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January 29, 2025

**Via eCourts**

Clerk of the Supreme Court of New Jersey  
P.O. Box 970  
Richard J. Hughes Justice Complex  
Trenton, New Jersey 08625

Re: *Diana v. LVNV Funding LLC, et al.*, Docket No. 089939

Dear Sir/Madam:

We represent defendants-respondents MHC Receivables, LLC and FNBM, LLC (together, "Respondents") in the above-referenced action. Plaintiff-appellant Scott Diana ("Appellant") seeks this Court's review and permission to proceed with an appeal to reverse a Decision and Order of the Honorable Christine M. Vanek and Honorable Mark A. Chase of the Superior Court of New Jersey, Appellate Division, dated September 26, 2024. Appellant filed a Notice of Petition for Certification on October 7, 2024. [Transaction ID E1049972-10072024]. Appellant's deadline to file a Petition for Certification was October 17, 2024. *Rule* 2:12-7(b). On October 22, 2024, Appellant filed a Motion to Extend his Time to file a Petition for Certification. [Transaction ID E1050104-10222024]. While Appellant's Motion was pending and the time had not been extended by the Court, on November 25, 2024, Appellant filed a Petition for Certification. [Transaction ID E1050667-11252024]. While Appellant's Motion was pending and the time had not been extended by the Court, on December 10, 2024, defendants-respondents LVNV Funding LLC, Sherman Originator III LLC, and Sherman Originator LLC (collectively, "Sherman Respondents") filed a Brief in Opposition to Appellant's Petition for Certification. [Transaction ID E1051046-12102024]. Also on December 10, 2024, Respondents filed a letter to the Court reserving their right to file a brief in opposition to Appellant's Petition for Certification if the Court granted Appellant's Motion. [Transaction ID E1051063-12102024]. On December 19, 2024, Appellant filed a Motion to Extend his Time to file a Reply Brief in Support of Petition for Certification. [Transaction ID E1051302-12192024]. While Appellant's Motion was pending and the time had not been extended by the Court, on January 21, 2025, Appellant filed a Reply Brief in Support of Petition for Certification. [Transaction ID E1051994-01212025]. On January 28, 2025, the Court issued an Order granting Appellant's Motions for extensions of time.

Further to their December 10, 2024 letter, Respondents now join in the arguments raised in Sherman Respondents' Brief in Opposition to Appellant's Petition for Certification. [Transaction ID E1051046-12102024].

We thank the Court for its time and attention to this matter.

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Respectfully submitted,

*/s/ Christopher A. DeGennaro*

Christopher A. DeGennaro