SHANTELLA BAILEY, INDIVIDUALLY AND AS EXECUTRIX OF THE E
Passaic	F-001034-11	MIDFIRST BANK	SENIOR E. JOHNSON
Passaic	F-16636-09	Midfirst Bank	IVORY DAVIS
Salem	F-33455-08	Midfirst Bank	Anthony Solano
Salem	F-005950-11	MIDFIRST BANK	William Vanderslice
Somerset	F-62750-09	Midfirst Bank	VIVIANA PEREZ
Somerset	F-038324-10	Midfirst Bank	Eugene Romeo
Somerset	F-003845-11	MIDFIRST BANK	Janice A. Parris
Somerset	F-15319-10	Midfirst Bank	Jeffrey Cecchine
Sussex	F-55566-09	Midfirst Bank	SAMIR GIRGIS GHOBRIAL
Sussex	F-039897-10	MIDFIRST BANK	TERRENCE MARTONE
Sussex	F-003830-11	MIDFIRST BANK	Angie Heath
Sussex	F-004596-11	Midfirst Bank	Wayne H. Waldron
Union	F-037197-10	MIDFIRST BANK	Francisco L. Rocha
Union	F-40250-08	Midfirst Bank	MARIE ETIENNE
Union	F-20797-09	Midfirst Bank	ARTURO CABRERA
Union	F-45523-08	GMAC Mortgage, LLC	Genevieve Y. Cox
Union	F-62452-09	Midfirst Bank	Elvis A. Revan
Union	F-47767-09	Midfirst Bank	ORLANDO DELA ROSA
Union	F-15366-10	Midfirst Bank	ROSA SANTIAGO
Union	F-36498-08	MidFirst Bank	OSCAR RIVERA
Union	F-64133-09	Midfirst Bank	FRANKLIN CRUZ
Union	F-10957-09	Midfirst Bank	Thomasene McKoy
Warren	F-54441-09	Midfirst Bank	Mary Diehl, Individually and as Administratrix to the Estate of

Warren	F-36996-09	Midfirst Bank	THOMAS MARQUART
Warren	F-2040-11	Midfirst Bank	Richard A. Kern

ZUCKER, GOLDBERG & ACKERMAN, LLC  
200 Sheffield Street, Suite 101  
P.O. Box 1024  
Mountainside, New Jersey 07092-0024  
(908) 233-8500  
Attorneys for Plaintiffs

IN RE NOTICES OF INTENTION TO  
FORECLOSE SERVED BY MIDFIRST  
BANK

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION

Civil Action

Docket No:

**CERTIFICATION OF  
BRIAN C. NICHOLAS, ESQ.**

BRIAN C. NICHOLAS, ESQ., of full age, hereby certifies as follows:

1. I am an attorney licensed to practice in the State of New Jersey and an associate with the law firm of Zucker, Goldberg & Ackerman, L.L.C. I am the attorney responsible for this matter and in this capacity I am familiar with the facts of Plaintiff's Order to Show Cause and Verified Complaint. I make this certification in support of Plaintiff's application for an Order to Show Cause.
2. The Certification of Thad Burr contains a facsimile of the original signature of Mr. Burr. The signature is genuine and the original signature can be provided should the Court so request.
3. In addition to serving the Order to Show Cause by certified mail to the property address subject to the

foreclosure and, if different, the borrower's last known address in MidFirst's system of record, Plaintiff proposes providing notice of this action by publication.

4. Attached as Exhibit "C" is a copy of the notice plaintiff proposes be utilized for publication in the following newspapers:

- a. Star Ledger
- b. Bergen Record
- c. The Press of Atlantic County
- d. The Gloucester County Times

5. Attached as Exhibit "D" is a copy of the Cover Letter that we received from the Office of Foreclosure that the Court has required be served with the new NOI.

6. 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.



---

BRIAN C. NICHOLAS, ESQ.

Dated 7/2/10

# Exhibit “C”

## NOTICE

Docket No. :  
Superior Court of New Jersey  
Chancery Division

STATE OF NEW JERSEY TO:

**Any defendant in an uncontested  
residential mortgage foreclosure action in  
which MidFirst Bank is the Plaintiff**

YOU ARE HEREBY ORDERED TO SHOW CAUSE why the relief requested by MidFirst Bank in the Verified Complaint and Order to Show Cause in a civil action pending in the Superior Court of New Jersey, Chancery Division, bearing Docket <INSERT DOCKET NO> should not be granted by the Court. Copies of all of the pleadings in regard to this matter may be obtained from the Court's web page at <http://www.judiciary.state.nj.us>.

This action has been instituted for the purpose of whether or not the Court should allow MidFirst Bank to re-send Notice of Intentions to Foreclosure pursuant to the process established by the Supreme Court of New Jersey on April 4, 2012. Any opposition to this action must be in **writing** and filed with the Clerk of the Superior Court, Hughes Justice Complex - CN 971, Trenton, New Jersey 08625. A copy of any opposition must also be sent to <INSERT EITHER Honorable Margaret Mary McVeigh, P.J.Ch., Passaic County Courthouse, 71 Hamilton St., Chambers 100, Paterson, NJ 07505 OR Honorable Paul Innes, P.J.Ch., Mercer County Civil Courthouse, 175 South Broad Street, Trenton, NJ 08650> and Brian C. Nicholas, Esq., Zucker, Goldberg & Ackerman, L.L.C., 200 Sheffield Street, Suite 101, Mountainside, NJ 07092. Any opposition must be filed no later than <INSERT DATE>. If timely opposition is filed, the Court may conduct oral argument on <INSERT DATE>. If no timely opposition is filed, the Court may rule on the application on the papers on the return date.

If you are unable to obtain an attorney, you may communicate with the New Jersey Bar Association by calling 732-249-5000. You may also contact the Lawyer Referral Service of the County of venue by calling 973-267-5882. If you cannot afford an attorney, you may communicate with the Legal Services office of the County of venue by calling 973-383-7400.

*Jennifer M. Perez*

JENNIFER M. PEREZ, CLERK  
SUPERIOR COURT OF NEW JERSEY

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

"The Fair Housing Act prohibits "any preference, limitation, or discrimination because of race, color, religion, sex, handicap, familial status, or national origin, or intention to make such preference, limitation or discrimination" in connection with any aspect of a residential real estate transaction. Zucker, Goldman and Ackerman, LLC, encourages and supports the equal housing practices of the Fair Housing Act in the conduct of its business "

# Exhibit “D”

Form Letter to be Attached to Corrected NOIs Pursuant to an Order to Show Cause

[Letterhead of Plaintiff's Attorney]

[Date]

[Defendant Name(s)]

[Defendant Address]

[Defendant City, State ZIP]

Re: Order to Show Cause - [Caption and Docket Number of Order to Show Cause]  
Your Foreclosure Action - [Caption and Docket Number of Defendant's Foreclosure Action]

Dear [Defendant Name(s)]

Please be advised that the New Jersey Supreme Court recently held in *U.S. Bank N.A. v. Guillaume*, 209 N.J. 449 (2012), that mortgage lenders seeking to foreclose must comply with the New Jersey Fair Foreclosure Act's requirement that that a Notice of Intention to Foreclose set forth the name and address of the lender.

**Why You Are Receiving This Letter**

You are receiving this letter because you are the defendant in a pending foreclosure action, and it is believed that the Notice of Intention to Foreclose served upon you prior to the commencement of the foreclosure action did not comply with the requirements of the Fair Foreclosure Act.

By the court's Order to Show Cause dated [month] [day], 2012, and in compliance with the Supreme Court's opinion in *U.S. Bank N.A. v. Guillaume*, [Hon. Paul Innes, P.J.Ch., Mercer Vicinage or Hon. Margaret Mary McVeigh, P.J.Ch., Passaic Vicinage], gave permission to MidFirst Bank to serve, along with the Order to Show Cause and verified complaint, corrected Notices of Intention to Foreclose on all defendant mortgagors/parties obligated on the debt in pending foreclosure actions filed before February 28, 2012 in which MidFirst Bank is the plaintiff.

**Information About the Order to Show Cause and Verified Complaint**

Enclosed with this letter are copies of the Order to Show Cause and verified complaint. Attachment [ ] to the verified complaint, which lists the foreclosure actions in which MidFirst Bank is the plaintiff that pertain to the verified complaint, identifies the foreclosure action in which you are a defendant. Copies of these documents will be made available on the New Jersey Courts web site at <http://www.judiciary.state.nj.us/>.

**Information About the Corrected Notice of Intention to Foreclose**

Also enclosed with this letter is the corrected Notice of Intention to Foreclose. It allows you an additional 30 days in which to cure the default without having to pay the plaintiff's court costs and attorneys' fees. It also sets forth important information about your loan, including information on how you can cure the default, the consequences of failing to cure the default; contact

information for the plaintiff; and information about retaining counsel and borrower assistance. If you fail to cure the default by the date set forth in the corrected Notice of Intention to Foreclose, the foreclosure action against you will proceed.

With the passage of time since the foreclosure action was filed against you, the lender on your loan may have changed from the named plaintiff in the foreclosure action. The corrected Notice of Intention to Foreclose lists the name and address of the current lender on your loan.

### **Questions about the Notice of Intention to Foreclose**

Should you have questions with regard to your loan or the corrected Notice of Intention to Foreclose, please contact MidFirst Bank at [telephone number]. Additional contact information is provided in the corrected Notice of Intention to Foreclose.

### **How to File an Objection**

You have the right to object to the enclosed Order to Show Cause (the process by which the court gave the plaintiff permission to serve the corrected Notice of Intention to Foreclose). To do so, you must file a written objection under the docket number for the Order to Show Cause.

You also have the right to object to the enclosed corrected Notice of Intention to Foreclose. To do so, you must file a written objection under the docket number for the foreclosure action in your individual case.

For either type of objection, you must set forth with specificity the basis of the objection, and file the objection with the Superior Court Clerk's Office at the following address within 30 days:

Superior Court Clerk's Office, Foreclosure Processing Services  
Attention: Objection to Notice of Intention to Foreclose  
P.O. Box 971  
Trenton, New Jersey 08625

You must also serve a copy of the objection on the plaintiff's attorney, Brian C. Nicholas, Esq., at Zucker, Goldberg & Ackerman, LLC, 200 Sheffield Street, Suite 101, Mountainside, NJ 07902, and mail a copy of the objection to [Judge Innes or Judge McVeigh] at [address].

Your personal appearance at the Superior Court Clerk's Office or your local courthouse will not qualify as an objection. A telephone call will not protect your rights; you must file your objection and serve it on the plaintiff's attorney if you want the court to hear your objection to the relief the plaintiff is seeking. If you file a specific written 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 your objection.

### **Questions about Filing an Objection**

Should you have questions related to the procedure for filing an objection, please visit the New Jersey Courts On-Line Self-Help Center at <http://www.judiciary.state.nj.us/prose/index.htm>.

You may also contact the Superior Court Clerk's Office at (609) 421-6100, or at [SCCOForeclosure.Mailbox@judiciary.state.nj.us](mailto:SCCOForeclosure.Mailbox@judiciary.state.nj.us).

ZUCKER, GOLDBERG & ACKERMAN, LLC  
200 Sheffield Street, Suite 101  
P.O. Box 1024  
Mountainside, New Jersey 07092-0024  
(908) 233-8500  
Attorneys for Plaintiffs

**IN RE NOTICES OF INTENTION TO  
FORECLOSE SERVED BY MIDFIRST  
BANK**

SUPERIOR COURT OF NEW JERSEY  
PASSAIC COUNTY  
CHANCERY DIVISION

Civil Action

Docket No:

**CERTIFICATION OF SERVICE**

I, Brian C. Nicholas, Esq., hereby certify as follows:

1. I am an associate with the law firm of Zucker, Goldberg & Ackerman, L.L.C. I am the attorney responsible for the above captioned matter.
2. On July 3, 2012, our firm caused to be served the within Order to Show Cause, Verified Complaint, Certification of Thad Burr, Certification of Brian C. Nicholas, Esq., and Letter Brief to the following persons:
  - a. VIA Hand Delivery  
Jennifer Perez,  
Clerk of Superior Court  
Superior Court of New Jersey  
ATTN: Ryan Gerbino  
West Market Street  
6<sup>th</sup> Floor North Wing  
Trenton, N.J. 08625
  - b. VIA Hand Delivery  
Honorable Margaret McVeigh, P.J.Ch.  
Passaic County Superior Court  
Hamilton Street, Chambers 100  
Paterson, N.J. 07505

- c. Kevin Wolfe, Chair - Civil Practice Division(VIA E-mail)
- d. Kristi Robinson - Chief, Civil Practice Liaison (VIA E-mail)
- e. Elizabeth Ann Strom - Chief, Superior Court Clerk's Office (VIA E-mail)

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.



---

Brian C. Nicholas, Esq.

Dated: 7/3/12

**ZUCKER, GOLDBERG & ACKERMAN, LLC**  
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For payoff/reinstatement figures  
Please send your request to [zuckergoldberg.com/pr](http://zuckergoldberg.com/pr)

**REPLY TO NEW JERSEY ADDRESS**

FOUNDED IN 1923  
AS ZUCKER & GOLDBERG

MAURICE J. ZUCKER (1918-1979)  
LOUIS D. GOLDBERG (1923-1967)  
LEONARD H. GOLDBERG (1929-1979)  
BENJAMIN WEISS (1949-1981)

Pennsylvania Office  
P.O. Box 650  
Hershey, PA 17033

OF COUNSEL

SCOTT A. DIETTERICK, ESQ. ‡  
KIMBERLY A. BONNER, ESQ. ‡  
RALPH M. SALVIA, ESQ. ‡

‡ MEMBER OF PA BAR ONLY

**RECEIVED**  
**JUL 03 2012**  
**SUPERIOR COURT**  
**CLERK'S OFFICE**

July 3, 2012

(VIA Hand Delivery & E-mail)  
Jennifer Perez,  
Clerk of Superior Court  
Superior Court of New Jersey  
ATTN: Ryan Gerbino  
25 West Market Street  
6<sup>th</sup> Floor North Wing  
Trenton, N.J. 08625

RE: In re Notices of Intention to Foreclose  
Served by MidFirst Bank

Dear Ms. Perez,

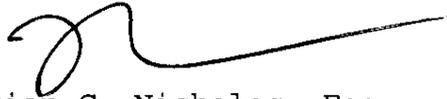
Our firm represents MidFirst Bank in the above captioned matter. Enclosed for filing please find the original and two copies of the following documents:

1. Order to Show Cause
2. Verified Complaint
3. Certification of Thad Burr
4. Certification of Brian C. Nicholas, Esq.
5. Letter Brief

6. Certification of Service

7. Check No. 303668 in the amount of \$230.00

Respectfully submitted,

A handwritten signature in black ink, consisting of a stylized, cursive 'B' followed by a long horizontal stroke that tapers to the right.

Brian C. Nicholas, Esq.

CC:

Honorable Margaret McVeigh, P.J.Ch.  
Passaic County Superior Court  
71 Hamilton Street, Chambers 100  
Paterson, N.J. 07505

Kevin Wolfe (VIA E-mail)

Kristi Robinson (VIA E-mail)

Elizabeth Ann Strom (VIA E-mail)