Overview of Foreclosure Industry

- Florida Attorney General investigation
- 50 State Multi-State Team Investigation
- Law firms began withdrawing documents
- Banks suspended foreclosures
Figure 3: Delinquency and Foreclosure Rates (2006-2010)

Source: Oversight Panel Oversight Report, Examining the Consequences of Mortgage Irregularities for Financial Stability and Foreclosure Mitigation
The History of Mortgages in America

- Bankers used to take the original note and mortgage and secure it in the bank vault.
Mortgage-Backed Trusts

- As the mortgage industry grew, bankers began securing the notes in mortgage-backed trusts.
- Trusts are a bundle of 5,000 notes secured by mortgages.
- A bundle of notes may contain 5,000 notes and mortgages with a face value of $1.5 Billion.
These Trusts were packaged as Residential Mortgage-Backed Securities ("RMBS") and could be sold to investors in bite-sized pieces.

The rules for the operation of these RMBS trusts were set forth in "Pooling and Servicing Agreements".
The Travels of a RMBS bundle

- Trust bundles travel from:
  - The Lender
  - To the Depositor
  - To the Securities Company
  - To the Trustee
When it doesn’t work quite right . . .

- Sometimes a note or a mortgage gets lost.
When it doesn’t work quite right . . .

- Sometimes the document custodians are lax about their procedures.
- That appears to be the situation here in Florida as well as across the nation.
When it doesn’t work quite right . . .

- Sometimes there are just too many documents to keep track of any single Note or Mortgage.
When it doesn’t work quite right . . .

- Keep in mind these are some of the largest banks in the country . . . losing ownership paperwork!!
The key to the problems regarding foreclosures of mortgages are the ASSIGNMENTS of mortgage.
IMPORTANT: The Key

- Assignments of mortgage operate to transfer ownership of the mortgage from one bank to another.
- You sue on the note but foreclose under the mortgage.
What if there is no valid assignment?

- A valid assignment transfers the ownership of the mortgage and allows the assignee of the assignment to begin a foreclosure action.
- Only the holder/owner of the note and mortgage can institute a foreclosure action if the homeowner stops making their mortgage payments.
If the mortgage is not properly assigned....

the result is chaos.
The Paperwork in Securitization Process

Source: Oversight Panel Oversight Report, Examining the Consequences of Mortgage Irregularities for Financial Stability and Foreclosure Mitigation
Sample Assignment of Mortgage

ASSIGNMENT OF MORTGAGE

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, Mortgage Electronic Registration Systems, Inc. as nominee for American Home Mortgage Acceptance, Inc., whose address is 6501 Irvine Center Drive, Irvine, CA 92618, does by these presents hereby grant, bargain, sell, assign, transfer, convey, set over and deliver unto AMERICAN HOME MORTGAGE SERVICING, INC., a DELAWARE CORPORATION, F/K/A AH MORTGAGE ACQUISITION CO., INC., whose address is 6501 Irvine Center Drive Irvine, CA 92618, the following described mortgage, securing the payment of a certain promissory note(s) for the sum listed below, together with all rights therein and thereto, all liens created or secured thereby, all obligations therein described, the money due and to become due thereon with interest, and all rights accrued or to accrue under such mortgage.

Original Borrower(s): RICOBERTO GUERRERO

Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR AMERICAN HOME MORTGAGE ACCEPTANCE, INC.

Date of Mortgage: 07/09/2004
Loan Amount: $97,850.00
Recording Date: 08/04/2004
Book: 2035
Page: 1387
Document #: 2454536

Mortgage Electronic Registration Systems, Inc. as nominee for American Home Mortgage Acceptance, Inc.

LEGAL DESCRIPTION: LEGAL DESCRIPTION: THE NORTH HALF OF LOT 2 AND ALL OF LOT 22, BLOCK 1 OF SILVER LAKES PARK, ACCORDING TO THE PLAT HEREOF AS RECORDED IN PLAT BOOK 10, PAGE(S) 4, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

and recorded in the official records of the County of St. Lucie, State of Florida affecting Real Property and more particularly described on said Mortgage referred to herein.

IN WITNESS WHEREOF, the undersigned has caused these presents to be executed on this date of 10/21/2008.
Execution of the Assignments

- The Banks appointed individuals to execute the assignments.
Example
Appointments through a
Limited Power of Attorney for executing Assignments

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENT, that JPMorgan Chase Bank, National Association ("JPMorgan Chase"), successor in interest to the loans and mortgage notes formerly serviced by Washington Mutual Bank, by and through its officers hereby constitutes and appoints LPS Default Solutions, Inc. ("LPS") its true and lawful Attorney-in-Fact, in its name, place and stead and for its benefit, with full power of substitution in connection with mortgage loans or mortgage notes serviced by JPMorgan Chase on its own behalf or those serviced for others that are referred by JPMorgan Chase to LPS to provide administrative default support services.

LPS shall discharge its duties and exercise the authority granted under this Limited Power of Attorney by and through the following employees of LPS:

Bill Newland  1st Vice President
Chris Hymer  1st Vice President
Greg Lyons  Vice President
Matthew Rogina  Vice President
Scott Walter  Assistant Vice President
Amy Weis  Assistant Vice President
Christine Anderson  Assistant Vice President
Chrys Houston  Assistant Vice President
Dory Goebel  Assistant Vice President
John Cody  Assistant Vice President
Christina Allen  Manager
Eric Tate  Manager
Jeanelle Gray  Manager
Jodi Sobotta  Manager
Laura Hescott  Manager
Liquenda Allotey  Manager
Mathew Casey  Manager
Reginald Lynch  Manager
Rick Wilken  Manager

JPMorgan Chase hereby grants to LPS the authority to act in any manner necessary and proper to exercise the powers enumerated in the paragraph below and in accordance with that certain Default Services Agreement, as it may be amended or extended from time to time (the "Agreement") between Washington Mutual Bank and LPS (and its predecessor FNFS), pursuant to which LPS is providing certain foreclosure, bankruptcy and other mortgage loan related administrative support services to JPMorgan Chase in furtherance of its servicing obligations.
Execution of the Assignments

- Many individuals who executed the assignments knew nothing about the documents they were signing, these individuals are referred to as “robo-signers”
Execution of the Assignments

- Individuals included bank employees, law firm employees (lawyers, paralegals, and even secretaries) and document preparation and processing company employees
- Thousands and thousands and thousands of assignments . . . signed weekly.
Fraudulent Practices come in all shapes and sizes

- Robo-signers
- Fake witnesses
- Fake notaries
- Fake documents
- False affidavits
Problems with Assignments

- Not executed by the authorized person
- Signatures not witnessed properly by the “witnesses”
- Signatures not properly notarized by a notary
Forgeries in Assignments

Example:
Variations of Linda Green
Signature I

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

Linda Green
Vice President
Forgeries in Assignments

• Example:
Variations of Linda Green
Signature 2

American Home Mortgage Servicing, Inc. as successor-in-interest to Option One Mortgage Corporation

Linda Green
Vice President
Forgeries in Assignments

Example: Variations of Linda Green Signature 3

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

Linda Green
Vice President
Forgeries in Assignments

Example:
Variations of Linda Green Signature 4

Mortgage Electronic Registration Systems, Inc. as nominee for American Home Mortgage Acceptance, Inc.

Linda Green
Vice President,
Example:

Variations of Linda Green Signature 5

American Home Mortgage Servicing, Inc. as successor-in-interest to Option One Mortgage Corporation

Linda Green
Vice President
Who is the Real Linda Green?
Linda Green’s “signature” appears on hundreds of thousands of mortgage assignments.

She is listed as an officer of dozens of banks and mortgage companies.
A Few of Linda Green’s Many Job Titles

- Vice President, American Home Mortgage Servicing, Inc.
- Vice President, Amtrust Funding
- Vice President, Argent Mortgage Company
- Vice President, American Brokers Conduit
- Vice President, Bank of America
- Vice President, Citi Residential Lending
- Vice President, First Franklin, a Division of National City Bank of Indiana
- Vice President, Mortgage Electronic Registration Systems, Inc. (MERS), as Nominee for American Home Mortgage Acceptance
- Vice President, MERS, as Nominee for Family Lending Services
- Vice President, MERS, as Nominee for HLB Mortgage
- Vice President, Option One Mortgage Corporation
- Vice President, Sand Canyon Corporation
- Vice President, Seattle Mortgage Company
- Vice President, Wells Fargo Bank, N.A.
Forgeries by Mortgage Servicers

Who is Tywanna Thomas?

Twyanna Thomas
Asst. Vice President

Who is Jessica Ohde?

Jessica Ohde
Asst. Secretary

Twyanna Thomas
Asst. Secretary

Jessica Ohde
Asst. Vice President

Jessica Ohde
Asst. Secretary
A Mortgage Servicing Company

- Mortgage servicing companies help banks obtain foreclosure by preparing documents necessary to facilitate the foreclosure in Court.
- These companies hire robo-signers who execute the documents by the tens of thousands per month.
Mortgage Servicing Companies

- DocX had offices employing dozens of workers producing thousands of fraudulent assignments.
- Lender Processing Services produced 2,000 assignments each working day.
- GMAC (including its first famous robo-signer, Jeffrey Stephan) also produces 2,000 assignments every day.
- Nationwide Title Clearing out of the Tampa area also produces 2,000 assignments every day.
Forgeries in Other Documents

ALLONGE TO NOTE
(INVESTOR)

OR BK 19933 PG 1827
REC'D 02/17/2006 08:27:13
Palm Beach County, Florida
ATF 760,800.00
Deed Doc 2,730.88
Intang 1,568.00
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 1827 - 1840; (14 pgs)
Forgeries in Other Documents
Examples of Bogus Documents

The Grantee is identified as “Bogus Assignee.”

ASSIGNMENT OF MORTGAGE

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR AMERICAN BROKERS CONDUIT, whose address is 6501 Irvine Center Drive, Irvine, CA 92618, does by these presents hereby grant, bargain, sell, assign, transfer, convey, set over and deliver unto BOGUS ASSIGNEE FOR INTERVENING ASMTS, whose address is XXXXXXXXXXXXXXXX, the following described mortgage, securing the payment of a certain promissory note(s) for the sum listed below, together with all rights therein and thereto, all liens created or secured thereby, all obligations therein described, the money due and to become due thereon with interest, and all rights accrued or to accrue under such mortgage.

Original Beneficiary: MANUEL GONZALEZ, A MARRIED PERSON

Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR AMERICAN BROKERS CONDUIT

Date of Mortgage: 04/27/2006

For Good and Valuable Consideration, the receipt and sufficiency of which is hereby acknowledged, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR AMERICAN BROKERS CONDUIT, whose address is 6501 Irvine Center Drive, Irvine, CA 92618, does by these presents hereby grant, bargain, sell, assign, transfer, convey, set over and deliver unto BOGUS ASSIGNEE FOR INTERVENING ASMTS, whose address is XXXXXXXXXXXXXXXX, the following described mortgage, securing the payment of a certain promissory note(s) for the sum listed below, together with all rights therein and thereto, all liens created or secured thereby, all obligations therein described, the money due and to become due thereon with interest, and all rights accrued or to accrue under such mortgage.

Witness: Hellen Thomas

Linda Green

Vice President

Witness: Hellen Thomas

Jessica Oblee

Asst. Secretary
Examples of Bogus Documents

The Grantor is identified as “A Bad Bene.”

ASSIGNMENT OF MORTGAGE

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby
acknowledged, A BAD BENE, whose address is ______________________, does by these
present Indorse and Transfer unto___________, the true and lawful owner or mortgagee, the
right, title, and interest in and to the property described...

IN WITNESS WHEREOF, the undersigned has caused these presents to be executed on this date of


A BAD BENE

Witness: Dawn Williams

Witness: Christina Huang

Korell Harp
Vice President

A BAD BENE
Examples of Bogus Documents

ASSIGNMENT OF MORTGAGE

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, American Home Mortgage Acceptance, Inc., whose address is

_________________________, does by these presents hereby grant, bargain, sell, assign, transfer, convey, set over and deliver unto BOGUS ASSIGNEE FOR INTERVENING ASMTS, with interest, and all rights accrued or to accrue under such mortgage.

Original Borrower(s): MARIA MORALES A SINGLE WOMAN AND SANTIAGO AZAHEL GARCIA

Original Mortgagee: AMERICAN HOME MORTGAGE ACCEPTANCE, INC.

Date of Mortgage: 07/05/2005       Loan Amount: $158,000.00

Recording Date: 07/18/2005       Book: 23578       Page: 260-283
Examples of Bogus Documents

The effective date is in the year 9999.

ASSIGNMENT OF MORTGAGE
FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, American Home Mortgage Servicing, Inc., whose address is 6501 Irvine Center Drive,

Mortgagee: HOMEBANC MORTGAGE CORPORATION

Mortgage: 05/03/2007
Date: 05/06/2007

Loan Amount: $200,000

Assignment Effective Date: 9/9/9999

Description: Condominium Parcel: Unit No. A

Witness: Dawn Williams
Kervin Harp
Vice President
Examples of Bogus Documents

The blank line, witnessed and notarized.

IN WITNESS WHEREOF, the undersigned has caused these presents to be executed on this date of 11/25/2008.

American Home Mortgage Servicing, Inc. as successor-in-interest to Option One Mortgage Corporation

Witness: Korell Harp

Linda Green
Vice President

Tywanna Thomas
Asst. Vice President

CERTIFIED!
ASSIGNMENT OF MORTGAGE

FOR VALUE RECEIVED, on or before October 04, 2008, the undersigned, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INCORPORATED AS NOMINEE FOR LITTON LOAN SERVICING, LP, ("Assignor") whose address is 1818 Library Street, Suite 300, Reston, VA 20190 assigned, transferred and conveyed to: LITTON LOAN SERVICING LP, AS SERVICER FOR GSAA HOME EQUITY TRUST 2007-2, ("Assignee") whose address is 4828 Loop Central Drive, Houston, TX 77081-2226, its successors and/or assigns, all of the right, title, and interest of Assignor in and to that certain Mortgage (the "Mortgage") dated 04/13/2008.

Witness
Typed Name Patricia Hutchens

Witness
Typed Name Yamel A. Hernandez

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INCORPORATED AS NOMINEE FOR LITTON LOAN SERVICING, LP
By: Kim Litchfield
Typed Name: Kim Litchfield
Title: Certified Officer
Corrective Assignment of Mortgage

FOR VALUE RECEIVED, on or before October 04, 2008, the undersigned, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INCORPORATED AS NOMINEE FOR AXIOM FINANCIAL SERVICES, ("Assignor") whose address is

____________________________

assigned, transferred and conveyed to: *DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR GSAA HOME EQUITY TRUST 2007-2, ASSET-BACKED CERTIFICATES, SERIES 2007-2, ("Assignee") whose address is 4828 Loop Central Drive, , Houston, TX

Mortgage Electronic Registration Systems Incorporated as Nominee for Axiom Financial Services
By: 
Print Name: Shanae Bailey
Title: Assistant Secretary

Witness
Print Name: MATTIE MILLER

Witness
Print Name: SHANA BECKHAM
NOTICE OF LIS PENDENS

AND AGAINST THE HEREBIN NAMED INDIVIDUAL DEFENDANT(S) WHO ARE NOT KNOWN TO BE DEAD OR ALIVE, WHETHER SAID UNKNOWN PARTIES MAY CLAIM AN INTEREST AS SPOUSES, HEIRS, DEVISEES, GRANTEES, OR OTHER CLAIMANTS; WELLS FARGO BANK, NA; THE GRANDVIEW PALACE CONDOMINIUM ASSOCIATION, INC.; TENANT #1, TENANT #2, TENANT #3, and TENANT #4 the names being fictitious to account for parties in possession

Defendant(s).

NOTICE OF LIS PENDENS

To the above-named Defendant(s) and all others whom it may concern:

You are notified of the institution of this action by the above-named Plaintiff, against you seeking to foreclose a mortgage recorded in Official Records Book 23278, Page 3642, on the following property in DADE County, Florida:

UNIT NO. 407, THE GRANDVIEW PALACE CONDOMINIUM, ACCORDING TO THE DECLARATION OF CONDOMINIUM THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 21423, PAGE 3980, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, TOGETHER WITH ANY AND ALL AMENDMENTS TO THE DECLARATION AND ANY UNDIVIDED INTEREST IN THE COMMON ELEMENTS OR APPURTENANCES THERETO.

Dated this 25th day of September, 2008.

Florida Default Law Group, P.L.
P.O. Box 25018
Tampa, Florida 33622-5018
(813) 251-4766
ASSIGNMENT OF MORTGAGE

and interest of Assignor in and to the certain Mortgage (the “Mortgage”) recorded in Official Records Book 23278 at Page 3642 of the Public Records of Miami-Dade County, Florida, together with any and all amendments to the Declaration and any undivided interest in the common elements or appurtenances thereto.

as the same may have been amended from time to time; together with the Note and indebtedness secured thereby.

MORTGAGOR(S): ROBERT PRINE, and INES PRINE

IN WITNESS WHEREOF, Assignor has executed and delivered this Instrument on

October 13, 2008.

Witness
Typed Name Patricia Hutchens

Witness
Typed Name Yamel A. Hernandez

Wells Fargo Bank, NA
By: [Signature]
Typed Name: [Signature]
Title: Attorney-in-Fact
9119 Corporate Lake Drive, Suite 300
Tampa, FL 33634
NOTICE OF LIS PENDENS

To the above-named Defendant(s) and all others whom it may concern:

You are notified of the institution of this action by the above-named Plaintiff, against you seeking to foreclose a mortgage recorded in Official Records Book 25587, Page 712, on the following property in MIAMI-DADE County, Florida:

LOT 39, IN BLOCK 2, OF SHOMA HOMES AT TAMMIAMI II, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 145, AT PAGE 71, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

Dated this 24 day of February 2009.
Assignments After Lis Pendens

ASSIGNMENT OF MORTGAGE

FOR VALUE RECEIVED, on or before February 18, 2009, the undersigned Assignor hereby
assigns, transfers and conveys to the Assignee, for Value Received, the interest of Assignor in and to that certain
Mortgage (the "Mortgage") dated April 30, 2007 and recorded May 03, 2007 in Official Records Book 25587 at
Page 712 of the public records of MIAMI-DADE County, Florida, encumbering the following-described real
property:

LOT 39, IN BLOCK 2, OF SHOMA HOMES AT TAMIAII, ACCORDING TO THE
PLAT THEREOF AS RECORDED IN PLAT BOOK 145, AT PAGE 71, OF THE
PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

as the same may have been amended from time to time; together with the Note and indebtedness secured thereby.

MORTGAGOR(S): CARLOS A. ROJAS, and NEIFA NAYOR

IN WITNESS WHEREOF, Assignor has executed and delivered this Instrument on

— March 05, 2009.
Affidavit as to Amounts Due and Owing

GMAC MORTGAGE, LLC is the servicer of the loan. GMAC MORTGAGE, LLC is responsible for the collection of this loan transaction and pursuit of any delinquency in payments. I am familiar with the books of account and have examined all books, records, and documents kept by GMAC MORTGAGE, LLC concerning the transactions alleged in the Complaint. All of these books, records and documents are kept by GMAC MORTGAGE, LLC in the regular course of its business as servicer of the loan transaction and are made at or near the time by, and from information transmitted by, persons with personal knowledge of the facts such as your Affiant. It is the regular practice of GMAC MORTGAGE, LLC to make and keep these books, records, and documents. The books, records, and documents which
In the Circuit Court of the Seventeenth Judicial Circuit in and for Broward County, Florida Civil Action

U.S. Bank National Association as Trustee for RFSMI 2007 51, Plaintiff,

vs.

Eric Siverson, et al.,
Defendant(s).

Case No.: CACE09022986
Division: 09

AFFIDAVIT AS TO AMOUNTS DUE AND OWING

State of Pennsylvania
County of Montgomery

Jeffrey Stephan
Limited Signing Officer

I am familiar with the books of account and have examined all books, records, and documents kept by GMAC Mortgage, LLC concerning the transactions alleged in the Complaint. All of these books, records and documents are kept by GMAC MORTGAGE, LLC in the regular course of its business as servicer of the loan transaction and are made at or near the time by, and from information transmitted by, persons with personal knowledge of the facts such as your Affiant. It is the regular practice of GMAC MORTGAGE, LLC to make and keep these books, records, and documents.

FURTHER AFFIANT SAYETH NOT.

Type Name Here

Jeffrey Stephan
Limited Signing Officer

[Signature]
IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA
CIVIL ACTION

U.S. BANK NATIONAL ASSOCIATION AS
TRUSTEE FOR RFMSI 2000751,
Plaintiff,

vs.

CASE NO.: CAPE-09-022986
DIVISION: 09

NOTICE

Pursuant to Rule 1.56, Rules of Professional Conduct of the Rules Regulating The Florida Bar, the undersigned law firm hereby notifies the Court as follows:

1. An affidavit of indebtedness was served in the above-styled matter in support of Plaintiff’s motion for summary judgment, (“the Affidavit”).

2. The undersigned law firm has recently been notified that the information in the Affidavit may not have been properly verified by the affiant, and accordingly, the Affidavit is hereby withdrawn.

3. The undersigned law firm was not aware of the foregoing information when the Affidavit was filed with the Court.

4. The undersigned law firm drafted the Affidavit based upon the information and business records provided by its client, to the best of its knowledge and information, believes, in good faith, that the amounts reflecting the indebtedness contained therein accurately reflected the information provided by its client and were believed to be correct when filed.

5. A new, properly verified affidavit will be filed when and as appropriate.
WITHDRAWAL OF AFFIDAVITS OF AMOUNTS DUE

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA
CIVIL ACTION

U.S. BANK NATIONAL ASSOCIATION AS
TRUSTEE FOR RFMSI 2007-51,
Plaintiff,

vs.

ERIC SIVERSION, et al,
Defendant(s).

CASE NO.: CACE-09-022986
DIVISION: 09

NOTICE

Pursuant to Rule 4-3.3, Rules of Professional Conduct of the Rules Regulating The Florida Bar, the undersigned law firm hereby notifies the Court as follows:

2. The undersigned law firm has recently been notified that the information in the Affidavit may not have been properly verified by the affiant; and accordingly, the Affidavit is hereby withdrawn.

4. The undersigned law firm drafted the Affidavit based upon the information and business records provided by its client, and to the best of its knowledge and information, believes, in good faith, that the amounts reflecting the indebtedness contained therein accurately reflected the information provided by its client and were believed to be correct when filed.

5. A new, properly verified affidavit will be filed when and as appropriate.
1. Note the address of the Assignor, Home Savings of America F.A. (HSA) is blank. HSA was acquired in 1998 by Washington Mutual Bank (WAMU) they no longer exist.

ASSIGNMENT OF MORTGAGE

FOR VALUE RECEIVED, on or before December 12, 2008, the undersigned, HOME SAVINGS OF AMERICA F.A. ("Assignor") whose address is ________, assigned, transferred and conveyed to: JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, ("Assignee") whose address is 7255 Baymeadows Way, Mailstop Jaxa 2035, Jacksonville, FL 32256, its successors and/or assigns, all of the right, title, and interest of Assignor in and to that certain Mortgage (the "Mortgage") dated August 26, 1988 and recorded September 06, 1988 in Official Records Book 5495 at Page 1186 of the public records of HILLSBOROUGH County, Florida, encumbering the following-described real property:

LOT 8, BLOCK G, REVISED MAP OF BAY CITY, ACCORDING TO MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 54, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA. TOGETHER WITH THE NORTH 1/2 OF CLOSED 10.00 FOOT ALLEY ABUTTING ON THE SOUTH.

as the same may have been amended from time to time; together with the Note and indebtedness secured thereby.

MORTGAGOR(S):  GRADY B. SYKES II
2. Note the date of the assignment, December 22, 2008 which is after the lawsuit was filed on December 18, 2008.

4. Notice the Notary, D. Pekusic and the witness, Rushir Causevic, both attesting to the fact that, known to them, Patricia Miner is an Asst. Vice President of HSA and that Ann Garbis is a Vice President of HSA. Home Savings was acquired in 1998 by Washington Mutual Bank (WAMU) they no longer exist.

3. Note the signers for the Assignor, Home Savings of America F.A. (HSA) They are not employed by Home Savings, they are employed by the Plaintiff, J.P. Morgan. Home Savings was acquired in 1998 by Washington Mutual Bank (WAMU) they no longer exist.
Sample Notice of Lis Pendens

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT, IN AND FOR PALM BEACH COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO:

US BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR MASTR
ASSET BACKED SECURITIES TRUST 2006-NC1
PLAINTIFF

VS.

VICTORIA R. MUNNILAL; UNKNOWN SPOUSE OF VICTORIA R.
MUNNILAL IF ANY; ANY AND ALL UNKNOWN PARTIES CLAIMING
BY, THROUGH, UNDER, AND AGAINST THE HEREIN NAMED
INDIVIDUAL DEFENDANT(S) WHO ARE NOT KNOWN TO BE DEAD
OR ALIVE, WHETHER SAID UNKNOWN PARTIES MAY CLAIM AN
INTEREST AS SPOUSES, HEIRS, DEVISEES, GRANTEES OR OTHER
CLAIMANTS; THE TRAILS AT ROYAL PALM BEACH, INC.; JOHN
DOE AND JANE DOE AS UNKNOWN TENANTS IN POSSESSION
DEFENDANT(S)

NOTICE OF LIS PENDENS

1. TO: The above named Defendants, AND ALL OTHERS WHOM IT MAY CONCERN:

2. YOU ARE NOTIFIED of the institution of this action by the Plaintiff against you seeking to foreclose the Note and Mortgage encumbering the described property and the decreeing of a sale of the property under the direction of the court in default of the payment of the amount found to be due the Plaintiff under the Note and Mortgage, and for other, further and general relief set forth in the Complaint.

3. The property involved is that certain parcel, lot or unit situate, lying and being in PALM BEACH County, Florida, as set forth in the mortgage recorded in Official Records Book 19434, at Page 1244, more particularly described as follows:

This space is for recording purposes only

10-17198 ASCF

Clerk, Broward County, Florida, this 31st day of March, 2010.
Stamped signature on Assignment of Mortgage
ASSIGNMENT OF MORTGAGE

For Value Received, the undersigned holder of a Mortgage (herein “Assignor”) whose address is 18400 Von Karman, Suite 1600, Irvine, CA 92612, does hereby grant, sell, assign, transfer and convey unto US Bank, National Association, as trustee for Asset Backed Pass Through Certificate Series 2006-NC2, a corporation organized and existing under the laws of the State of California, whose address is 250 West Washington Street, 2nd Floor, Chicago, Illinois 60606, all right, title and interest in, to and under the Mortgage described below, made and executed by CHRISTIAN J CASSINI and MARIORIE A BAILALE, Husband and Wife, to and in favor of New Century Mortgage Corporation, a corporation organized and existing under the laws of the State of Florida, located at 13075 Neal Road, Suite 100, Orlando, Florida 32828, for and in consideration of the sum of TWENTY-FOUR HUNDRED DOLLARS ($24,000.00) and other valuable considerations, the receipt and sufficiency of which are hereby acknowledged.

The Mortgage is dated July 24, 2006, and is a part of that describedMontage, No. 201030, at page 1418, of the Real Estate Records of the County of Palm Beach, State of Florida, and is secured by the following described property located in Palm Beach County, State of Florida:

[Description of property]

IN WITNESS WHEREOF, the undersigned Assignor, by its duly authorized officer, has executed this Assignment of Mortgage.

[Signature]

Stephen L. Nagy / V P / Records Management

Notary Public in and for the State of California

State of California

County of Orange

[Stamp]
Stampede Signatures
Affidavit of Correction due to assignment of a mortgage that had been fully paid (St. Lucie Co.)

Each undersigned affiant, jointly and severally, being first duly sworn, hereby swears or affirms that the AFFIDAVIT OF MISSING ASSIGNMENT, recorded on 01/15/2009, in Book 3051, Page 2129, Instrument Number 3300532, in the County of ST. LUCIE, State of FL regarding property know as: 1174 SW IRVING STREET, PORT SAINT LUCIE, FL 34983, contained the following error:

3. That the undersigned, having received final payment for the sum secured by the above mentioned Mortgage/Deed of Trust, is recording this document solely for the purpose of effecting a Discharge/Satisfaction/Reconveyance/Release of the Mortgage/Deed of Trust as this loan has been satisfied, and the undersigned indemnifies against any loss which may occur in regards to the releasing/discharging and/or reconveying of this Mortgage/Deed of Trust.

Affiant makes this affidavit for the purpose of giving notice correcting the above-described instrument as follows:

3. That the undersigned is recording this document solely for the purpose of effecting a foreclosure on the above listed property.

Affiant is knowledgeable of the agreement and the intention of the parties in this regard. Affiant is the drafter of the original instrument being corrected.

Signature of Affiant

Linda Green

Print or Type Name:
AFFIDAVIT OF CORRECTION

Each undersigned affiant, jointly and severally, being first duly sworn, hereby swears or affirms that the AFFIDAVIT OF MISSING ASSIGNMENT, recorded on 01/13/2009, in Book 23034, Page 0986, Instrument Number 20090015260, in the County of PALM BEACH, State of FL regarding property known as: 3720 37TH WAY, WEST PALM BEACH, FL 33407, contained the following error:

3. That the undersigned, having received final payment for the sum secured by the above mentioned Mortgage/Deed of Trust, is recording this document solely for the purpose of effecting a Discharge/Satisfaction/Reconveyance/Release of the Mortgage/Deed of Trust as this loan has been satisfied, and the undersigned indemnifies against any loss which may occur in regards to the releasing/discharging and/or reconveying of this Mortgage/Deed of Trust.

Affiant makes this affidavit for the purpose of giving notice correcting the above-described instrument as follows:

3. That the undersigned is recording this document solely for the purpose of effecting a foreclosure on the above listed property.
Affidavits of Correction due assignments of mortgage that had been fully paid (Broward Co. and Palm Beach Co.)
(E) "Note" means the promissory note signed by Borrower and dated JULY 26, 2006. The Note states that Borrower owes Lender ONE HUNDRED SIXTY-FOUR THOUSAND NINE HUNDRED 00/100ths Dollars (U.S.$164,900.00) plus interest. Borrower has promised to pay this debt in regular Periodic Payments and to pay the debt in full not later than AUGUST 1, 2036.
And you thought your mortgage was high?
Assignment for Defunct Assignee

Assignment of Mortgage

Assignor: Mortgage Electronic Registration Systems Inc., as nominee for AMERICAN BROKERS CONDUIT, whose address is c/o CitiMortgage, Inc., 1000 Technology Dr., O'Fallon, MO 63368.

Property Address: 3201 RENAISSANCE WAY, BOYNTON BEACH, FL 33426

Witness this July 23, 2010

Property Address: 3201 RENAISSANCE WAY, BOYNTON BEACH, FL 33426

Witness this July 23, 2010

Prepared by and Return to:
Morris, Hardwick, Schneider
1503 Hightower Trail, Suite 315
Sandy Springs, GA 30350
File/Lien Number: 12295989

RECORDED 06/09/2010 14:07:02
Palm Beach County, Florida
Sharon R. Bock, CLERK & COMPTROLLER
Pg= 1144 - 1145; (2pgs)
American Brokers Conduit BANKRUPT  
8/7/2007

---

### Official Form 1 (04/07)

#### United States Bankruptcy Court
DISTRICE OF DELAWARE

<table>
<thead>
<tr>
<th>Name of Debtor (if individual, enter Last, First, Middle):</th>
<th>Name of Joint Debtor (Spouse) (Last, First, Middle):</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Brokers Conduit, Inc.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):</th>
<th>All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Last four digits of Soc. Sec./Complete EIN or other Tax I.D. No. (if more than one, state all):</th>
<th>Last four digits of Soc. Sec./Complete EIN or other Tax I.D. No. (if more than one, state all):</th>
</tr>
</thead>
<tbody>
<tr>
<td>13-08552303</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Street Address of Debtor (No. and Street, City, and State):</th>
<th>Street Address of Joint Debtor (No. and Street, City, and State):</th>
</tr>
</thead>
<tbody>
<tr>
<td>338 Broadhollow Road, Melville, NY</td>
<td></td>
</tr>
</tbody>
</table>

---

**AGENDA OF MATTERS SCHEDULED FOR FIRST DAY HEARING ON**  
**AUGUST 7, 2007 AT 3:00 P.M. (ET)**

---

**IN THE UNITED STATES BANKRUPTCY COURT**  
**FOR THE DISTRICT OF DELAWARE**

---

**In re:**  
AMERICAN HOME MORTGAGE HOLDINGS, INC.,  
a Delaware corporation, et al.,  

Debtors.

---

X : Chapter 11  
Case No. 07-11047 (CSS)  
Joint Administration Pending  

---

X
Assignment by a defunct institution

ASSIGNMENT OF MORTGAGE

COMES NOW, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR INDYMAC BANK, F.S.B. (hereinafter assignor), and further in consideration of the sum of Ten Dollars, the receipt and adequacy of which is hereby acknowledged, do hereby assign, transfer and convey over unto the said assignee that certain Indenture of Mortgage bearing the date June 26, 2006, by URIEL GUTIERREZ, IVETTE GUTIERREZ, and recorded in BOOK 20581, PAGE 153, public records of Palm Beach County, FLORIDA, upon the following described piece of real estate situate and being in Palm Beach County, FLORIDA, to wit:

AS NOMINEE FOR INDYMAC BANK, F.S.B.,

12 day of Spiley, 2010.
Federal regulators seize crippled IndyMac Bank
A run on the Pasadena thrift ends in one of the biggest financial failures ever.
Doors will reopen Monday.

July 12, 2008

Kathy M. Kristof and Andrea Chang

The federal government took control of Pasadena-based IndyMac Bank on Friday in what regulators called the second-largest bank failure in U.S. history.

* * *

The bank's 33 branches will be closed over the weekend, but the Federal Deposit Insurance Corp. will reopen the bank on Monday as IndyMac Federal Bank, said the Office of Thrift Supervision in Washington.
Assignment of Mortgage

Assignor: Mortgage Electronic Registration Systems Inc., as nominee for LEHMAN
BROTHERS BANK, FSB, A FEDERAL SAVINGS BANK, whose address is c/o CitiMortgage,
Inc., 1000 Technology Dr., O’Fallon, MO 63368

Assignee: CitiMortgage, Inc., whose address is 1000 Technology Dr., O’Fallon, MO 63368

Witness this July 22, 2010

Scott Scheiner, Assistant Secretary
Lehman Files for Bankruptcy; Merrill Is Sold

By ANDREW ROSS SORKIN
Published: September 14, 2008
Notary Issues

ASSIGNMENT OF MORTGAGE

FOR GOOD AND VALUABLE CONSIDERATION, the sufficiency of which is hereby acknowledged, the
undesignated. MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. as NOMINEE FOR
TAYLOR BEAN AND WHITAKER MORTGAGE CORPORATION, whose address is P.O. Box
2026, Flint, MI 48501-2026, (ASSIGNOR), by these presents does convey, grant, sell, assign, transfer and set
over the described mortgage together with the certain note(s) described therein together with all interest secured
thereby, all liens, and any rights due or to become due therefor to SAXON MORTGAGE SERVICES, INC.,
whose address is 4706 MERCANTILE DRIVE, FORT WORTH, TX 76137, ITS SUCCESSORS OR
ASSIGNS, (ASSIGNEE).

Said Mortgage was made by JAMES J DOCKTOR and was recorded in Official
Records of the Clerk of the Circuit Court of PALM BEACH County, Florida, in Book 18413, Page 0153 or Instr #

Dated: 06/02/2010

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR TAYLOR BEAN
AND WHITAKER MORTGAGE CORPORATION

By:

BRYAN BLY, THE PRESIDENT
Whose address is P.O. Box 2026, Flint, MI 48501-2026

Witnesses:

ALEXANDRA KANE
JENNIFER

STATE OF FLORIDA
COUNTY OF PINELLAS
I HEREBY CERTIFY that on this day, before me, an official
take acknowledgement appeared BRYAN BLY, person
MORTGAGE ELECTRONIC REGISTRATION SYSTEM
WHITAKER MORTGAGE CORPORATION, a corporation
freely and voluntarily under authority duly vested in honor
seal in the County and State last aforesaid this 02nd day of

CHRISTOPHER JONES Notary Public
My commission expires: 08/03/2012

Document Prepared By: Jessica Fretwell/NTC, 2100 Alt. 19 North, Palm Harbor, FL 34683 (800)346-9

Christopher Jones
Notary Public, State of Florida
Commission # DD 811076
Expires August 03, 2012
Bonded Through National Notary Assn.

/NTC, 2100 Alt. 19 North, Palm Harbor, FL 34683 (800)346-9

1006295C00007588191 MERS PHONE 1-888-679-MERS

SMIMD 11848442 -- DGR2574911 -- M10029510007
formFRMFL1

*11848442*
Impossible Notaries - Stamps are only good for **four years** in Florida.
NOT AN OFFICIAL COPY

ASSIGNMENT OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS:

THAT MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

Residing or located at c/o HOMECOMINGS FINANCIAL, LLC, ONE MERIDIAN CROSSING, STE 100, MINNEAPOLIS, MN 55420, herein designated as the assignor, for and in consideration of the sum of $1.00 Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, assign, transfer and set over unto US BANK NATIONAL ASSOCIATION AS TRUSTEE residing or located at c/o HOMECOMINGS FINANCIAL, LLC, ONE...

WITNESS

Print Name: Michelle L. Camacho

STATE OF
COUNTY OF

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the aforesaid county and state, on this the __ day of OCT., 2007, within my jurisdiction, the within named Cheryl Santos who acknowledged to me that (s)he is ASSISTANT SECRETARY and that for and on behalf of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. and as its act and deed (s)he executed the above and foregoing instrument, after first having been duly authorized by MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. to do so.

WITNESS my hand and official seal in the County and State last aforesaid this __ day of OCT., 2007

Michelle L. Camacho

NOTARY PUBLIC

MICHELLE L. CAMACHO
MY COMMISSION # DD760715
EXPIRES March 24, 2012

NOTARY PUBLIC
Norty Chontocan, Notary Co
NOT AN OFFICIAL COPY

KNOW ALL MEN BY THESE PRESENTS:

THAT MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., a Delaware corporation, with its principal place of business at 701 12th Street, Suite 1100, Indianapolis, IN 46202 ("SER", "WE", "OUR", or "Ours"), is the holder of a mortgage executed unto the undersigned authority in and for the aforesaid county and state, on this the 26 day of Sept., 2007, within my jurisdiction, the undersigned authority is a duly authorized notary public, does hereby certify that the foregoing instrument, after having been duly executed by the undersigned authority, was duly acknowledged by the undersigned notary, Michelle L. Camacho, on behalf of the undersigned authority who acknowledged to me that she is ASSISTANT SECRETARY and that for and on behalf of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., and as its act and deed (s) she executed the above and foregoing instrument, after first having been duly authorized by MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., to do so.

PUBLIC OFFICE OF NOTARY PUBLIC

Michelle L. Camacho

Notary Public

My Commission # D1706115
Expires March 24, 2012

Print Name: Michelle L. Camacho
Print Name: Michelle L. Camacho
Print Name: Michelle L. Camacho

State of
County of

Signed in the presence of:
ATTEST:
WITNESS:

Print Name: Cheryl Samos
Print Name: Michelle L. Camacho
Print Name: Michelle L. Camacho

STATE OF
COUNTY OF
Sworn Testimony of Tammie Lou Kapusta

STATE OF FLORIDA
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LEGAL AFFAIRS
AG # L10-3-1145

IN RE:
INVESTIGATION OF LAW OFFICES
OF DAVID J. STERN, P.A.

DEPOSITION OF TAMMIE LOU KAPUSTA

12:11 p.m. - 1:58 p.m.
September 22, 2010
Office of the Attorney General
110 Southeast 6th Street, 10th Floor
Fort Lauderdale, Florida 33301
Q    Would these notaries be there watching her [Cheryl Samons] as she signed?
A    No.

Q    She would just sit there and sign stacks of them?
A    Correct. As far as notaries go in the firm I don't think any notary actually used their own notary stamp. The team used them.

Q    There were just stamps around?
A    Yes.

Q    And you actually saw that?
A    I was part of that.
Sample Assignment of Mortgage
Q    So this was an assignment signing table?
A    Correct. Assignments or Affidavit A's that she was signing.
Q    What's an Affidavit A?
A    The indebtedness affidavit.
Q    Okay.
A    I think that's all Cheryl signed for. I think Beth signed for the rest. There's your Exhibit E's. We had different exhibits. That's how they signed them. When Cheryl was out of the office Tammie would sign them or Beth would go sign them.
Q    Beth would sign but it would say Cheryl Samons?
A    Correct.
Q    And Beth would be the signer?
A    Correct.
Q    Or Tammie Sweat?
A    Right.
Testimony of Kelly Scott, former employee of Law Offices of David J. Stern, P.A.
Q. Other than Cheryl going around twice a day to sign the documents that she was reading, was there anyone else that did that, as well?
A. Only Cheryl. And only when Cheryl was out of town, that she would go on vacation, there was someone else that would sign on her behalf. Who was it? I really don't know.

Q. But they signed Cheryl's name?
A. Yes.

Q. And when you said those were the papers that were up on the long table on the four floors, what types of documents were those?
A. Motions for Summary Judgment and Assignments of Mortgage.

* * *

Q. But whatever was on those long tables, nobody was reading? They were just putting their names on them?
A. Yes, they were just putting their names.

Q. Yes, there was no one reading them?
A. Yes, there was no reading them.
Pursuant to the provisions of Sec. 689.071, Florida Statutes, the within named Trustee has the power and authority to protect, conserve and to sell, or to lease, or to encumber, or otherwise to manage and dispose of the above described mortgage and the real property encumbered thereby.

In Witness Whereof, the said Assignor has hereunto set his hand and seal or caused these presents to be signed by its proper corporate officers and its corporate seal to be hereinafter affixed.

Signed in the presence of:

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

ATTEST:

WITNESS:

Print Name: Samons, Le Corrier

WITNESS:

Print Name: Maxis, K. R.

STATE OF Florida
COUNTY OF Broward

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the aforesaid county and state, on the 19th day of September, 2007, within my jurisdiction, the within named CHERYL SAMONS who acknowledged to me that she is ASSISTANT SECRETARY and that for and on behalf of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. and as its act and deed (s)he executed the above and foregoing instrument, after first having been duly authorized by MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. to do so.

WITNESS my hand and official seal in the County and State last aforesaid this 19th day of September, 2007

NOTARY PUBLIC
Pursuant to the provisions of Sec. 689 011, Florida Statutes, the within named Trustee has the power and authority to protect, conserve and to sell, or to lease, or to encumber, or otherwise to manage and dispose of the above-described mortgage and the real property encumbered thereby.

In Witness Whereof, the said Assignor has hereunto set his hand and seal or caused these presents to be signed by its proper corporate officers and its corporate seal to be hereeto affixed, this 15 day of \textit{May}, 2009, but effective as of the 17th day of July, 2008.

\textbf{STATE OF FLORIDA}  
\textbf{COUNTY OF BROWARD}  

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the aforesaid county and state, on this the 15 day of \textit{May}, 2009, within my jurisdiction, the within named CHERYL SAMONS who is personally known to me and who acknowledged to me that (s)he is ASSISTANT SECRETARY and that (s)he is the act and deed (s)he executed the above and foregoing instrument, after first having been duly authorized by MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. to do so.

WITNESS my hand and official seal in the County and State last aforesaid this 15 day of \textit{May}, 2009.
Pursuant to the provisions of Sec. 689.071, Florida Statutes, the within named Trustee has the power and authority to protect, conserve and to sell, or to lease, or to encumber, or otherwise to manage and dispose of the above-described mortgage and the real property encumbered thereby.

In Witness Whereof, the said Assignor has hereunto set his hand and seal or caused these presents to be signed by its proper corporate officers and its corporate seal to be hereto affixed, this day of _________, 20___, but effective as of the 3rd day of January, 2008.

Signed in the presence of:

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

ATTEST:

WITNESS:

Print Name: Zulma Rodriguez

WITNESS:

Print Name: AMANDA A MITCHELL

STATE OF Florida

COUNTY OF

WITNESS my hand and official seal in the County and State last aforesaid this ___ day of ___ , 2009.
Cheryl Samons “signature”
Cheryl Samons “signature”
Sample Assignment of Mortgage
Misuse of Falsified Assignments

- Improper assignments were recorded in the county land records offices.
- Improper assignments were submitted to the Court in support of foreclosure motions.
- Improper assignments were accepted by the Court as valid assignments that substantiated the foreclosure.
- Homeowners were foreclosed upon based upon falsified assignments, by a bank who was not the true holder of the note.
- If the foreclosure judgment is obtained by a bank that does not hold the note, then the homeowner risks a second lawsuit by the real note holder, and possibly a having a second judgment against them on one property.
IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA
CIVIL ACTION

DEUTSCHE BANK TRUST COMPANY
AMERICAS AS TRUSTEE,
       Plaintiff,

vs.

MICHAEL PETERS, et al,
       Defendant(s).

CASE NO.: 50-2008-CA-018381
DIVISION:  AW

MOTION TO RATIFY FINAL SUMMARY JUDGMENT
OF MORTGAGE FORECLOSURE NUNC PRO TUNC

COMES NOW Plaintiff, DEUTSCHE BANK TRUST COMPANY AMERICAS AS TRUSTEE ("Plaintiff"), by and through the undersigned counsel and files this Motion to Ratify Final Summary Judgment of Mortgage Foreclosure Nunc Pro Tunc (the "Motion") and in support thereof states as follows:

"BACKGROUND FACTS"

1. On May 24, 2010 this Court entered a Final Summary Judgment of Mortgage Foreclosure in favor of Plaintiff. A judicial sale is scheduled for December 30, 2010.
2. The undersigned law firm has recently been advised that the information contained in the Affidavit as to Amounts Due and Owing submitted in support of Plaintiff's Motion for Summary Judgment may not have been properly verified by the affiant.
3. A Notice to this effect has been filed with the Court by the undersigned law firm.
4. Plaintiff has also submitted a new, properly verified affidavit by affiant which shows that the amounts reflecting the indebtedness contained in the original affidavit were accurate when filed. (The new, properly verified affidavit is attached hereto and incorporated by reference as Exhibit “A”).
5. Based on the foregoing Plaintiff has sought to notify the Court of the foregoing verification issues and now seeks the ratification of the Final Summary Judgment of Mortgage Foreclosure nunc pro tunc as an additional reasonable remedial measure.
6. For the reason more fully set forth below, Plaintiff believes that entry of an Order granting this Motion in its entirety is appropriate.
COMES NOW Plaintiff, DEUTSCHE BANK TRUST COMPANY AMERICAS AS TRUSTEE ("Plaintiff"), by and through the undersigned counsel and files this Motion to Ratify Final Summary Judgment of Mortgage Foreclosure Nunc Pro Tunc (the "Motion") and in support thereof states as follows:

- BACKGROUND FACTS -

2. The undersigned law firm has recently been advised that the information contained in the Affidavit as to Amounts Due and Owing submitted in support of Plaintiff's Motion for Summary Judgment may not have been properly verified by the affiant.

reflecting the indebtedness contained in the original affidavit were accurate when filed. (The new, properly verified affidavit is attached hereto and incorporated by reference as Exhibit "A").

5. Based on the foregoing Plaintiff has sought to notify the Court of the foregoing verification issues and now seeks the ratification of the Final Summary Judgment of Mortgage Foreclosure nunc pro tunc as an additional reasonable remedial measure.

6. For the reason more fully set forth below, Plaintiff believes that entry of an Order granting this Motion in its entirety is appropriate.
Dear Judge,

Pursuant to Rule 4:3-3, Rules of Professional Conduct of the Rules Regulating the Florida Bar, the undersigned law firm is filing the attached notice in the court file and providing a courtesy copy to your Honor in accordance with its ethical obligation of candor toward the tribunal.

As outlined in the attached notice, the undersigned law firm has recently been informed that the information contained in the Affidavit in support of Plaintiff's Motion for Summary Judgment may not have been properly verified by the affiant.

The undersigned law firm was not aware of the foregoing information when the Affidavit was filed with the court.

The undersigned law firm drafted the Affidavit based upon the information and business records provided by its client, and to the best of its knowledge and information, believes, in good faith, that the amounts reflecting the indebtedness contained therein accurately reflected the information provide by its client and were believed to be correct when filed.

Respectfully submitted,

[Signature]

November 1, 2010
Notices to Court of Improper Affidavits

Pursuant to Rule 4-3.3, Rules of Professional Conduct of the Rules Regulating the Florida Bar, the undersigned law firm is filing the attached notice in the court file and providing a courtesy copy to your Honor in accordance with its ethical obligation of candor toward the tribunal.

As outlined in the attached notice, the undersigned law firm has recently been informed that the information contained in the Affidavit in support of Plaintiff’s Motion for Summary Judgment may not have been properly verified by the affiant.
Real Estate in Florida (in pictures)
Real Estate in Florida (in pictures)
Real Estate in Florida (in pictures)
Solutions for Foreclosures in Florida???

Any solution must include:

- Assuring the integrity to the judicial foreclosure process
  - Documents submitted must be true and accurate
  - Affidavits must be proper in substance and form
  - Assignments must be properly executed and accurate

- Due process rights to the foreclosed homeowners
  - Proper service of process on the homeowner
  - Proper standing to sue by the plaintiff Bank
  - Substantive review of paperwork prior to foreclosure

- Foreclosures will have to go forward and there will be many more next year, but they need to done within the law.