

FILED Aug 26, 2013

RECEIVED

AUG 26 2013

SUPERIOR COURT
CLERK'S OFFICE

Judith J. Hunter
223 Woodbrige Avenue
Metuchen, New Jersey 08840
732-841-4954

In Re Application by JPMorgan Chase Bank
N.A. To Issue Corrected Notices of Intention
To Foreclose On Behalf Of Identifiewd
Foreclosure Plaintiffs in Certain Uncontested
Cases

Plaintiff,

vs.

Judith J. Hunter

Defendant

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION - PASSAIC COUNTY

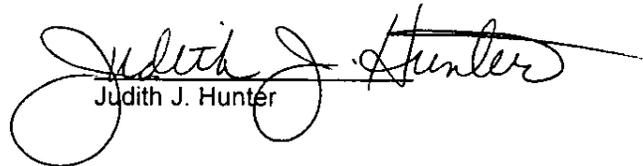
Docket No. F-21511-13

CIVIL ACTION

NOTICE OF OBJECTION TO ORDER TO
SHOW CAUSE

I, Judith J. Hunter, hereby acknowledge receipt of an Order to Show Cause; and I hereby
file a Notice of Objection and attach my Certification in support the aforementioned Notice of
Objection.

August 22, 2013


Judith J. Hunter

Judith J. Hunter
223 Woodbridge Avenue
Metuchen, New Jersey 08840
732-841-4954

In Re Application by JPMorgan Chase Bank
N.A. To Issue Corrected Notices of Intention
To Foreclose On Behalf Of Identified
Foreclosure Plaintiffs in Certain Uncontested
Cases

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION - PASSAIC COUNTY

Plaintiff,

vs.

Docket No. F-21511-13

Judith J. Hunter

CIVIL ACTION

DEFENDANT

Defendant

CERTIFICATION IN SUPPORT OF

SHOW

NOTICE OF OBJECTION TO ORDER TO

CAUSE

I, Judith J. Hunter, hereby certify that the following statements made by me are true to the best of my knowledge, information and belief; and, I understand that if any statement made by me is willfully false, I may be subject to penalty of law:

1. I am a defendant in a pending foreclosure action entitled JP Morgan Chase Bank, N.A. successor by merger to Chase Financial Home Loan, Docket No. F-8525-09 pending in the Superior Court of New Jersey Chancery Division, Middlesex County.

2. I acknowledge receipt of the Order to Show Cause in the captioned matter above.

3. I thought I had filed a contesting answer to the Complaint in 2009. See Exhibit A.

4. I learned that the answer was deficient in that I did not include a Foreclosure Case Information Statement and make other certifications or statements. Exhibit B..

5. Therefore, I have file a Notice of Motion to Set Aside the Default and permit me the right to file a contesting answer. Exhibit C (does not contain the exhibit attached to the motion for brevity sake here).

6. If this Court wishes to see the entire list of Exhibits filed in Exhibit C, same can be provided. It contains more than 60 pages of material.

Respectfully submitted,

August 22, 2013


Judith J. Hunter

Certification of Mailing

I, Judith J. Hunter, hereby certify that I sent a Copy of a Notice of Objection to the Order to Show Cause to Issue Corrected Notices of Intent to Foreclose on Identified Uncontested Cases to:

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

Hon. Margaret Mary McVeigh
Superior Court of New Jersey
Passaic County Courthouse
Chambers 100
71 Hamilton Street
Paterson, New Jersey 07505

Morgan, Lewis & Bockius, LLP
Attn: Kristofor T. Henning, Esq.
Douglas J. Gush, Esq.
1701 Market Street
Philadelphia, Pennsylvania 19103

Brian A. Herman, Esq.
101 Park Avenue
New York, New York 10178

August 22, 2013

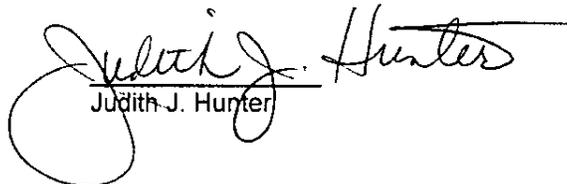

Judith J. Hunter

EXHIBIT A

RECEIVED

MAY 07 2009

SUPERIOR COURT
CLERK'S OFFICE

5-1-09
RECEIVED

MAY 07 2009
SUPERIOR COURT
CLERK'S OFFICE

To whom it may concern,

RECEIVED

MAY 04 2009

SUPERIOR COURT
CLERK'S OFFICE

I am answering the Foreclosure Complaint that was served to me dated 4-1-09, Docket # F-8525-09. I filled out a Foreclosure Mediation Financial Worksheet and sent it to the Foreclosure Mediation Program at P.O. Box 971, 25 Market St. Trenton, NJ 08625, which was received 4-6-09. I called them and I was told to respond to the complaint on my own, which I am doing. It doesn't appear that they are doing anything more on my behalf. I would like the Court to know that I lost my job as an independent Title searcher/Abstractor in July, 2007, this being the reason I fell behind on my mortgage. I am now working as a Massage Therapist and have taken in roommates. I hope to work out a solution with my lender "Chase Home Finance" and hopefully be able to modify my mortgage to a more affordable rate. I also filled out forms for the Faith Fellowship Community Development Corp. and should be hearing from them soon. I would like to find out more about Faith Fellowship if I qualify for the "MAUP" program, administered by the State of NJ. My hope is to stay in my home

Richard Hunter 732-841-4954
223 Woodbridge Ave
Metuchen, NJ 08840

[Handwritten signature]

Defend Your Mortgage, LLC
1625 Lemona Avenue, Suite 201
Fort Lee, NJ 07024

Defend Your Mortgage, LLC
1625 Lemona Avenue, Suite 201
Fort Lee, NJ 07024

RECEIVED
MAY 04 2009
SUPERIOR COURT
CLERK'S OFFICE

MEMORANDUM

unt

EXHIBIT B

SUPERIOR COURT OF NEW JERSEY

GLENN A. GRANT, J.A.D.
ACTING ADMINISTRATIVE
DIRECTOR
OF THE COURTS



OFFICE OF THE CLERK
FORECLOSURE PROCESSING SERVICES
P.O. BOX 971
TRENTON, NEW JERSEY 08625-0971
(609) 984-4200

JENNIFER M. PÉREZ, ESQ.
ACTING SUPERIOR COURT CLERK

www.njcourtsonline.com

SCCOForeclosure.Mailbox@judiciary.state.nj.us

DOCUMENT TRANSMITTAL LETTER

Date:	By: Gerry	Phone: 609-292-7641
Docket Number: F-8525-09	Lot:	Block:
Caption:		

The enclosed pleading has been stamped "Received", but has not been filed. It is being returned pursuant to R. 1:5-6(c) for the following reason(s):

	The correct filing fee was not received or is insufficient. The correct fee is \$
	The pleading does not include an original signature by the attorney or pro se litigant.
	The Complaint does not contain a certification of title search as required by R. 4:64-1(a).
XXX	The pleading does not contain a complete Foreclosure Case Information Statement (FCIS) annexed as a cover sheet to the first pleading as required by R. 4:5-1(b)(1).
XXX	FCIS not submitted. See Rules of Court Appendix XII-B(2) for the form FCIS.
	Incorrect CIS form. See Rules of Court Appendix XII-B(2) for the form FCIS.
	FCIS not signed by the submitting attorney or pro se party(ies).
	The case type noted on the FCIS does not match the case type in the pleading.
	The parties indicated on the FCIS do not match the parties in the pleading.
	The FCIS is incomplete:
	The pleading does not meet the paper size, weight, or format requirement of R. 1:4-9.
<i>For the above-listed reasons only: If the pleading is resubmitted within ten days after the date of this notice, filing will be deemed to have been made on the stamped receipt date. Motions will receive the next available return date.</i>	

Please note the following with regard to the enclosed pleading:

	Do not accept starter checks.
	Case caption is incomplete or does not match the caption on the docket.
	Pleading not dated.
XXX	First pleading does not contain the certification required by R. 4:5-1(b)(2).
XXX	Answer does not contain the certification of service required by R. 4:6-1(d).
	Motion will be heard in _____ County.
	A notice of motion is required pursuant to R. 1:6 and/or R. 4:64-9.
	Your answer has <u>not</u> been filed; final judgment was entered on _____
	Your answer has been filed; however, the case was dismissed on _____
	You must file a motion in _____ County to vacate default before an answer can be filed.
	Default cannot be entered; proof of service was not filed or is deficient. R. 4:43-1.
	Default cannot be entered; defendant(s) has filed an answer. R. 4:43-1.
	Default cannot be entered; defendant(s)' time to answer has not expired. R. 4:43-1.
	Default cannot be entered; certification or affidavit is insufficient. R. 4:43-1.
	Entry of default filed more than six months after default; a motion is required. R. 4:43-1.
	Comment:

PLEASE RETURN A COPY OF THIS TRANSMITTAL WHEN RE-SUBMITTING YOUR PLEADINGS.

EXHIBIT C

August 23, 2013

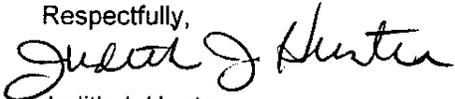
Superior Court of New Jersey
Chancery Division, Middlesex County
Attn: Chancery Division Motions Clerk
56 Paterson Street
New Brunswick, New Jersey 08901

Re: JP Morgan Chase Bank, NA vs. Judith J. Hunter
Docket No.
Notice of Motion to Set Aside Default and Permit Contesting Answer

Dear Clerk of the Chancery Division:

I am writing to you regarding the above matter. Enclosed are my Motion Papers. Please file in accordance with the Rules of Court. A \$30 filing fee is enclosed; however same may be waived as a result of reasons stated the Order to Show Cause pending before the Hon. Margaret Mary McVeigh JP Morgan Chase cases, Docket No. F-21511-13.

A copy has been mailed to Plaintiff's Attorney and the Hon. Frank M. Ciuffani, PJCh.

Respectfully,

Judith J. Hunter

Phelan, Hallinan & Diamond, PC

Judith J. Hunter
223 Woodbrige Avenue
Metuchen, New Jersey
732-841-4954

JPMorgan Chase Bank, N.A. successor by
merger to Chase Financial Home Loan

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION - MIDDLESEX COUNTY

Plaintiff,
vs.

Docket No. F-8525-09

Judith J. Hunter

CIVIL ACTION

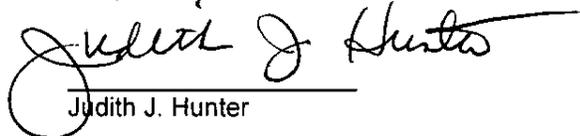
Defendant

NOTICE OF MOTION TO SET ASIDE
DEFAULT PERMIT RIGHT OF DEFENDANT
TO FILE ANSWER

PLEASE TAKE NOTICE THAT the undersigned shall make application to the Superior Court of New Jersey, Chancery Division, Middlesex County, located at 56 Paterson Street New Brunswick, New Jersey 08901 on or about September 13, 2013 at 9 AM in the forenoon, or on a date and time set by the Court for an Order to Set Aside the Default previously entered and permit the Defendant the opportunity to file a Contesting Answer. Movant shall rely upon the attached Certification and Exhibits and shall seek any other relief that the Court deems to be fair and just under the circumstances.

August 23, 2013

Respectfully,



Judith J. Hunter

Judith J. Hunter
223 Woodbrige Avenue
Metuchen, New Jersey
732-841-4954

JPMorgan Chase Bank, N.A. successor by
merger to Chase Financial Home Loan

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION - MIDDLESEX COUNTY

Plaintiff,
vs.

Docket No. F-8525-09

Judith J. Hunter

CIVIL ACTION

Defendant

CERTIFICATION IN SUPPORT OF DEFENDANT'S
NOTICE OF MOTION TO SET ASIDE DEFAULT
PERMIT RIGHT OF DEFENDANT TO FILE ANSWER

I, Judith J. Hunter, hereby certify that the following statements made by me are true to the best of my knowledge, information and belief; and, I understand that if any statement made by me is willfully false, I may be subject to penalty of law:

1. I am a defendant in a pending foreclosure action entitled above.
2. I have learned that there is an Order to Show Cause brought by the Plaintiff to issue corrected Notices of Intention to Foreclose on behalf of identified uncontested cases before the Hon. Margaret M. McVeigh in Passaic County, amongst whom I am included. Exhibit A (filed first page of Order to Show Cause and page with my name).
3. I have filed opposition to said Order to Show Cause. See Exhibit B (for sake of brevity I did not attach exhibits for said opposition because to do so would be duplicate here).
4. To the best of my knowledge, there has been no prosecution of that case since 2009 for reasons that are not very clear to me; however, I have tried multiple means to obtain a loan modification without success but for reasons that seem to be contradictory.

5. I recently learned that the "Contested Answer" that I filed was deficient. See Exhibit C. I now file a response to correct those deficiencies. Exhibit D.

6. Since 2009 I have attempted to secure a loan modification through various means and programs including but not limited to the following:

a. CHASE FOREBEARANCE PLAN. I obtained a "forbearance plan" directly through the Plaintiff on two occasions in 2009 and 2010. I made payments for approximately a year and I was terminated for reasons that were not supported by the facts. See Exhibit E.

b. NJ JUDICIARY PROGRAM.

i. I participated in a program in 2009 called Avoiding Foreclosure through the Faith Fellowship Community Development Corporation that had connections with the New Jersey Foreclosure Mediation Program. I submitted financial and personal information but it did not lead to a loan modification. See Exhibit F.

ii. I participated in a Mediation Hearing on June 1, 2009 that was aborted due mediator's suggestion that the matter could be resolved outside mediation and if that did not work it could be returned for mediation at a later date. See Exhibit G.

c. NACA HOME SAVE PROGRAM. Both Chase and the NJ Judiciary Mediation Program suggested use NACA (Neighborhood Assistance Corporation of America) to assist in obtaining a loan modification. I supplied financial information and I attended a "workshop" on November 20, 2011. See Exhibit H.

d. CHASE HAMP PROGRAM AND MAKING HOME AFFORDABLE PROGRAM. I have filed more approximately a dozen packages with Chase for programs for loan modifications from approximately May 2010 until August of 2013, see most recent, Exhibit I.

i. I have been told contradictory reasons for being rejected, including making too much money and making too little money. When I ask what is the amount I need to make to qualify because I can adjust my income slightly, I am told Chase cannot tell me that. It seems that they simply do not want me to get a loan modification.

e. CHASE SEMINAR SEPTEMBER 27, 2011. I attended a seminar and met face to face with representatives from Chase, including Brenda Stone. I provided documents. Results: no loan modification. Exhibit J.

f. HOMESAVERS - NOVA DEBT - NNFA. I also attempted to get relief through the New Jersey Homesaver Program. All I got was more red tape, frustration and denial. Exhibit K.

g. INDEPENDENT FORECLOSURE REVIEW. I was a participant in this review which alleged improprieties by Chase on this loan and I received a \$2,000.00 check. See Exhibit L.

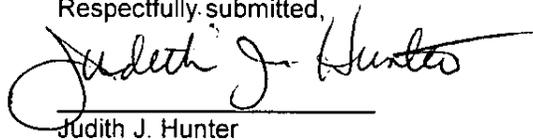
h. FAX TRANSMISSIONS TO CHASE. I have over 100 pages of faxes to Chase submitting various documents. I am including a sample to demonstrate that I have attempted to do everything they want to get a loan modification without any luck. See Exhibit M.

7. Therefore, I have filed this Notice of Motion to Set Aside the Default and permit me the right to file a contesting answer.

8. Lastly, I have also attempted to get information about my loan from the lender through multiple Qualified Written Requests, the last being October of 2012. Exhibit N.

9. I am employed and I have the means to save the property but I am being frustrated at every turn to do so.

Respectfully submitted,



Judith J. Hunter

August 23, 2013

Certification of Mailing

I, Judith J. Hunter, hereby certify that I sent a Copy of a Notice of Motion to Set Aside

Default and Permit Defendant Right to File Answer with Exhibits to:

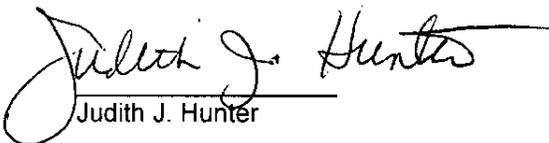
Superior Court of New Jersey
Chancery Division, Middlesex County
Attn: Chancery Division Motions Clerk
56 Paterson Street
New Brunswick, New Jersey 08901

Superior Court of New Jersey
Chancery Division, Middlesex County
Attn: Hon. Frank M. Ciuffani
Chambers 306
56 Paterson Street
New Brunswick, New Jersey 08901

Phelan Hallinan & Diamond, PC

400 Fellowship Road Suite 100
Mt. Laurel, New Jersey 08054

August 23, 2013


Judith J. Hunter

Judith J. Hunter
223 Woodbrige Avenue
Metuchen, New Jersey 08840
732-841-4954

JPMorgan Chase Bank, N.A. successor by
merger to Chase Financial Home Loan

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION - MIDDLESEX COUNTY

Plaintiff,
vs.

Docket No. F-8525-09

Judith J. Hunter

CIVIL ACTION

Defendant

ANSWER AND AFFIRMATIVE DEFENSES

I, Judith J. Hunter am the mortgagor/owner of property located at 223 Woodbridge Avenue,

New Jersey, and, by way of Answer, I say the following:

This is a contested case in accordance with the guidelines set forth in the Foreclosure Process Handbook and standard court procedures. There are material issues of fact:

1. I challenge the validity of any documents alleged to support this foreclosure, particularly since no documents related to the closing were attached to the Summons and Complaint.
2. I am not in default for reasons stated within the Answer and Affirmative Defenses
3. I challenge the standing of the Plaintiff to bring this action in that same was not the original lender, same was Atlantic Coast Mortgage Services, Inc. and has offered no proof that it is the holder of the note and or mortgage, or the holder in due course.
4. Lastly, the Plaintiff has failed to negotiate with me in good faith regarding a loan modification.

First Count

1. I argue that there is not a valid note. The Plaintiff is not the original lender. The original lender was Atlantic Coast Mortgage Services, Inc.; and its representatives, knew or

should have known that this was a high risk loan .The debt to income ratio and loan to value of the home exceeded industry standards and same should have been clearly explained to Plaintiff.

2. I say that the mortgage does not exist for the same reasons stated in Paragraph 1. I do not know the exact details of how and when and if the Plaintiff came into ownership of this fraudulent loan. No one ever told me or pointed out to me the involvement of Mortgage Electronics Registrations Systems, Inc., although I know that there was a scandal about "robo signing" and ask that the Court take "Judicial Notice" of same.I have no knowledge about:

- a. any alleged assignment from Atlantic Coast Mortgage Services, Inc. to Mortgage Electronics Registration Systems, Inc;
- b. any alleged assignment from Mortgage Electronics Registration Systems, Inc. to CHASE HOME FINANCE, INC.;
- c. any proof that the Plaintiff is the holder of the Note and Mortgage because it has failed to respond to my Qualified Written Request.

3. I do not know if the legal description of the property is correct; however, the street address is accurate.

4. I repeat my Answer to Paragraphs 1 and 2 and leave the Plaintiff to its proofs.

5 I leave the Plaintiff to its proofs:

- a. I am single, my husband is deceased;
- b. Leave Plaintiff to its proofs;
 - i. leave Plaintiff to its proofs;
 - ii. leave Plaintiff to its proofs.
 - iii.leave Plaintiff to its proofs.
 - iv.leave Plaintiff to its proofs.

c. Leave Plaintiff to its proofs;

i. leave Plaintiff to its proofs;

ii. leave Plaintiff to its proofs.

iii. leave Plaintiff to its proofs.

iv. leave Plaintiff to its proofs.

d. Defendant does have a loan and same is subordinate to this loan.

i. See above.

6. I repeat my Answer to Paragraphs 1 and 2 and leave the Plaintiff to its proofs regarding said proofs.

7. I repeat my Answer to Paragraphs 1 and 2 and I do not have sufficient information regarding this allegation and I leave the Plaintiff to its proofs.

8. I repeat my Answer to Paragraphs 1 and 2 and leave the Plaintiff to its proofs regarding said proofs.

9. I deny that any such notice was sent in accordance with the law regarding this claim and leave the Plaintiff to its proofs.

Wherefore, I demand that the complaint be dismissed with costs to the Defendant.

Second Count

1. The Plaintiff has failed to comply with the law and has otherwise defaulted and its security interest in the property is terminated by law; therefore, it is not entitled to possession. See Answer in Count One.

2. I repeat the same answer here as in Paragraph 1 of the Second Count.

3. I repeat the same answer here as in Paragraph 1 of the Second Count.

4. I repeat the same answer here as in Paragraph 1 of the Second Count.

Wherefore, I demand that the complaint be dismissed with costs to the Defendant.

Third Count

I have no idea who revealed this allegation about the property description and leave the plaintiff to its proofs.

Wherefore, I demand that the complaint be dismissed with costs to the Defendant.

AFFIRMATIVE DEFENSES

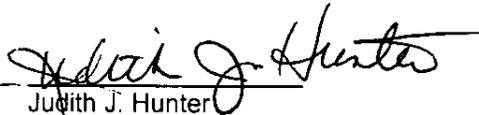
1. The Plaintiff and/or its predecessors are involved with lending fraud and have failed to comply with the Truth in Lending Act regarding disclosures, right to cancel, right to rescind.
2. Defendant has cancelled the loan under the Trust in Lending Act, therefore, no security interest exists.
3. The Plaintiff is not the original lender and/or holder of the note and offers no proof that it is the holder of the note and mortgage.
4. I received no Notice of Intent to Foreclose under New Jersey state law or under the Fair Debt Collections Practices Act.
5. Plaintiff failed to comply with the Real Estate Settlement Procedures Act regarding any assignment of mortgage or transfer of servicing.
6. Plaintiff has failed to recognize the Defendant's right to a response about its claim that the Plaintiff has failed to properly service the loan.
7. The loan violated the Consumer Fraud Act of New Jersey.
8. The lender committed fraud in the procurement of the loan by making false representations or neglecting to advise me of the true cost of the loan and the fact that it was likely to fail.
9. The appraisal of the property was inflated so this loan could be placed but same failed to comply with industry standards.
10. The placement of this loan did not comply with industry standards in that the debt to income ratio exceeded 50%.

11. The Plaintiff has offered no proof that it is the owner of the note or mortgage, or, that it has the authority to bring this action.

12. Plaintiff has no proof of a fully executed load modification agreement.

Therefore, I demand the case be dismissed and Judgment be entered in my favor with costs of court.

August 22, 2013


Judith J. Hunter

CERTIFICATION RULE 4:5-1

To the best of my knowledge, information and belief, this matter is not the subject of any other action pending in any court or of a pending arbitration proceeding, nor is any other action or arbitration proceeding contemplated. At this time, there are no other parties who should be joined in this action.

August 22, 2013


Judith J. Hunter

CERTIFICATION OF MAILING

I, ~~Judith J. Hunter~~^{J. Hunter} certify that I mailed or caused to be mailed a copy of an Answer,

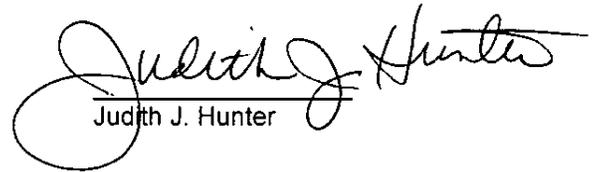
Counterclaim, Production of Documents, Interrogatories, Foreclosure Case Information Statement

to the following:

Clerk, Superior Court of New Jersey
Hughes Justice Complex
CN-971
Trenton, New Jersey 08625

Phelan Hallinan & Diamond, PC
400 Fellowship Road Suite 100
Mt. Laurel, New Jersey 08054

August 22, 2013


Judith J. Hunter