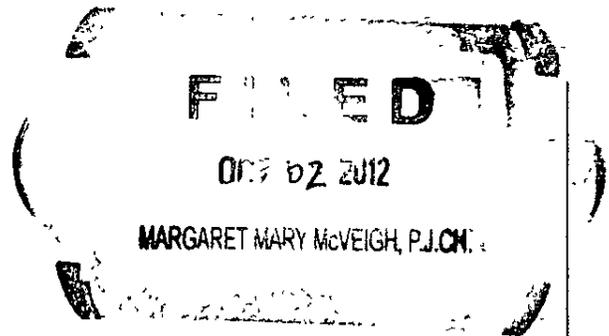


File No. 15260-0001

Law Offices  
**PARKER McCAY P.A.**  
9000 Midlantic Drive, Suite 300  
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Attorneys for AMS Servicing, LLC



**IN RE SPECIAL SUMMARY ACTION  
AUTHORIZED BY ORDER OF THE  
NEW JERSEY SUPREME COURT  
DATED APRIL 4, 2012 BY AMS  
SERVICING, LLC TO ISSUE  
CORRECTED NOTICES OF INTENT  
TO FORECLOSE**

**SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION**

PASSAIC COUNTY

DOCKET NO. F-017368-12

**CIVIL ACTION**

**ORDER TO SHOW CAUSE**

**THIS MATTER** being brought before the Court by Parker McCay P.A., attorneys for AMS Servicing, LLC ("AMS"), seeking relief by way of summary action pursuant to the Order of the New Jersey Supreme Court dated April 4, 2012 for an Order permitting AMS to issue corrected Notices of Intent to Foreclose ("NOI") together with a letter of explanation to the foreclosure defendants identified in the pending, prejudgment, uncontested foreclosure case identified in Exhibit "A" to the Verified Complaint filed concurrent herewith (hereinafter the "Foreclosure Defendants"), and based upon the New Jersey Supreme Court's decision in US Bank, N A v. Guillaume, 209 N J 449 (2012), the Supreme Court of New Jersey's Order of April 4, 2012, and for other good cause shown,

It is on this 2<sup>nd</sup> day of 2012 **ORDERED** that the Foreclosure Defendants  
OCTOBER  
(whose names appear in Exhibit "A" to the Verified Complaint) may appear and show cause

before The Honorable Margaret M. McVeigh, of the Superior Court of New Jersey, Chancery Division, Passaic County, New Jersey at 9 o'clock a.m./p.m. on the 17<sup>th</sup> day of December, 2012 at \_\_\_\_\_ to object to this Court's Order allowing AMS, through its designee, Parker McCay P.A. (Kathryn M Gilbertson Shabel, Esquire) to issue corrected NOIs pursuant to this Order to Show Cause.

**AND IT IS FURTHER ORDERED THAT FOR EACH FORECLOSURE ACTION IN WHICH AMS ISSUES A CORRECTED NOI:**

1 AMS, through its designee, Parker McCay P.A. (Kathryn M Gilbertson Shabel, Esquire), shall issue a letter of explanation in the format attached to the Verified Complaint as "D". The letter of explanation shall explain (a) the reasons why the corrected NOI is being served; (b) the procedure to follow in the event the Foreclosure Defendants wish to object to the NOI, (c) the individuals to contact with any questions; and (d) the Foreclosure Defendants' right to object to the corrected NOI or their right to cure the default within 30 days of the date of the corrected NOI

2 AMS, through its designee, Parker McCay P.A. (Kathryn M Gilbertson Shabel, Esquire), shall issue a corrected NOI in the format attached to the Verified Complaint as Exhibit "C", and shall attach to said NOI the letter of explanation referenced in paragraph one (1) above. The corrected NOI shall exclude attorneys' fees and foreclosure costs that have been incurred in the Foreclosure Defendant' pending foreclosure cases

3. AMS shall serve the corrected NOI, letter of explanation and a copy of this executed Order to Show Cause (the "OSC Package") via certified mail, return receipt requested and regular mail at the last known address of the Foreclosure Defendants.

4. A copy of AMS's complete application to this Court shall be loaded on the New Jersey Courts website within 5 days of the date of this Order where it shall be available for review by the general public at the following website link in a searchable format. [http //www judiciary.state nj.us/](http://www.judiciary.state.nj.us/).

5 In addition to providing service of the OSC Package as required by paragraph three (3) above, AMS shall provide publication notice two (2) times in each of the following daily publications (1) The Newark Star Ledger, (2) The Bergen Record; (3) the Courier Post; and (4) The Press of Atlantic City. Both publication notices shall be completed on or before 2 Days Prior to November 14, 2012.

6 Within 9 days of the return date identified herein, AMS shall file a proof of service of the OSC Package pursuant to paragraph three (3) above and proof of publication notice pursuant to paragraph five (5) above with this Court;

7 You, the Foreclosure Defendants, have the right to object in this proceeding to this Order to Show Cause (the process by which the Court gave AMS or its designee permission to serve the corrected NOI). To do so, you must file a written objection under the docket number listed on the first page of this Order to Show Cause setting forth said objection with specificity. You must also file your written objection on or before December 6, 2012 with:

The Clerk of the Superior Court, 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 your written objection on AMS's attorney, Gene R Mariano, Esquire of Parker McCay P.A., 9000 Midlantic Drive, Suite 300, P.O. Box 5054,

Mount Laurel, New Jersey 08054-1539 and mail a copy of your written objection to The

Honorable Margaret M. McVeigh, P.J.Ch., at Passaic County

Carthage Superior Court of NJ, Chambers 100, 71  
Hamilton St., Paterson NJ 07505

8 You, the Foreclosure Defendants, also have the right to object to the corrected

NOI that you will receive. You also have the right, within thirty (30) days of service of the

OSC Package, to cure your payment default. If you object to any of the contents of your

corrected NOI, you must file written objection under the docket number of your foreclosure

action. If you are uncertain of the docket number for your foreclosure action, you can access

that information on the Court's website as noted in paragraph four (4) above (specifically,

see Exhibit "A" to the Verified Complaint) or by calling AMS's representative listed on the

letter of explanation contained in the OSC Package. You must set forth with specificity the

basis for your objection and file your objection on or before December 6, 2012

with.

The Clerk of the Superior Court, Foreclosure Processing Services

P O Box 971

Trenton, New Jersey 08625

You must also serve a copy of your written objection on AMS's attorney, Gene R.

Mariano, Esquire of Parker McCay P.A., 9000 Midlantic Drive, Suite 300, P.O. Box 5054,

Mount Laurel, New Jersey 08054-1539 and mail a copy of your written objection to The

Honorable Margaret M. McVeigh, P.J.Ch., at Passaic County Carthage,

Superior Court of NJ, 71 Hamilton St, Paterson NJ 07505  
Chambers 100

9 AMS may file and serve written reply to any opposition papers filed by the

Foreclosure Defendants on or before December 11, 2012. Any such reply papers shall

be made in writing and the original documents must be filed with the Clerk of the Superior

Court in Mercer County, New Jersey with a copy timely provided to The Honorable

Margaret M. McVeigh, P J Ch., at Superior Court of NJ Chambers 100

71 Hamilton St. and to each Foreclosure Defendant who filed opposition.

Peterboro, NJ 07505

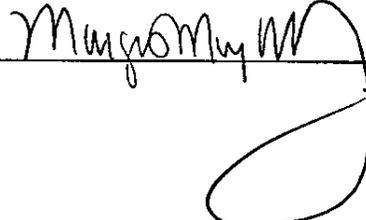
10 If you can not afford an attorney, you may call the Legal Services office in the county in which you live. A list of these offices is provided with the corrected NOI in the OSC Package.

11. A proposed form of Order addressing the relief sought on the return date (along with a self-addressed return envelope with return address and postage) must be submitted by AMS to this Court no later than 9 days before the return date identified herein

12. This Court will entertain argument, but not testimony, on the return date identified herein.

13. In the event a foreclosure action identified in Exhibit "A" to the Verified Complaint has been suspended or stayed as a result of a bankruptcy filing or loss mitigation activity, the OSC Package shall not be sent unless and until the suspension or stay is lifted. In such circumstances, the following procedures shall be used. AMS or its designee shall mail the OSC Package within 45 days of the lifting of the suspension or stay of the foreclosure action. You, the Foreclosure Defendants, shall have 30 days in which to object to the corrected NOI or 30 days from service of the OSC Package to cure your payment default. Any objections to the relief set forth in this Order to Show Cause shall be made in writing to the Court in the county in which your foreclosure action is pending. You must also serve a copy of your written objection on AMS's attorney, Gene R. Mariano, Esquire of Parker McCay P A, 9000 Midlantic Drive, Suite 300, P.O. Box 5054, Mount Laurel, New Jersey

08054-1539, or the Court handling your foreclosure action will not be able to consider your objection.

  
\_\_\_\_\_  
S.C.