

ZUCKER, GOLDBERG & ACKERMAN, LLC
ATTORNEYS AT LAW

LEONARD B. ZUCKER
MICHAEL S. ACKERMAN
IOEL ACKERMAN*

FRANCES GAMBARDELLA
BRIAN C. NICHOLAS **
STEVEN D. KROL
CHRISTOPHER G. FORD
DENISE CARLON *
CHRISTINE E. POTTER
RYAN S. MALC
ASHLEIGH LEVY MARIN E
DOUGLAS J. McDONOUGH
TIMOTHY J. ZIEGLER
STEPHANIE WOLCHOK
ELIZABETH P. RIZZO
ROBERT D. BAILEY
JAIME R. ACKERMAN *
RACHEL G. PACKER ‡
KACIE W. BROWN

* ALSO MEMBER OF NY, PA AND CA BAR
* ALSO MEMBER OF NY, PA AND ME BAR
** ALSO MEMBER OF NY AND ME BAR
* ALSO MEMBER OF NY BAR
E ALSO MEMBER OF PA BAR
‡ ALSO MEMBER OF NY AND DC BAR

200 SHEFFIELD STREET- SUITE 101
P.O. BOX 1024
MOUNTAINSIDE, NJ 07092-0024

TELEPHONE: 908-233-8500
FACSIMILE: 908-233-1390
E-MAIL: office@zuckergoldberg.com

For payoff/reinstatement figures
Please send your request to: 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

September 28, 2012

(VIA JEFIS and Lawyers Service)
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

MidFirst Bank's Reply to "Objections"

Docket No.: F-12399-12

Dear Judge McVeigh:

Our firm represents movant, MidFirst Bank in relation to the above captioned Amended Verified Complaint and Order to Show Cause. Pursuant to Your Honor's July 18, 2012 Order, please accept this letter brief in lieu of a more formal response to the "objections" we have received to the Order to Show Cause.

While none of the written correspondence MidFirst Bank received constitutes an objection pursuant to the Order to Show Cause, we will briefly address each one.

To date, MidFirst Bank received three letters in regard to the Order to Show Cause:

ALICE WHITEHURST OBJECTION:

On or about August 22, 2012, Roger McDonald, Esq. filed a "Certification in Lieu of Objection" for Alice Whitehurst (hereinafter "Whitehurst"). See, Certification of Brian C. Nicholas, Esq., Exhibit "A". The objection set forth a belief that the amount of arrears contained in the NOI was incorrect based upon a "Mortgage Assistance Program" Whitehurst purportedly entered into with MidFirst. After receipt of the objection, MidFirst reviewed its business records in regard to this loan and confirmed that the amount stated in the NOI was correct.

In 2009, Whitehurst applied for and was granted an unemployment forbearance plan. See, Certification of Thad Burr, ¶ 6. The plan required Whitehurst to make payments of \$100 per month for May 2009 through and including August 2009. Id. At the completion of the plan, Whitehurst requested and was granted a second unemployment forbearance plan. Id. at ¶ 7. The second

plan called for payments of \$288.34 per month for October 2009 through and including January 2010. Id.

At the completion of the second unemployment forbearance plan, Whitehurst applied for and was granted a loan modification. Id. at ¶ 8-9. The terms of the modification capitalized thirteen delinquent payments; reduced the interest rate of the loan and extended the maturity date to a 360 month term. Whitehurst only made three payments under the terms of the modification before defaulting again. Id. at ¶ 10.

After defaulting again, Whitehurst applied for another loan modification. She was placed into a Trial Period Plan under the FHA HAMP Program. The plan required that she make three trial period payments in the amount of \$903.22 for February 2011, March 2011 and April 2011. Id. at ¶ 11. Whitehurst made the first trial period payment on January 31, 2011. Thereafter no further payments were made. Accordingly, a letter was sent to Whitehurst advising her that her eligibility for the plan was denied. Id. at ¶ 11-12.

On or about April 6, 2011, Whitehurst again reached out to MidFirst for loss mitigation. The application that she submitted was incomplete and additional information was requested from her. Id. at ¶ 13. On or about May 9, 2011, MidFirst again spoke with Whitehurst and she indicated that she did not wish to pursue a modification and instead was going to

pursue a short sale of the property. Id. at ¶ 14. To date, Ms. Whitehurst has failed to complete the process to qualify for the short sale program. In addition, no further payments have been received for the loan. The loan is contractually due for the October 2010 and all subsequent payments and the amount set forth as due in the NOI is correct. Id. at ¶ 15.

JEAN ROGERS OBJECTION:

On or about August 17, 2012, Yuriy Moshes, Esq forwarded a letter to Zucker, Goldberg & Ackerman that specifically does not object to the OSC, but requests that the borrower be placed back into the mediation program once the matter is authorized to proceed. On or about August 17, 2012, I spoke with Mr. Moshes and suggested that his client not wait for the conclusion of the OSC to apply for loss mitigation. See, Certification of Brian C. Nicholas, Esq., Exhibit "B".

On or about August 17, 2012 a new loss mitigation application was submitted by Rogers. There have been multiple communications regarding the loss mitigation application and additional information that is needed from Rogers. A final review cannot be conducted until the additional information is received. See, Certification of Thad Burr, ¶ 17-19.

REGINA BURNETT OBJECTION:

On or about August 17, 2012, Regina Burnett sent a fax¹ to Zucker, Goldberg & Ackerman indicating that she believes her loan is current. See, Certification of Brian C. Nicholas, Esq., Exhibit "C". The last payment made on this loan was in September 2007, so it is unclear how Burnett can believe that the account is current. On September 20, 2012, a written response was sent to Ms. Burnett asking for any proof of payments made from September 2007 to present. See, Certification of Brian C. Nicholas, Esq., Exhibit "D". To date, no proof of payments have been tendered and the business records of MidFirst reflect that the NOI was correct. See, Certification of Thad Burr, ¶ 21-24.

The Order entered by Chief Justice Rabner as well as the Order to Show Cause entered by Judge McVeigh both set forth that objections to the Order to Show Cause should be limited to whether or not the plaintiff in uncontested foreclosures should be allowed to serve corrected Notice of Intentions to Foreclose. As none of the objections go to the merits of the application and instead request loss mitigation or contest the amount of the

¹ It does not appear Burnett ever sent this to the Court as required by the Order to Show Cause. Our office provided a copy to the Court and is also attaching a copy to this submission.

arrears in the NOI, we respectfully request that a final order be entered pursuant to the Supreme Court's April 4, 2012 Order deeming the Notices of Intention to Foreclose to be corrected and allowing the foreclosures to proceed in the ordinary course.

Respectfully submitted,



Brian C. Nicholas, Esq.

CC: (VIA Regular Mail)
Yuriy Moshes, Esq
Litvin Law Firm, PC
1716 Coney Island Ave, Suite 5R
Brooklyn, NY 11230

(VIA Regular Mail)
Roger A. McDonald, Esq.
63 Washington Street
East Orange, NJ 07017

(VIA Regular Mail)
Regina Burnett
124 Pennypacker Drive
Willingboro, NJ 08046

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: F-12399-12

**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. I have reviewed MidFirst's business records as they are kept in the ordinary course of business to provide this certification. This includes a review of our system or record for each of the loans referred to in this certification. 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. Our attorney has forwarded the written correspondence from three borrowers in relation to the Amended Verified Complaint and Order to Show Cause filed by MidFirst.

Alice Whitehurst Objection

3. The "objection" filed by Alice Whitehurst sets forth that she believes the amount listed in the Notice of Intention to Foreclose (hereinafter "NOI") served pursuant to this Order to Show Cause was incorrect.
4. The numbers provided in the Whitehurst certification are incorrect.
5. MidFirst has worked extensively with Whitehurst on loss mitigation alternatives.
6. In 2009, MidFirst entered into an unemployment forbearance plan with Whitehurst that required her to pay \$100 per month for May 2009 through August 2009.

7. Upon completion of the unemployment forbearance plan Whitehurst indicated that she was still not employed. MidFirst reviewed and approved Whitehurst for a second unemployment forbearance plan. The plan required Whitehurst to pay \$288.34 per month for October 2009 through January 2010.
8. Upon completion of the second unemployment forbearance plan, MidFirst reviewed and approved Whitehurst for a loan modification.
9. On June 24, 2010, MidFirst and Whitehurst entered into a loan modification agreement that capitalized 13 delinquent payments; reduced the interest rate on the loan to 5.5% and extended the maturity date to a 360 month term.
10. Whitehurst made three payments under the modification agreement and then defaulted again.
11. On January 13, 2011, Whitehurst entered a Trial Period Plan under the FHA-HAMP program. The plan required that she make three trial period payments in the amount of \$903.22 for February 2011, March 2011 and April 2011. Whitehurst made the first trial payment on January 31, 2011 for the February 2011 payment.

12. Whitehurst failed to make the payment due on March 1, 2011 so the FHA-HAMP modification was denied and a letter was sent advising her of the denial.
13. On or about April 6, 2011, Whitehurst again reached out to MidFirst for loss mitigation. The application was incomplete and additional information was requested from her. MidFirst spoke with Whitehurst on April 12, 2011 and she advised that she was awaiting a Social Security Award Letter.
14. Thereafter, MidFirst spoke with Whitehurst on May 9, 2011 at which time she indicated that she was no longer interested in a retention plan, but instead wished to pursue a short sale of the property. To date, she has failed to complete the process to qualify for the short sale program.
15. The loan is currently contractually due for the October 1, 2010 payment as well as all payments due thereafter. As such, the Notice of Intention to Foreclose was correct.

Jean Rogers Objection

16. The "objection" filed by Jean Rogers sets forth that she would like to enter the foreclosure mediation program.

17. MidFirst was, and continues to be, available to try to assist homeowners trying to cure the default on their mortgage.
18. On or about August 17, 2012, Rogers submitted a new loss mitigation application. Since then MidFirst has had multiple conversations with Rogers about the application, additional information needed, and potential options available.
19. MidFirst is awaiting the submission of additional information from Rogers before a final review of the application can be conducted.

Regina Burnett Objection

20. The "objection" filed by Regina Burnett sets forth that she believes the amount listed in the Notice of Intention to Foreclose (hereinafter "NOI") served pursuant to this Order to Show Cause was incorrect and in fact her loan is current.
21. After receipt of the objection we reviewed the payment history on this loan.
22. The last payment that was received on Burnett's account was received on September 2007. To date, no additional payments have been received on this account.

23. As the objection seems to indicate that the borrower believes that the loan is current, while we show no payments since 2007, we asked our counsel to send a letter to Ms. Burnett to obtain proof of payments from September 2007 to present.
24. To date we have not received any proof of additional payments. As such, the loan is still contractually due for the September 1, 2007 payment forward.
25. 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

DATED: 9-28-12

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

IN RE NOTICES OF INTENTION TO
FORECLOSE SERVED BY MIDFIRST
BANK

SUPERIOR COURT OF NEW JERSEY

CHANCERY DIVISION

Civil Action

Docket No: F-12399-12

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. Attached as Exhibit "A" is a true and accurate copy of the correspondence we received from Alice Whitehurst on or about August 22, 2012 in relation to the above captioned matter.
4. I have tried unsuccessfully to call Roger McDonald, Esq. on multiple occasions at the number listed on his pleadings. The phone rings but a recorded message plays that says the person you are trying to reach is unavailable, please try your call again later. The phone then hangs up.
5. Attached as Exhibit "B" is a true and accurate copy of the correspondence we received from Yuriy Moshes, Esq. on behalf of Jean Rogers on or about August 17, 2012 in relation to the above captioned matter.
6. On August 17, 2012, I telephoned Mr. Moshes to discuss his letter. Mr. Moshes advised that he had no objection to the Order to Show Cause proceeding forward, but inquired about the availability of loss mitigation. I suggested that there was no need to wait for the Order to Show Cause to reach its conclusion before his client attempted loss mitigation and recommended that they reach out to MidFirst's Loss Mitigation department now.

7. Attached as Exhibit "C" is a true and accurate copy of the correspondence we received from Regina Burnett on or about August 17, 2012 in relation to the above captioned matter.
8. Attached as Exhibit "D" is a redacted copy of the response I send to Regina Burnett in regard to her August 17, 2012 correspondence.
9. 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: September 28, 2012

Exhibit “A”

DR-MIDFIRST/153473?
606

ROGER A. MCDONALD, ESQ.
63 WASHINGTON STREET
EAST ORANGE, N.J. 07017
(973) 306-2750

August 22, 2012

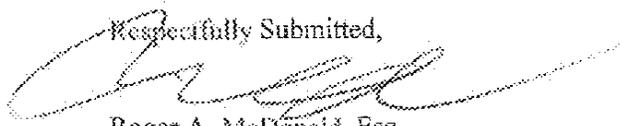
Superior Court of New Jersey
ATTN: Clerk's Office; Foreclosure Processing Services,
Objection to Notice of Intention to Foreclosure.
P.O. Box 971
Trenton, N.J. 08625

RE: Midfirst Bank vs. Whitehurst, et al.
Docket No.: F-12399-12 {005829-11}

Your Honor:

Pursuant to receipt of the within Plaintiff's Order to Show Cause pleadings by the within Defendant(s) on August 11, 2012; enclosed herewith please find Defendant(s) Appearance together with Certification in Lieu of Oath or Affidavit in objection to Plaintiff's Notice of Intention to Foreclosure.
Kindly file on set of Originals and return a set back to this office marked filed in the envelope enclosed herewith.
Thank you in advance for your anticipated attention and consideration in this regard.

Respectfully Submitted,



Roger A. McDonald, Esq.

Cc: Hon. Margaret Mary McVeigh, P.J.Ch. - Passaic Vicinage
And Brian C. Nicholas, Esq.

Attorney(s): Roger A. McDonald, Esq.
Law Firm: ROGER A. MCDONALD, ESQ.
Address: 63 Washington Street
East Orange, N.J. 07017

Telephone No.: (973) 306-2750

Fax No.:

E-mail:

Attorney(s) for: Alice Whitehurst, et al., Defendant

Midfirst Bank, et als.

Alice Whitehurst, et al.

vs.

Plaintiff(s)

Defendant(s)

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
PASSAIC COUNTY

DOCKET NO. F-12399-12

CIVIL ACTION

Certification in Lieu of Oath or Affidavit

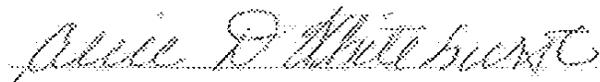
I, Alice Whitehurst, the Defendant in the above entitled action do herewith Certify in Lieu of Oath or Affidavit object to the within Plaintiff's Order to Show Cause and Verified Complaint to Foreclosure upon the subject property at; 14 La nark Avenue; Newark, N.J. for the following reasons.

1. Plaintiff's failed to serve upon the within Defendant(s) a proper Notice of Intention to foreclose prior to the filing of the original Verified Complaint to Foreclose.
2. The Plaintiff's calculation of the amount due to Plaintiff is incorrect.

(A) Based upon the Mortgage Assistance Program entered into by the within parties in 2010; Defendant - Borrower(s) payment balance due as of 03-08-2012 is \$12,219.87 (See true copy of within Defendant(s) payment payment Summary Sheet attached hereto) .

I 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.

Date:



Signature

Alice D. Whitehurst

Type Name

Type Title

Mortgage Assistance Program

2009	2010	2011
\$ 289.00	\$466.00	\$903.27
289.00	\$500.00	
289.00	\$500.00	
289.00	\$513.00	
289.00		
289.00		
289.00		
289.00		
289.00		
289.00		
289.00		
289.00		
3,468.00	\$1,979.00	\$903.27

Total Paid Out: \$6,350.27

As of 03/08/2012 Midland requested Amount	\$18,570.14
Minus amount paid	\$6,350.27
Total Balance	\$12,219.87

Exhibit “B”



LITVIN LAW FIRM, P.C.

www.LitvinLaw.com
Info@LitvinLaw.com

William Lizarraga, Esq.
Licensed in NY

Gennady Litvin, Esq.
Licensed in NY and FL
Yuriy Moshes, Esq.
Licensed in NY and NJ

August 17, 2012

VIA FIRST CLASS MAIL

Mr. Brian C. Nicholas, Esq.
Zucker, Goldberg & Ackerman, LLC
200 Sheffield Street, Suite 101
PO Box 1024
Mountainside, NJ 07092

Re: Order to Show Cause -- In re Notices of Intention to Foreclose Served by MidFirst Bank
Docket Number: F-12399-12

Dear Mr. Nicholas;

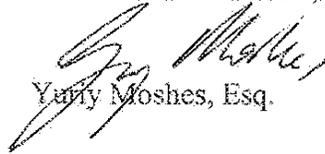
We are in receipt of the correspondence sent from you Firm dated August 10, 2012. We do not object to your client's re filing of its Notice of Intention to Foreclose on the subject premises. However, as a professional courtesy and acting in good-faith, we respectfully request that if/when this matter is restored to the Court's Foreclosure calendar that a further mediation be scheduled for the Parties to re enter into negotiations for a possible settlement of the foreclosure action via loan modification or other loss mitigation alternatives.

It has been nearly a year and half since the case was initially released from mediation. Our client advises us that their financial situation has improved, and are confident that they will qualify for an affordable loan modification this time around and preserve ownership of the subject premises.

Please advise whether or not you consent to the mediation. We can write a letter to the Court advising them that Defendant does not object to the re filing of the NOI, however, requests that the case be rescheduled for further mediation.

Thank you for your attention to this matter and your anticipated cooperation.

LITVIN LAW FIRM, P.C.



Yuriy Moshes, Esq.

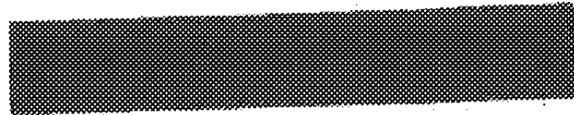
MAIN OFFICE:
1716 Coney Island Ave., Suite 5R
Brooklyn, NY 11230

Business Office (718) 307-5684
Fax (718) 709-7503

1 Bridge Plaza N, Suite 214
Fort Lee, NJ 07014

Exhibit “C”

124 Pennypacker Drive
Willingboro, NJ 08046
Phone: 609 526-2349



Fax

To: Zucker, Goldberg, & Ackerman, LLC From: Regina Burnett

Fax: 908 233-1390 Date: August 17, 2012

Phone: 908 233-8500 Pages: 2

Res: Docket #: F-12399-12 CC:
F-8895-08

Urgent For Review Please Comment Please Reply Please Recycle

Comments: This fax is in regard to your recent letter mailed Aug. 10, 2012.

There must have been a mistake in regard to the address mentioned with the docket numbers F-12399-12, and F-8895-08, situation.

See the following statement confirming Midland Mortgage was paid up to date.

You can reach me at; 124 Pennypacker Drive, Willingboro, NJ in regard to a letter stating your recent letter in regard to this matter was canceled.

Regina Burnett

Attorney George Hulse, 406 High St., Burlington, NJ 08016.

We met briefly in regard to this situation, and it was resolved.



0050466123

Visit Us Online
www.MyMidlandMortgage.com

Insurance (Hazard and Flood) 1-822-433-3712
www.updatelmyinsurance.com
Customer Service 1-800-855-4555
Hearing Impaired 1-800-348-7431

Mailing addresses for MidFirst Bank,
c/o Midland Mortgage Division

General Correspondence
P.O. Box 26643
Oklahoma City, OK 73126-0648

Qualified Written Requests and Credit Disputes
P.O. Box 268553
Oklahoma City, OK 73126-8553

GRACE BRIGHT
REGINA BURNETT
124 PENNYPACKER DR
WILLINGBORO NJ 08046-2621

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

DISBURSEMENT ACTIVITY
REAL ESTATE TAXES PAID 2649.84
MORTGAGE INSURANCE PAID 2086.00
MORTGAGE INSURANCE PREMIUM PAID .00

PAYMENT DISTRIBUTION
PRINCIPAL AND INTEREST 582.48
ESCROW PAYMENT 510.72
PORTION OF UNPAID FEE 11.64
TOTAL PAYMENT 1095.84

PRINCIPAL ACTIVITY
BEGINNING BAL 20284.72
AMOUNT PAID .00
DEFERRED PRINCIPAL BAL .00
ENDING BALANCE 20284.72

MISCELLANEOUS
OPTIONAL PRODUCTS PAID .00
LATE CHARGES PAID .00
LATE CHARGES ASCRIBED BUT UNPAID 2204.76
FEES PAID .00
FEES DUE BUT UNPAID 2479.00
LOSS DRAFT INTEREST PAID .00

ESCROW ACTIVITY
BEGINNING BAL
PROPERTY
DISBURSEMENTS
ENDING INTEREST
ENDING BALANCE

INTEREST ACTIVITY
OTHER INT PAID + .00
2009-10-01-01-31-2011 PRIOR YEARS + .00
INT DEFICIT (DEFICIENCY) - .00
INT SHORTAGE - .00
2009-10-01-01-31-2011 THIS YEAR - .00
INT SHORTAGE PAID + .00
PREPAYMENT PENALTY PAID + .00
NET INTEREST PAID X .00

GRACE BRIGHT
REGINA BURNETT
124 PENNYPACKER DR
WILLINGBORO NJ 08046-2621

ANNUAL FHA DISCLOSURE NOTICE TO MORTGAGOR

Mortgagor: GRACE BRIGHT
Address: 124 PENNYPACKER DR
WILLINGBORO NJ 08046

Dated: 1/31/2012
Loan#: [REDACTED]
FHA#: [REDACTED]

This notice is to advise you of requirements that must be followed to accomplish a prepayment of your mortgage, and to advise you of the requirements you must fulfill upon prepayment to prevent accrual of any interest after the date of prepayment. The amount listed below is the amount outstanding on the loan for prepayment of the indebtedness due under your mortgage. This amount is good through 1/31/2012. (The amount provided is subject to further accounting adjustments. Also, any mortgage payments received or advances made by us before the stated expiration date will change the prepayment amount.)

\$108,749.79

You may prepay your mortgage at any time without penalty. However, in order to avoid the accrual of interest on any prepayment after the date of prepayment, the prepayment must be received on the installment due date (the first day of the month). Otherwise, you may be required to pay interest on the amount prepaid through the end of the month.

If you have any questions regarding this notice, please contact Midland's Customer Service Department at 1-800-354-4568, Monday through Friday, 8:00 a.m. to 5:00 p.m. (Central Time).

Exhibit “D”

ZUCKER, GOLDBERG & ACKERMAN, LLC
ATTORNEYS AT LAW

LEONARD B. ZUCKER
MICHAEL S. ACKERMAN
JOEL ACKERMAN*

FRANCIS SAMBARDILLA
BRIAN C. NICHOLAS**
STEVEN D. KRON
CHRISTOPHER G. FORD
DENISE CARLON*
CHRISTINE E. POTTER
FRANK S. MALEC
SCHEIDT ETTY MARIE
DOUGLAS J. McDONOUGH
FROTHY J. ZIEGLER
STEPHANIE WOLCHOK
ELIZABETH V. BIZZI
ROBERT D. BALEY
JAMES B. ACKERMAN*
RACHEL G. PACKER*
KACE W. BROWN

* ALSO MEMBER OF NY, NJ AND DC BAR
* ALSO MEMBER OF NY, PA AND DC BAR
** ALSO MEMBER OF NY AND NJ BAR
* ALSO MEMBER OF NY BAR
* ALSO MEMBER OF PA BAR
* ALSO MEMBER OF NY AND DC BAR

200 SHEPHERD STREET- SUITE 101
P.O. BOX 1024
MOUNTAINSIDE, NJ 07092-0024

TELEPHONE: 908-233-8800
FACSIMILE: 908-233-1390
E-Mail: office@zuckergoldberg.com

For payoff/reinstatement figures
Please send your request to: 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 B. GOLDBERG (1929-1979)
BENJAMIN WERS (1949-1981)

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

OF COUNSEL:

SCOTT A. DIETTERICK, ESQ. †
KIMBERLY A. BONNER, ESQ. †
RALPH M. GALVIA, ESQ. †

† MEMBER OF PA BAR ONLY

September 20, 2012

(VIA Regular and Certified Mail)
Regina Burnett
124 Pennypacker Drive
Willingboro, NJ 08046-2621

Re: In re Notices of Intention to Foreclose Served by MidFirst Bank
Docket No.: F-12399-12

MidFirst v. Grace
Docket No.: F-8895-08

Dear Ms. Burnett:

This shall serve to acknowledge receipt of your August 23, 2012 facsimile to our office in regard to the Order to Show Cause that our office filed on behalf of MidFirst Bank. While your letter does not appear to object to the relief requested in the Order to Show Cause, it appears that you believe that your loan is current.

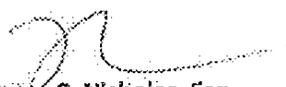
We have confirmed with our client that the last payment made on your loan was in September 2007 in the amount of \$[REDACTED]. There is no record of any payments thereafter. As such, the Notice of Intention to Foreclosure was correct and the amount owed up to and including the August 1, 2012 payment was \$[REDACTED]. This was comprised of the following:

9/1/2007 – 10/1/2007 @ [REDACTED] (Principal = [REDACTED] Escrow = \$ [REDACTED])
11/1/2007 – 3/1/2012 @ [REDACTED] (Principal = [REDACTED] Escrow = \$ [REDACTED])
4/1/2012 – 8/1/2012 @ [REDACTED] (Principal = [REDACTED] Escrow = \$ [REDACTED])

If you believe that you have made payments since September 2007, please forward proof of any such payments so we can have our client research them.

Should you have any additional questions, please do not hesitate to contact us.

Very truly yours,



Brian C. Nicholas, Esq.

SENDER: COMPLETE THIS SECTION

- * Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- * Print your name and address on the reverse so that we can return this card to you.
- * Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to

*Regina Dubneta
124 Pennington Dr.
Wilmington, NJ 08044-2002*

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee

X

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below.

3. Service Type

Certified Mail Express Mail

Registered Return Receipt for Merchandise

Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

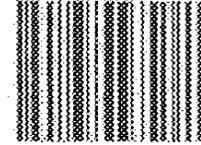
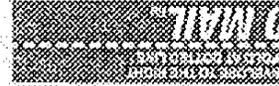
5. Article Number **2007 0080 0002 2913 9488**

Transfer mail service label

PS Form 3811, February 2004

Domestic Return Receipt

102588-02-M-18-00



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

U.S. Postal ServiceSM
CERTIFIED MAIL, RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For Delivery Information Visit Our Website at www.usps.com

OFFICIAL USE

Package #

9/20/12

Certified Fee

