

Hamda pro 1-26

SIRAJ AND NUJUMA HAMDA  
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EGG HARBOR TWP, N.J 08234  
609-703-1372

RECEIVED

FEB 01 2013

SUPERIOR COURT  
CLERK'S OFFICE

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OPPOSITION AND OBJECTIONS

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
DOCKET# F-57679-09

TO NOTICE TO FORECLOSE

NATIONSTAR MORTGAGE  
Docket No. F-023925-12

Civil Action

We, Siraj A Hamda and Nujuma Hamda are the defendants in the foreclosure action  
Vide docket number F-57679-09 –ATLANTIC COUTY.

These defendants, hereby object to the arbitrary nature of the demand by the NEW  
Plaintiff's Attorneys. We were never been Notified of new counsel. The first counsel still in  
process of foreclosure sale. Nationstar actions through its counsels misleading and to short  
circuit the court and our rights to due process.

The objections here are to be construed independent and/or related to the objections pending in  
MERCER County before Hon Judge INNES.

No notice to foreclose was served by the owner of the mortgage. It clearly violates the subject  
in the show cause

The original action was never properly served and the original counsel did actively  
Misguided us to obtain judgment with a malicious intent, and to short circuit our rights to  
due process.

The Nation Star did not attach the original and or amended complaint to original notice by  
servicer or the amended modified notice by the purported owner of the mortgage.

Action for improper service and contents of notice to foreclose can not be mixed with New  
Jersey class action against the plaintiff by the Attorney General of New Jersey.

The fact remains that in our foreclosure action the improper service of the notice and its  
incorrect contents do apply but our case was not included amongst the list of the cases included  
therein by court order.

Instead of restarting the foreclosure action restarting or deciding not to file any complaint

The plaintiff is trying to obtain its objectives by misleading action with the sole purpose to misguide the court. We reemphasize the fraudulent action by the plaintiff and insist that action was fraudulent t ab initio and pure case of predatory lending.

From the above it is clear that the lender is repeating its Robo Signing activity without going in to details of the case and ascertaining whether the decision applies top this case.

The notice of Intent deficiency was raised in answers and subsequent documents filed with our opposition to complaint and subsequent pleadings. We believe that the plaintiff is trying to take advantage of a pro se defendant.

To let Nation Star to correct the misrepresentation of improper notice by wrong party  
Will amount to great unconscionable act against these defendants.

Permitting the proposed corrections at this juncture strips the homeowners of the right they have asserted in our reply to the foreclosure actions.

The Nationstar did not attach the complaint to issued notices and the defendants reject such improper service.

**THIS IS CONTRARY TO RULES OF COURT R.4:67-2 & R. 4:52-1 (b)**

The Nationstar did not serve the identified homeowners.

The order to show cause specifically states that packages be sent certified and regular mail to homeowners identified in the exhibit. The only exception pertained to married borrowers. The certified mail copy of the packages was not received by all homeowners and it is believed that some homeowners did not receive even the ordinary mail copy. Counsel's due diligence permits a response on their behalf but many homeowners are not represented by third party protecting their interests. This is a clear case of lack of access to justice.

The Nationstar did not properly identified the parties identified the parties and actions named as subject to the show cause. The order to show case specifically requires the plaintiff to do that. See Hon. Margaret Mary McVeigh ruling in docket No. 067565-10. Evidently the counsel is in violation of the order of the show case. Please see also F-15048-08 & F-36708-08 WHERE IN THE COURTS RULED THAT PLAINTIFF CAN NOT BE ALLOWED to do that and state compelled to intervene. The lender can not keep proper records can not be used to its advantage to strip a homeowner of his/her rights. The at fault lender should not be allowed to use its fault to its advantage.

Evidently the improper party has brought the order to show cause.

The name of the plaintiff does not appear anywhere on any document including notice to foreclose.

The language of the proposed notice and proposed order is misleading.

All the defendants in this action have their loans already accelerated. The said notice says that such loans will be accelerated. The notice is not tailored to the situation and are written in a manner that is confusing to the mortgager. The majority of the cases have not retained a

counsel and will be misleading to pro se defendants. Further the plaintiff counsel says that foreclosure action will start whereas in actuality these are already in active foreclosure litigation.

To permit the notice of intention as is presented, without reference to the pending foreclosure action is UNJUST AND MISLEADING.

The plaintiff is improperly using judicial resources to address an issue more properly determined by the legislature. The Nationstar is trying to create a safe harbor form for private corporation –with judicial approval. However, the private corporation can not use the judicial process to circumvent the normal judicial process. The plaintiff has brought one action regarding hundreds of homeowners requiring significant time and resources of the judiciary to save their own resources by not bringing each action in individual matter it affects. It does not constitute judicial efficiency but only savings for the corporate movant. The movant has not treated this application seriously enough to warrant the relief sought. The lender/movant is not entitled to relief sought.

The bank has provided general number to contact with questions. It does not provide direct contacts. We were transferred to the different agents with misnomer personal extensions and have to give up after hours of holding and transfers of phone. It seems the house keeping of record keeping is haphazard and we have no means of knowing what for they want us to call except to Camouflage their real intent –that is to mislead.

#### CONCLUSION:

For the reasons stated above and for reasons that may be raised in additional objections it is respectfully identified that NATIONSTARS order to show cause be denied in its entirety or in the alternative be denied specifically identified defendants herein.

We further request for any other relief be granted to these defendants as the courts may find fit.

  
SIRAJ A HAMDA

  
NUJUMA HAMDA

January 26, 2013

----- PROOF OF SERVICE-----

I, SIRAJ A HAMDA , HEREBY DECLARE THAT FOLLOWING HAVE BEEN SERVED BY ORDINARY USPS , PREPAID MAIL BY DEPOSITING IN OFFICIAL DEPOSITORY IN NEW JERSEY.

1. CLERK OF THE SUPERIOR COURT ,  
FORECLOSURE PROCESSING SERVICES

Att: Objections to notice to foreclose

25 MARKET STREET

PO BOX 971

TRENTON, N.J 08625-0971

2. JUDGE PAUL INNES---P. J.Ch.

MERCER COUNTY COURT HOUSE

175 SOUTH BROAD STREET

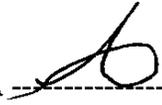
TRENTON, NJ 08650

3. CORIN M DEMENT, ESQ

McCabe Weisberg & Conway

216 HADDEN AVENUE SUITE 303

WESTMONT, N.J 08108

SIRAJ A HAMDA -----01/26/2013