

PREPARED BY THE COURT MAR 29 2011

Ann Ryan
ANN RYAN
DEPUTY CLERK OF SUPERIOR COURT

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION –
GENERAL EQUITY PART
MERCER COUNTY

IN THE MATTER OF
RESIDENTIAL MORTGAGE
FORECLOSURE PLEADING AND
DOCUMENT IRREGULARITIES

DOCKET NO. F-59553-10

CIVIL ACTION

ORDER APPROVING THE
RECOMMENDED STIPULATION
AND APPOINTING SPECIAL
MASTER

The court having entered an Order to Show Cause on December 20, 2010, directing the six foreclosure plaintiffs identified in the order (referred to hereinafter as “Respondents” to the Order to Show Cause) to respond to the Order to Show Cause and establishing a schedule for the filing of papers, and appointing Edward Dauber, Esquire, Greenberg, Dauber, Epstein & Tucker, as counsel to support the proposed relief outlined in the Order to Show Cause; and the foreclosure plaintiffs having filed their oppositions to the relief sought in the Order to Show Cause on January 5, 2011; and Mr. Dauber having requested and received several extensions of time to respond to the oppositions in order to explore with the foreclosure plaintiffs the possibility of their agreeing to the appointment of a Special Master and their agreeing to a process for reviewing their foreclosure document preparation procedures for accuracy, reliability, and compliance with applicable laws, court rules, and the business record requirements of the New Jersey Rules of Evidence; and Mr. Dauber having reported the success of those negotiations to this court in a letter of March 18, 2011; and Mr. Dauber having submitted a fully executed Recommended Stipulation to the court for review on March 18, 2011; and the court having

scheduled a review hearing for the Recommended Stipulation for March 29, 2011, at 2 P.M.; and the court having reviewed the Recommended Stipulation and the letter of Mr. Dauber of March 18, 2011; and the court having heard oral argument regarding the Recommended Stipulation on March 29, 2011; and the court also having heard oral argument from proposed interveners whose motions to intervene have been addressed in separate orders; and for good cause shown, for the reasons set forth on the record on March 29, 2011:

IT IS on this 29th day of March, 2011, **HEREBY ORDERED** that:

1. The Recommended Stipulation is approved and shall be referenced as the "Stipulation of Settlement" or "Stipulation." The Respondents are directed to fulfill their responsibilities under the stipulation and cooperate with the Special Master and Special Counsel.
2. The court appoints the Honorable Richard J. Williams, J.S.C. (retired), as the Special Master, with the consent of the Respondents, to undertake the responsibilities of the Special Master set forth in the Stipulation. Judge Williams shall have the powers enumerated in the Stipulation and any power necessary or attendant to the powers explicitly set forth in the Stipulation to achieve the goals set forth in that document.
3. The process set forth in the Stipulation shall address only uncontested cases. Nothing in the Stipulation shall be construed as altering or interfering with the right of any party to a foreclosure action to contest the foreclosure by filing a contesting answer, by challenging an amount due on a mortgage in default submitted to the Office of Foreclosure with a final judgment package, or pursuing any right guaranteed by law or court rule to a party contesting a foreclosure. Nor shall anything in the Stipulation, or any action taken by the Special Master, be construed as altering or interfering with

the discretion of any Superior Court Judge of the State of New Jersey to adjudicate all issues raised by the parties in contested foreclosure matters.

4. The court refers to the Special Master for his consideration the papers filed by Legal Services of New Jersey and The Seton Hall Law School Center for Social Justice in support of their motions for intervention, which motions have been denied by separate orders.
5. The court refers to the Special Master for his consideration the documents submitted to the court and to Mr. Dauber by individuals who lodged the documents with the court out of concern for promoting the integrity of the foreclosure process. Attached to this order is a list of the individuals who filed papers with the court and the dates of their submissions.
6. This Order resolves the Order to Show Cause entered by this court on December 20, 2011. The court retains jurisdiction to enforce the terms of the Stipulation and the terms of this Order.
7. Mr. Dauber shall provide a copy of this order via facsimile to the attorneys on the attached service list and the order shall be filed in the electronic case jacket of the JEFIS system for foreclosure matters maintained by the Office of Foreclosure in the Superior Court Clerk's Office.


MARY C. JACOBSON, P.J. Ch.

<u>Date Received</u>	<u>Filed By</u>
12/23/10	William Pinilis
12/28/10	Ted Peterson & Madeline Ferreri
12/29/10	Rosa Sands
12/30/10	Jeffrey Lichtenstein
1/11/11	Lauri Gordon
1/11/11	Kerry Scott Lane, M.D.
1/11/11	Anthony D'Amato
1/12/11	Michael f. Olenick
1/12/11	Lisa Epstein
1/13/11	James McGuire
1/18/11	Janet-Linda Beddini
1/24/11	Anonymous
1/31/11	Ellen E. Nevins
2/10/11	Kevin M. Hurley
2/14/11	Harold Goldman, Esq. (Ansell, Grimm & Aaron)
2/22/11	Steve & Dawn Hodges
3/1/11	Katherine S. Galaida
3/1/11	Anthony D'Amato
3/9/11	Tracy T. Wilson
3/15/11	Collins Elumogo