

FEIN, SUCH, KAHN & SHEPARD, P.C.

COUNSELLORS AT LAW

7 CENTURY DRIVE, SUITE 201
PARSIPPANY, NEW JERSEY 07054
(973) 538-9300

FACSIMILE 973-538-8234

www.feinsuch.com

September 6, 2012

VIA LAWYERS SERVICE

Hon. Margaret Mary McVeigh, P.J.Ch.
Passaic County Courthouse
77 Hamilton Street
Room 621
Paterson, NJ 07505

Re: ORDER TO SHOW CAUSE FOR BSI FINANCIAL
Docket No. F-13792-12
Our File No. BSI032

Dear Judge McVeigh:

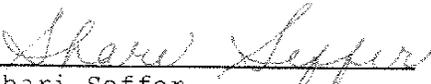
As per my conversation of August 30, 2012 with your law clerk Allison, I have made the changes requested to the Order to Show Cause for BSI Financial.

I am enclosing an original and two (2) copies of the Order along with a self addressed stamped envelope. If same meets with Your Honor's approval I would respectfully request that a fully executed copy of the Order be returned to the undersigned in the envelope provided for that purpose.

Of course, we have electronically filed same.

Respectfully yours

FEIN, SUCH, KAHN & SHEPARD, P.C.

By: 
Shari Seffer

SS/sa
Encs.

Annexed Corrected NOI list attached as Schedule A. hereto may appear and show cause before the Superior Court of New Jersey at the Passaic County Courthouse at 91 Hamilton Street, Courtroom 100, in Paterson New Jersey 07505 at _____ o'clock in the forenoon on _____, 2012 why an Order should not be issued permitting to issue a curative NOI as follows:

- A. That, as instructed by the New Jersey Supreme Court in its April 4, 2012 Order, BSI Financial Inc. will issue a corrective Notice of Intention to Foreclose in the form attached hereto as Exhibit and an Explanatory Letter to each defendant mortgagor and/or parties obligated on the debt ("Foreclosure Defendants") in the pending uncontested foreclosure action(s) which form is to be issued by the Court.
- B. That BSI will issue a corrected NOI in the form attached as Exhibit B to the Verified Complaint, and shall attach such NOI to the Explanatory Letter made reference to in paragraph B above. The corrected NOI will not include attorneys's fees or foreclosure costs that have been incurred in the pending foreclosure matter(s). Such corrected NOI and Explanatory letter shall be served by Certified Mail, return receipt requested to the last known address of the Foreclosure Defendant, as husband and wife,
- C. Validating the new Corrected NOI as curative and effective, thereby permitting the applicant to continue with its action to foreclose a residential mortgage, and

it is further

ORDERED, that:

1. A copy of the executed Order to Show Cause, Verified Complaint, Explanatory Letter and the Corrected NOI (the "OSC Package"), shall be served via certified mail, return receipt requested and regular mail at the last known address of the borrowers as husband and wife.
2. BSI shall file with the court a proof of service of the OSC Package on the Foreclosure Defendants no later than nine (9) days before the return date of the Order to Show Cause.
3. **YOU, the Foreclosure Defendants will have until _____, 2012 in which to object to the Order to Show Cause, the issuance of the Corrected NOI and/or to the content in the Corrected NOI. Any objections to this Order to Show Cause or the issuance of the Corrected NOI shall be made in writing, stating forth the basis of the objection with specificity. Said objection must be filed with the Clerk of the Superior Court, CN971, Trenton, New Jersey 08625 AND to the Judge executing the Order to Show Cause, and to the Fein, Such, Kahn and Shepard, Shari Seffer, Esquire, attorneys for the movant at 7 Century Drive, Parsippany, New Jersey 07054. A telephone call will not protect your rights and you may not appear in**

person at the Clerk of the Superior Court in Trenton; you must file and serve your objection as set forth above if you want the Court to hear your objection to the relief that BSI is seeking.

4. You, foreclosure defendants also have the right to object to the corrective NOI you receive. You will also have thirty (30) days from the date of service of the NOI to cure your default. If you object to any of the corrections. You must file a written objection under Docket NO F-37079-09 which is the docket number of your foreclosure action. You must set forth with specificity the basis of your objection and file our objection with the Superior Court Clerk's office, CN 971, Trenton, New Jersey 08625, on or before _____, 2012. You must also serve a copy of the objection on BSI's attorney, Shari Seffer, Esq., at Fein Such Kahn and Shepard, P.C. 7 Century Drive, Parsippany, New Jersey 07054 and mail a copy of your objection to the Honorable Margaret Mary McVeigh, 71 Hamilton Street, Chambers 100, Paterson, New Jersey 07505.
5. In the event that a foreclosure has been suspended or stayed as a result of a bankruptcy filing or loss mitigation activity, the Order to Show Cause package shall not be sent unless or until the stay has been lifted or loss mitigation options have ceased. In such circumstances, the following procedure shall be used.

BSI shall mail the Order to Show Cause" package within forty-five (45) days of the lifting of the stay or suspension of the foreclosure action, You, the foreclosure defendant will have either thirty (30) days in which to object to the corrected NOI, or thirty (30) days from the date of service of the Order to Show Cause to cure your default. Any objection, to the relief set forth in this Order to Show Cause, which written objection must be set forth with specificity, shall be made in writing to Passaic, County as it is the County in which your foreclosure is pending. You must also send a copy of your written papers to BIS's attorneys, Fein Such Kahn and Shepard, attention Shari Seffer, Esq., 7 Century Drive, Parsippany, New Jersey 07054 or the court handling your foreclosure action will not be able to consider your objection.

6. If the Foreclosure Defendant cannot afford an attorney, you may call the Legal Services Office on the County in which you live. A list of these offices is provided with the Corrected NOI.
7. A proposed form of Order addressing the relief sought on the return date (along with a self-addressed, stamped envelope with proper postage affixed thereon) must be submitted to the court no later than nine (9) days prior to the return date of this Order to Show Cause.
8. The Court will entertain argument, but not testimony, on the return date of the Order to Show Cause, unless

BSI is advised to the contrary no later than _____
days before the return date.

9. A proposed form of Order is annexed hereto.

J.S.C.