FILED Sep 19, 2013

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SUPERIOR COURT
CLERK'S OFFICE

Alan Dixler & Christine Dixler, Attorneys for Def.
(Your Name(s))

231 North Ave., W #333, Westfield, NJ 07090
(Your Mailing Address)

(908) 528-3417
(Your Daytime Telephone Number)

Superior Court of New Jersey
Chancery Division
General Equity

Federal National Mortgage Association
(Name of company or bank that filed the foreclosure complaint)

Plaintiff(s),

Vs.

Jeffrey M. Connolly
(Name of first defendant listed on the complaint)

Defendant(s),

Union County
County where the property is located or "Mercer" for an objection to the Order to Show Cause

Docket No F- 29458-10

CIVIL ACTION

OBJECTION TO: (select one)

☐ Order to Show Cause

☒ Corrected Notice of Intention to Foreclose

I/We Attorneys for the Defendant and heirs and estate of (filing party or parties), the defendant(s) in the foreclosure matter _____ (caption and docket number if different from above) hereby object to the Plaintiff's filing of the (select one)

☐ Order to Show Cause ☒ Corrected Notice of Intention to Foreclose for the following specific reasons:

(Describe specific objections in numbered paragraphs. Please attach additional pages if necessary.)

1. The named Defendant/mortgagor is deceased.

2. Plaintiff failed to perform the Due Diligence necessary to ascertain the death of the named Defendant.

3. Plaintiff has failed to file an Amended Complaint of Foreclosure reflecting the death and naming executors, administrators, heirs, and other parties of interest.

4. Plaintiff has failed to serve the corrected NOI on the heirs, estate and other parties in interest thereby denying them an opportunity to remedy or cure the default.

5. Plaintiff has failed to serve Defendant, his heirs, estate and other parties in interest with an Order of Default, thereby denying them an opportunity to remedy or cure the default or defend the Foreclosure action.

**SEE ATTACHED PAGE FOR ADDITIONAL OBJECTIONS

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

09/17/2013
Date

Signature

Alan Dixler Christine Dixler
Print or Type Name

Objection to corrected Notice of Intention to Foreclose
re: FNMA vs. Jeffrey M. Connolly,
Case no.: F- 29458-10

Continued from page 1:

6. Defendant and his heirs and estate hereby challenge the alleged amount to cure and request a Life of the Loan accounting.

7. Defendant and his heirs and estate object to the Inspection fee because the subject Property was never inspected.

8. Plaintiff should not be permitted to file a remediated Notice of Intention to Foreclose ("NOI") because, pursuant to Rule 4:64-8, Foreclosure Complaints which have not been prosecuted for 12 months are to be administratively dismissed. Thus the subject action should be dismissed without prejudice.

9. The corrected NOI does not strictly comply with the provisions of the Fair Foreclosure Act in that an NOI is required to be filed PRIOR to the filing of a foreclosure Complaint.

10. The corrected NOI does not clearly identify the fact that a foreclosure action has already been commenced, and in fact contains language implying that a foreclosure action has not yet been initiated, thereby misleading defendant and interested parties.

11. Plaintiff failed to serve Defendant's Attorney/Representative despite the fact that the Attorney/Representative name was on record with both Plaintiff's Servicer, Seterus and the Plaintiff's prior attorney.

12. The NOI was received one day AFTER the date to object. i.e. the Order stated that objections must be filed by August 26, 2013, however, the OTSC package was not mailed until August 23, 2013 and not received until August 27, 2013, thus denying defendant and all parties in interest an opportunity to object timely, a denial of due process.

13. Plaintiff failed to mail the OTSC package to the Property address.

14. Seterus is not the owner of the Note and Mortgage and is not the proper party in interest to file the NOI.

15. The NOI does not clearly and conspicuously identify the Real Estate security interest to which the foreclosure action pertains.

16. The remediated NOI does not list the correct Loan number.

17. The NOI does not give the correct date to cure, since the NOI was mailed only 30 days prior to the cure date and delivered only 26 days prior to the cure date.

18. Plaintiff failed to serve the Order to substitute Plaintiff's Attorney on Defendant and his heirs, estate and other parties in interest.

Certification of Service

I hereby certify that on 9/17/13 I sent my objection to the following parties by: (Select which mailing method you chose. If you sent it by both regular and certified mail, check both.

☒ regular mail ☒ certified mail ☐ other _____

List each party to the lawsuit; send your opposition to the attorney if the party is represented by counsel; if the party is pro se you may send the papers directly to that individual.

Name Clerk of the Superior, Foreclosure Processing Services

Address Attn: Objection to Notice of Intention to Forec

25 Market Street

P.O. Box 971

~~Attorney for~~ Trenton, NJ 08625-0971

Name Honorable Paul Innes, P.J.Ch.

Address Mercer County Civil Courts Building

175 South Broad Street

Trenton, NJ 08650-0068

~~Attorney for~~

Name: Robert Saltzman, Esquire, Atty for Plaintiff
Pluese, Becker & Saltzman, LLC
20000 Horizon way, Ste 900
Mt. Laurel, NJ 08054

September 17, 2013
Date

Signature

Alan O. Dixler, Attorney for Defendant, Heirs and Estate of Defendant
Print or Type Name

Alan O. Dixler, Esq.

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SEP 19 2013
SUPERIOR COURT
CLERK'S OFFICE

September 17, 2013

Clerk of the Superior Court
Foreclosure Processing Services
Attn: Objection to Notice of Intention to Foreclose
P.O. Box 971
Trenton, NJ 08625-0971

Re: In Re Notices of Intention to Foreclose sent by Seterus, Inc. Docket no.: F-020651-13

FNMA vs. Jeffrey M. Connolly, F-29458-10 (Union County)

Dear Clerk:

Enclosed for filing are 2 originals of an Objection to **Notice of Intention to Foreclose** in the referenced matter, together with a certificate of service.

Kindly file and return one copy marked "filed" in the enclosed self-addressed stamped envelope.

Thank you.

Sincerely yours,

A. Dixler

Alan Dixler

cc. Honorable Paul Innes, P.J.Ch.
Robert Saltzman, Esq.

231 North Ave. W. #333
Westfield, NJ 07090

908-528-3417
alandixleresq@comcast.net