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PHELAN HALLINAN & DIAMOND, PC

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IN RE NOTICES OF INTENTION TO
FORECLOSE SERVED BY CENTRAL
MORTGAGE

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION

DOCKET NO: F-028123-13

CIVIL ACTION

**ORDER TO SHOW CAUSE TO
PROCEED SUMMARILY PURSUANT
TO R. 4:67-2**

This Matter being brought before the court by the law firm of Phelan, Hallinan & Diamond, P.C., attorneys for plaintiff, Central Mortgage, seeking relief by way of summary action as set forth in Chief Justice Stuart Rabner's April 4, 2012 Order and based upon the facts set forth in the Verified Complaint filed herewith; and the Court having determined that this matter may be commenced by Order to Show Cause as a summary proceeding pursuant to R. 4:67-2 and for good cause shown;

IT IS on this 3rd day of December, 2013,

ORDERED that the parties in interest listed in Exhibit B of the Certification of Ben A. Coleman appear and show cause on the 6th day of March, 2014 before the Honorable Margaret M. McVeigh, P.J.Ch., Superior Court, Chancery Division, at the Passaic County Courthouse, 71 Hamilton Street, in Paterson, New Jersey at 10 a.m. o'clock, why judgment should not be entered as follows:

- A. Central Mortgage will issue a letter (“Explanatory Letter”) to each Foreclosure Defendant in the form attached as Exhibit A to the Verified Complaint. The Explanatory Letter will explain
- the reason why the corrected NOI is being served;
 - the procedure to follow in the event a Foreclosure Defendant wishes to object to the NOI;
 - the individuals to contact with any questions; and
 - their right to object to the corrected NOI or their right to cure the default within 35 days of the date of the corrected NOI.
- B. Central Mortgage will issue a corrected NOI in the form attached as Exhibit C to the Verified Complaint and shall attach such NOI to the Explanatory Letter referenced in paragraph 1 above. The corrected NOI will exclude attorneys’ fees and foreclosure costs that have been incurred in the pending foreclosure cases. In accordance with the servicing guidelines and as required by N.J.S.A. 2A:50-56(e), the Explanatory Letter and corrected NOI will be sent by Central Mortgage, the servicing agent.
- C. Central Mortgage will serve the corrected NOI, the Explanatory Letter, the Verified Complaint without exhibits, and a copy of this Order to Show Cause (collectively, the “OSC Package”), via certified mail, return receipt requested and regular mail at the last known address of the Foreclosure Department. The OSC Package shall be mailed within 45 days from the date of this Order. For purposes of this Order to Show Case, Central Mortgage may serve each

marital couple residing at the same address with one OSC Package via certified mail and regular mail. **Within 45 days of the date of this Order.**

D. A copy of this Order to Show Cause and Verified Complaint shall be posted **All attachments will be provided in a PDF searchable file.** on the Judiciary Web Page at www.judiciary.state.nj.us. within 5 days.

E. Plaintiff shall publish the legal notice of this action as set forth in Exhibit C to the certification of Vladimir Palma, Esq. on at least two days prior to

January 30, 2014, in the following newspapers:

- a. Star Ledger
- b. Bergen Record
- c. The Press of Atlantic City
- d. The Gloucester County Times

F. Central Mortgage shall file with the Court its proof of service of the OSC Package on Foreclosure Defendants in the Corrected NOI List in the matter consistent with this Order no later than nine (9) days before the return date.

G. You, Foreclosure Defendants, have the right to object in this proceeding to this Order to Show Cause (the process by which this Court gave Central Mortgage permission to serve the corrected NOI). You must file an original copy of the written objection under the docket number listed on the first page of this Order for this case with Superior Court Clerk's office, Foreclosure Processing Services in Trenton, New Jersey and you must serve copies of the objection to both the Honorable Margaret Mary McVeigh and counsel for Central Mortgage. To do so, you must set forth with specificity the basis for

your objection and file your objection with the Superior Court Clerk's Office
at the following address on or before **February 17, 2014**.

Clerk of the Superior Court, Foreclosure Processing Services
Attention: Objection to Notice of Intention to Foreclose
Hughes Justice Complex
25 Market Street
PO Box 971
Trenton, NJ 08625-0971

A copy of the objection to the Order to Show Cause must also be served upon the
attorney for the Plaintiff at:

Vladimir Palma, Esq.
Phelan, Hallinan & Diamond, P.C.
400 Fellowship Road, Suite 100
Mount Laurel, NJ 08054

H. You, Foreclosure Defendants, also have the right to object to the corrected NOI
that you will receive. You will also have 35 days from the date of the
corrected NOI to cure your default. If you object to any of the contents of your
corrected NOI, you must file written objection under the docket number for
your foreclosure action. You must set forth with specificity the basis for your
objection and file your objection with the Superior Court Clerk's Office on or
before **February 17, 2014**.

Clerk of the Superior Court, Foreclosure Processing Services
Attention: Objection to Notice of Intention to Foreclose
Hughes Justice Complex
25 Market Street
PO Box 971
Trenton, NJ 08625-0971

A copy of the objection to the Order to Show Cause must also be served upon the
attorney for the Plaintiff at:

Vladimir Palma, Esq.
Phelan, Hallinan & Diamond, P.C.
400 Fellowship Road, Suite 100
Mount Laurel, NJ 08054

- I. Central Mortgage may file and serve any written reply to any opposition **February 24, 2014** papers received by _____. The reply papers must be filed with the Clerk of the Superior Court in Mercer County, with a copy to Judge McVeigh and to each Foreclosure Defendant who filed an opposition.
- J. If you cannot 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.
- K. 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 to the Court by Central Mortgage no later than nine (9) days before the return date.
- L. The court will entertain argument, but not testimony, on the return date of the Order to Show Cause, unless the court advised to the contrary ~~no later than _____ days before the return date.~~
- M. In the event a foreclosure action 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 procedure shall be used. Central Mortgage shall mail the OSC Package within 45 days of the lifting of the stay or suspension of the foreclosure action. You, Foreclosure Defendnats, will have 35 days from the

date of the corrected NOI in which to object to the corrected NOI or cure your 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 send a copy of your written papers to Central Mortgage's attorney at Phelan Hallinan & Diamond, P.C., 400 Fellowship Road, Suite 100, Mt. Laurel, NJ 08054 or the Court handling your foreclosure action will not be able to consider your objection.


Margaret Mary McLaughlin