

Gary J. Leitner

11 Old Republic Lane,

Marlton, New Jersey 08053

609-707-9933

Defendant – Pro Se

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>IN RE APPLICATION BY RUSHMORE LOAN MANAGEMENT SERVICES,LLC TO ISSUE CORRECTED NOTICES OF INTENT TO FORECLOSE ON BEHALF OF IDENTIFIED FORECLOSURE PLAINTIFFS IN UNCONTESTED CASES</p> | <p>SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION MERCER COUNTY DOCKET No: F-20701-12</p> <p>Civil Action</p> <p>OBJECTION TO ORDER TO SHOW CAUSE AND AMENDED ORDER TO SHOW CAUSE</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Gary J. Leitner and Helen M. Leitner, recipients of applicant's Order to Show Cause and defendants in Docket No. F-1462-09, Object to Rushmore Loan Management Services Order to Show Cause for the following reasons:

Objection: Rushmore states on page two, line six of their Verified Complaint in support of Summary Action that this Foreclosure Matter is Uncontested, this statement is False, (Please see Exhibit A).

When a mortgagor responds, (answers), a Foreclosure Complaint disagreeing with facts contained in the complaint the matter is considered Contested. By their own admission in a letter to the Court dated May 16, 2012, (Please see Exhibit B), TruCap states, this matter is Contested and therefor falls outside the New Jersey Supreme Court plain language Directive of April 4, 2012.

I, Gary Leitner have contested this matter in Superior Court Burlington County and in the Appellate Court of the Superior Court of New Jersey, (Please see Exhibit C), defending my Home, and my rights in this matter.

The Order to Show Cause - Special Summary Action Authorized by Order of the New Jersey Supreme Court Dated April 4, 2012, Specifically states that it applies to Uncontested Foreclosure Actions that are prior to Final Judgment. My case is Verified as Contested.

Objection: Rushmore did not properly include on the Order to Show Cause or the Corrected Notice of Intent to Foreclose:

Current Creditor: U.S. Bank National Association as Trustee for TruCap Grantor Trust 2010-12

In a letter Sent by Rushmore to defendants Dated April 30,2012, (Please See Exhibit D), Rushmore States that the Current Creditor is, **U.S. Bank National Association, (hereinafter as U.S. Bank NA.), as Trustee for TruCap Grantor Trust 2010-12.**

New Jersey Supreme Court ruling in **US BANK, NA. v. Guillaume**, clearly states that the name of the Lender and Contact information for same be provided to the Homeowner so same can know to whom their mortgage payments should be directed to satisfy the Outstanding Debt. U.S. Bank is not included in the Order to Show Cause, or the Corrected Notice of Intent to Foreclose. In not listing U.S. Bank NA. as the Current Creditor when Rushmore clearly listed U.S. Bank NA this way according to their own records is in Direct Violation to the Supreme Court Directive.

Objection: This written Order to Show Cause by Rushmore does Not Clearly and Conspicuously State in a manner Calculated to make the Debtor aware of the Situation, FFA- NJ2A:50-56,4C.

In Rushmores letter to Defendants dated April 30, 2012, Rushmore States the following:

Summary of Total Debt Composition:

Loan Balance, Interest, Escrow, and other Debt:

| | |
|---------------------------------------------------------------------------|----------------------------|
| Current Principal Balance: | \$294,090.12 |
| Number of Payments Due | 44 |
| Escrow Balance | 0.00 |
| Late Charges | 3,642.87 |
| NSF Charges | 0.00 |
| Other Charges | 54,432.60 |
| Partial Payments Not Yet Applied | <u>0.00</u> |
| Total Amount of your Debt, (Per Rushmore Calculations), Incorrect, | \$415,517.50 |
| *Actual Calculated Aggregate Sum, Correct, | <u>\$352,165.59</u> |
| *A Calculation Error in Favor of Rushmore of | <u>\$ 63,351.91</u> |

Now Calculate Monthly Payment amount Times Number of

Outstanding Payments Due, or \$2,671.46 X 44 \$117,544.24

Plus above listed amounts:

Late Charges 3,642.87

Other Charges 54,432.60

Total amount of your Past Due Debt, (Default Debt), **\$175,619.71**

Aggregate Due to Cure Default on the November 29, 2012

Order to Show Cause Corrected Notice of Intent to Foreclose, **\$152,473.70**

***NET LOSS TO RUSHMORE , OR NEGATIVE ROI,(Return on Investmt), is \$ 23,146.01**

The total amount required to cure the Default in this case as stated by Rushmore is uncertain, incorrect and not supported by documentation Verifying the aggregate amounts due. There is no transparency here, only ambiguity.

I object to Plaintiffs written Order to Show Cause and Order to Amend as it does Not Clearly and Conspicuously State in a manner Calculated to make the Debtor aware of the Situation, FFA- NJ2A:50-56,4C., it only raises more issues, is misleading and is rife with inadequacies.

Rushmore is again in violation of the New Jersey Fair Foreclosure Act, and is in violation to the New Jersey Supreme Court Ruling that the Fair Foreclosure Act must be Strictly Adhered to. Therefor their Order to Show Cause and Amended Order to Show Cause must be Rejected.

Samuel S. Suter
Defendant Pro Se

Confirmation of Service

December 24, 2012,

Today, I Hand Delivered an original of the within opposition to:

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

Kathryn M. Gilbertson Shabell , Esq., and Gene R. Mariano, Esq,
Parker McCay P.A.,
9000 Midlantic Drive, Suite 3000,
P.O. Box 5054,
Mount Laurel, New Jersey, 08054
2 Copies Each Attorney

Honorable Paul Innis, P.J.Ch.,
175 South Broad Street,
Trenton, New Jersey, 08650
2 Copies



GARY J. LEITNER
Defendant Pro Se

A

EXHIBIT A

RECEIVED

SEP 19 2012

File No. 14942-0061

SUPERIOR COURT
CLERK'S OFFICE

Law Offices
PARKER McCAY P.A.
9000 Midlantic Drive, Suite 300
P.O. Box 5054
Mount Laurel, New Jersey 08054
(856) 596-8900
Attorneys for Rushmore Loan Management Services, LLC

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

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
_____ COUNTY

DOCKET NO. F -020701-12

CIVIL ACTION

**VERIFIED COMPLAINT IN
SUPPORT OF SUMMARY ACTION
AUTHORIZED BY ORDER OF THE
SUPREME COURT OF NEW JERSEY
DATED APRIL 4, 2012 TO ISSUE
CORRECTED NOTICE OF INTENT
TO FORECLOSE**

Rushmore Loan Management Services, LLC ("Rushmore"), authorized to act on behalf of the foreclosure Plaintiffs in pending, pre-judgment uncontested foreclosure matters, by way of Verified Complaint, hereby brings this action pursuant to the April 4, 2012 Order of the New Jersey Supreme Court entered after the New Jersey Supreme Court's published opinion/decision in U.S. Bank, N.A. v. Guillaume, 209 N.J. 449 (2012), and states as follows:

1. Rushmore is a mortgage loan servicer for residential properties located in the State of New Jersey.

2. When Rushmore services mortgage loans for residential properties located in the State of New Jersey, its functions include, but are not limited to, the issuance of statements for payment; the collection of payments; loss mitigation; and the coordination of and assistance with mortgage foreclosure actions commenced by counsel in the name of the owner of the mortgage loan for whom Rushmore provides services. Rushmore provides its services to the owners of mortgage loans pursuant to and in accordance with written contracts that govern the parties' relationship, as well as in accordance with the applicable loans documents, the New Jersey Rules of Court and other applicable New Jersey and/or federal laws.

3. Rushmore performs services for, among other owners of mortgage loans:

a. TruCap Grantor Trust 2010-2.

4. Rushmore is authorized to commence this action on behalf of the foregoing entity, who is the Plaintiff in a pending mortgage foreclosure matter identified in Exhibit "A" attached hereto. The mortgage foreclosure action identified in Exhibit "A" is hereinafter referred to as the "Subject Foreclosure Matter". The defendants identified in Exhibit "A" are hereinafter identified as the "Foreclosure Defendants". The Subject Foreclosure Matter involves real property located in the State of New Jersey.

5. Exhibit "A" is incorporated herein by reference as if set-forth at length.

6. The Subject Foreclosure Matter is an uncontested matter filed on or before February 27, 2012 in which final judgment has not been entered.

7. Prior to the Subject Foreclosure Matter being filed, the Foreclosure Defendants were provided a written Notice of Intent to Foreclose ("NOI") pursuant to N.J.S.A. 2A:50-56(a) and (b). N.J.S.A. 2A:50-56(a) and (b) state, among other things, that

B

EXHIBIT B



Parker McCay P.A.
9000 Midlantic Drive, Suite 300
P.O. Box 5054
Mount Laurel, New Jersey 08054-1539
P: 856-596-8900
F: 856-596-9631
Foreclosure/Bankruptcy Dept.
www.parker-mccay.com
P: 856-810-5815
F: 856-596-3427

May 16, 2012

File No. 14942-0061

Sent via Fax Only and Regular Mail

The Honorable Karen L. Suter, P.J. Ch.
Chancery Division
Burlington County Courts Facility
49 Rancocas Road
Chambers 4D
Mt. Holly, New Jersey 08060

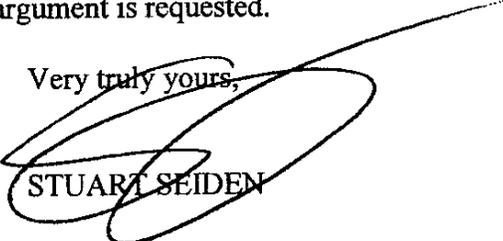
Re: **TruCap Grantor Trust 2010-2 v. Gary Leitner, et al.**
Docket No. F-1462-09

Dear Judge Suter:

Parker McCay represents the Plaintiff in the above captioned matter. Plaintiff has filed a Motion for an Order Approving Cure Notice of Intention to Foreclose and Directing the Office of Foreclosure to Process the Pending Foreclosure Action in Normal Course (the "Motion"). Please allow this letter to supplement the current Motion record as I wanted to emphasize that the Defendants, Gary Leitner and Helen Leitner, filed a contesting Answer in this matter on or about October 19, 2011. Defendants' contesting Answer was stricken by way of Order granting Summary Judgment dated February 28, 2012. It is respectfully submitted that this matter falls outside of the scope of the Supreme Court directive issued on April 4, 2012. The Supreme Court directive clearly states that it applies to uncontested matters in which final judgment has not yet been entered. As such, this matter falls outside of the plain language of the Supreme Court directive.

Plaintiff reiterates the request that the Motion be granted. If opposition is filed or the Court is inclined to deny the Motion, oral argument is requested.

Very truly yours,



STUART SEIDEN

SS/na

cc: Gary Leitner (via regular mail)
Helen M. Leitner (via regular mail)

C

EXHIBIT C



FORECLOSURE CASE INFORMATION STATEMENT (FCIS)

Use for Initial Chancery Division — General Equity
foreclosure pleadings (not motions) under Rule 4:5-1.
Pleading will be rejected for filing, under Rule 1:5-6(c),
if information is not furnished or if attorney's signature
is not affixed

FOR USE BY CLERK'S OFFICE ONLY

| | |
|--------------|----------------------------------------------------------------------------------------------------------------------------|
| PAYMENT TYPE | <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA <input checked="" type="checkbox"/> MO |
| RECEIPT NO | 67119185-2 |
| AMOUNT | 135 |
| OVERPAYMENT | |
| BATCH NUMBER | 717 |
| BATCH DATE | 10/24/11 / 11/2/11 |

SECTION A: TO BE COMPLETED BY ALL PARTIES

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| <p>CAPTION <i>Federal Home Loan Mortgage Corporation</i> <i>Plaintiff</i></p> <p style="text-align: center;">v</p> <p><i>GARY LEITNER - Et AL. Defendant</i></p> | <p>COUNTY OF VENUE <i>Burlington County, N.J.</i></p> <p>DOCKET NUMBER (When available) <i>F-1462-09</i></p> |
| <p>NAME(S) OF FILING PARTY(IES) (e.g., John Doe, Plaintiff)</p> <p><i>GARY + Helen Leitner</i></p> | <p>DOCUMENT TYPE</p> <p><input type="checkbox"/> COMPLAINT <input checked="" type="checkbox"/> ANSWER <input type="checkbox"/> OTHER</p> |
| <p>ATTORNEY NAME (IF APPLICABLE)</p> <p><i>GARY + Helen Leitner - Pro-Se</i></p> | <p>FIRM NAME (If applicable)</p> <p>-</p> |
| <p>MAILING ADDRESS</p> <p><i>11 Old Republic Lane, Marlton, N.J. 08053</i></p> | <p>DAYTIME TELEPHONE NUMBER</p> <p><i>609-707-9933 (cell)</i></p> |

SECTION B: TO BE COMPLETED BY PLAINTIFF TO INITIAL COMPLAINT

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>FORECLOSURE CASE TYPE NUMBER</p> <p><input type="checkbox"/> 088 IN PERSONAM TAX FORECLOSURE</p> <p><input type="checkbox"/> 089 IN REM TAX FORECLOSURE</p> <p><input type="checkbox"/> 0RF RESIDENTIAL MORTGAGE FORECLOSURE</p> <p><input type="checkbox"/> 0CF COMMERCIAL MORTGAGE FORECLOSURE</p> <p><input type="checkbox"/> 0CD CONDOMINIUM OR HOMEOWNER'S ASSOCIATION LIEN FORECLOSURE</p> <p><input type="checkbox"/> 091 STRICT FORECLOSURE</p> <p><input type="checkbox"/> 0FP OPTIONAL FORECLOSURE PROCEDURE (NO SALE)</p> | <p>IS THIS A HIGH RISK MORTGAGE PURSUANT TO P L 2009, c 84 AND P L 2008, c 127 <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>PURCHASE MONEY MORTGAGE <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>RELATED PENDING CASE <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, LIST DOCKET NUMBERS</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

| | |
|------------------------------------------------------------------------|-----------------------------------------------------------|
| <p>FULL PHYSICAL STREET ADDRESS OF PROPERTY</p> <p>ZIP CODE COUNTY</p> | <p>MUNICIPALITY CODE(*)</p> <p>MUNICIPAL BLOCK (LOTS)</p> |
|------------------------------------------------------------------------|-----------------------------------------------------------|

RECEIVED

OCT 24 2011

SUPERIOR COURT
CLERK'S OFFICE

ALL FILING PARTIES MUST SIGN AND PRINT NAMES(S) AND DATE THE FORM BELOW

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).

| | | |
|----------------------------------------------------------------------|---------------------------------------------------------------------------|-----------------------------------------|
| <p>ATTORNEY/SELF REPRESENTED SIGNATURE</p> <p><i>[Signature]</i></p> | <p>PRINT ATTORNEY/SELF REPRESENTED NAME</p> <p><i>Leitner Gary J.</i></p> | <p>DATE</p> <p><i>Oct. 19, 2011</i></p> |
|----------------------------------------------------------------------|---------------------------------------------------------------------------|-----------------------------------------|

The Municipality Codes are available at http://www.judiciary.state.nj.us/forms/CN11343_municodes_11-9-2009.pdf

THIS RELIEF SET FORTH BELOW
IS ORDERED AND FILED

Dec 01, 2011

MICHAEL J. HOGAN, P.J. Ch.

PREPARED BY THE COURT

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION BURLINGTON COUNTY
GENERAL EQUITY

TRUCAP GRANTOR TRUST

PLAINTIFF,

DOCKET NO F-1462-09

v.

GARY J LEITNER, et al.

Civil Action

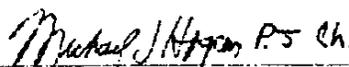
DEFENDANTS.

ORDER

This matter having come before the Court by way of answer filed by Gary Leitner, pro se defendant for good cause shown;

It is on this 1st day of December, 2011 ORDERED as follows:

1. A case management conference has been **scheduled on January 17, 2012 at 4:00 p.m.** Kindly mark your calendars accordingly.



MICHAEL J. HOGAN, P.J.Ch.

CONFERENCE NOTICE

IF YOU FAIL TO APPEAR IN PERSON OR BY TELEPHONE FOR THE SCHEDULED CONFERENCE WITHOUT PRIOR APPROVAL FROM CHAMBERS YOUR COMPLAINT, CROSSCLAIM, COUNTERCLAIM OR ANSWER IS SUBJECT TO DISMISSAL WITHOUT FURTHER NOTICE FROM THE COURT PURSUANT TO RULE 1:2-4(a) (Sanctions for Failure to Appear).

IF YOU NEED TO APPEAR BY TELEPHONE, YOU MUST OBTAIN ADVANCED APPROVAL FROM CHAMBERS AND YOU MUST INITIATE THE CALL. CHAMBERS WILL NOT INITIATE CASE MANAGEMENT CALLS.

Reset Form

Print Form

NAME: Gary J. Leitner and Helen M. Leitner
ADDRESS: 11 Old Republic Lane,
Marlton, N.J. 08053
TELEPHONE: 609-707-9933
Defendant Pro Se

RECEIVED

JAN 10 2012

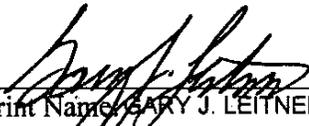
CHAMBERS OF
KAREN L. SUTER, J.S.C.

| | | |
|--------------------------------------|---|----------------------------------|
| | : | SUPERIOR COURT OF NEW JERSEY |
| | : | CHANCERY DIVISION |
| TRUCAP GRANTOR TRUST 2010-2 | : | Burlington COUNTY |
| | : | |
| Plaintiff, | : | DOCKET NO. F-1462-09 |
| | : | |
| vs. | : | Civil Action |
| | : | |
| GARY J. LEITNER AND HELEN M. LEITNER | : | |
| | : | DEFENDANT'S DEMAND FOR THE |
| Defendant, | : | PRODUCTION OF DOCUMENTS |
| | : | PURSUANT TO R. 4:18-1 and 4:18-2 |

TO: PARKER-McKAY P.A.
9000 Midlantic Drive, Suite 300
P.O. Box 5054
Mount Laurel, New Jersey 08054
(856-810-5815) Attorneys for Plaintiff

Pursuant to Rule 4:18-1 *et seq.*, Defendants hereby demand that Plaintiff produce the documents called for by Schedule A and the annexed Definitions and Instructions hereto at JUDGE SUTER, SUPERIOR CRT OF N.J. CHANCERY DIV., AND G.LEITNER, MARLTON ADDRESS within 35 days after service of this request as prescribed by the Rules of Court.

Dated:

BY: 
Print Name: GARY J. LEITNER
Defendant Pro Se

ATTENTION

MOVING PARTY'S COUNSEL SHALL
WITHIN 7 DAYS SERVE A COPY OF THIS
ORDER ON ALL OTHER PARTIES

File No. 14942-0061

THIS RELIEF SET FORTH BELOW
IS ORDERED AND FILED
February 28, 2012
KAREN L. SUTER, P.J. Ch.

Law Offices
PARKER McCAY P.A.
9000 Midlantic Drive, Suite 300
P.O. Box 5054
Mount Laurel, New Jersey 08054
(856) 810-5815
Attorneys for Plaintiff

TRUCAP GRANTOR TRUST 2010-2,
Plaintiff,

v.

GARY LEITNER, HELEN LEITNER,
Defendant(s).

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
BURLINGTON COUNTY
DOCKET NO. F-1462-09

CIVIL ACTION

**ORDER GRANTING SUMMARY
JUDGMENT IN FAVOR OF
PLAINTIFF AND STRIKING
ANSWER OF DEFENDANTS, GARY
LEITNER, HELEN LEITNER AND
FOR OTHER RELIEF**

THIS MATTER, being opened to the Court by Parker McCay P.A., attorneys for the Plaintiff, TruCap Grantor Trust 2010-2 on application for Summary Judgment striking the Contesting Answer filed by Defendants, Gary Leitner and Helen Leitner, in the above captioned foreclosure action; and the Court having read and considered the moving papers, and any opposition thereto, and for good cause having been shown;

IT IS on this 28th day of February, 2012

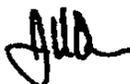
ORDERED AS FOLLOWS:

1. Summary Judgment is hereby granted in favor of Plaintiff, TruCap Grantor Trust 2010-2 and the contesting Answer filed by Defendants, Gary Leitner and Helen Leitner, is hereby stricken from the pleadings on file with prejudice;

ENTERED ON ACMS

LAW OFFICE
PARKER McCAY
P.A.



FILED
APPELLATE DIVISION
05/24/2012

CLERK

ORDER ON MOTION

TRUCAP GRANTOR TRUST 2010-12
V
GARY LEITNER ET AL

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-004023-11T3
MOTION NO. M-005132-11
BEFORE PART E
JUDGE(S): CARMEN MESSANO
MARIANNE ESPINOSA

MOTION FILED: 04/16/2012
ANSWER(S) 05/04/2012
FILED:

BY: GARY LEITNER.
BY: TRUCAP GRANTOR TRUST 2010-12

SUBMITTED TO COURT: May 14, 2012

ORDER

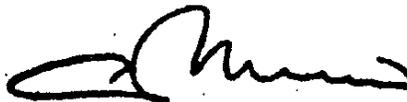
THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON THIS
22nd day of May, 2012, HEREBY ORDERED AS FOLLOWS;

MOTION BY APPELLANT

MOTION TO FILE AS WITHIN TIME A
MOTION FOR LEAVE TO APPEAL GRANTED
MOTION FOR LEAVE TO APPEAL DENIED
MOTION FOR STAY PENDING APPEAL DENIED

SUPPLEMENTAL: The previously filed appeal is dismissed as interlocutory.

FOR THE COURT:



CARMEN MESSANO, P.J.A.D.

TRUCAP GRANTOR TRUST 2010-2
IS ORDERED AND FILED

JUN 15 2012

KAREN L. SUTER, P.J. Ch.

PREPARED BY THE COURT

TRUCAP GRANTOR TRUST 2010-2,
Plaintiff

v.

GARY LEITNER, et al.,
Defendants

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
BURLINGTON COUNTY

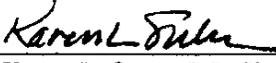
DOCKET NO.: F-1462-09

ORDER DENYING PLAINTIFF'S
MOTION TO CURE DEFICIENT NOTICE
OF INTENTION TO FORECLOSE BY
RESERVICE
AND INSTRUCTING PLAINTIFF TO
FOLLOW ORDER TO SHOW CAUSE
PROCEDURE

This matter having been opened to the court by Parker McCay PA, attorneys for Plaintiff; and it appearing that Plaintiff TruCap Grantor Trust 2010-2, initiated foreclosure proceedings by serving a Notice of Intention to Foreclose upon defendants that did not comply with the Fair Foreclosure Act, N.J.S.A. 2A:50-56; and Plaintiff now petitions the court to permit it to cure the deficient Notice of Intention to Foreclose by reservice of a corrected Notice of Intention to Foreclose upon defendants;

It is on this 15 day of June, 2012 ORDERED that:

1. Plaintiff's motion is hereby DENIED without prejudice.
2. Plaintiff is directed to follow the summary action Order to Show Cause procedure set forth in the New Jersey Supreme Court's April 4, 2012 Order to seek the Court's permission to cure the deficient Notice of Intention to Foreclose.
3. A copy of this order shall be served on all parties within seven (7) days of the date of this order.



Hon. Karen L. Suter, P.J. Ch.

ENTERED ON ACUS

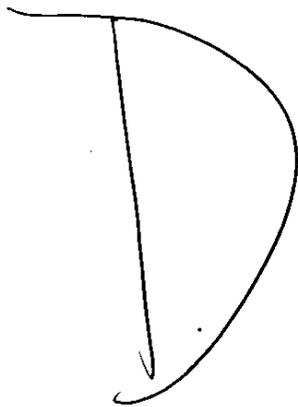


EXHIBIT D

Rushmore Loan Management Services LLC
15480 Laguna Canyon Road, Suite 100
Irvine, CA 92618

April 30, 2012

GARY LEITNER
HELEN LEITNER
11 OLD REPUBLIC LN
TOWNSHIP OF EVESHAM, NJ 08053

Subject:7600003156

Dear: Borrowers

According to Rushmore Loan Management Services LLC records, including information that we have received from your prior servicer, the amount of your debt as of 4/5/2012 is provided below.

Current Creditor: U.S. Bank National Association as Trustee for TruCap Grantor Trust 2010-2
Current Monthly Payment Amount: 2,671.46
Next Payment Due Date: 09/01/2008

Summary of Total Debt Composition:

Loan Balance, Interest, Escrow and Other Debt:

| | |
|-----------------------------------|------------|
| Current Principal Balance: | 294,090.12 |
| Number of Payments Due: | <u>44</u> |
| Escrow Balance: | 0.00 |
| Late Charges: | 3,642.87 |
| NSF Charges: | 0.00 |
| Other Charges: | 54,432.60 |
| Partial Payments Not Yet Applied: | 0.00 |

Total Amount of Your Debt: \$415,517.50

The Total Amount of Your Debt is subject to change as a result of interest and other accruing charges (such as late charges, NSF charges). Please call Rushmore Loan Management Services LLC at 1-888-504-6700 for a current payoff at the time of any payment.

Pursuant to the Federal Fair Debt Collections Practices Act, if you do not notify us within 30 days after receiving this notice that you dispute the validity of this debt or any portion thereof, we will assume the debt is valid.

If you notify us in writing within 30 days that the debt or any portion thereof is disputed, or if you request the name and address of the original creditor, we will obtain verification of the debt or judgment against you and mail a copy to you and provide you with the name and address of the original creditor.

You should consider this letter as coming from a Debt Collector as we sometimes act as a Debt Collector. However, if you are in Bankruptcy or received a Bankruptcy Discharge of this debt, this letter is not an attempt to collect a debt and does not constitute a notice of personal liability with respect to the debt.

Your dispute letter should be sent to:

Rushmore Loan Management Service LLC
15480 Laguna Canyon Road, Suite 100
Irvine, California 92618

Gary J. Leitner
11 Old Republic Lane,
Marlton, New Jersey 08053
(609)-707-9933

RECEIVED
DEC 24 2012
SUPERIOR COURT
CLERK'S OFFICE

December 18, 2012

Via Hand Delivery

Superior Court Clerk's Office, Foreclosure Processing Services

Attention: Objection to Notices of Intention to Foreclose

25 Market Street, P.O. Box 971

Trenton, New Jersey 08625

RECEIVED
DEC 24 2012
SUPERIOR COURT
CLERK'S OFFICE

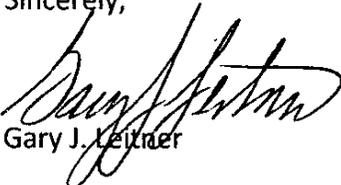
**Re: In Re Application by Rushmore Loan Management Services, to issue a Corrected Notice of Intent to Foreclose on Behalf of Identified Foreclosure Plaintiffs in Uncontested Cases.
Order to Show Cause Docket No. F-20701-12
Docket No: F-1462-09, (Burlington).**

Dear Sir/Madam,

I am the Defendant-Pro Se in the above captioned matter. Please find enclosed objection to Rushmore's Order to Show Cause, and Objection to the Proposed Corrective Notice of Intent to Foreclose.

If you have any Questions regarding this matter please call anytime at the contact number referenced above. Thank you for your attention to this matter.

Sincerely,



Gary J. Leitner

Defendant – Pro Se

GJL Encls.

Cc: Honorable Paul Innis, P.J.Ch.,
175 South Broad Street,
Trenton, New Jersey 08650

Kathryn M. Gilbertson Shabel, Esq.,
Parker McCay P.A.,
9000 Midlantic Drive, Suite 300,
P.O. Box 5054,
Mount Laurel, New Jersey 08054