

**In the Matter of Residential Mortgage  
Foreclosure Pleading and Document  
Irregularities**

**Superior Court of New Jersey  
Union County**

Docket No: F-238-11

Hon. Walter R. Barisonek

**SUPPLEMENTAL CERTIFICATION OF ANITA HOLBROOK  
IN RESPONSE TO REQUEST FOR INFORMATION DATED APRIL 25, 2011**

I, Anita Holbrook, do hereby certify as follows:

1. I make this Supplemental Certification to respond to the Court's request for further information. This certification incorporates by reference my prior Certification dated June 17, 2011. The defined terms used in this Supplemental Certification are the same as used in my original Certification unless stated otherwise.

**PNC Personnel Receive Additional Training When Policies and Procedures Are Updated**

2. The Court has asked whether PNC Mortgage has a process in place to train or re-train attestation specialists when foreclosure-related policies and procedures are changed or updated materially. PNC Mortgage provides additional training to attestation specialists whenever changes or updates to applicable procedures require it. Depending on the nature of the change in applicable procedures, the additional training will be provided by supervisory personnel, who report to me, or by PNC University.

**Process For Notifying Foreclosure Counsel Of Post-Referral Payments**

3. The Court has asked PNC Mortgage to provide additional detail with respect to Paragraph 52 of my June 17 Certification. In particular, you have asked me to explain in greater detail how foreclosure counsel is notified when a borrower makes a payment or partial payment after referral to foreclosure.

4. With respect to a defaulting borrower whose mortgage is in an active foreclosure proceeding, it is PNC Mortgage's policy only to accept payments that are sufficient to reinstate the mortgage. PNC Mortgage promptly returns or refunds insufficient payments.

5. PNC Mortgage's policy is that payments sufficient to reinstate the mortgage should be delivered directly to foreclosure counsel.

6. When a loan is referred to foreclosure, PNC Mortgage sends written notice that the matter has been referred to foreclosure, identifying PNC Mortgage's foreclosure counsel, and providing contact information. The notice instructs the borrower that future communications regarding the loan are to go through foreclosure counsel. Therefore, in the ordinary course, borrowers make reinstatement payments directly to foreclosure counsel. Foreclosure counsel then remit such payments to PNC Mortgage on behalf of the borrower and terminate the foreclosure action

7. On occasion, however, a defaulting borrowers will telephone or write PNC Mortgage for payoff or reinstatement amounts, or otherwise inquire of PNC Mortgage for payoff or reinstatement advice or information. PNC Mortgage instructs these persons to contact foreclosure counsel. PNC Mortgage will follow-up on the inquiry by instructing foreclosure counsel to write to the borrower with information on how payments may be made to foreclosure counsel.

8. If a borrower makes a payment to PNC Mortgage instead of foreclosure counsel, the payment will be processed by the Payment Servicers Department. A member of the Payment Services Department will then contact a PNC Mortgage Foreclosure Specialist. The Foreclosure Specialist will determine whether the payment is sufficient to reinstate the mortgage. If the payment is not sufficient, the funds will be promptly returned to the borrower. If the payment is

sufficient, the Foreclosure Specialist will send a message to foreclosure counsel via the LPS-PM communications system (hereafter, Communications System) informing foreclosure counsel of the payment and directing foreclosure counsel to terminate the foreclosure action. (The Communications System is described more fully at Paragraph 38 of my June 17 Certification.)

#### Security of Foreclosure Related Records

9 As set out in Paragraph 28 of my June 17 Certification, PNC Mortgage uses LPS-MSP as its servicing system of record. "MSP" stands for "Mortgage Servicing Platform." For purposes of this Supplemental Certification, I will refer to LPS-MSP as the "Mortgage Servicing Platform."

10. The Court has asked for further information regarding the security of foreclosure related business records contained in the Mortgage Servicing Platform and the Communications System. In particular, you have asked whether or not foreclosure or attestation specialists can alter or change foreclosure related records created and maintained in the Mortgage Servicing Platform or in the Communications Systems

11. Original Collateral Documents such as the note, the mortgage, and assignments, are maintained in vaults either by PNC Mortgage or document custodians retained by investors. Only imaged copies of original documents are stored in the Mortgage Servicing Platform. Neither the original documents nor their images can be altered or changed by PNC Mortgage personnel or foreclosure counsel.

12. Day-to-day servicing records, including records of payments or other borrower transactions, are entered by PNC Mortgage personnel into the Mortgage Servicing Platform at or near the time of the transaction. The Mortgage Servicing Platform updates each account, every

night, automatically. Once the nightly update is complete, each entry posted to a borrower's account in the Mortgage Servicing Platform is permanent and cannot be altered or changed.

13. Likewise, messages sent by (or to) foreclosure counsel via the Communications System become permanent records once the nightly update process is completed.

#### Process For Verifying Corrections To Rule 4-64 Checklist Information

14. Whenever foreclosure counsel returns a revised document to PNC Mortgage, after making corrections requested by PNC Mortgage, the revised document is subjected to the full review process described in my June 17 Certification as if no prior review had occurred. (See Paragraphs 9-17, 40-43, 53-57.) That is, the Attestation Specialist must start from the beginning, verify anew each factual assertion contained the document, complete a new Attestation Checklist, and complete a new Rule 4-64 Checklist. This requirement applies to all documents signed by PNC Mortgage under either Rule 4:64-1 or Rule 4:64-2. Foreclosure counsel uses the name of the Attestation Specialist who completed the review of the final (error-free) document as the employee providing the confirmation required for the attorney's certification of diligent inquiry. In other words, Foreclosure Counsel does not use the name of the Attestation Specialist(s) completing prior Attestation Checklists in which errors were identified and the document returned to foreclosure counsel for correction.

#### Attestation Specialist Review Rates

15. Each PNC Mortgage Attestation Specialist reviews approximately 18 attested documents per day. This figure is based on Attestation Specialist reviews across all jurisdictions served by PNC Mortgage including New Jersey.

### Compliance Testing

16. The Court has asked for information regarding compliance reviews designed to test my department's compliance with PNC and PNC Mortgage policies and procedures. There are three levels of such compliance testing. First, there is an annual review conducted by PNC corporate auditors. Second, PNC Mortgage has its own Quality Control Team that reviews my department monthly. Third, there is the Quality Assurance Department, whose work is addressed in Paragraphs 40-43 of my June 17 Certification.

17. Each of these three levels of review are performed by entirely independent groups within PNC or PNC Mortgage. None of these teams, or their members, report to me or anyone in Default Servicing.

18. Although I am not privy to the audit plans for either the PNC audit team or the PNC Mortgage Quality Control team, in general, and based on personal observation, each team tests different aspects of PNC's and PNC Mortgage's policies, procedures and instructions with the result that my department's compliance with all policies, procedures and instructions is thoroughly tested.

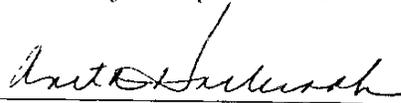
### Original Loan Documents

19. The court has asked for an overview of PNC Mortgage requirements with respect to Original Collateral Documents (the mortgage, note and assignments, if any).

20. Images of the Original Collateral Documents are created and loaded into the Mortgage Servicing Platform. Day-to-Day servicing of the loan, to the extent it involves Collateral Documents, is based on the image stored in the Mortgage Servicing Platform.

21. PNC Mortgage foreclosure counsel are required to review the original Collateral Documents before authenticating them pursuant Rule 4:64-2 For that purpose, after a loan is referred to foreclosure, the original Collateral Documents are to be retrieved from the vault where they are stored and sent by overnight courier to foreclosure counsel. Foreclosure Counsel may retain the Original Collateral Documents until they are no longer needed for purposes of the foreclosure action After they are no longer needed, foreclosure counsel are required to return the Original Collateral Documents to PNC Mortgage by overnight courier

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



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Vice President  
PNC Bank, National Association



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**VIA OVERNIGHT MAIL AND ELECTRONIC  
FILING**

August 19, 2011

The Honorable Walter R. Barisonek  
Superior Court Judge  
Union County Courthouse  
2 Broad Street, Courtroom 101  
Elizabeth, NJ 07207

**RECEIVED**

AUG 22 2011

**SUPERIOR COURT  
CLERK'S OFFICE**

Re. Certifications of PNC Bank, National Association. In Response To Request For  
Information Dated April 25, 2011 // Supplemental Certifications  
Administrative Order 01-2010  
Docket Number F-238-11

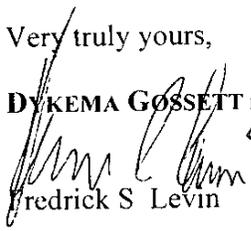
Dear Judge Barisonek

In response to your request for further information, enclosed please find the Supplemental  
Certifications of Anita Holbrook and Kathleen Prorock.

Please do not hesitate to contact me if you have any questions.

Very truly yours,

**DYKEMA GOSSETT LLP**

  
Fredrick S. Levin

cc. Superior Court Clerk's Office ✓  
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