

Doc#: 1335819039 Fee: \$258.00 RHSP Fee: \$9.00 RPRF Fee: \$1.00

Karen A. Yarbrough

Cook County Recorder of Deeds

Date: 12/24/2013 10:17 AM Pg: 1 of 111

PUBLIC NOTICE

Copera

3949A – Information Referral Form Continued Property and Identity Theft Victims:

Derrick Seuton Sherry Seaton Property: 15624 Gouwens Lane, South Holland, IL 60473

Forged instrument were illegally recorded at the county and/or state in an effort to illegally foreclose and evict Derrick Seaton, Sherry Seaton, Parricia Seaton Winfield Garrick and Stephanie Winfield. Aaron Demuth ARDC # and Ernest J. Codilis ARDC # who are legal representatives for HSBC BANK USA, N.A. Instruments were used for purposes of identity theft against tax payer and tax evasion in violation of FC 7201 and 7206 and violations of REMIC 860G IRC 1273B and 1445D. IRS violations of Title 18 section 4 Misprisioner of Felony. Violation of Sarbanes and Oxley SEC 802, 900 and 302, 807 defrauding shareholders of publicy traded companies, chapter 63 of title 18 USC section 1348 securities fraud, SEC 903 section 1341 of title 18, USC code; (b), mail fraud and Section 1343 of title 18 USC, wire fraud. (SEE ATTACHED SECURITIZATION AUDIT)

1335819039 Page: 2 of 111

Form **3949-A** (July 2013)

Department of the Treasury - Internal Revenue Service

Information Referral (See instructions on reverse)

OMB Number 1545-1960

CAUTION: READ THE INSTRUCTIONS BEFORE COMPLETING THIS FORM. T (For example, if you suspect your identity was stolen, use Form 14039.)	here may be other more appr	opriate forms spe	cific to you	complaint.
Section A – Information About the Person or Business You Are Repo	orting			
Complete 1, if you are reporting an Individual. Complete 2, if you are reporting a bu (Leave blank any lines you do not know.)		if you are reporting	a business	and its owner.
1a. Name of individual	b. Social Security Number/TIN		c. Date of b	irth
RONALD M. FARIS	IRS RECORD		IRS RECOR	-
d. Street address	e. City		f. State	g. ZIP code
1661 WORTHINGTON ROAD	WEST PALM BEACH		FL 🔽	33409
h. Occupation	i. Email address			
CHIEF EXECUTIVE OFFICE R				
j. Marrital status <i>(check one, if kr. syn)</i> Married Single Head of Household Divorced [k. Name o	f spouse	·	
2a. Name of business	b. Employer Tax ID number (E	IN)	c. Telephor	ne number
OCWEN LOAN SERVICING	010681100		561-682-88	
d. Street address	e. City		f. State	g. ZIP code
1661 WORTHINGTON ROAD	WEST PALM BEACH		FL 🔀	33409
h. Email address	i. Website			
Section B - Describe the Alleged Violation of Inco ne Tax Law	· · · · · · · · · · · · · · · · · · ·			· · · · · · · · · · · · · · · · · · ·
3. Alleged violation of income tax law. (Check all that apply.) False Exemption Unsubstantiated Income	Unreported Income Narcotics Income Kickback Wagering/Gambling	* Failu * Failu	re to Withho re to File Re re to Pay Ta r (describe i	tum x
TY 2008 \$ 105,000 TY 2009 \$ 105,000 TY 2010 \$ 105,000 5. Comments (Briefly describe the facts of the alleged violation-Who/What/Where another sheet, if needed.) This complaint is filed against Aaron Demuth ARDC # 6276249, James N. PappasARDC Jeffrey M. Henschel, Neal Henschel, Michelle Esterman, Lori Burnam and Christopher B documents for monetary cain. Used fined was the court to said the second to restrict the facts of the alleged violation-Who/What/Where another sheet in the said that the said the said that th	When/How yor learned about a # 6291873, Edward Gross, nan (Spurnam of Cal Development Corp.	and obtained the init ecial Commissioner), The parties used fore	formation in Irene Dorner	this report. Attach , Ronald M. Faris,
documents for monetary gain. Used fraud upon the court to evade taxes under Forcible E fabricated Special Commissioner's Deed to HSBC Bank USA, N.A. Trustee for the Regis	tered Holder of First NLC True 20	2 and Foreclosure Ca	se # 11-cv-25	62 and used a
Also there is a forged Affidavit of Exemption from Documentary Transfer Tax filed into-	the court records Declaring under	naity of periory Ti	e I aw Firm	sed fabricated
numbers that was never reported on an IRS tax Form. All parties including Lori Burnam 56 and violations tax evasion and violations of various Sarbanes and Oxley codes. SEE A	and Christopher Burnam aided and	l ab tt. d in an illegal	eviction, viol	ations of Senat Bill
 6. Additional information. Answer these questions, if possible. Otherwise, leave b a. Are book/records available? (If available, do not send now. We will contact you b. Do you consider the taxpayer dangerous? c. Banks, Financial Institutions used by the taxpayer 	ank. , if they are needed for an inves	stigation.)		Yes No
Name	Name			
OCWEN LOAN SERVICING	IRENE M. DORNER, CHIEF E	XECUTIVE OFFICE	R HSBC BA	NK USA, N.A.
Street address	Street address	•		
1661 WORTHINGTON ROAD	1800 TYSON BOULEVARD			
City State ZIP code	City		State	ZIP code
WEST PALM BEACH INTERNAL TEVER PARTICIPATE PROPERTY OF THE PARTICIPATE PARTICI	MCLEAN		VA 🔽	22101
Section C - Information About Workshif ELD ASSISTANCE				
(We never share this information with the beat the probables of the Supplemental Company of the				
This information is not required to process your report, but would be helpful if we	need to contact you for any add	litional information.		
7a. Your name DEC 2 3 2013	b. Telephone number	c. Best time to call		· · ·
d Charleston			,	
d. Street address 1025 PARK DRIVE # 725	e. City FLOSSMOOR		f. State	g. ZIP code
Please print and send your completed form to Thiernal Revenue Service	1 2000 MOOR		IL 🔀	60422
Stop C2003 Fresno, CA 93888				

1335819039 Page: 3 of 111

Form **3949-A**

(July 2013)

Department of the Treasury - Internal Revenue Service

Information Referral (See instructions on reverse)

OMB Number 1545-1960

CAUTION: READ THE INSTRUCTIONS BEFORE COMPLETING THIS (For example, if you suspect your identity was stolen, use Form 14	is FORM. There may be other more appropriate form 039.)	s specific to your complaint.
Section A – Information About the Person or Business You		
Complete 1, if you are reporting an Individual. Complete 2, if you are reporting an Individual.	porting a business only. Complete 1 and 2 if you are re	porting a business and its owner.
1a. Name of individual	b. Social Security Number/TiN	c. Date of birth
CHRISTOPHER BURNAM	IRS RECORD	IRS RECORD
d. Street address	e. City	f. State g. ZIP code
9926 S. STATE STREET	CHICAGO	IL 60628
h. Occupation	i. Email address	
SECRETARY	LORIBURNAM@CS.COM	
j. Marital status <i>(check one, if kucwn)</i> Married Single Head of Household Div	k. Name of spouse orced Separated	
2a. Name of business		
CAL DEVELOPMENT CORPORATION	b. Employer Tax ID number (EIN)	c. Telephone number
d. Street address	e. City	773-580-9911
10947 S. HERMOSA	CHICAGO	f. State g. ZIP code
h. Email address	i. Website	100028
LORIBURNAM@CS.COM		
Section B – Describe the Alleged Violation of Incorie 1. x L	aw	
3. Alleged violation of income tax law. (Check all that apply.) ** False Exemption Unsubstantiated Income False Deductions Earned Income Credit Multiple Filings Public/Political Corruption Organized Crime False/Altered Documents		Failure to Withhold Tax Failure to File Return Failure to Pay Tax Other (describe in 5)
TY 2008 \$ 105,000 TY 2009 \$ 105,000 TY 2010 \$ 5. Comments (Briefly describe the facts of the alleged violation-Who/We another sheet, if needed.) This complaint is filed against Aaron Demuth ARDC # 6276249, James N. Prober Jeffrey M. Henschel, Neal Henschel, Michelle Esterman, Lori Burnam and Cledocuments for monetary gain. Used fraud upon the court to evade taxes under fabricated Special Commissioner's Deed to HSBC Bank USA, N.A. Trustee for Also there is a forged Affidavit of Exemption from Documentary Transfer Taxonal Probability of the court of the cour	matWhere/When/How you learned about and obtained appasARDC # 6291873, Edward pross: ran(Special Commis aristopher Burnam of Cal Development forp. The parties us a Forcible Entry Detainer Case # 13-m1 117362 and Foreclo or the Registered Holder of First NLC Trust 2007-a Mortgag at filed into the court records Declaring under or mity of periods.	the information in this report. Attach sioner), Irene Dorner, Ronald M. Faris, ed forged and illegally recorded sure Case #11-cv-2562, and used a e-Backed Certificates Series 2007-1.
numbers that was never reported on an IRS tax Form. All parties including L 56 and violations tax evasion and violations of various Sarbanes and Oxley co	ori Burnam and Christopher Burnam aided and abett, d in an odes. SEE ATTACHED FOR MORE VIOLATIONS.	illegal eviction, violations of Senat Bill
C Additional information Assure the control of the Children		<u>)</u>
 6. Additional information. Answer these questions, if possible. Otherwis a. Are book/records available? (If available, do not send now. We will do b. Do you consider the taxpayer dangerous? c. Banks, Financial Institutions used by the taxpayer 	se, leave blank. contact you, if they are needed for an investigation.)	¥ Yes No
Name	Name	
CHRISTOPHER BURNAM	IRENE M. DORNER, CHIEF EXECUTIVE O	FFICER HSBC BANK USA, N.A.
Street address	Street address	
9926 S. STATE STREET	1800 TYSON BOULEVARD	
City State ZIP co	ode City	State ZIP code
CHICAGO INTERNAL PROFESSIONAL	MCLEAN	VA 22101
Section C - Information About Wolffell ASSICTAN	CE	
(We never share this information with the person of the state of the s	conting.)	
This information is not required to process your report, but would be he	elpful if we need to contact you for any additional inform	nation.
7a. Your name DEC 2 3 2013	b. Telephone number c. Best time	to call
d Street address	. 01	
d. Street address 1025 PARK DRIVE # 725	e. City FLOSSMOOR	f. State g. ZIP code IL 60422
Please print and send your completed form to: Internal Revenue Stop C2003 Fresno, CA 93888	Service	VVT64

1335819039 Page: 4 of 111

Form **3949-A** (July 2013)

Department of the Treasury - Internal Revenue Service

Information Referral (See instructions on reverse)

OMB Number 1545-1960

Use this form to report suspected tax law violations by a person or a business.

CAUTION: READ THE INSTRUCTIONS BEFORE COMPLETING THIS FORM. T (For example, if you suspect your identity was stolen, use Form 14039.)	here may be other more appropriate f	orms spec	lfic to your	complaint.			
Section A - Information About the Person or Business You Are Repo	orting			·			
Complete 1, if you are reporting an Individual. Complete 2, if you are reporting a but (Leave blank any lines you do not know.)	usiness only. Complete 1 and 2 if you ar	e reporting	a business	and its owner.			
a. Name of individual b. Social Security Number/TIN c. Date of birth							
LORI BURNAM	IRS RECORD	ļ	IRS RECOR				
d. Street address	e. City		f. State	g. ZIP code			
9926 S. STATE STREET	CHICAGO		IL 🔀	60628			
h. Occupation	i. Email address	· · · · · · · · · · · · · · · · · · ·					
PRESIDENT LORIBURNAM@CS.COM							
j. Marital status <i>(check one, it in own)</i> Married Single Head of Household Divorced [k. Name of spouse		· ·				
2a. Name of business	b. Employer Tax ID number (EIN)		c. Telephor	e number			
CAL DEVELOPMENT CORPORATION			773-580-991				
d. Street address	e. City		f. State	g. ZIP code			
10947 S. HERMOSA	CHICAGO		IL 🚮	60628			
h. Email address LORIBURNAM@CS.COM	i. Website						
Section B – Describe the Alleged Violation of Income Tax Law							
3. Alleged violation of income tax law. (Check all that apply.)				······································			
	Unreported Income	Failur	e to Withho	d Tax			
☐ False Deductions ☐ Earned Income Credit ☐ Multiple Filings ☐ Public/Political Corruption	Narcotics Income	_	e to File Re				
✓ Multiple Filings ☐ Public/Political Corruption ☐ Organized Crime ★ False/Altered Documents	Kickback Wagering/Gambling		re to Pay Ta r (describe in				
4. Unreported income and tax years Fill in Tax Years and dollar amounts, if known (e.g., TY 2010-\$10,000) TY 2008 \$ 105,000	# 6291873, Edward Prosst an(Special Conuman of Cal Development Porp. The partintry Detainer Case # 13-ml 22362 and Fortered Holder of First NLC Trust 2007 a Monthle court records Declaring under penalty of and Christopher Burnam aided and abett d TTACHED FOR MORE VIOLATIONS.	mmissioner), es used forge eclosure Ca tgage-Backe perjury. Th n an illegal	Irene Domer ed and illegal se # 11-cv-25 ed Certificate et Law Firm veriction, violate	Ronald M. Faris, ly recorded 62. and used a s Series 2007-1.			
Name	Name						
LORI BURNAM	IRENE M. DORNER, CHIEF EXECUTIVE	/E OFFICE	R HSBC BAR	NK USA, N.A.			
Street address 9926 S. STATE STREET	Street address						
	1800 TYSON BOULEVARD			1			
City State ZIP code CHICAGO	City		State	ZIP code			
	MCLEAN		VA 🔀	22101			
Section C - Information Agriculture Agricu							
(We never share this information with the present prictions of process you report of the process your report, but would be helpful if we need to contact you for any additional information.							
	need to contact you for any additional in	tormation.					
7a. Your name DEC 2 3 2013	b. Telephone number c. Best	time to call		· 			
d. Street address DECENCED	e. City		f. State	g. ZIP code			
d. Street address 1025 PARK DRIVE # 725 RECEIVED	FLOSSMOOR		IL IZ	60422			
Please print and send your completed form for internal Revenue Service Stop C2003 Fresno, CA 93888							

www.irs.gov

1335819039 Page: 5 of 111

Form 3949-A (July 2013)

Department of the Treasury - Internal Revenue Service

Information Referral (See instructions on reverse)

OMB Number 1545-1960

CAUTION: READ THE INSTRUCTIONS BEFORE ([For example, if you suspect your identity was si	COMPLETIN tolen, use F	IG THIS FORM. T orm 14039.)	here may be other	more app	ropriate forms spe	cific to you	r complaint.
Section A – Information About the Person of	or Busines	s You Are Repo	orting				
Complete 1, if you are reporting an Individual. Comp (Leave blank any lines you do not know.)				lete 1 and 2	If you are reporting	a business	and its owner.
1a. Name of individual			b. Social Security N	lumber/TIN		c. Date of t	oirth
EDWARD GROSSMAN			IRS RECORD			IRS RECOI	* *
d. Street address			e. City			f. State	g. ZIP code
2938 E. 91ST STREET			CHICAGO			IL 🔽	60617
h. Occupation			i. Email address			· · · · · · · · · · · · · · · · · · ·	
EXECUTIVE DIRECTOR							
j. Marital status <i>(check one, it inown)</i> Married Single Head of House	ehold [Divorced [Separated	k. Name o	of spouse		
2a. Name of business			b. Employer Tax ID	number (E	IN)	c. Telephoi	ne number
CHICAGO LEGAL CLINIC			363200465			773-731-17	
d. Street address			e. City			f. State	g. ZIP code
2938 E. 91ST.			CHICAGO			IL 🔽	60617
h. Email address	Ox		i. Website				
Section B - Describe the Alleged Violation	of Incorte	Tax Law					
3. Alleged violation of income tax law. (Check all the False Exemption Unsul False Deductions Earne Multiple Filings Public	3. Alleged violation of income tax law. (Check all that apply.) ** False Exemption Unsubstantiated Income False Deductions Earned Income Credit Narcotics Income Multiple Filings Public/Political Corruption Kickback ** Failure to Withhold Tax Failure to File Return Failure to Pay Tax						
4. Unreported income and tax years		- I	Wagering/Gam		* Othe	r (describe i	n 5)
Fill in Tax Years and dollar amounts, if known (e.g., TY 2008 \$ 105,000 TY 2009 \$ 105,000 5. Comments (Briefly describe the facts of the alleg another sheet, if needed.) This complaint is filed against Aaron Demuth ARDC # 6	TY 2010 ed violation- 6276249, Jam	\$ 105,000 Who/What/Where, es N. PannasARDC	When/How vou lead # 6291873 Edward (med about	and obtained the int	formation in	this report. Attach
Jeffrey M. Henschel, Neal Henschel, Michelle Esterman documents for monetary gain. Used fraud upon the countries of Secretary Sec	t to evade tax	n and Christopher B	urnam of Cal Develor	oliticat Corp.	The parties used forg	ed and illegal	ly recorded
labricated Special Commissioners Deed to HSBC Bank	USA, N.A. T	rustee for the Regist	tered Holder of First 1	VI C Trust of	N.7.a Mortgage Back	ad Cartificate	a Camina 2007 1
Also there is a forged Affidavit of Exemption from Doct	umentary Tra	nsfer Tax filed into t	he court records Deel	arine under t	e rate of perimos. The	- Law Time	and Calculation at
numbers that was never reported on an IRS tax Form. A	Ill parties incl	uding Lori Burnam	and Christopher Burn	am aided and	d abett d'in an illegal	eviction, viol	ations of Senat Bill
56 and violations tax evasion and violations of various S	arbanes and c	Dxiey codes. SEE A	TTACHED FOR MO	RE VIOLAT	TIONS.		
Additional information. Answer these questions, i. a. Are book/records available? (If available, do not b. Do you consider the taxpayer dangerous?	send now. V	Otherwise, leave bl Ve will contact you	ank. , if they are needed	for an inves	stigation.)		Yes No
c. Banks, Financial Institutions used by the taxpaye	<u> </u>					70	
EDWARD GROSSMAN, CHICAGO LEGAL CLINIC		,	Name				
Street address			IRENE M. DORNER, CHIEF EXECUTIVE OFFICER HSBC BANK USA, N.A.				
2938 E. 91ST			Street address	IFILLADA			
City	State	ZIP code	1800 TYSON BOU	LEVARD		T	
CHICAGO	IL 🔽	60617	City MCLEAN			State	ZIP code
Section C - Information About Yourself		00017	MCLEAN			VA 🔽	22101
(We never share this information with the Derson	r business w	ou are reporting)					
I his information is not required to process voue rep	OLF PAT ALOU	NUE SERVI SSISTANCE	oded to contact you		ditional information.		
7a. Your name ORLA	ND PARI	K, IL 60462	b. Telephone num	ber	c. Best time to call	-	
d. Street address	DEC 23	2012	a City			Ta av	T
1025 PARK DRIVE # 725	ULU 23	ZUI 3	e. City FLOSSMOOR			f. State	g. ZIP code
Please print and send your completed form to	iffemal Rep Stop C2003	venue Gervice	LOSSWOOK	<u></u>		IL 52	60422
Freshor CA793988							

1335819039 Page: 6 of 111

Form **3949-A** (July 2013)

Department of the Treasury - Internal Revenue Service

Information Referral (See instructions on reverse)

OMB Number 1545-1960

CAUTION: READ THE INSTRUCTIONS BEFORE COMPLETING THIS FORM. 1 For example, if you suspect your Identity was stolen, use Form 14039.)	here may be other more appropriate forms spe	cific to your complaint.					
	Section A – Information About the Person or Business You Are Reporting						
Complete 1, if you are reporting an Individual. Complete 2, if you are reporting a b Leave blank any lines you do not know.)	usiness only. Complete 1 and 2 if you are reporting	g a business and its owner.					
a. Name of individual	b. Social Security Number/TIN	c. Date of birth					
JAMES N. PAPPAS	IRS RECORD	IRS RECORD					
f. Street address	e. City	f. State g. ZIP code					
9191 BROADWAY	MERRILLVILLE	IN 46410					
n. Occupation	i. Email address	L					
FORECLOSURE ATTORNEY							
. Marital status <i>(check one, if kurown)</i> Married Single Head of Household Divorced	k. Name of spouse Separated						
2a. Name of business	b. Employer Tax ID number (EIN)	c. Telephone number					
BURKE CONSTANZA AND CARBERKY [1]	363258748	630-794-5300					
d. Street address	e. City	f. State g. ZIP code					
919I BROADWAY	MERRILLVILLE	IN 🚾 46410					
n. Email address	i. Website						
Section B - Describe the Alleged Violation of Incor.e Tax Law							
3. Alleged violation of income tax law. (Check all that apply.) ** False Exemption Unsubstantiated Income False Deductions Earned Income Credit Multiple Filings Public/Political Corruption Organized Crime False/Altered Documents	Alleged violation of income tax law. (Check all that apply.) False Exemption Unsubstantiated Income False Deductions Earned Income Credit Narcotics Income Failure to Withhold Tax Failure to File Return Multiple Filings Public/Political Corruption Kickback Failure to Pay Tax						
4. Unreported income and tax years	☐ Wagering/Gambling	er (describe in 5)					
Fill in Tax Years and dollar amounts, if known (e.g., TY 2010- \$10,000)	0,						
TY 2008 \$ 105,000 TY 2009 \$ 105,000 TY 2010 \$ 105,000 5. Comments (Briefly describe the facts of the alleged violation-Who/What/Where another sheet, if needed.) This complaint is filed against Aaron Demuth ARDC # 6276249, James N. PappasARDO Jeffrey M. Henschel, Neal Henschel, Michelle Esterman, Lori Burnam and Christopher E	When/How you learned about and obtained the in	formation in this report. Attach					
documents for monetary gain. Used fraud upon the court to evade taxes under Forcible I	Entry Detainer Case # 13-m1 /12 i62 and Foreclosure Co	ase # 11_cv_2562 and weed a					
fabricated Special Commissioner's Deed to HSBC Bank USA, N.A. Trustee for the Regis	stered Holder of First NLC Trust 2007-a Mortgage-Rack	red Certificates Series 2007 1					
Also there is a forged Affidavit of Exemption from Documentary Transfer Tax filed into	the court records Declaring under penalty of perjury. T	he Law Firm used fabricated					
numbers that was never reported on an IRS tax Form. All parties including Lori Burnam 56 and violations tax evasion and violations of various Sarbanes and Oxley codes. SEE A	and Christopher Burnam aided and abetted in an illegal	eviction, violations of Senat Bill					
6. Additional information. Answer these questions, if possible. Otherwise, teave ba. Are book/records available? (If available, do not send now. We will contact you b. Do you consider the taxpayer dangerous? c. Banks, Financial Institutions used by the taxpayer	lank. I, if they are needed for an investigation.)	Yes No Yes No					
Name	Name						
BURKE CONSTANZA & CARBERRY, LLP	IRENE M. DORNER, CHIEF EXECUTIVE OFFICE	ER HSBC BANK USA, N.A.					
Street address	Street address						
9191 BROADWAY	1800 TYSON BOULEVARD						
City State ZIP code	City	State ZIP code					
MERRILLVILLE IN 46410	MCLEAN	VA 22101					
Section C - Information About Y AREAL REVENUE SERVICE							
(We never share this information with the parson of business very left of ng.)							
This information is not required to process your report, but would be neighbor we need to contact you for any additional information.							
7a. Your name DEC 2 3 2013	b. Telephone number c. Best time to cal	1					
d. Street address	e. City	f State of 710 and					
1025 PARK DRIVE # 725	FLOSSMOOR	f. State g. ZIP code IL 60422					
Please print and send your completed form to: Internal Refenue Service Stop C2003							
Fresno, CA 93888							

1335819039 Page: 7 of 111

Form **3949-A** (July 2013)

Department of the Treasury - Internal Revenue Service

Information Referral (See Instructions on reverse)

OMB Number 1545-1960

CAUTION: READ THE INSTRUCTIONS BEFORE CO (For example, if you suspect your identity was stole	MPLETING THIS FORM. T	here may be other	more appr	opriate forms	specific to you	r complaint.
Section A – Information About the Person or I		orting				<u> </u>
Complete 1, if you are reporting an Individual. Complete (Leave blank any lines you do not know.)	e 2, if you are reporting a bu	usiness only. Comp	lete 1 and 2	if you are repo	orting a business	and its owner.
1a. Name of individual		b. Social Security N	lumber/TIN		c. Date of t	oirth
AARON DEMUTH	1	IRS RECORD			IRS RECOR	
d. Street address		e. City		-	f. State	g. ZIP code
15W030 NORTH FRONTAGE ROAD, SUITE 100		BURR RIDGE	_		IL 🔽	60527
h. Occupation FORECLOSURE ATTORNEY		i. Email address		-		
. Marital status (check one, if known)			T			
Married Single Mead of Househo	old Divorced	Separated	k. Name of	f spouse		
2a. Name of business		b. Employer Tax ID	number (E	INN		
CODILIS AND ASSOCIATES		363258748	number (E	in)	c. Telephor	
d. Street address		e. City			630-794-53 f. State	g. ZIP code
15W030 NORTH FRONTAGE ROAD, SUITE 100		BURR RIDGE			IL 🔯	g. ZIP code 60527
h. Email address		i. Website		<u> </u>		50527
	U)r			_		
Section B – Describe the Alleged Violation of						
☐ False Deductions ☐ Earned II ☐ Multiple Filings ☐ Public/Pc		Unreported Inc Narcotics Inco Kickback Wagering/Gam	me	*	Failure to Withho Failure to File Re Failure to Pay Ta Other (describe i	turn ×
4. Unreported income and tax years Fill in Tax Years and dollar amounts, if known (e.g., TY TY 2008 \$ 105,000 TY 2009 \$ 105,000 5. Comments (Briefly describe the facts of the alleged another sheet, if needed.) This complaint is filed against Aaron Demuth ARDC # 627/ Jeffrey M. Henschel, Neal Henschel, Michelle Esterman, Lodocuments for monetary gain. Used fraud upon the court to fabricated Special Commissioner's Deed to HSBC Bank US Also there is a forged Affidavit of Exemption from Docume numbers that was never reported on an IRS tax Form. All p 56 and violations tax evasion and violations of various Sarb 6. Additional information. Answer these questions, if por a. Are book/records available? (If available, do not sen b. Do you consider the taxpayer dangerous? c. Banks, Financial Institutions used by the taxpayer Name	TY 2010 \$ 105,000 violation-Who/What/Where/ 6249, James N. PappasARDC ori Burnam and Christopher Bit evade taxes under Forcible Esta, N.A. Trustee for the Registentary Transfer Tax filed into the parties including Lori Burnam in the parties and Oxley codes. SEE All cossible. Otherwise, leave bit	# 6291873, Edward (urnam of Cal Develop try Detainer Case # tered Holder of First 1 the court records Decl and Christopher Burn TTACHED FOR MO ank. if they are needed	rned about a rossman(Spontant Corp. 13-m1- (12* 6) NLC Trust 20 aring under parm aided and RE VIOLAT	ecial Commission The parties used: 2 and Foreclosus 107 a Mortgage- er alty of perjur 1 aberted in an ill TONS.	oner), Irene Domer oner), Irene Domer I forged and illegal re Case # 11-cv-2.5 Backed Certificate y. The Law Firm legal eviction, viol	this report. Attach , Ronald M. Faris, ly recorded i62 and used a s Series 2007-1 used fabricated attions of Senat Bill Yes No
CODILIS AND ASSOCIATES		IRENE M. DORNE	R, CHIEF EX	XECUTIVE OF	FICER HSBC BAI	NK USA, N.A.
Street address		Street address				
15W030 NORTH FRONTAGE ROAD SUITE 100		1800 TYSON BOU	LEVARD			_
745	ate ZIP code	City			State	ZIP code
	LE PARTE SERV	EAN			VA 🔀	22101
Section C - Information About Yourse (We never share this information with the person of the first share)	- TICLU ASSISTANCI	<u> </u>	<u> </u>			
This information is not required to process your report,	hut would be beleful if we .	&	£		-	
7a. Your name	DEC 2 3 2013					
THE PARTIE	~~~ # # £0 #U	b. Telephone num	ber	c. Best time to	call	
d. Street address	EFENZEN	- 0"			 _	Υ
1025 PARK DRIVE	LACIVEL	e. City FLOSSMOOR			f. State	g. ZIP code
Please print and send your completed form to: Inte	emai Revenue Service p C2003 sno, CA 93888	- FLOSSMOOK			IL 😿	60422
Cotolog Niverband 22705	-, 					

1335819039 Page: 8 of 111

Form **3949-A** (July 2013)

Department of the Treasury - Internal Revenue Service

Information Referral (See instructions on reverse)

OMB Number 1545-1960

There may be other more appropriate forms spe	eific to your complaint.
porting	
- -	g a business and its owner.
b. Social Security Number/TIN	c. Date of birth
IRS RECORD	IRS RECORD
e. City	f. State g. ZIP code
ATLANTA	GA 30319
i. Email address]
MICHELLE.ESTERMAN@ALTISOURCE.LU	
☐ Separated	
b. Employer Tax ID number (EIN)	c. Telephone number
050539094	
e. City	f. State g. ZIP code
ATLANTA	GA 30319
i. Website	
☐ Narcotics Income ☐ Failt ☐ Kickback ☐ Failt	ure to Withhold Tax ure to File Return ure to Pay Tax er (describe in 5)
re/When/Ho.v v ou learned about and obtained the in	formation in this report. Attach
Burnam of Cal Develop at form The parties used form	red and illegally recorded
Entry Detainer Case # 13-m1 /12 i62 and Forectosure Co	ace # 11 av 2562 and wood -
other must record Professionand and a Mortgage-Back	red Certificates Series 2007-1.
m and Christopher Burnam aided and abett. 1 n an illegal	existion, violetians of Senet Bill
ATTACHED FOR MORE VIOLATIONS.	eviction, violations of Benat Bill
blank.	Ç
	Yes No
	R HSBC BANK USA, N.A.
	State ZIP code
	VA 22101
,	
e need to contact you for any additional information.	
b. Telephone number c. Best time to call	1
1 -	f. State g. ZIP code
· BOSHIOOK	IL 60422
	business only. Complete 1 and 2 if you are reporting business only. Complete 1 and 2 if you are reporting b. Social Security Number/TIN IRS RECORD e. City ATLANTA i. Email address MICHELLE.ESTERMAN@ALTISOURCE.LU k. Name of spouse Separated b. Employer Tax ID number (EIN) 050539094 e. City ATLANTA i. Website Unreported Income

1335819039 Page: 9 of 111

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Exhibit A
PROOF OF FRANK

1335819039 Page: 10 of 111

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Securitization Analysis

DERRICK SEATON & SHERRY SEATON

13624 GOUWENS LANE, SOUTH HOLLAND, IL 60473

MORTGAGE DATE: 02/23/2007

ORIGINAL LENDER: FIRST NLC FINANCIAL SERVICES, INC.

ORIGINAL LOAN NUMBER: N/A

MERS ID NUMBER: 100195910004257930

LOAN AMOUNT: \$170,000.00

NOTE RATE: 7.590%

LOAN TYPE: 30 ADJUSTABLE RATE t's Office

LOAN PURPOSE: Purchase

OCCUPANCY TYPE: N/A

PREPAYMENT PENATLY: N/A

DOCUMENTATION TYPE: N/A

ORIGINAL SERVICER: FIRST NLC FINANCIAL SERVICES, INC.

CURRENT SERVICER: OCWEN LOAN SERVICING, LLC.

1335819039 Page: 11 of 111

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Securitization Process

Securitization is the financial practice of pooling various types of contractual debt such as residential mortgages, commercial mortgages, auto loans or credit card debt obligations and selling said debt as bonds, pass-through securities, or Collateralized mortgage obligation (CMOs), to various investors. The principal and interest on the debt, underlying the security, is paid back to the various investors regularly. Securities backed by mortgage receivables are called mortgage-backed securities. The process of securitization is complicated, and is highly dependent on the junisdiction upon which the process is conducted. The basics are:

- 1. Mortgage loans (mo tgage notes) are purchased from banks and other lenders and assigned to a trust
- 2. These loans are assemble into collections, or "pools"
- 3. These trusts securitize the pool and issue mortgage-backed securities, with documentation that identifies the onderlying loans

These securitization trusts include government-sponsored enterprises and private entities which may offer credit enhancement features to minigate the risk of prepayment and default associated with these mortgages. Since residential mortgages in the United States have the option to pay more than the required monthly payment (curtailment) or to pay off the loan in its entirety (prepayment), the monthly cash flow of an MBS is not known in advance, and therefore presents risk to MBS investors.

The procedure for selling the loans was to create a situation whereby certain REMIC (real Estate mortgage investment conduits, a common CMO) tax laws were observed, protecting the Issuing Entity and the lender from bankruptcy. The IRS treats REMIC's comparably with the 'reasonably foreseeable default' standard. For the bankruptcy protection, two "Taxae Sales" of the loan must occur, when loans were transferred to different entities.

A "True Sale" of the loan would be a circumstance whereby one party owned the Note, and then sold it to another party. An offer would be made, then accept, with compensation given to the "seller" in return for the Note. The Notes would be transferred, and the Deed of Trust " assigned to the buyers" of the Note, with an Assignment made and recorded with each and every new endorsement to the next party. The parties involved are the (1) Originator, funder of the loan, (2) The Sponsor, who collected or brought the loans from different lenders, combined them and sold them to the Depositor and (3) The Depositor would deposit the loans into the Issuing Entity Trust, where bonds and certificates would be sold.

1335819039 Page: 12 of 111

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TRANSACTION PARTICIPANTS

Title of Series

First NLC Trust 2007-1 Mortgage Backed-Certificates Series 2007-1

Sponsor and Scher

N/A

Depositor

N/A

Issuing Entity

First NLC Trust 2007-1 Mortga te Backed-Certificates Series 2007-1

HSBC Bank USA, N.A.

Originator

First NLC Financial Services, Inc.

Original Servicer

First NLC Financial Services, Inc.

Current Servicer

COUNTY COUNTY Ocwen Loan Servicing, LLC - According to MERS public database Cowen I oan Servicing, LLC is listed as an -CONTACTOR OF THE CONTACTOR OF THE CONTA "Inactive" Servicer.

Trust Administrator

N/A

Custodian

N/A

PMI Insurer

N/A

Closing Date N/A

Cut-off Date: N/A

1335819039 Page: 13 of 111

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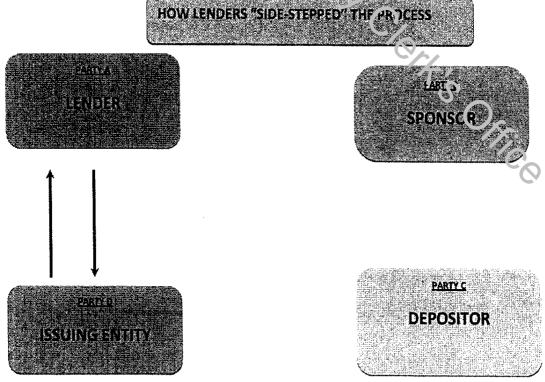
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SECURITIZATION STRUCTURE

THE CORRECT PROCESS OF SECURITIZATION





1335819039 Page: 14 of 111

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Notes and Comments

This loan was funded in **the State of Illinois**, **Cook County**. In Illinois, lenders may foreclosure on a Mortgage voo the judicial process. The NOTE is the security instrument securing the property with a Mortgage. The Mortgage is the instrument securing the mortgage loan. The only concern for the transaction parties is that the instrument securing the mortgage loan be perfectly transferred by proper endorsements or the securing instrument.

The above referenced loar has been traced as an asset belonging to a number of financial institutions. In a securitized mortgage loar purchase, there is no proof of ownership without the ORIGINAL NOTE indicating that a clear chain of assignments took place and lien position were properly perfected.

In a non-securitized loan, the traditional nortgage is held as a investment by the lender and serviced throughout the life of the loan term either by the same lender who performs day-to-day loan administration for the original loan.

During our securitization loan audit process, we simplify the complicated financial engineering of the securitized loan into this comprehensive analysis report. Our expert(s) trace the note and mortgage from the originating lender up the line of sales to the trace/investor ownership. Our evidentiary findings may reveal defects in the real estate title that is being claimed by the party(s) seeking to foreclose. Other undisputable material defects may also be presented. Using this evidentiary findings report, attorneys can then analyze if these facts and draw their own legal opinions for further action.

In a securitized mortgage loan purchase process, there is no proof without the original Note without the proper chain of assignments showing the lien positions were properly perfected.

A complete chain of endorsement must exist, each being sufficient to transfer all right, title and interest of the party endorsing the Note. The monies involved are also laid bare. The loan originator was paid upon selling the paper to an investment bank; the investment bank got paid upon polling the loan with thousands of others loans and selling the shares to investors; the Master Servicer, **First NLC Financial Services, Inc** has been paid for managing the payments for the mortgage pool and now processing a foreclosure. These steps are graphically displayed in the flow chart in the previous section Securitization Structure.

1335819039 Page: 15 of 111

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The Assignment of a Note by written assignment will effectively transfer the Note to the Assignee and the assignment must clearly identify the Note. The Assignee would be automatically perfected under UCC code 9-309(4). Assignment of a Note would have to be by a written agreement to satisfy the statute of frauds. As an instrument under 9-102, the Note would also be transferred by delivery and any necessary an arsements per written assignment.

Filing a financing statement under 9-310 can, only perfect transfer of a Note that is not an "instrument" under Article 9. Assignment of the Note must be by a separate written document executed by the transferor. Assignment must transfer rights to the Note to the assignee. Oral assignments are permitted but if more than \$500 and real property involved will not satisfy the Statute of Frauds. UCC 2-201 precludes oral contracts related to real property. Assignor must prove it acquired the Note by written assignment from prior owner. Value consideration must be paid by the Assignee. In 9-203(g) provides that if a secured party has a security interest in the right to repayment that is itself secured, the secured party automatically acquires a security interest in the lien or security interest securing the right to payment (the Deed of Trust follows the Mortage ge Note under Article 9). UCC code 9-308(e) provides that if the security interest in the right to payment is perfected, the secured party's right to payment is automatically perfected.

Any assignment outside of the 90-Day "closing date is a clirect violation of the Trust Agreement supporting Legal Nullity of the MORTGAGE.

1335819039 Page: 16 of 111

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CHAIN OF TITLE ANALYSIS

COOK SOUNTY RECORDER OF DEEDS

KAREN P. YARBROUGH

Recorded Date	PIN	Type Desc.	<u>Doc. #</u>	1st Grantor	1st Grantee	1st Prior Doc#
× 5/8/2011	29-15- 214- 065- 0000	LIS PENDENS FORECLOSURE	4 5903008	HSBC BANK USA	SEATON DERRICK	0708041052
× 9/19/2008	29-15- 214- 065- 0000	ASSIGNMENT	<u>0826347012</u>	ACRTGAGE LECTPONIC REGISCRATION SYSTEMS INC	HSBC/BK/USA	0708041052
× 8/13/2008	29-15- 214- 065- 0000	LIS PENDENS	0822605008	HSBC BK USA	SEATON SHERRY	<u>0708041052</u>
× <u>3/26/2007</u>	29-15- 214- 065- 0000	<u>RELEASE</u>	0/0851309/	FIRST FRANKLIN FIN CORP	SEATON DERRICK	<u>53374(069</u>
× <u>3/21/2007</u>	29-15 214- 065 0000	MORTGAGE	0708041052	SEATON DERRICK	MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC	0822605008
× 3/14/2006	<u>29-15</u> <u>214-</u>	- <u>ASSIGNMENT</u>	0607313092	FIRST FRANKLIN	FIRST FRANKIN	0533346069

1335819039 Page: 17 of 111

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Recorded Date	<u>PIN</u>	Type Desc.	Doc.#	1st Grantor	1st Grantee	1st Prior Doc#
D	065- 0000				FIN CORP	
× <u>1/25/2006</u>	.49-15- 214- 065- 0000	R!EASE	<u>0602553067</u>	MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC	SEATON DERRICK	0010332077
× <u>1/6/2006</u>	29-15- 214- 065- 0000	RELEASE	<u>0690647102</u>	OPTION ONE MTG CORP	SEATON DERRICK	<u>0010332076</u>
× <u>11/29/2005</u>	29-15- 214- 065- 0000	<u>MORTGAGE</u>	0533346069	SEATON OTRRICK	FIRST FRANKLIN	<u>0607313092</u>
× <u>11/29/2005</u>	29-15- 214- 065- 0000	RECORD OF PAYMENT	0533346068	TICOR TITLE INS	PUBLIC O	0010332076
× 4/24/2001	29-15- 214- 065- 0000	<u>MORTGAGE</u>	0010332077	<u>SEATON DERRICK</u>	OPTION ONE MTG	0602553067
× 4/24/2001	29-15- 214- 065- 0000	MORTGAGE	0010332076	SEATON DERRICK	OPTION ONE MTG	<u>0533346068</u>

1335819039 Page: 18 of 111

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Recorded Date X	<u>PIN</u>	Type Desc.	<u>Doc. #</u>	1st Grantor	1st Grantee	1st Prior Doc#
× 4/24/2051	29-15- 214- 065- 00-0	WARRANTY DEED	0010 207	5 BLUMMER RUTH	SEATON DERRICK	
× 11/ 0/199	29-15- 214- 065- 0000		08076891	COOK COUNTY REGISTRAR OF TITLES	BLUMMER LEO	
1			94			
				OUNIL C	BLUMMER LEO	

1335819039 Page: 19 of 111

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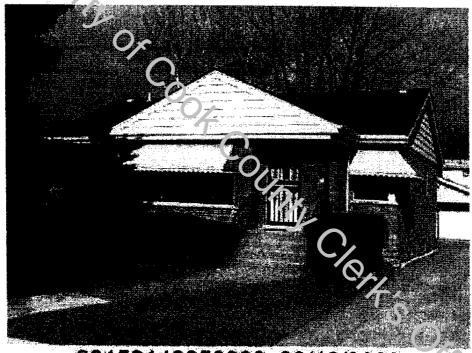
1-800 405-7176 Ext. 1 - Toll Free 708-406-7666 Ext. 1 - Direct Dial 708-406-7667 - Fax mdr@mdr-4u.com - Email www.mdr-4u.com - Website

Cook County Assessor's Office

Page 1 of 2

Property Characteristics

2013 Tex Year Property Information



29152140650000 03/16/2008

Description

Value

PIV: Address: 29-15-214-065-0000

City:

15624 Gouwens Ln South Holland

Township:

Thornton

Property Classification: 2-03

n:7-03

Square Footage:

6,875 (Land)

NBHD:

33

Taxcode:

37059

Assessed Valuation

Description

2013 First Pass2012 Board of Review Certified

1335819039 Page: 20 of 111

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This instrument was prepared by

* A Jose Hernandez

FIRST P.C. FINANCIAL SERVICES, LLC 1900 SO. TH STATE COLLEGE BLVD. STE. 120 ANAHEIM, CACOLLA

FIRST NLC FINANCY : SERVICES, LLC 700 W. HILLSBORD BLVD 5 1 #204 DEERFIELD BEACH, FLORIDA G441

0708041062 Fee: \$56.00 unity Recover of De SHEIRDOF TO SE AM PE 1 MIT

109870

· (Space Above This Line For Recuesting Dates)

MORTGAGE

MIN: 100195910004257930

DEFINITIONS

Words used in multiple sections of this document are defect below and other words are defined in Sections 1, 11, 11, 18, 20 and 21. Certain rules regarding the usage of words used in this wer next are also provided in Section 16.

(A) "Security Instrument" means this decement, which is dated rate as y 23, 2007 Riders to this document.

, together with all

(B) "Berrower" is DERRICK SEATON and SHERRY SEATON, HUSBAND ATT WIFE, AS TENANTS BY THE ENTIRETY

Borrower is the mortgagor under this Security Instrument.

(C) "MKRS" is Mortgage Electronic Registration Systems, Inc. MERS it a separate corporation is acting solely as a numines for Lender and Lender's successors and assigns. MERS is the mortgages under this See sity extrament. MERS is organized and existing under the laws of Delaware, and has an address and telephone mumber of P O. Sea 3020, Flint, MI 48501-2026, tel. (888) 679-MERS.

(D) "Lender" in FIRST NLC FINANCIAL SERVICES, LLC Lender is a LIMITED LIABILITY COMPANY the laws of THE STATE OF FLORIDA

organized and exir ap ander

Lender's par ess s

700 W. HILLSBORO BLVD. 8-1 #294, DEERFIELD BEACH, FLORIDA 33441

(E) "Note" means the promissory note signed by Borrower and dated February 23, 2007 states that Borrower owes Lander One Hundred Seventy Thousand and no/100 Dollars (U.S. S. 170,000.00) plus

) phis leasests. Borrower has proprieted to pay this debt in regular Periodic Payments and to pay the debt in full not later than March 61, 2637

(F) "Property" means the property that is described below under the heading "Transfer of Rights in the Property."

(G) "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

U.LINOB-Single Panish - Family Mantereddie Man UNIFORM DISTRUMENT

Marrier 3252 2,002 Today Co. Lanca Co. Carlot Carlot

ETENA MAGINE I (DOS NO-PRICHE

(Page 1 of 12 pages)

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Proberty of Coof County Clerks Office

FS Case # 08.008383 Cook County

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0825347012 Page: 2 of 4

08-008383

ASSIGNMENT OF MORTGAGE

This ABSIGNATA? OF MORYGAGE is made and entered into as of the 7TH. day of MARCH, 2007, from MORTGAGE ELECTRURIC REGISTRATION SYSTEMS, INC., whose address is 3300 SW 34 Avenue, Suite 101, Ocala, FL 34474, its automators and as involves continue for FIRST NLC FINANCIAL SERVICES, LLC. As successors and assigns, ("Assigno") to HSBC burn. USA, M.A., AS TRUSTEE FOR THE REGISTERED HOLDERS OF FIRST NLC TRUST 2007-1 MORTGAGE BACKED CERTIF LAY 3, SERIES 2007-1, whose address is the October Loan Servicing, LLC, 1881 Worthington Road, Suite 100, West Pt in Bouch, Florida, 33400, at its rights, little and interest in and to a certain mortgage duty recorded in the Office of the County recorded County, State of ILLINOIS, as follows:

duly recorded in the Office of the County for or GOOK County, State of ILLINOIS, as follows:

Mortgager, Derrick Seaton and Sherry's Atjin
Mortgages: Mortgage Electronic registraty as systems, inc. acting solely as nominee for first falc
Financial Services, i.i.c.

This Assignment is made without recourse, representation or warranty. IN WITNESS WHEREOF, By undersigned has executed this Assignment of Montgage at West Patm Beach, Florida, this 17TH, day of JULY, 2008.

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ACTING SOLELY ASMONINEE FOR FIRST NLC FINANCIAL SERVICES, I.C.

BY

NAME: Soot Anderson TITLE: Vice President

STATE OF FLORIDA, COUNTY OF PALM BEACH USS.

The foregoing instrument was admowledged before me this 17TH day of JULY, 2008, by Scott Anderson, the Vice President at MCRTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ACTING SOLERY AS NOMINEE FOR FIRST NLC FINANCIAL SERVICES, LLC., on behalf of the bank. He is personally known to me.

Northe-Attrophysis

MIN: 100195910004257930

MERS Ph.#: (888) 879 - 8377

Leticia R. Arias
Commission & DU737904
Expires HOV 29, 2011

Hora

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0826347012 Page: 3 of 4

Propered by: HIMA H. KOTGWAL Oc. In Loan Servicing, LLC 1861 Authington Road, Suite 100 West Fain Beach, FL 33409

ALLONGE

BORROWERS: OF ARICK SEATON AND SHERRY SEATON

PRESENTOWNER AND HOLDER: FIRST NLC FINANCIAL SERVICES, LLC.

NOTE EXECUTION DATE: FEBRUARY 23, 2007

NOTE AMOUNT: \$170,000.00

This allonge shall be annexed to the . Sinal Note (or to a copy of the Note with a Lost Note Affidavit if the original cannot be located), referenced above for purposes of transferring same from the present Owner and Holder of the Note, FIRST NI C FI. IANCIAL SERVICES, LLC. ("Transferor") as of the date set forth below. As a result of said transfer, Fire T NLC FINANCIAL SERVICES, LLC. has no further interest in the Note.

Date: MARCH 07, 2007

Pay to the order of

HSBC BANK USA, N.A., AS TRUSTEE FOR THE LEGISTERED HOLDERS OF FIRST NLC TRUST 2007-1 MORTGAGE-BACAF . C :RTIFICATES, SERIES 2007-1, without recourse, representation or waner, y express or implied this 7TH day of MARCH, 2007. Office

FIRST NLC FINANCIAL SERVICES, LLC. BY ITS ATTORNEY-IN-FACT OCWEN LOAN SERVICING, LLC

By: AL Name, Denise A. Marvel

Title: Manager of Document Control and Contract Management

The affective date of the allongs is MARCH 07, 2007

OFB Loan Number: 4179550

1335819039 Page: 24 of 111

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1115803008 Fee: \$48.00 Experie "Gene" Moore PinSP Fee: \$10.00 Cook County Recorder of Dilede Date: 06/08/2011 09:35 AM Pg: 1 of 5

Opony Op C THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE

> IN THE UNITED STATES I ISTRICT COURT FOR THE NORTHERN DIST'XICT' OF ILLINOIS EASTERN DIVERSION

HSBC BANK USA, N.A., AS TRUSTEE FOR THE REGISTERED HOLDERS OF FIRST NLC TRUST 2007-1 MORTGAGE-BACKED CERTIFICATES, SERIES 2007-1

CASE NUMBER 1:11-cv-2562

PLAINTIFF

VS.

DISTRICT JUDGE: Ruhen Casti le

DERRICK SEATON, SHERRY SEATON.

MAGISTRATE JUDGE; Maria Valdez

DEFENDANT(S).

NOTICE OF FORECLOSURE - LIS PENDENS

I, the undersigned, certify that the Plaintiff, by its Attorneys, Burke Custanza & Carberry LLP, filed the above captioned Mortgage Foreclosure in the UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION on 04/15/2011, and that the matter is now pending.

- The Names of all Plaintiffs in the case and the case number are listed in the caption above.
- The Names of all title holders of record are as follows:

Derrick Seaton, Sherry Seaton

The legal description of the real estate sufficient to identify it with reasonable certainty; 3.

1335819039 Page: 25 of 111

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CHAIN OF TITLE ANALYSIS REPORT

The following documents listed below were reviewed as a chain of title recorded on property address 15624 Gouwens Ln, South Holland, IL 60473.

03/21/2007 Mortgage executed by Derrick & Sherry Seaton on 02/23/2007 was recorded with Cook County Recorder of Deeds on 03/21/2007 as Doc# 0708041052. (See chain of title analysis exhibits).

09/19/2008 – An Assignment of Mortgage from was recorded with the Cook County Recorder of Deeds as Doc#0826347012. (See chain of title analysis exhibits).

06/08/2011 – Lis Pendens was fur a with the Cook County Recorder of Deeds as Doc#1115903008. (See chain of title analysis exhibits).

In this particular instance the promissor, note was made payable to First NLC Financial Services. Inc. An Assignment of Mortgage was recorder 1997/19/2008 as Document# 0826347012 in Cook County suggests that the Note has been endorsed for m First NLC Financial Services, Inc. to HSBC Bank USA, NA, is identified as the Trustee for First NL/ To ast 2007-1 Mort, a. e Backed Certificates. Series 2007-1 on 03/07/2007. However, a physical Note has are been endorsed according to an allonged attached to the Assignment. The allonged is the proper endorsed according to being attached to the Note and maybe subject to a lost Note Affidavit if the Note as in Fact lost or destroyed. If the Assignment or any future assignment is outside of the 90 Day closing of this assignment attempts to perfect the chain of title, but violates the Pooling and Servicing Agreer, e it of the Trust.

First NLC Trust 2007-1 Mortgage Backed Certificates, Series 2007-1 did not report to a lievel to data to SEC. Further discovery should be requested to determine if the Seaton's loan was transferred to the Trust within 90 days. The Assignment & Allonge indicated that either the <u>Original Note</u> was lost or destroye in

It appears that the Note has been securitized in the secondary market as a mortgage of ched securities and HSBC Bank USA, NA, is identified as the Trustee for First NLC Trust 2007-1 Mortgage Backed Certificates, Series 2007-1.

DUE to these findings, we believe that it is imperative to review original "Wet-signer" NOTE with the proper endorsements to accurately clarify ownership of the NOTE and Proper Legal Standing. . Additional, the signee agents representing MERS Scott Anderson whom executed the Assignment on 03/07/2007 should be subpoenaed to state who actually employed them at the time of signing these documents. If in fact, they signee had firsthand knowledge and properly reviewed the Note that bear the endorsement according to the Pooling & Servicing Agreement.

1335819039 Page: 26 of 111

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CHAIN OF TITLE ANALYSIS REPORT CONT..

*****It has been identified that Scott Anderson is an actual employee of the servicing company Ocwen Loan Servicing, LLC, and executed an assignment recorded on 09/19/2008 in Cook Louisty indicating that he is VP of MERS.*****

http://stopfore_lo_vrefraud.com/2011/07/06/hsbc-v-taher-judge-schack-grand-slam-mers-plaintiffs-counsel-ocwen-robo-signs_s-c_vristina-carter-scott-anderson-margery-rotundo-dismissed-w-prejudice/

The "robo-signing of afficients and Assignments of Mortgage and all other mortgage documents served to cover up the fact that loan servicers cannot demonstrate the facts required to conduct a lawful foreclosure. It turns out to robo-signers did indeed sign off on loans without review, they committed fraud by claiming knowledge of a financial matter of which they had no personal knowledge.

1335819039 Page: 27 of 111

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Please note that there appears to be violations of the <u>Sarbanes and Oxley Act</u>. See the respective sections below: (This information below should not be construed as legal advice, but a licensed Attorney, or the appropriate legal authorities should further review the findings for such violations.)

Section 802(r) of the SOX, 18 U.S.C. § 1519 states: Whoever knowingly alters, destroys, mutilates, conceals, covers up take like, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States or any case filed under title 11, or in relation to or contemplation of any such matter or case, shall be fined under this title, imprisoned not more than 20 years, or both.

Section 906 and 302 of the Socianes-Oxley Act Under Code 18 U.S.C. §1350 provides criminal penalties of up to 20 years for willful violations and up to 10 years imprisonment for violations where the executive knowingly signed a false certification. Under 15 U.S.C. §7241, a "principal executive officer of officers and principal financial officer of officers... or persons performing similar functions," of a public company must certify each quarterly and annual report filed by the company under the new Exchange Act Rules §13(a) or §15(d). Furthermore, "a separate certification must be provided for each certifying officer, and the language of the certification cannot be varied from the language contained in" the statute. Certification is made based on the knowledge of the certifying officer, and ignorance will not be a defense to a charge of falsely certifying a quarterly or annual report if the certifying officer (aou) I have known that the certification was false. an officer who "willfully" makes a false Sarbanes-Oxley Act §302 certification may be liable for criminal violation of the Exchange Act, which results in a maximum of up to 20 years imprisonment and up to \$5 million in fines, under §1106.

SEC. 807. CRIMINAL PENALTIES FOR DEFRAUDING SHAREHOLDERS OF PUBLICLY TRADED COMPANIES. (a) IN GENERAL.—Chapter 63 of title 18, United States Code "§ 1348. Securities race "Whoever knowingly executes, or attempts to execute, a scheme or artifice—"(1) to defraud any person in connection with any security of an issuer with a class of securities registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 781) or that is required to file reports under section 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 780(d)); or "(2) to obtain, by means of false or fraudulent pretenses, representations, or promises, any money or property in connection with the purchase or sale of any security of an issuer with a class of securities legistered

under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 78I) or that is required to file reports under section 15(d) of the Securities Exchange Act of 1934

(15 U.S.C. 780(d)); shall be fined under this title, or imprisoned not more than 25 years, or both."

SEC. 903. CRIMINAL PENALTIES FOR MAIL AND WIRE FRAUD. (a) MAIL FRAUD.—Section 1341 of title 18, United States Code; (b) WIRE FRAUD.—Section 1343 of title 18, United States Code: Penalty is punishable by a maximum of up to 20 years.

1335819039 Page: 28 of 111

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INSURANCES AND CROSS-COLLATERALIZATION

The Prospectus Supplement outlines several means of assuring prospective purchaser of the certificates that the risk of purchasing these certificates is mitigated through the specific provisions of each of "insurances". Notably, they are categorized as "insurance" by ABC the specific provisions of the Prospectus. These types of insurance are used for the purpose of maintaining timely payments of providing additional protection against losses on the assets, for paying administrative expenses, or establishing a minimum reinvestment rate on the payments marke.

Cross-Collateralization is one such insurance. Cross-Collateralization occurs when payments made on the morugage loans in the loan group are used to make distributions on the classes of senior certificates that are unrelated to that original group.

The Prospectus Supplement also nota es the use of *Primary Mortgage Insurance Policies*. Primary Mortgage Insurance policies rein burse certain losses sustained by reason of defaults in payments by borrowers. *A Liquid atea Mortgage Loan* is a defaulted mortgage loan about which the master servicer has deter nined that all recoverable liquidation and insurance proceeds have been received.

Thus, had Borrowers defaulted on the mortgage loan, on a or more of these "insurances" would have been used to satisfy all debts to the certificate halders. No debt would be owed to the certificate holders causing them to initiate a lawsuit against Borrowers.

If any legal action commenced it would be initiated by the insurers seeking payment from Borrowers; an action that would not involve foreclosure. A foreclosure action occurs for the purpose of securing the property to satisfy the Note, and not any monies oved.

1335819039 Page: 29 of 111

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Mortgage Electronic Registration Systems, INC. as Beneficiary (MERS)

The Mortgage is the instrument that secures the Note and Mortgage upon which a lawsuit is based. On the Mortgage in section (C) for subject property located at 15624 Gouwens Ln, South Holland, IL 60473.

In this Case, MERS alley ally acted as a Nominee for Lender and Lender's successors and assigns. MERS is the beneficiary ander the Security Instrument. However, MERS own terms and conditions of Membership published on MERS website at www.MERSINC.org, state that "the MERS System is not a vehicle for creading or transferring beneficial interests in mortgage loans." MERS further indicates that it does not ever have beneficial interest in mortgage notes or does "it has no rights whatsoever for creating or transferring beneficial interest in the mortgage loan".

1335819039 Page: 30 of 111

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ABOUT MDR, LLC SECURITIZATION LEGAL CHAIN OF TITLE AND ANANLYSIS REPORT

PROCEDURZ

A complete review of the mortgage documents requested by the client is reviewed and cross referenced with any public records database available. The public record sites most commonly used are MERS, the respective land records, SEC database and the Internet. We also use a proprietary trust search engine to properly identify the clients at loan level with the use of loan specific characteristics.

The results will indicate if the loan was securitized into a public or private trust. If we cannot positively identify the trust, the report will only analysis the proper Chain of Title.

Our reports will show all findings in a clear and concise manner. It will have loan specific analysis and commentary on the securitization status of the loan with suggested areas of focus and concentration for the client's lawyer or advisor. AT NO POINT SHOULD ANY OF THE INFORMATION IN THIS REPORT BE TAKEN AS LEGAL ADVICE.

1335819039 Page: 31 of 111

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Auditor's Declaration

I, Selena R. Jones, as Senior Mortgage Auditor, have knowledge and have been trained and certified on how to perform mortgage loan searches through the available public information sites as well as a one of the only private Loan Level Securities Databases. Coupled with this training, I have 10+ consecutive years of mortgage training via several top mortgage-banking institutions as a precloser, closer, processor and originator. I certify all the following is true and obtained by my first hand investigation into this matter. I am available for via phone for further clarification or explanation.

On August 23, 2013, I authorized a search through privately owned licensed Loan Level Securities Database to verify the subject loan in stated trust was from a licensed third party. I conducted research through public records such as, but not limited to Cook County Recorder of Deeds, MERS, Fannie Mae, Freddie Mac, etc. public and private records database. I identified the loan from MERS Public database for the property address 15324 Gouwens Ln, South Holland, IL 60473, it has been determined that this loan has been possibly securitized in the secondary mortgage backed security market. HSBC Bank USA, NA. is identified as the Trustee for First NLC Trust 2007-1 Mortgage Backed Certificates, Series 2007-1.

This report was based exclusively on the documentation provided. It also required that we make reasonable assumptions respecting disclosures and certain loan terms based on our experience, if erroneous, any result in material differences between our findings and the loan's actual compliance with applicable regulatory requirements. While we believe that our assumptions proved a reasonable basis for the review results, we make no representations or was anties respecting the appropriateness of our assumptions, the completeness of the information considered, or the accuracy of the findings.

I, Selena R. Jones, declare verify and state under penalty of perjury that the foregoing is true and correct.

Solona R. Jones

Selena R. Jones

Sr. Mortgage Auditor

1335819039 Page: 32 of 111

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Form **50** (Rev. December 2011)
Department of the Treasury Internal Revenue Service

Notice Concerning Fiduciary Relationship

(Internal Revenue Code sections 6036 and 6903)

Par	Identification					
Name o	of person for whom you are ac	ting (as shown on the tax return)		Identifying number	Deceder	nt's social security no.
DERR	ICK SEATON			4951		
Addres	s of person for whom you are	acting (number, street, and room or suite	no.)			
	Gouwens Lane					
-		foreign address, see instructions.)				
	Holland, IL 60473					
	ry's name					
	urnam					
	s of fiduciary (number, street,	and room or suite no.)				
	S. Hermosa					
•	town, state, and ZIP code			Tele	phone number (op	tional)
Chica	go, IL 60628	<u>/</u>		(7	773)	580-9911
Secti	ion A. Authority	O _A ,				
1	Authority for fiduciary	relationship. Check applicable b	ox:			
а	Court appointmen	t of testate estate (valid will exis	ts)			
b		t of intestate estale ्no valid will	l exists)			
C		t as guardian or consc.vetor				
đ	·	ent and amendments				
е		ignment for the benefit or cledite				
f		CLAIMED AND EXCEPTED JU'A	SDICTION	***************		
2a	If box 1a or 1b is ched	cked, enter the date of death 🕨				
2b	If box 1c-1f is check	ed, enter the date of appointme	nt, aking office, or ass	signment or transfe	r of assets 🕨	
Secti	ion B. Nature of Lia	bility and Tax Notices	40.			
3	Type of taxes (check a	all that apply): 🔲 Income 🗀	Gift 🗌 Estate 🔲	Generation-skipp	ing transfer	☐ Employment
	☐ Excise ☑ Oth	er (describe) ► JACOB LEW U.S	SECRETARY OF THE	TP.5ASURY, HIS SU	CCESSORS AN	ID ASSIGN.
					***************************************	**************************************
4	Federal tax form numb	per (check all that apply): a 🗌	706 series b 709	940 d [941, 943, 9	44
		r 1040-EZ f 🗍 1041 g 🗍				
		· -	·	7:		**************************
5	If your authority as a f	iduciary does not cover all years	or tax periods, check	here		▶□
		ears or periods > 2007 TO THE P				
					U)C.	
6	If the fiduciary listed wa	ants a copy of notices or other wri	tten communications (s	see the instructions)	check this box	▶ □
	and enter the year(s)	or period(s) for the correspondir	ng line 4 item checked	d. If more than 1 fo	orm entered o	n line 4h, enter the
	form number.				6	
	Complete only if the	line 6 box is checked.				
	If this item is checked:	Enter year(s) or period(s)	If this item is checked:	Enter year(s	s) or period(s)	
	4a		4b			_
	4c		4d			_
	4e	1	4f			
	4g	 	4h:			
	4h:	 	· 			_
	4111	<u> </u>	4h:		·	

1335819039 Page: 33 of 111

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Form 56 (Rev. 12-2011)

Part II	Court and Administrative Proce	edings		
Name of co	ame of court (if other than a court proceeding, Identify the type of proceeding and name of agency)			uted
CIRCUIT	COURT OF COOK COUNTY, ILLINOIS MUNI	L _	NE 27, 2013	
Address of			Docket number of pro	•
	SHINGTON	I Data		3-M1-712562
-	n, state, and ZIP code D, ILLINOI 60602	Date	===	a.m. Place of other proceedings
		, <u> </u>		o.m.
Part III	Signature			_
Please Sign Here	I certify that I have the authority to execute this not			
uere		AUTHORIZED A	GENT	
	Fiduciary's aig.>2*ure	Title, if applicable		Date Form 56 (Rev. 12-2011)
		AUTHORIZED A	6,450,	

Page 2

1335819039 Page: 34 of 111

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Form **55**(Rev. December 2011)
Department of the Treasury

Internal Revenue Service

Notice Concerning Fiduciary Relationship

(Internal Revenue Code sections 6036 and 6903)

Identification						
person for whom you are actin	ng (as shown on the tax return)		Identifying number	Decedent's social security no.		
CK SEATON			4951			
•	cting (number, street, and room or suite no	r.)		-		
•	oreign address, see instructions.)					
•						
	nd room or suite no)					
	indication of suite (io.)					
			Telephon	e number (optional)		
	5		1.) 580-9911		
on A. Authority	Q _A) 380-9911		
Authority for fiducions	relation this Check applicable be	.v.				
	The state of the s	•				
	The state of the s	Microj				
	-					
Bankruptcy or assi	gnment for the benefit or creditor	rs				
		, triking office, or ass	 signment or transfer of	f assets >		
on B. Nature of Liab	oility and Tax Notices	40	- "			
	all that apply): ☐ Income ☐ er (describe) ➤ JACOB LEW U.S.	Gift ☐ Estats 1. SECRETARY OF IF F	Generation-skipping TREASURY, HIS SUCC	transfer		
				941, 943, 944		
				======================================		
If your authority as a fiduciary does not cover all years or tax periods, check here						
If the fiduciary listed wa and enter the year(s) form number.	ants a copy of notices or other writtor period(s) for the correspondin	ten communications (g line 4 item checke	see the instructions) ch d. If more than 1 form	ect. this box		
Complete only if the	line 6 box is checked.			C		
If this item is checked:	Enter year(s) or period(s)	If this item is checked:	Enter year(s) o	or period(s)		
4a		4b				
4c		4d				
4e		4f				
4g		4h:				
4h:		4h:				
	person for whom you are actin CK SEATON of person for whom you are actin Gouwens Lane own, state, and ZIP code (If a f Holland, IL 60473 y's name opher Burnam of fiduciary (numbr., s reet, and sown, state, and ZIP code go, IL 60628 On A. Authority Authority for fiduciary r Court appointment Court appointment Valid trust instrume Bankruptcy or assi Other. Describe If box 1c—1f is checked If box 1c—1f is checked If your authority as a fill and list the specific year If the fiduciary listed we and enter the year(s) form number. Complete only if the If this item is checked: 4a 4c 4e	person for whom you are acting (as shown on the tax return) CK SEATON of person for whom you are acting (number, street, and room or suite not good person for whom you are acting (number, street, and room or suite not good person for whom you are acting (number, street, and room or suite not good person for whom you are acting (number, street, and room or suite not) Holland, IL 60473 y's name pher Burnam of fiduciary (number, street, and room or suite not) S. Hermosa own, state, and ZIP code go, IL 60628 On A. Authority Authority for fiduciary relationship. Check applicable both court appointment of testare estate (valid will exists court appointment of intestate estate (valid will exists) Court appointment as guardian or consc., vator Valid trust instrument and amendments Bankruptcy or assignment for the benefit or creditor Other. Describe CLAIMED AND EXCEPTED (UF)s If box 1a or 1b is checked, enter the date of death for the box 1c—1f is checked, enter the date of appointment on B. Nature of Liability and Tax Notices Type of taxes (check all that apply): Income Secretary in the street of	person for whom you are acting (as shown on the tax return) CK SEATON of person for whom you are acting (number, street, and room or suite no.) Gouvens Lane own, state, and ZIP code (if a foreign address, see instructions.) Holland, IL 60473 's name opher Burnam of fiduciary (numbr., street, and room or suite no.) S. Hermosa own, state, and ZIP code go, IL 60628 On A. Authority Authority for fiduciary relationship. Check applicable box: Court appointment of testate estate (valid will exists) Court appointment as guardian or conservator Valid trust instrument and amendments. Bankruptcy or assignment for the benefit or or aditors Other. Describe ▶ CLAIMED AND EXCEPTED (UFISEICTION) If box 1a or 1b is checked, enter the date of death ▶ If box 1c—1f is checked, enter the date of appointment, trixing office, or assignment for the bane of the conservation on B. Nature of Liability and Tax Notices Type of taxes (check all that apply): ☐ Income ☐ Gift ☐ Estate the Call of the conservation of the c	Descon for whom you are acting (as shown on the tax return) CK SEATON of person for whom you are acting (number, street, and room or suite no.) Gouvens Lane zwn. state, and ZIP code (if a foreign address, see instructions.) Holland, IL 60473 /s name phere Purnam of fiduciary (number, street, and room or suite no.) S. Hermosa on A. Authority Authority for fiduciary relationship. Check applicable box: Court appointment of testate estate (valid will exists) Court appointment of intestate estate (valid will exists) Court appointment as guardian or conse.vator Valid trust instrument and amendment. Bankruptcy or assignment for the benefit or criditors Other. Describe ▶ CLAIMED AND EXCEPTED (UFISE) ICTION If box 1c − 1f is checked, enter the date of death ▶ If box 1c − 1f is checked, enter the date of death ▶ Type of taxes (check all that apply): ☐ Income ☐ Gift ☐ Estate ↑ Generation-skipping Excise ☑ Other (describe) ▶ JACOB LEWU.S. SECRETARY OF THE REASURY, HIS SUCC Federal tax form number (check all that apply): a ☐ 706 series b ☐ 709 ☐ 940 d ☐ 1040, 1040-A, or 1040-EZ f ☐ 1041 g ☐ 1120 h ☐ Other (list) ▶ If your authority as a fiduciary does not cover all years or tax periods, check here		

1335819039 Page: 35 of 111

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Form **56**(Rev. December 2011)
Department of the Treasury

Internal Revenue Service

Notice Concerning Fiduciary Relationship

(Internal Revenue Code sections 6036 and 6903)

Part	Identification				
Name o	f person for whom you are acti	ng (as shown on the tax return)		Identifying number	Decedent's social security no
	ICK SEATON			4951	
Address	s of person for whom you are a	cting (number, street, and room or suite n	0.)		
	Gouwens Lane				
		oreign address, see instructions.)			
	Holland, IL 60473				
	ry's name				
	urnam				
	s of fiduciary (number, treet, a	nd room or suite no.)			
	S. State Street town, state, and ZIP cod				
	go, IL 60628	5			e number (optional)
				(773) 580-9911
Secti	ion A. Authority	C)			·
1	Authority for fiduciary	relationship Check applicable be	ox:		
a		of testate estate (valid will exist			
b	Court appointment	of intestate estate (no valid will	exists)		
C	Court appointment	as guardian or conservator			
d	☐ Valid trust instrume	ent and amendments			
е	Bankruptcy or assi	gnment for the benefit or cledito	ors		
f	☑ Other. Describe ►	CLAIMED AND EXCEPTED JU'AL	DICTION		
2a	If box 1a or 1b is chec	ked, enter the date of death			
2b	If box 1c-1f is checke	ed, enter the date of appointmen	nt, taking office, or as	signment or transfer of	assets >
				•	450 54111544444444444
Sect	ion B. Nature of Lial	oility and Tax Notices	40		
3		all that apply): ☐ Income ☐ er (describe) ► JACOB LEW U.S.		Generation-skipping TREASURY, HIS SUCC	
4		per (check all that apply): a			941, 943, 944
	e 1040, 1040~A, or	1040-EZ f ☐ 1041 g ☐	1120 h Other (lis	st) 🟲	
5	If your outbority on a fi	idualant daga nak sausa all vasas		· · · · · · · · · · · · · · · · · · ·	
v		iduciary does not cover all years ears or periods ► 2007 TO THE P		k nere	, [
	and list the specific ye	ars or periods > 200/10 THE P	KESSENI	***************************************	
6	If the fiduciary listed wa	ants a copy of notices or other wri	tten communications	(see the instructions) ch	sukthis box ▶ [
	form number.	or period(s) for the corresponding	ig line 4 item checki	ed. If more than 1 form	i entarea on line 4h, enter t
	Complete only if the	line 6 box is checked.			CA
	If this item is checked:	Enter year(s) or period(s)	If this item is checked:	Enter year(s) o	r period(s)
	4a		4b		
	4c		4d		
	4e		4f		<u>.</u>
	4 g		4h:		
	4h:		4h:		
			- j - 71 l.		

1335819039 Page: 36 of 111

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Form **55**(Rev. December 2011)
Department of the Treasury
Internal Revenue Service

Notice Concerning Fiduciary Relationship

(Internal Revenue Code sections 6036 and 6903)

Part	Identification				
Name of person for whom you are acting (as shown on the tax return)				Identifying number Decedent's social sec	
DERRICK SEATON '			,	4951	
	,	ing (number, street, and room or suite no).)	<u>-</u>	
	Souwens Lane				
-	•	reign address, see instructions.)			
	Holland, IL 60473				
-	's name				
	opher Burnam of fiduciary (numbar, sireet, and	t com or quite no \			
	. State Street	a room or suite no.)			
	own, state, and ZIP cod		· · · · · · · · · · · · · · · · · · ·	Telepho	ne number (optional)
	jo, IL 60628			(773) 580-9911
		8		(113) 300-3311
Section	on A. Authority	YX.			
1	Authority for fiduciary re	elationsh.p. Check applicable bo	x:		
а	☐ Court appointment	of testate estate (valid will exists	s)		
þ		of intestate estata (no valid will e	exists)		
C		as guardian or conservator			
d		nt and amendments			
e		nment for the benefit crosedito			
f	_	CLAIMED AND EXCEPTED IU'IS	DICTION		7 - 7 - 7 - 7 - 7 - 7 - 7 - 7 - 7 - 7 -
2a		ed, enter the date of death			
2b	If box 1c-1f is checke	d, enter the date of appointment	t, taking office, or as:	signment or transfer o	of assets >
					
Secti	on B. Nature of Liab	ility and Tax Notices	4		
3	Type of taxes (check at	I that apply): Income	Gift Fstale	Generation-skipping	transfer
	• • •	r (describe) ► JACOB LEW U.S.			
		3.1303 2217 313.			
4	Federal tax form numb	er (check all that apply): a 🔲 7	7 06 series b □ 709	940 d□	941, 943, 944
			I120 h☐ Other (lis		
	_ , ,		_ `		V4
5	If your authority as a fid	ductary does not cover all years	or tax periods, check	chere	▶ □
	and list the specific yea	ars or periods > 2007 TO THE PI	RESSENT	9,	
			10		***************************************
6		nts a copy of notices or other writ			
	and enter the year(s) of	r period(s) for the corresponding	ig line 4 item checke	d. If more than 1 for	m entared on line 4h, enter the
	form number.				'C
					<i>C</i>)
	Complete only if the I	ine 6 box is checked.			
	If this item	Enter year(s) or period(s)	If this item	Enter year(s)	or period(s)
	is checked:		is checked:		o. poned(o)
	4a		4b		
	4c		4d		
	4e		4f		
	4g		4h:		
	4h:		4h:		

1335819039 Page: 37 of 111

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Form **56**(Rev. December 2011)
Department of the Treasury
Internal Revenue Service

Notice Concerning Fiduciary Relationship

(Internal Revenue Code sections 6036 and 6903)

OMB No. 1545-0013

تستي	Identification				
Name of	person for whom you are actin	g (as shown on the tax return)	Ide	entifying number	Decedent's social security no.
PATRI	CIA SEATON WINFIELD-G	ARRICK		8373	
Address	of person for whom you are ac	ting (number, street, and room or suite no	.)		
	GOUWENS LANE				
•		oreign address, see instructions.)			
	HOLLAND, IL 60473				
	y's name		_		
	of fiduciary (number, street, an	EF, VILLAGE OF SOUTH HOLLAN	<u>) </u>		
	WAUSAU AVE	a room or suite no.)			
	own, state, and ZIP code		<u> </u>	Telephone	number (optional)
_	H HOLLAND, ILLINOIS 664	7.3		(708)	210-2900
				1(700	210-2700
Secti	on A. Authority				
1	Authority for fiduciary re	elationship. Check applicable bo	x:	•	
а	☐ Court appointment	of testate estate (valid will exists)		
b	☐ Court appointment	of intestate estate (no valid will e	exists)		
C	····	as guardian or conservator			
d		nt and amendments			
е		gnment for the benefit on creditor			
f	_	CLAIMED AND EXCEPTED JURIS	DICTION		
2a		ked, enter the date of death ▶	te diametina an analan		
2b	If box 1c— If is checke	d, enter the date of appointment	, taking office, or assign	ment of transier of a	asseis -
		**** 1 m² 2,1 ,4	4)		
 Secti	on B. Nature of Liab	ility and Tax Notices	77/		
			Gift ☐ Esiate ☐ Ge	eneration-skipping tr	ransfer
Secti	Type of taxes (check a	Il that apply):	Gift Estate Ge	eneration-skipping tr	ransfer
	Type of taxes (check a		Gift Estate Ge	eneration-skipping tr	ransfer
	Type of taxes (check a	Il that apply):	- (2)	Ó.	ransfer
3	Type of taxes (check a Excise Other	Il that apply): ☐ Income ☐ If (describe) ► Income ☐	- (2)	c[,
4	Type of taxes (check a Excise Other Federal tax form numb e 1040, 1040-A, or	Il that apply): ☐ Income ☐ If (describe) ► Income ☐	706 series b	c[] \$40 d∏ 94	,
3	Type of taxes (check a Excise Other Federal tax form numb 1040, 1040-A, or	Il that apply): ☐ Income ☐ If (describe) ► It (check all that apply): a ☐ 7 1040-EZ f ☐ 1041 g ☐ 1 It duciary does not cover all years	706 series b 709 1120 h Other (list) ► or tax periods, check he	c[] \$40 d∏ 94	,
4	Type of taxes (check a Excise Other Federal tax form numb 1040, 1040-A, or	Il that apply): ☐ Income ☐ If (describe) ► Income ☐	706 series b 709 1120 h Other (list) ► or tax periods, check he	c	41, 943, 944 ▶ □
3 4 5	Type of taxes (check a Excise Other Pederal tax form number 1040, 1040-A, or If your authority as a finand list the specific years.	Il that apply): ☐ Income ☐ If (describe) ► It (describe) ► It (check all that apply): a ☐ 7 1040-EZ f ☐ 1041 g ☐ 1 It duciary does not cover all years ars or periods ► 2007 TO PRESE	706 series b	el	41, 943, 944 ▶ □
4	Type of taxes (check a Excise Other Pederal tax form number 1040, 1040-A, or If your authority as a finand list the specific years of the fiduciary listed was	Il that apply): ☐ Income ☐ Ir (describe) ► Ir (check all that apply): a☐ 7 1040-EZ f☐ 1041 g☐ 1 Income ☐ Incom	706 series b	re	41, 943, 944 ▶ □ c < this box ▶ □
3 4 5	Type of taxes (check a Excise Other Federal tax form numb e 1040, 1040-A, or If your authority as a fir and list the specific ye If the fiduciary listed wa and enter the year(s) or	Il that apply): ☐ Income ☐ If (describe) ► It (describe) ► It (check all that apply): a ☐ 7 1040-EZ f ☐ 1041 g ☐ 1 It duciary does not cover all years ars or periods ► 2007 TO PRESE	706 series b	re	41, 943, 944 ▶ □ c < this box ▶ □
3 4 5	Type of taxes (check a Excise Other Pederal tax form number 1040, 1040-A, or If your authority as a finand list the specific years of the fiduciary listed was	Il that apply): ☐ Income ☐ Ir (describe) ► Ir (check all that apply): a☐ 7 1040-EZ f☐ 1041 g☐ 1 Income ☐ Incom	706 series b	re	41, 943, 944 ▶ □ c < this box ▶ □
3 4 5	Type of taxes (check a Excise Other Excise O	Il that apply): ☐ Income ☐ r (describe) ► er (check all that apply): a ☐ 7 1040-EZ f ☐ 1041 g ☐ 1 duciary does not cover all years ars or periods ► 2007 TO PRESE ints a copy of notices or other writter period(s) for the corresponding	706 series b	re	41, 943, 944 ▶ □ c < this box ▶ □
3 4 5	Type of taxes (check a Excise Other Excise O	Il that apply): ☐ Income ☐ r (describe) ► er (check all that apply): a ☐ 7 1040-EZ f ☐ 1041 g ☐ 1 duciary does not cover all years ars or periods ► 2007 TO PRESE ints a copy of notices or other writter period(s) for the corresponding	706 series b 709 120 h Other (list) ► or tax periods, check he NT ten communications (see g line 4 item checked. I	ct 540 d 94	41, 943, 944 ▶ □ c < this box ▶ □ entered on line 4h, enter the
3 4 5	Type of taxes (check a Excise Other Excise O	Il that apply): ☐ Income ☐ r (describe) ► er (check all that apply): a ☐ 7 1040-EZ f ☐ 1041 g ☐ 1 duciary does not cover all years ars or periods ► 2007 TO PRESE ints a copy of notices or other writter period(s) for the corresponding	706 series b	re	41, 943, 944 ▶ □ c < this box ▶ □ entered on line 4h, enter the
3 4 5	Type of taxes (check a Excise Other Excise O	Il that apply): ☐ Income ☐ r (describe) ► er (check all that apply): a ☐ 7 1040-EZ f ☐ 1041 g ☐ 1 duciary does not cover all years ars or periods ► 2007 TO PRESE ints a copy of notices or other writter period(s) for the corresponding	of series b 709 120 h Other (list) ► or tax periods, check he NT ten communications (see g line 4 item checked. I	ct 540 d 94	41, 943, 944 ▶ □ c < this box ▶ □ entered on line 4h, enter the
3 4 5	Type of taxes (check a Excise Other Excise O	Il that apply): ☐ Income ☐ r (describe) ► er (check all that apply): a ☐ 7 1040-EZ f ☐ 1041 g ☐ 1 duciary does not cover all years ars or periods ► 2007 TO PRESE ints a copy of notices or other writter period(s) for the corresponding	of series b 709 120 h Other (list) ► or tax periods, check he NT ten communications (see g line 4 item checked. I If this item is checked: 4b	ct 540 d 94	41, 943, 944 ▶ □ c < this box ▶ □ entered on line 4h, enter the
3 4 5	Type of taxes (check a Excise Other Excise O	Il that apply): ☐ Income ☐ r (describe) ► er (check all that apply): a ☐ 7 1040-EZ f ☐ 1041 g ☐ 1 duciary does not cover all years ars or periods ► 2007 TO PRESE ints a copy of notices or other writter period(s) for the corresponding	of series b 709 120 h Other (list) ► or tax periods, check he NT ten communications (see g line 4 item checked. I	ct 540 d 94	41, 943, 944 ▶ □ c < this box ▶ □ entered on line 4h, enter the
3 4 5	Type of taxes (check a Excise Other Federal tax form numb e 1040, 1040-A, or If your authority as a fir and list the specific ye If the fiduciary listed wa and enter the year(s) of form number. Complete only if the If this item is checked: 4a 4c	Il that apply): ☐ Income ☐ r (describe) ► er (check all that apply): a ☐ 7 1040-EZ f ☐ 1041 g ☐ 1 duciary does not cover all years ars or periods ► 2007 TO PRESE ints a copy of notices or other writter period(s) for the corresponding	of series b 709 120 h Other (list) ► or tax periods, check he NT ten communications (see g line 4 item checked. I If this item is checked: 4b 4d	ct 540 d 94	41, 943, 944 ▶ □ c < this box ▶ □ entered on line 4h, enter the

1335819039 Page: 38 of 111

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Form 50 (ne	v. 12-2011)					raye Z
Part II	Court and Administrative Pro	ceedings				
Name of cou	urt (if other than a court proceeding, identify the	type of proceeding and name of ager	icy)	Date proce	eding initiated	l
THE CIRC	CUIT COURT OF COOK COUNTY, ILLING	IS MUNICIPAL DEPT. 1ST. DIS	TRICT		7/1	3/2013
Address of o		The state of the s		Docket nun	nber of proce	eding
	SHINGTON				13-m	1-712562
City or town	i, state, and ZIP code		Date	Time	a.m	Place of other proceedings
CHICAGO), ILLINOIS 60602				D.m	
Part III	Signature					
Please Sign Here	I certify that I have the authority to execute this					
	Fiduciary's signature	Title	if applicable		Da	te
		XCOCK,		Control of the second of the s		Form 56 (Rev. 12-2011)

1335819039 Page: 39 of 111

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Form **56**

(Rev. December 2011)
Department of the Treasury
Internal Revenue Service

Notice Concerning Fiduciary Relationship

(Internal Revenue Code sections 6036 and 6903)

OMB No. 1545-0013

Part	Identification			•		
Name o	f person for whom you are acti	ng (as shown on the tax return)		Identifying number	er	Decedent's social security no.
PATR	CIA SEATON WINFIELD-	GARRICK		(2000) 83	373	
	•	cting (number, street, and room or suite no	o.)			
	GOUWENS LANE					
-		foreign address, see instructions.)				
	H HOLLAND, IL 60473	***************************************				
	ry's name	OUTE WILLIAM OF ACADIMINAL	= = ××			
	R1 STEGENGP, DEPUTY s of fiduciary (number, s≥set, a	CHIEF, VILLAGE OF SOUTH HOLL	AND			
	WAUSAU AVE	nd room or suite no.)				
	town, state, and ZIP code			· · · · · · · · · · · · · · · · · · ·	F-1	1 1 2 4
-	H HOLLAND, ILLINOIS 60	(23)		[,		Imber (optional)
					708)	210-2900
Secti	on A. Authority	9				
1	Authority for fiduciary	relationship Cr eck applicable bo	x:			
а	☐ Court appointment	t of testate estate (valid will exists	s)			
b		t of intestate estata (no valid will e	exists)			
C		t as guardian or conse vator				
d	··	ent and amendments				
е		gnment for the benefit or cro. ito				
f		CLAIMED AND EXCEPTED JURIS	DICTION			
2 a		ked, enter the date of death 🕨				
2b	If box 1c-1f is check	ed, enter the date of appointment	t, taking office, or ass	ignment or trar	nsfer of as	sets ▶
Secti 3	Type of taxes (check a	bility and Tax Notices all that apply): ☐ Income ☐ er (describe) ▶	Gift Estate	G >neration-sk	ipping trai	nsfer
		or (describe) P		10		
4	Federal tax form numi	per (check all that apply): a 7	'06 series b □ 709	c [] -40	d□ 941	, 943, 944
·			120 h☐ Other (list		u∐ 341	, 540, 544
5		iduciary does not cover all years e ears or periods ► 2007 TO PRESE		here	0,5	▶ □
6	and enter the year(s)	ants a copy of notices or other writt or period(s) for the corresponding	ten communications (s g line 4 item checked	ee the instruction	ons) check 1 form er	thic box ► □
	form number.					
		line 6 box is checked.				
		line 6 box is checked. Enter year(s) or period(s)	If this item is checked:	Enter ye	ear(s) or pe	eriod(s)
	Complete only if the			Enter ye	ear(s) or po	eriod(s)
	Complete only if the If this item is checked:		is checked:	Enter ye	ear(s) or po	eriod(s)
	Complete only if the If this item is checked:		is checked:	Enter ye	ear(s) or po	eriod(s)
	Complete only if the If this item is checked: 4a 4c		is checked: 4b 4d	Enter ye	ear(s) or po	eriod(s)

1335819039 Page: 40 of 111

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TOTAL OO LIK	5V. 12-2011)				rage Z
Part II	Court and Administrative Proc	eedings			
Name of co	urt (if other than a court proceeding, identify the typ	pe of proceeding and name of agency)	Date proce	eding initiated	
THE CIRC	CUIT COURT OF COOK COUNTY, ILLINOIS	MUNICIPAL DEPT. 1ST. DISTRICT		7/13/	2013
Address of	court		Docket nur	nber of proceedi	ng
	SHINGTON			13-m1-	
-	n, state, and ZIP code	Date	Time	a.m.	Place of other proceedings
CHICAGO	O, ILLINOIS 60602			p,m,	
Part III	Signature				
Please Sign Here		notice concerning fiduciary relationship on behalf o			
	Fiduciary's sign atur	Title, if applicable		Date	Form 56 (Rev. 12-2011)
		AUTHORIZED A Title, if applicable	645		

1335819039 Page: 41 of 111

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Form **56**(Rev. December 2011)
Department of the Treasury

Internal Revenue Service

Notice Concerning Fiduciary Relationship

(Internal Revenue Code sections 6036 and 6903)

OMB No. 1545-0013

Part	Identification				
Name of	f person for whom you are act	ing (as shown on the tax return)		Identifying number	Decedent's social security no.
	CIA SEATON WINFIELD-			8373	
	7	acting (number, street, and room or suite n	0.)		
	GOUWENS LANE		-		
-		foreign address, see instructions.)			
	H HOLLAND, IL 60473			···	
	y's name	_			
	E GEORGE F. °CULLY, J				
	of fiduciary (number, street, a	and room or suite no.)			
	WASHINGTON				
-	town, state, and ZIP code				e number (optional)
CHICA	AGO, ILLINOIS 60602	<u>Q</u> ,		(312) 603-4743
Secti	on A. Authority				
1	Authority for fiduciary	relationship. Check applicable bo	ox:		
а	Court appointmen	t of testate estate (valid will exists	s)		
b	Court appointmen	t of intestate estat $ ensuremath{\mathfrak{g}} $ (no valid will	exists)		
C	Court appointmen	t as guardian or conservator			
d	☐ Valid trust instrum	ent and amendments			
е	Bankruptcy or ass	ignment for the benefit or crudito	rs		
f		CLAIMED AND EXCEPTED JURIS	SICTION		
2a		cked, enter the date of death 🕨			
2b	If box 1c-1f is check	ed, enter the date of appointmen	t, takir.c office, or ass	signment or transfer o	f assets >
			<u> </u>		
Secti	ion B. Nature of Lia	bility and Tax Notices			
3	Type of taxes (check	all that apply): Income	Gift Estate	C eneration-skipping	transfer
_	· ·	er (describe) ▶		r constation shipping	rational Campioyment
		or (0000,120)		10.	
4	Federal tax form num	ber (check all that apply): a 🔲 7	706 series b□ 709	c[] 440 d[]	941, 943, 944
			1120 h Other (lis		0 11, 0 10, 0 11
				<i>"</i>	
5	If your authority as a f	iduciary does not cover all years	or tax periods, check	here	
		ears or periods > 2007 TO PRESE	•		Sc.
	•	,			
6	If the fiduciary listed wa	ants a copy of notices or other writ	ten communications (see the instructions) ch	eckthistox ▶ □
	and enter the year(s)	or period(s) for the correspondir	ng line 4 item checke	d. If more than 1 forn	n entered on line 4h, enter th
	form number.				,
	Complete only if the	line 6 box is checked.			
	If this item	Enter year(s) or period(s)	If this item	Enter year(s) o	or period(s)
	is checked:		is checked:		
	4a		4b		
	4c		4d		
	4e		4f		
	4g		4h:		
	4h:		4h:		

1335819039 Page: 42 of 111

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TOTH SO (IN	W. 12-2011)			Page 2
Part II	Court and Administrative Prod	ceedings		
Name of co	urt (if other than a court proceeding, identify the t	/pe of proceeding and name of agency)	Date proceeding in	nitiated
THE CIRC	CUIT COURT OF COOK COUNTY, ILLINOI	S MUNICIPAL DEPT. 1ST. DISTRICT		7/13/2013
Address of	court		Docket number of	
	SHINGTON			13-m1-712562
-	n, state, and ZIP code	Date	Time	a.m. Place of other proceedings
CHICAGO), ILLINOIS 60602			p.m.
Part III	Signature			
Please Sign Here		notice concerning fiduciary relationship on behalf AUTHORIZED A	. ,	
	Fiduciary's significate	Title, if applicable		Date Form 56 (Rev. 12-2011)
		AUTHORIZED A Title, if applicable	6750	

1335819039 Page: 43 of 111

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Form **56**(Rev. December 2011)
Department of the Treasury

Internal Revenue Service

Notice Concerning Fiduciary Relationship

(Internal Revenue Code sections 6036 and 6903)

OMB No. 1545-0013

Part I	Identification					
Name of p	erson for whom you are actin	g (as shown on the tax return)		Identifying numl	oer	Decedent's social security no.
PATRIC	IA SEATON WINFIELD-G	ARRICK			373	
Address o	f person for whom you are ac	ting (number, street, and room or suite no	o.)			
	OUWENS LANE		<u>.</u>			
-		reign address, see instructions.)				
	HOLLAND, IL 60473					
Fiduciary's		ODULE & ACCOCIATES D.C.				
	f fiduciary (number, Juliet, an	ODILIS & ASSOCIATES, P.C.				
	NORTH FRONTA SE RO					
	vn, state, and ZiP code	7.15, 00172 100			Telephone	number (optional)
	IDGE, ILLINOIS 60527	0,		ļ	(630	794-5300
Section	n A. Authority	9		<u>1</u>	(774 0300
1 /	Authority for fiduciary re	elationship Check applicable bo	x:	·	-	
a [Court appointment	of testate estate (valid will exists)			
b [of intestate estat : (no valid will e	exists)			
C [as guardian or conservator				
d [Valid trust instrume					
e [nment for the benefit or creditor				
-	-	CLAIMED AND EXCEPTED JURIS	DICTION			
	•	ed, enter the date of death d, enter the date of appointment	talded office or see	imponent of the		
Sectio	n B. Nature of Liab	ility and Tax Notices	7			
3	Type of taxes (check al	I that apply): ☐ Income ☐ r (describe) ▶	Gift Estate	Generation-s	kipping t	ransfer Employment
		er (check all that apply): a☐ 7 1040-EZ f☐ 1041 g☐ 1	06 series b		d∏ 9	41, 943, 944
		luciary does not cover all years or periods > 2007 TO PRESE		here	0,	
	If the fiduciary listed war and enter the year(s) o form number.	nts a copy of notices or other writt r period(s) for the corresponding	en communications (s g line 4 item checked	see the instruct d. If more thar	ions) che	ck tr s hox ▶ ☐ entered on line 4h, enter the
(Complete only if the li	ne 6 box is checked.				
	If this item is checked:	Enter year(s) or period(s)	If this item is checked:	Entery	/ear(s) or	period(s)
	4a		4b			
	4c		4d			
	4e		4f			
	4g		4h:			
	4h:		4h:			

1335819039 Page: 44 of 111

UNOFFICIAL COPY

Form 56 (Rev	v. 12-2011)				Page 2
Part II	Court and Administrative Pro	ceedings			
Name of cou	rt (if other than a court proceeding, identify the t	ype of proceeding and name of agency)	Date pro	ceeding initiated	
THE CIRC	UIT COURT OF COOK COUNTY, ILLINOI	S MUNICIPAL DEPT. 1ST. DISTRICT	г	7/13	/2013
Address of c	ourt		Docket n	ling	
	SHINGTON		<u>j</u> _	13-M1-	-712562
-	state, and ZIP code	Date	Time	a.m.	Place of other proceedings
CHICAGO	, ILLINOIS 60602			p.m.	
Part III	Signature				
Please Sign Here	I certify that I have the authority to execute this		-		
	Fiduciary's signature	Title, if appl	icable	Date	Form 56 (Rev. 12-2011)
		AUTHOR Title, if appl	C/0/4/5		

1335819039 Page: 45 of 111

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Form **56**(Rev. December 2011)
Department of the Treasury

Internal Revenue Service

Notice Concerning Fiduciary Relationship

(Internal Revenue Code sections 6036 and 6903)

OMB No. 1545-0013

Part I	Identification					
Name of p	erson for whom you are acting	g (as shown on the tax return)	****	Identifying numbe	er	Decedent's social security no.
PATRICI	A SEATON WINFIELD-G	ARRICK		83	73	
Address of	person for whom you are act	ting (number, street, and room or suite no	.)	_		
	OUWENS LANE					
•		reign address, see instructions.)				
	HOLLAND, IL 60473					
Fiduciary's						
		ANZA & CARBERRY LLP				
	f fiduciary (number sireet, and VASHINGTON ST., S JITE					
	vn, state, and ZIP code	: 2200			-lankana i	
-	O, IL 60606	9.			-	number (optional)
					219)	769-1313
Section	n A. Authority	9				
1 /	Authority for fiduciary re	elationship. C reck applicable bo	x:			
а [of testate estate (valid will exists)				
b [Court appointment	of intestate estate (no valid will e	exists)			
c [Court appointment	as guardian or conservator				
d [Valid trust instrumer	nt and amendments				
е [Bankruptcy or assig	inment for the benefit or cleditor	'S			
f [Other. Describe	CLAIMED AND EXCEPTED JURIS	DICTION			
2a l	f box 1a or 1b is check	ed, enter the date of death 🕨				
2 b	f box 1c-1f is checked	d, enter the date of appointment	., tപ്പാട്ട office, or as:	signment or tran	sfer of a	assets >
			46			
Section	n R. Nature of Liah	ility and Tax Notices	77,			· · · · · · · · · · · · · · · · · · ·
3	Type of taxes (check al	I that apply):	Gift Estate] Ceneration-sk	ipping tr	ansfer
[☐ Excise ☐ Other	r (describe) ►		-/-		
				C		
		er (check all that apply): a 🗌 7			d □ 94	41, 943, 944
1	e 1040, 1040-A, or	1040-EZ f ☐ 1041 g ☐ 1	120 h Other (lis	st) ►		
				9		
	•	duciary does not cover all years	•	khere	$\bigcup_{\mathcal{L}}$	▶□
	and list the specific yea	ars or periods > 2007 TO PRESE	NT			
6	If the fiduciary listed war	nts a copy of notices or other writi	ten communications (see the instruction	ons) che	ok t ^h i3 ()ox ▶ 🔲
		r period(s) for the corresponding	g line 4 item checke	ed. If more than	1 form	entered on line 4h, enter the
	form number.					
	Complete only if the I	ine 6 box is checked.				
	If this item	Enter year(s) or period(s)	If this item	Enter ve	par(e) or	period(s)
	is checked:	Littor yours or period(s)	is checked:	Litter ye		portod(s)
	4a		4b			
	4c		4d			
	4e		4f			
	4g		4h:			
	4h:		4h:			

1335819039 Page: 46 of 111

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Form 56 (Rev. 12-2011)

. 01111 99 1110	771 12 2011)						Page ∡
Part II	Court and Administrative Pro	oceedings					
Name of cou	urt (if other than a court proceeding, identify the	type of proceeding and name of agency)	··· -	Date proce	eding init	tiated	
THE CIRC	CUIT COURT OF COOK COUNTY, ILLING	DIS MUNICIPAL DEPT. 1ST. DISTRIC	T		•	7/13/	2013
Address of o	court			Docket number of proceeding			
	SHINGTON			.	1	13-M1-	712562
•	i, state, and ZIP code	Dat		Time		a.m.	Place of other proceedings
), ILLINOIS 60602		-	!		p,m.	
Part III	Signature						
Please Sign Here	I certify that I have the authority to execute the						_
	Fiduciary's sign itun	Title, if ap	plicable			Date	Form 56 (Rev. 12-2011)
		AUTHO Title, if an		275	0,		

1335819039 Page: 47 of 111

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Form **56** (Rev. December 2011)

Department of the Treasury Internal Revenue Service

Notice Concerning Fiduciary Relationship

(Internal Revenue Code sections 6036 and 6903)

OMB No. 1545-0013

Part	Identification				
Name o	f person for whom you are act	ing (as shown on the tax return)		Identifying number	Decedent's social security no.
PATR	ICIA SEATON WINFIELD-	GARRICK		8373	
Address	s of person for whom you are a	cting (number, street, and room or suite n	0.)		
	GOUWENS LANE				
		foreign address, see instructions.)		-	· · · · · · · · · · · · · · · · · · ·
	H HOLLAND, IL 60473	····			
	ry's name N J. DEMUTH				
	s of fiduciary (number _*reet, a	and room or suite no)			
	30 NORHT FRONT/ GF R				
	town, state, and ZIP code)		Telepho	ne number (optional)
	RIDGE, IL 60527	0.		(630	
	on A. Authority				774-3300
1	-	relationship. Check applicable bo			
a	-	t of testate estate (valid will exist:			
b		t of intestate esta e (no valid will	•		
C		t as guardian or cons∋rvator			
d		ent and amendments			
е	Bankruptcy or ass	ignment for the benefit or 🖰 🕻 dito	rs		
f		CLAIMED AND EXCEPTED JURIS			
2 a		ked, enter the date of death 🕨			
2b	If box 1c-1f is check	ed, enter the date of appointmen	t, taking office, or ass	signment or transfer	of assets >
Secti	Type of taxes (check	bility and Tax Notices all that apply): ☐ Income ☐ er (describe) ▶	Gift Estate	Generation-skipping	g transfer
	☐ Evolge ☐ Ott	er (describe) >		0.	
4	Federal tax form numl	per (check all that apply): a 7	706 series b □ 709	c 940 d	941, 943, 944
			1120 h Other (lis		011, 010, 011
5		iduciary does not cover all years ears or periods ► 2007 TO PRESE		there	× · · · · · · ▶ □
6	If the fiduciary listed wand enter the year(s) form number.	ants a copy of notices or other writ or period(s) for the correspondir	ten communications (g line 4 item checke	see the instructions) c d. If more than 1 for	heck this box ▶ ☐ m entered on line 4h, enter the
	Complete only if the	line 6 box is checked.			
	If this item is checked:	Enter year(s) or period(s)	If this item is checked:	Enter year(s)	or period(s)
	4a		4b		
	4c		4d		
	4e		4f		
	4g		4h:		
	4h:		4h:		

Cat. No. 163751

1335819039 Page: 48 of 111

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	ev. 12-2011)		Page 2
Part II	Court and Administrativ	e Proceedings	
Name of co	urt (if other than a court proceeding, ide	ntify the type of proceeding and name of agency)	Date proceeding initiated
		ILLINOIS MUNICIPAL DEPT 1ST DISTRICT	Г 7/13/2013
Address of			Docket number of proceeding
	SHINGTON		13-M1-712562
•	n, state, and ZIP code	Date	Time a.m. Place of other proceedings
CHICAGO), IL 60602		p.m.
Part III	Signature		
Diana	I certify that I have the authority to exe	ecute this notice concerning fiduciary relationship o	on behalf of the taxpayer.
Please Sign			
Here		OHTIJA	RIZED AGENT
	Fiduciary's signature	Title, if ap	plicable Date
		Ox Cook County	RIZED AGENT plicable Form 56 (Rev. 12-2011)

1335819039 Page: 49 of 111

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Form **56**(Rev. December 2011)
Department of the Treasury

Internal Revenue Service

Notice Concerning Fiduciary Relationship

(Internal Revenue Code sections 6036 and 6903)

OMB No. 1545-0013

Part	Identification					
Name o	f person for whom you are actir	g (as shown on the tax return)	<u> </u>	Identifying number	Decedent's so	cial security no.
	ICIA SEATON WINFIELD-G			8373	3	
		ting (number, street, and room or suite no	0.)			
	GOUWENS LANE					
		oreign address, see instructions.)				
	H HOLLAND, IL 60473 ry's name				7-	
	IAS J. DART, COCK COUN	TY SHERIEF				
	s of fiduciary (number, street, an					
	ST WASHINGTON					
City or t	town, state, and ZIP coo			Tele	sphone number (optional)	
CHICA	AGO, ILLINOIS 60602	0.		lt	312) 603	-6444
Secti	on A. Authority	7/1				
1	Authority for fiduciary re	elationship Check applicable bo	ox:			
а		of testate esirie (valid will exists				
b	☐ Court appointment	of intestate estat a (no valid will	exists)			
C		as guardian or concervator				
d	land	nt and amendments				
е		gnment for the benefit or credito				
f	_	CLAIMED AND EXCEPTED JURIS	SCICTION			
2a		ked, enter the date of death				
2b	IT DOX 1C-1T IS CHECKE	d, enter the date of appointmen	t, taking office, or ass	signment or transf	fer of assets	
Secti	ion B. Nature of Liab	ility and Tax Notices	77%			<u></u>
3	Type of taxes (check al	l that apply): ☐ Income ☐ r (describe) ►	Gift Estate	Ceneration-skip	ping transfer	Employment
4	Federal tay form numb	er (chack all that apply): a 🗆 🗔	706 apring h 🗔 700	-F1 (40 -a	·	
-		er (check all that apply): a 7 7 7 1040-EZ f 7 1041 g 7 1	1120 h ☐ Other (lis		941, 943, 944	
5	If your authority as a fig	duciary does not cover all years	or tax periode cheel	r horo		. —
		ars or periods > 2007 TO PRESE		riere		▶ ∐
	,					
6	If the fiduciary listed war and enter the year(s) of form number.	nts a copy of notices or other writ or period(s) for the correspondin	ten communications (g line 4 item checke	see the instructions d. If more than 1	s) chearth's box form entered on line	▶ □ e 4h, enter the
	Camulata autoidates l	ina 6 hayria aha-td				
	Complete only if the I	ine a dox is checked.	<u></u>			
	If this item is checked:	Enter year(s) or period(s)	If this item is checked:	Enter year	r(s) or period(s)	
	4a		4b			
	4c		4d			
	4e		4f			
	4g		4h:			
	4h:		4h:			

Cat. No. 16375I

1335819039 Page: 50 of 111

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Form 56 (Re	ev. 12-2011)				Page 2	
Part II	Court and Administrative P	roceedings				
Name of co	urt (if other than a court proceeding, identify t	he type of proceeding and name of agency)	Date proce	eding initiated		
		NOIS MUNICIPAL DEPT. 1ST. DISTRICT		7/13/2	013	
Address of	court		Docket nu	mber of proceeding	g	
	SHINGTON			13-M1-712562		
-	n, state, and ZIP code	Date	Time	a.m. P	lace of other proceedings	
), ILLINOIS 60602			p.m.		
Part III	Signature					
Please Sign Here		this notice concerning fiduciary relationship on behal				
	Fiduciary's signature	Title, if applicable		Date	· · · · · · · · · · · · · · · · · · ·	
		AUTHORIZED Title, if applicable	CH'S			

1335819039 Page: 51 of 111

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Form **56**(Rev. December 2011)
Department of the Treasury
Internal Revenue Service

Notice Concerning Fiduciary Relationship

(Internal Revenue Code sections 6036 and 6903)

OMB No. 1545-0013

Part	Identification					. —
Name of	person for whom you are acti	ng (as shown on the tax return)	 	Identifying num	ber	Decedent's social security no.
PATRI	CIA SEATON WINFIELD-C	SARRICK			3373	
Address	of person for whom you are a	cting (number, street, and room or suite no	o.)			<u> </u>
	GOUWENS LANE					
		oreign address, see instructions.)				
	HOLLAND, IL 60473			····		
	y's name					
	IADIGAN, ILLIP OI. ATTO					
	of fiduciary (number, sizeet, and EST RANDOLPH SY.	nd room or suite no.)				
	own, state, and ZIP code				~ · ·	
	GO, ILLINOIS 60601				•	number (optional)
		<u> </u>			(312) 814-3000
Section	on A. Authority	9				
1	Authority for fiduciary r	elationship Creck applicable bo	X:			
а	☐ Court appointment	of testate estate (valid will exists	3)			
þ		of intestate estat , (no valid will e	exists)			
C		as guardian or conse.vator				
d		ent and amendments				
е		gnment for the benefit or croditor				
f		CLAIMED AND EXCEPTED JURIS	DICTION			
2a		ked, enter the date of death 🕨 🖣				
2b	IT DOX 1C-1T IS CHECKE	ed, enter the date of appointment	t, taking office, or ass	signment or tra	ansfer of a	assets >
Secti	on B. Nature of Liab	oility and Tax Notices				
3	Type of taxes (check a	Il that apply): ☐ Income ☐ er (describe) ►	Gift Estate	Generation-s	skipping tr	ransfer
4		per (check all that apply): a 7 1040-EZ f 1 1041 g 1	706 series b 709 1120 h Other (lis		d∏ 94	41, 943, 944
5		duciary does not cover all years ars or periods ► 2007 TO PRESE	-	there	0,	▶□
	Man diduction Charles	ints a copy of notices or other write	ten communications (s	see the instruc	tions) che	ok äpis pox . , , , ▶ 🔲
6	and enter the year(s) of form number.	or period(s) for the corresponding	g line 4 item checke	d. If more tha	n 1 form	entered on line 4h, enter the
6	and enter the year(s) of form number.	or period(s) for the corresponding	g line 4 item checke	d. If more tha	n 1 form	entered on line 4h, enter the
6	and enter the year(s) of form number. Complete only if the	or period(s) for the corresponding	g line 4 item checker			
6	and enter the year(s) of form number. Complete only if the	or period(s) for the corresponding	g line 4 item checker		n 1 form year(s) or	
6	and enter the year(s) of form number. Complete only if the	or period(s) for the corresponding	g line 4 item checker			
6	and enter the year(s) of form number. Complete only if the If this item is checked:	or period(s) for the corresponding	g line 4 item checked If this item is checked:			
6	and enter the year(s) of form number. Complete only if the If this item is checked: 4a	or period(s) for the corresponding	g line 4 item checker If this item is checked:			
6	and enter the year(s) of form number. Complete only if the If this item is checked: 4a 4c	or period(s) for the corresponding	If this item is checked:			

1335819039 Page: 52 of 111

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10111100 (11	34. 12-2011)						Page 2
Part II	Court and Administrative P	roceedings					
Name of co	urt (if other than a court proceeding, identify the	he type of proceeding and name of age	ncy)	Date proce	eding in	tiated	
THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS MUNICIPAL DEPT 1ST DISTRICT Address of court				·	08/1	12/08	
			Docket nun	nber of p	proceed	ing	
	ASHINGTON					1:11-0	V-2562
	n, state, and ZIP code		Date	Time		a.m.	Place of other proceedings
CHICAGO	D, IL 60602					p.m.	
Part III	Signature						
Please Sign Here	I certify that I have the authority to execute	-	•				
	Fiduciary's sigr ature	Title	, if applicable			Date	Form 56 (Rev. 12-201
		AU Title		Cotto	0)		

1335819039 Page: 53 of 111

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Form **56**(Rev. December 2011)
Department of the Treasury
Internal Revenue Service

Notice Concerning Fiduciary Relationship

(Internal Revenue Code sections 6036 and 6903)

OMB No. 1545-0013

Part	ldentification				
Name o	f person for whom you are act	ing (as shown on the tax return)		Identifying number	Decedent's social security no.
PATRI	CIA SEATON WINFIELD-	GARRICK		8373	
Address	s of person for whom you are a	acting (number, street, and room or suite no	p.)		
	GOUWENS LANE				
		foreign address, see instructions.)			
	H HOLLAND, IL 60473				
	y's name	COUNTY DECODDED OF DEEDS			
	s of fiduciary (number, street, a	COUNTY RECORDER OF DEEDS			
	CLARK STREET	and room or sale no.)			
	town, state, and ZIP code			Telenh	one number (optional)
	AGO, ILLINOIS 60602			(31:	
	on A. Authority	771			003-71-13
1	Authority for fiduciany	relationship. Gheck applicable bo			
a		t of testate estate (valid will exists			
b		t of intestate estate (no valid will e	•		
c		t as guardian or concervator	,		
d	☐ Valid trust instrum				
е	Bankruptcy or ass	ignment for the benefit or Genito	rs		
f	Other Describe ►	CLAIMED AND EXCEPTED JURIS	PICTION		
2 a	If box 1a or 1b is ched	cked, enter the date of death 🕨			
2b	If box 1c-1f is check	ed, enter the date of appointment	t, taking office, or ass	signment or transfer	of assets >
			9,		
Secti	ion B. Nature of Lia	bility and Tax Notices			
3	Type of taxes (check	all that apply): 🔲 Income 🔲	Gift ☐ Estate ☐	Ceneration-skippin	g transfer
	☐ Excise ☐ Oth	er (describe) ►		-/_	
		_		04.	
4		ber (check all that apply): a 7	_		941, 943, 944
	e 1040, 1040-A, o	r1040-EZ f	120 h☐ Other (lis	st) ▶	
_	16	* J		0.	_
5	· ·	iduciary does not cover all years	•	k here	<i>).</i> ▶ □
	and list the specific ye	ears or periods > 2007 TO PRESE	IN I		//5.
6	If the fiduciary listed w	ants a copy of notices or other writ	ton communications (and the included in	
•	and enter the year(s)	or period(s) for the corresponding	a line 4 item checke	ed If more than 1 fo	rm entersy on line 4h enter the
	form number.	or portodity for the corresponding	g and + hem discove	d. II more than 1 to	in energy on the 4n, enter the
	Complete only if the	line 6 box is checked.			
	If this item is checked:	Enter year(s) or period(s)	If this item is checked:	Enter year(s)	or period(s)
	4a		4b		
	4c		4d		
	4e		4f		
	4		T		
	4g		4h:		

1335819039 Page: 54 of 111

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rom so (ne	90. 12-2011)				Page 2		
Part II	Court and Administrative Pro	oceedings					
Name of co	urt (if other than a court proceeding, identify the	type of proceeding and name of agency)	Date pr	oceeding initiated			
THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS MUNICIPAL DEP		DIS MUNICIPAL DEPT. 1ST. DISTRICT		7/1:	3/2013		
Address of court			Docket number of proceeding				
	SHINGTON				1-712562		
-	n, state, and ZIP code	Date	Time	a.m.	Place of other proceedings		
), ILLINOIS 60602			p,m.			
Part III	Signature						
Please Sign Here	I certify that I have the authority to execute thi						
	Fiductary's sign auare	Title, if applie	cable	Dat	re		
		AUTHORI: Title, if applie			Form 56 (Rev. 12-2011)		

1335819039 Page: 55 of 111

UNOFFICIAL COPY Derrick Seaton and Patricia Winfield Seaton-Garrick

15624 Gouwens Lane, South Holland, IL 60473

November 24, 2013

HSBC Bank USA, N.A. Irene M. Dorner Chief Executive Officer 1800 Tyson Boulevard Suite 50 McLean, VA 22101

Alleged Servicer: Ocwen Loan Servicing	Nationstar Alleged Loan #: 0006179550
Alleged Owner: HSBC Bank USA, N.A.	HSBC Alleged Loan #: Unknown
Prior Servicer First NLC Financial Services	First NLC Finances Ser. Loan #: Unknown
Foreclosure Case #. 1:11-cv-2562	Eviction Case #: 13-M1-712562

Dear Ms. Dorner:

HSBC Bank USA, N.A., Cowen Loan Servicing and Altisource Portfolio Services are in violation of Illinois Senate Bill 56. The new law states that renters who entered into a written lease prior to foreclosure have the right to remain in the unit for the entire term of their agreement. Senate Bill 56 also states that of the property is bank owned the bank must honor the tenant's lease. However, my tenant Patricia Seaton Winfield-Garrick who has a valid lease was illegally evicted from her home and her gar was illegal shut off. She is being continuously harassed (see attached).

In light of the mortgage crisis and fraud committed by several lending institutions including Ocwen Loan Servicing, HSBC Banks and First NLC Finarcial Services, I am concerned that an illegal foreclosure, sale and eviction were instituted against my home. There may also be serious legal violations as it pertains to the Illinois Renters Law, Sarbanes and Oxley section codes 802(a), 906, 302, 807, and 903 and violations of the Internal Revenue Service REMIC Trust codes 860(g) and 860(c), violations of forms 1066, 4797, 7851, 720, 7206 and 7004. It also appears that the assignment filed with the Cook County Recorder of Deeds Office is a fraudulent document (See attached).

My foreclosure woes began when Ocwen took over servicing my loan. I paid my nortgage on time every month and was never late. One day Ocwen stopped excepting my payment, without any notice or explanation as to the reason why. I reached out to Ocwen to no avail. I did everything I could to work with Ocwen I could afford my mortgage. Ocwen was not interested in helping me. Once day I received a foreclosure notice naming US Bank National Association as the trustee of the negotiable instrument. The law firm that brought the foreclosure action was Fisher and Shapiro of Bannockburn, Illinois. I applied for a modification several times but was denied despite the fact that I had the means to afford the mortgage. Eventually I was forced to file for bankruptcy Chapter 13 to keep my home. When the bankruptcy was lifted HSBC pursued having me evicted from my home. I later learned that Fisher and Shapiro filed fraudulent documents with the Cook County Recorder of Deeds Office and the Cook County Circuit Court. I also learned that as a result of Fisher and Shapiro filing thousands of fraudulent documents with various land recording offices and circuit courts in Illinois a judge threw out 1,700 foreclosure actions (see attached).

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Recently I had an audit of my loan and the foreclosure action conducted and the audit reveals some very troubling findings. First, several attorney generals throughout the United States orderd First NLC Financial Bank to discontinue doing business as a result of it blatant deceptive and fraudulent mortgage practices. I have also learned that it is impossible for First NLC Financial Services, LLC to have granted MERS authority to assign the negotiable instrument to HSBC Bank USA, N.A. First NLC Financial Service, LLC filed a Chapter 11 bankruptcy on January 28, 2008 and liquidated all of its assets. The promissory note associated with my home was made payable to First Financial NLC Services, LLC. However the Mortgage Deed was never recorded and filed with the Cook County Recorder of Deeds Office as is required by law. An Allonge was executed by Denise A. Marvel who claims to be the Manager of Document Control and Contract Management for Ocwen. Ms. Marvel appears to have signed fraudulent Allonges as well as assignments and has been under scrutiny by judges and attorney representing homeowners in illegal foreclosures and evictions. Some concerns include various signatures showing Ms. Marvel's name appearing on assignments filed with various land recording offices and the fact that Ms. Marvel held various positions with various banking institutions at the same time is troubling.

If First NLC Financial Services LLC filed a Chapter 11 Bankruptcy in the year 2008 and liquidated all of its assets, now is it possible that an assignment was recorded with the Cook County Recorder of Deeds Office on September 19, 2008? The assignment was signed by Scott Anderson who claims to be a Vice President for the Mortgage Electronic Registration System for First NLC Financial Services. The concern I have is that Scott Anderson has been identified as a robo-signer by Supreme Court Judge Arthur M. Schack and various Judges around the country (see attached).

Pursuant of U.C.C. - ARTICLE 3 -§3-501 (b) 2 (1), I am demanding that HSBC Bank USA N.A. show strong proof of its interest and how it obtained interest in the negotiable instrument. Pursuant of U.C.C. - ARTICLE 3 -§3-501 (b) 2 (1), I am entitled to demand presentation of the negotiable instrument and the chain of title. Please notify me of a date and time that I can come to the location where the original WET INK NEGOTIABLE INSTRUMENT is being held for the purpose of viewing its authenticity. I would am also demanding HSBC Bank USA, N.A. produce all of the assignments that reveals the chain of title. Frease be aware that I am NOT asking you to send me the original negotiable instrument, nor will a COPY be acceptable. Again, I am exercising my rights to personally view the ORIGINAL WEUNK NEGOTIABLE INSTRUMENT while it is in allegedly in HSBC Bank USA, N.A.'s possession. DO NOT TREAT THIS LETTER AS A QUALIFIED WRITTEN REQUEST LETTER (QWR).

Additionally, please know that should Ocwen Loan Servicing, LLC or HSBC Bank USA, N.A. pursue evicting my tenant and do not restore gas service immediately, it will be violating my tenant rights and violating several sections under the Sarbanes and Oxley Act and RESPA.

If any Attorney representing Codilis attempt to enforce an eviction, that attorney could be guilty of fraud, misrepresentation of a material fact made with knowledge of its falsity and a reckless disregard of its truth, thus there will be justifiable reliance cause of damages and I will report the attorney to the Bar Association and countersue Ocwen Loan Servicing, LLC, HSBC Bank USA, N.A. and First NLC Financial Services, Inc.

Furthermore, please be aware that I am writing to the following agencies to request a thorough investigation:

1. Eric Schneiderman of the Office of the Attorney General Mortgage Fraud Task Force

UNOFFICIAL COPY 2. The Federal Reserve Board

- 3. The Security Exchange Commission
- 4. The Office of Commerce and Currency
- 5. The Federal Trade Commission
- 6. The Cook County Sheriff Thomas Dart
- 7. The Federal Bureau of Investigation
- 8. Illinois Attorney General Lisa Madigan
- 9. United States Attorney General Eric Holder
- 10. The Internal Revenue Service

It is my belief that there are some very serious civil and criminal violations on the part of Ocwen Loan Servicing, LLC, HSBC Bank USA, N.A., First NLC Financial Servicing, LLC and attorney Aaron J. Demuth of Codilis and Associates, P.C. It also appears that HSBC Bank, First NLC Financial Services, LLC and Ocwen Loan Servicing, LLC have all violated the Consent Orders (See the attached).

My interest is in projecting my rights, my tenant's rights as well as honoring any legal obligation I have to the negotiable instrument. I am open to resolving this matter amicably. Your attention to this matter is greatly appreciated.

Co04 (

Kind Regards,

Patricia Winfield Seaton-Garrick

Cc:

Eric Schneiderman Office of the Attorney General Mortgage Fraud Task Force The Capitol, Albany Albany, NY 12224-0341

First NLC Financial Services, Inc Jeffrey M. Henschel, President 700 West Hillsboro Boulevard Deerfield Beach, FL 33441

SEC Office of the Whistleblower 100 F Street NE Mail Stop 5971 Washington, DC 20549

Altisource Michelle D. Esterman Chief Financial Officer Email: michelle.esterman@altisource.lu Federal Trade Commission 600 Pennsylvania Avenue, NW Washington, CC 20580

Office of the Comptroller of the Currency Office of Thrift Spending Customer Assistance Group 1301 McKinney Street, Suite 3450 Houston, TX 77010

Director, Office of RESPA and Interstate Land Sales, US Department of Housing and **Urban Development** Room 9154 451 7th Street, SW Washington, DC 20410

United States Attorney General Eric Holder Mortgage Fraud Division 950 Pennsylvania, N.W. Washington, DC 20530-0001

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Internal Revenue Service Whistleblower Office, SE: WO 1111 Constitution Ave., NW Washington, DC 20224

Government National Mortgage Assoc. 451 Seventh Street SW Washington, DC 20410

Federal Bureau of Investigation Securities Fraud Division 2111 W. Roosevelt Road Chicago, IL 50608

Ronald M. Faris
Chief Executive Officer
Ocwen Loan Servicing, L. C/True Holder
in Due Course
1661 Worthington Road
West Palm Beach, FL 33409

Office of Inspector General c/o Board of Governors of the Federal Reserve System 20th St. and Constitution Ave. N.W. Mail Stop K-300 Washington, D.C. 20551 Attn: Hotline

Cook County Sheriff Thomas Dart Foreclosure Fraud Division c/o George Vournazos Assistant General Counsel 3026 S. California Ave. Bldg. 1, Room 202 Chicago, IL 60608 Aaron J. Demuth Codilis and Associates, P.C. 15W030 North Frontage Road Suite 100 Burr Ridge, IL 60527

Altisource TM 2002 Summit Boulevard Suite 600 Atlanta, GA 30319

Ashish Pandey Chief Executive Officer Altisource Residential Corp 402 Strand St. Frederiksted, VI 00840-3531

Altisource Portfolio Solutions
Corporate Secretary
291, Route d'Arlon
L-1150 Luxembourg
Luxembourg

1335819039 Page: 59 of 111

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THOMSON REUTERS

CHECKPOINT

SUMMER 2013

The Complete Internal Revenue Code

County Clerk's Office



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Exhibit Fiducino / 6036

rmation and returns

sistent with the treatment of able entity's return, or

ty has not filed a return, and with the Secretary a statemsistency.

Iv to such item.

scorrect information. A benehaving complied with clause th respect to a reported item

satisfaction of the Secretary reported item on the benefian with the treatment of the unished under subsection (a) applicable entity, and ragraph apply with respect to

y. In any casegraph (A)(i)(I) of paragraph

y does not comply with sub-

make the treatment of the isistent with the treatment of ntity's return shall be treated at or clerical errors and as-5213(b)(1), Paragraph (2) of y to any assessment referred

of this subsectionerm "reported item" means nation is required to be fur-

e term "applicable entity" of which the taxpayer is the

are to comply with section. use of a beneficiary's neglir disregard of, the require-. Il of subchapter A of chap-

d subsec. (c), effective for returns of

substituted "required to file a return" be filed" in subsec. (a) Sec. o be filed" for "was filed" in subsec upied to be shown on such return" for iffective for returns the due date for does) is after 12/11/85. Shutted "fired Consond orb. The follow-

aons) is after 123/1880.

Spatial "fal General rule. The fiduct-A See, 1875(dR3)(A)fin), substituted f "each beneficiary" in subset (a) — effective for fax, yis, of estates and

of Code Sec. 6034A, effective for tax

spealed Code Sec. 6035, effective for firet 12/31/2004, and for tax, yrs. of duch such tax, yrs. of foreign cuspata-

IN AND SHARLDOLDIES OF TORPES HE

tizen or resident who is an officer, de southern who is an energit personal 2) for any taxable year diali file a re-

ig forth by subsection (b), subsection (c), and

Information and returns

Code Sec. 6037(c)(2)(A)(i)(I)

*(3) such other information with respect to such corporation as the Secretary fain by forms or regulations prescribe as necessary for earrying out the purposes of fig. 5 be.

some, and undistributed foreign personal hading company income of the convora-tion for the taxable year.

"(d) Time and manner for furnishing a foreign. The information required index subsection (a) shall be furnished at such time and in such manner as the Secretory shall by forms and regulations, presers.

"(e) Definition and special rules.
"(ii) Definition and special rules,
"(ii) (therecent shareholder. For purposes of this section for term (10-percent inarcholder) means any individual who owns directly (1) threetly (within the meaning of section 554) (1) percent or more in value of the customic week of a foreign corporation.

(2) Time for making determinations.
(A) In general. Except as provided in subject graph (B), the demails and officer, director, or 10-percent shareholder with a rest cot to any foreign corporation shall be made as of the date on which the relationship of the date on which the relationship of the date of the date of the date of the date.

mined to be fried.

So period in the lif after the application of subparagraph (A) no person is capited to file a return under subsection (a) with respect to any foreign corporation for any travable year, the determination of whether any person is an officer, director, or the percent abuncholder with respect to such foreign corporation shall be guide on the hast day of such tasable year on which there was such a person who was a United States citizen or resident.

was a United States citizen or resident.

"(3) 2 or more persons required to furnish information with respect to same foreign corporation. If, but for this paragraph, 2 or more persons would be required the furnish information under subsection (a) with respect to the same foreign corporation for the same totable year, the Secretary may by regulations provide that such information shall be required only from 1 person.

In 1982, P.L. 97-248. Sec. 340(a), amended Code Sec. 6035, effective for tax, yie, of foreign corporations begin after 9/3/82.

This to amendment, Code Sec. 6035 read as follows:

Sec 8035, RFT RN 04 OFFICERS, DRILTORS, AND SHARPHULDERY OF ISBN RNS PERSONAL REPUBLIS COMPANIES.

(b) Officers and directors.

(a) Officers and directors.

(b) Monthly returns. On the 15th day of each month each individual who on sich day is an officer or a director of a foreign corporation which, with respect to the taxable year preceding the taxable year in which such month occurs, was a foreign personal holding company (as defined in section 552), shall make a return study of each shareholder, the class and number of shares held by each, together with say changes in stockholdings during such period, the name and address of any shall be in stocked in such period, the name and address of any shall be form to securities of securities convertible into stock of such corporation, and such other individuals with respect to the stock and securities of the corporation as the Secretary shall by forms or regulations prescribe as accessary for carrying out the problems of this title. The Secretary may be regulations prescribe, as the period share respect to which returns shall be made, a longer period that a unoth, to such said be return shall be due on the 15th day of the succeeding period, and shall be taken by the individuals who on such day are officers or directors of the corporation.

(C) Annual returns. On the 64th day after the close of the taxable year of a progn personal holding company (as defined in section 552), each underdual to on such 60th day is an officer or director of the corporation shall make a re-

The on such 60th day is an officer or director or one conjusted.

The setting forth—

The setting forth—

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10) Shareholders
(11) Monthly returns. On the 15th day of each month each United States share sheet, by of for whom 50 percent or more in value of the omstanding stock of a narga corporation is owned directly or indirectly (including, in the case of an instanding stock owned by the members of his family as defined in section 48(a)(2)), if such foreign corporation will respect to its ratable year preceding taxable year in which such month occurs was a foreign personal holding conting taxable year in which such month occurs was a foreign personal holding conting taxable year in which such month occurs was a foreign personal holding conting taxable year in which such month occurs was a foreign personal holding conting taxable in the second of the second in the second personal of the provision of shares held by each, together with any changes in stockholdings and such period, the name and address of any holder of securines convertible stock of such corporation, and such other information with respect to the state of the convertible stock of such corporation, and such other information with respect to the state of the convertible stock of such corporation, and such other information with respect to the state of the convertible stock of such corporation, and such other information with respect to the state of the convertible state of the corporation as the Secretary shall by forms or regular prescribe as necessary for carrying out the provisions of this title. The Secretary

tary may by regulations prescribe, as the period with respect to which terrains shall be made, a longer period than a month, in such case the return shall be due on the 15d day of the assecteding period, and shall be made by the persons who on such day are United States shareholders.

on such day are United States stareholders.

"21) Animal returns. On the 60th day after the close of the favable year of a foreign personal holding company (as defined in section 552) each United States shareholder by or for whom on such falth day 50 percent or more in value of the outstanding stock of such company to some directly or indirectly (including, in the case of an individual, stock owned by members of his family as defined in section 544(as(2)) shall make a return setting forth the state information with respect to such tandbe year as is required in paragraph (1), except that, if all the required returns with respect to such year have been made under paragraph (1), no return shall be required under this paragraph.

In 1976, P.L. 93-455, Sec. 1986(b) 130(A) substituted "Secretary" for "Secretary or his delegate" cach place it apparated in Code Sec. 6035, effective 2/1/77,

Sec. 6036. Notice of qualification as executor or re-

Every receiver, trustee in a case under title 11 of the States Code, assignee for benefit of creditors, or other like fiduciary, and every executor (as defined in section 2203), shall give notice of his qualification as such to the Secretary in such manner and at such time as may be required by regulations of the Secretary. The Secretary may by regulation provide such exemptions from the requirements of this section as the Secretary deems proper.

in 1980, P.L. 96 589, See 6(i)(6), substituted "trustee in a case under title 11 of 60 United Stokes Code" for "trustee in bankruptey" in Code See, 6036, effective 5/5 79, except for any proceeding under the Bankruptey Act begin before 7/40 .

In 17 16 [7,4], 94 455, Sec. 1906(b)(13)(A), substituted "Secretary" for "Secretary 4, has delegated much place it appeared in Code Sec. 6036, effective 2/1/77,

Sec. 603 7. Return of S corporation.

(a) In general.

Every S corportion shall make a return for each taxable year, stating specifically the items of its gross income and the deductions allow as by subtitle A, the names and addresses of all persons awaing stock in the corporation at any time during the taxable year, the number of shares of stock owned by each shareholder at all times during the taxable year, the amount of money and other property distributed by the corporation during the taxan's e to each shareholder, the date of each such distribution each shareholder's prorata share of each item of the corporation for the taxable year, and such other information, for the surpose of carrying out the provisions of subchapter S of chapter can the Secretary may by forms and regulations prescribe. Any return filed pursuant to this section shall, for purposes of chapter 66 (relating to limitations), be treated as a return filed by the corporation under section 6012.

(b) Copies to shareholders.

Each S corporation required to file a return under subsection (a) for any taxable year shall (on or before the day on which the return for such taxable year was filed) furnish to each person who is a shareholder at any time during such taxable year a copy of such information shown on such return as may be required by regulations.

(c) Shareholder's return must be consistent with corporate return or secretary notified of inconsistency.

(1) In general, A shareholder of an S corporation shall, on such shareholder's return, treat a subchapter S item in a manner which is consistent with the treatment of such item on the corporate return.

(2) Notification of inconsistent treatment.

(A) In general, in the case of any subchapter S item.

(i)(l) the corporation has filed a return but the shareholder's treatment on his return is (or may be) inconsistent with the treatment of the item on the corporate return, or

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Code Sec. 6335

Collection

to be purchased at such price for the United States; otherwise the property shall be declared to be sold to the highest bidder. In determining the minimum price, the Secretary shall take into account the expense of making the levy and sale." le 1976, P.L. 94-455. Sec. 1906(b)(13)(A), substituted "Secretary" for "Sec or his delegate" each ploce it appeared in Code Sec. 6335, effective 2/1/77. or his delegate such places it appeared in Consistence of subsect, (b), effective after, 1/286, regardless of when the title or lien of the United States are or when the title or interest of aputter person was acquired.

Prior to antendment, the first sentence of subsect (b) rend as follows:

"The Secretary or his delegate shall as soon as practicable after the seizure of the property give under to the owner, in the same manner as that prescribed in subsection (a), and shall cause a aptification to be published in some newspaper within the county wherein such eizure it made, or, if there be no newspaper published in such county, shall post such notice at the post office nearest the place where the seizure is made, and in not less than two other public places."

Sec. 6336. Sale of perishable goods.

If the Scaretary determines that any property seized is liable to perish or become greatly reduced in price or value by keeping, or that such properly cannot be kept without great expense, he shall apprais the slue of such property and—

- (1) Return to owner. If the owner of the property can be readily found, the Secretary shan give him notice of such determination of the appraise of the property. The property shall be returned to the owner if, within such time as may be specified in the none, to sowner—
 - (A) Pays to the Secretary an amount equal to the appraised value, or ----
- (B) Gives bond in such form, with such sur ties, and in such amount as the Secretary shall prescibe, to pay the appraised amount at such time as the Secretar de ermines to be appropriate in the circumstances.

 (2) Immediate sale. If the owner does not pay such
- amount or furnish such bond in accordance with this sec-tion, the Secretary shall as soon as practicable make pub-lic sale of the property in accordance with such regula-tions as may be prescribed by the Secretary.

In 1976, P.L. 94-455, Sec. 1906(b)(13)(A), substituted "Secretary" for "Secretary of his delegate" each place it appeared in Code Sec. 6336, effective 2/1/77.

Sec. 6337. Redemption of property.

(a) Before sale.

Any person whose property has been levied upon shall have the right to pay the amount due, together with the expenses of the proceeding, if any, to the Secretary at any time prior to the sale thereof, and upon such payment the Secretary shall restore such property to him, and all further pro-ceedings in connection with the levy on such property shall cease from the time of such payment.

- (b) Redemption of real estate after sale.
 - (1) Period. The owners of any real property sold as provided in section 6335, their heirs, executors, or administrators, or any person having any interest therein, or a lien thereon, or any person in their behalf, shall be permitted to redeem the property sold, or any particular tract of such property, at any time within 180 days after the sale
- (2) Price, Such property or tract of property shall be permitted to be redeemed upon payment to the purchaser, or in ease he cannot be found in the county in which the property to be redeemed is silvated, then to the Secretary, for the use of the purchaser, his heirs, on assigns, the amount paid by such purchaser and interest thereon at the rate of 20 percent per annum.

(c) Record. When any lands sold are redeemed as provided in this section, the Secretary shall cause entry of the fact to be made upon the record mentioned in section 6340, and such entry shall be evidence of such redemption.

In 1982, P.L. 97-248, Sec. 349A(a), substituted "180 days" for "120 days" in para. (b)(1), effective for property sold after 97382.

In 1976, P.L. 94-155, Sec. 1906(b)(13)(A), substituted "Secretary" for "Secretary or his delegate" cach place it appeared in Code Sec. 6337, effective 21/77.

In 1966, P.L. 89-719, Sec. 104(c), substituted "120 days" for "1 year" if para (b)(1), effective after 11/2/66, regardless of when a lien or a title of the U.5) arous or when the lien or interest of any other person was acquired. For a special exception included in Sec. 114 of P.L. 89-719, sec the rote to Code Sec. 6323.

Sec. 6338. Certificate of sale; deed of real property: (a) Certificate of sale.

In the case of property sold as provided in section 6335 the Secretary shall give to the purchaser a certificate of sale upon payment in full of the purchase price. In the case of real property, such certificate shall set forth the real property purchased, for whose taxes the same was sold; the name of the purchaser, and the price paid therefor. of the street of the

(b) Deed to real property. C Drail and In the case of any real property sold as provided in section 6335 and not redeemed in the manner and within the time provided in section 6337, the Secretary shall execute in accordance with the laws of the State in which such real properly is situated pertaining to sales of real property under execution) to the purchaser of such real property at such sale, upon his surrender of the certificate of sale, a deed of the real property so purchased by him, reciting the facts set forth in the certificate.

(c) Real property purchased by United States.

If real property is declared purchased by the United States at a sale pursuant to section 6335, the Secretary shall at the proper time execute a deed therefor, and without delay cause such deed to be duly recorded in the proper registry of

In 197, P.1. 94-355, Sec. 1906(b)(13/A), substituted "Secretary" for "Sec-or his, eler see each place it uppeared in Code Sec. 6338, effective 2/177. or his elective each place it appeared in Code Sec. 6338, effective 21/171.

In 1966, P. 65719, Sec. 104(f), substituted "and without delay coulds such deed" for "all r its pre-ration and the endorsement of approval as to life form by the United States at 'ney t. The district in which the property is situated, and the Secretary or his de gate stall, without delay, dates fine deed "in subsec. (c), effective after 11/26c, importing of when a tien of it title of the U.S. arose or when the lien to inderest c. any other person was acquired. (c) as a subsec. (c), effective 8/17/54.

Sec. 6339. Legal effect of perfecte of sale of personal property and deed of real reperty.

(a) Certificate of sale of property other than real property.

In all cases of sale pursuant to section 6325 of property (other than real property), the certificate of such sale (1) As evidence. Shall be prima facile and ince of the right of the officer to make such sale, and look as evidence of the regularity of his proceedings in morning the sale; and the control of the control of the sale; and the control of the contr

(2) As conveyances. Shall transfer to the purchar n'all right, title, and interest of the party delinquent in and to the property sold; and

(3) As authority for transfer of corporate stock. If such property consists of stocks, shall be notice, when received, to any corporation, company, or association of such transfer, and shall be authority to such corporation, company, or association to record the transfer on its books and records in the same manner as if the stocks were transferred or assigned by the party holding the same, in lieu of any original or prior certificate, which shall be void, whether canceled or not; and

(4) As receipts, if the subject of sale is securities or other evidences of debt, shall be a good and valid receipt to the person holding the same; as against any person holding or

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claiming to hold possession idences of debt; and

(5) As authority for transfi such property consists of a when received, to any publi gistration of title to motor shall be authority to such of his books and records in the cate of title to such motor signed by the party holding nat or prior certificate, we canceled or not.

(b) Deed of real property. In the case of the sale of re

(1) Deed as evidence. The section 6338 shall be print therein stated; and

(2) Deed as conveyance of Secretary as set forth have dance with the provisions o sidered and operate as a co and interest the party deli-property thus sold at the tin attached thereto.

(c) Effect of junior encumbr A certificate of sale of perto real property executed pure charge such property from all over which the lien of the which the levy was made had (d) Cross references.

(1) For distribution of s 6342(b).

(2) For judicial procedure ceeds, see section 7426(a)(

In 1976, P.L. 94-455, Sec. 1906(b)(13)(or his delegate" each place it appeared in 1966, P.L. 89-719, Sec. 104(c), at 11/266, regispliess of when a lien or a interest of any other person was adjuint 114 of P.L. 89-719 see the note to Cod. in 1958, P.L. 85-866, Sec. 79, substitute of para. (b)(2), effective 8/17/54.

Sec. 6340. Records of sale. (a) Requirement. !!

The Secretary shall, for keep a record of all sales of p of redemptions of such prop the tax for which any such seizure and sale, the name of ceedings in making such salnames of the purchasers, and cate of sale of personal proper (b) Copy as evidence.

A copy of such record, o the facts therein stated.

(2) Accounting to taxpayer. I ie taxpayer with respect conducted or who redeems nished ---

(1) the record under subse of the purchasers);

(2) the amount from such ability; and

(3) the remaining balance

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acclaiming to hold possession of such securities or other evidences of debt; and obstituted "180 days" for "120 days" in

(5) As authority for transfer of title to motor vehicle. If su h property consists of a motor vehicle, shall be notice, gi tr. on of title to motor vehicles, of such transfer and shall be ar hority to such official to record the transfer on this book and records in the same manner as if the certificate of titl to such motor vehicle were transferred or asin signed by the party holding the same, in lieu of any original or prior criticate, which shall be void, whether canceled or not.

(b) Deed of real property
In the case of the sale if real property pursuant to section

(1) Deed as evidence. The ter of sale given pursuant to section 6338 shall be prima ficie evidence of the facts therein stated; and

(2) Deed as conveyance of title. It is proceedings of the Secretary as set forth have been substantially in accordance with the provisions of law, such died shall be considered and operate as a conveyance of all ar right, title, and interest the party delinquent had in and to the real property thus sold at the time the lien of the Unit d States httached thereto.

(c) Effect of junior encumbrances.

A certificate of sale of personal property given or a dec 1 to real property executed pursuant to section 6338 shall dis-charge such property from all liens, encumbrances, and titles giver which the lien of the United States with respect to which the levy was made had priority.

(d) Cross references.

(1) For distribution of surplus proceeds, see section i6342(b).

(2) For judicial procedure with respect to surplus proseceeds, see section 7426(a)(2).

In 1976, P.L. 94-455, Sec. 1906(b)(13)(A), substituted "Scenetary" for "Secretary by his-delegate" each place it appeared in Code Sec. 6339, effective 2/1/77.

In 1966, P.L. 89-719, Sec. 104(g), added subsecs. (c) and (d), effective after 11/1/66, regardless of when a hen or a title of the U.S. arose or when the lieu to nierest of any other person was acquired. For u special exception included in Sec. 114 of P.L. 89-719 see the nate to Code Sec. 6323.

218 1958, P.J. 88-866 Sec. 79, substituted "set" for "set" following in the heading

in 1958, B.L. 85-866, Sec. 79, substituted "as" for "th" following in the heading of para. (b)(2), effective 8/17/54.

Sec. 6340. Records of sale.

(a) Requirement.

The Secretary shall, for each internal revenue district, keep a record of all sales of property under section 6335 and of redemptions of such property. The record shall set forth the tax for which any such sale was made, the dates of scizure and sale, the name of the party assessed and all pro-ceedings in making such sale, the amount of expenses, the names of the purchasers, and the date of the deed or certifi-cate of sale of personal property.

(b) Copy as evidence.

A copy of such record, or any part thereof, certified by the Secretary shall be evidence in any court of the truth of the facts therein stated.

(c) Accounting to taxpayer.

The taxpayer with respect to whose liability the sale was conducted or who redeemed the property shall be furthished.

(1) the record under subsection (a) (other than the names of the purchasers);

(2) the amount from such sale applied to the taxpayer's liability; and

(3) the remaining balance of such liability.

In 1998, P.L. 105-206, Sec. 3442(a)(1)(A), deleted "real" after "all sales of "in subsec. (a)... Sec. 3442(a)(1)(B), added "or certificate of sale of personal property" after "deed" in subsec. (a)... Sec. 3442(a)(2), added subsec. (c), effective for selzures occurring after 7/22/98.

Code Sec. 6343(a)(1)(C)

In 1976, P.L. 94-455. Sec. 1906(b)(13)(A), substituted "Secretary" for "Secretary or his delegate" each place it appeared in Code Sec. 6340, effective 2/1/77.

Sec. 6341. Expense of levy and sale.

The Secretary shall determine the expenses to be allowed in all cases of levy and sale.

In 1976, P.L. 94-455, Sec. 1906(b)(13)(A), substituted "Secretary" for "Secretary or bis delegate" in Code Sec. 6341, effective 2/1/77.

Sec. 6342. Application of proceeds of levy.

(a) Collection of liability.

Any money realized by proceedings under this subchapter (whether by seizure, by surrender under section 6332 (except pursuant to subsection (c)(2) thereof), or by sale of seized property) or by sale of property redeemed by the United States (if the interest of the United States in such property was a lien arising under the provisions of this title) shall be applied as follows:

(1) Expense of levy and sale. First, against the expenses

of the proceedings;

(2) Specific tax liability on seized property. If the property seized and sold is subject to a tax imposed by any in-ternal revenue law which has not been paid, the amount ree ining after applying paragraph (i) shall then be ap-ticed gainst such tax hability (and, if such tax was not previously assessed, it shall then be assessed);

(3) Lac in y of delinquent taxpayer. The amount, if any, remaining after applying paragraphs (1) and (2) shall then be applied agr inst the liability in respect of which the levy was made c. the sale was conducted.

(h) Surplus proceed.

Any surplus proceeds remaining after the application of subsection (a) shall, upon application and satisfactory process. in support thereof, be en dited or refunded by the Secretary to the person or persons legative milled thereto.

In 1976, P.L. 94-455, Sec. 1906(b)(13)(A), stastimed "Secretary" for "Secretary or his delegate" each place it appeared in Code Sec. 3342, effective 2/1/77.

or his delegate? "each place it appeared in Cost. Not., elective 2017.

In 1966, P.L. 39-719, Sec. 104(h), amended so not ... of whise, (a) as preceded para, (a)(1), deleted "under this subchapter" from p. ra., (a)(1), and added "or the sale was conducted" after "levy was made" in para, (a)(3), effective after 11/2/66 regardless of when a lien or a title of the U. S. arose or when the lien or interest of any other person was acquired.

Prior to amendment, the introduction of subsec. (a) read as follows:

"Any money realized by proceedings under this subchapter (whether by seizure, by surrender under section 6332, or by the sale of seized property) shall be applied as follows:"

Sec. 6343. Authority to release levy and return property.

(a) Release of levy and notice of release.

(1) In general, Under regulations prescribed by the Secretary, the Secretary shall release the levy upon all, or part of, the property or rights to property levied upon and shall promptly notify the person upon whom such levy was made (if any) that such levy has been released if-

(A) the liability for which such levy was made is satisfied or becomes unenforceable by reason of lapse of

(B) release of such levy will facilitate the collection of

(C) the taxpayer has entered into an agreement under section 6159 to satisfy such liability by means of installment payments, unless such agreement provides otherwise.

after 9/3/82. A), substituted "Secretary" for "Secretary in Code Sec. 6337, effective 2/1/77, stituted "120 days" for "1 year" in part, of when a lien or a title of the U.S. arose

ic; deed of real property.

d as provided in section 6335, : purchaser a certificate of sale purchase price. In the case of shall set forth the real property te same was sold, the name of aid therefor.

perty sold as provided in secin the manner and within the 7, the Secretary shall execute of the State in which such real to sales of real property under of such real property at such e certificate of sale, a deed of I by him, reciting the facts set

by United States.

purchased by the United States 335, the Secretary shall at the refor, and without delay cause led in the proper registry of

.), substituted "Secretary" for "Secretary Code Sec. 6338, effective 2/177.

s Code Sec. 6339, effective 2011.

stituted "and without delay cause such indersement of approval as to its form by in which the property is situated, and the clay, cause the deed" in subsec. (c), of a lion of a title of the U. S. arose or son was acquired.

listrict" preceding "attorney" in subsec.

artificate of sale of personal al property. perty other than real prop-

t to section 6335 of property ertificate of such sale prima facie evidence of the such sale, and conclusive eviis proceedings in making the

transfer to the purchaser all te party delinquent in and to

r of corporate stock. If such tall be notice, when received, or association of such transsuch corporation, company transfer on its books and as if the stocks were transty holding the same, in lieu ilicate, which shall be void,

: of sale is securities or other good and valid receipt to the gainst any person holding of

1335819039 Page: 63 of 111

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EXDIT B FRAUDULENT DOCUMENTS

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2/29



Ocwen Loan Servicing, LLC P.O. Box 24737 West Palm Beach, FL 33416-4737

(Do not send any correspondence or payments to the above address)

WWW.OCWEN.COM

April 26, 2013

Sherry Seaton Derrick Seaton

15624 Gouwer's Large SOUTH HOLLAND, IL 60473-0000

Loan Number:

Property Address:

15624 Gorwens Lane , SOUTH HOLLAND,

IL 60473-0000

Jort's Office

Dear Borrower(s):

We have received your correspondence requesting research to be performed for the above referenced loan. It is Ocwen's policy to perform all research and provide a written response to you within twenty (20) days from the receipt of your letter.

Ocwen may need to contact you for further information in order to process your request. Ocwen will notify you if any additional information is required as we research the issue(s) s'ated in your request. Please direct any inquiries regarding your research request to the following address:

> Ocwen Loan Servicing, LLC Research Department P.O. Box 24736 West Palm Beach, FL 33416-4736

Sincerely,

Research Department

ACKNOWL.25

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLI COUNTY DEPARTMENT - MUNICIPAL DIVISI



HSBC Bank USA, N.A

PLAINTIFF

Vs.

13M1712562

Patricia Seaton Winfield-Garrick, Stephanie Winfield, Clyde Nevels, Unknown Occupants

DEFENDANTS

SET FOR TRIAL CALL 9:30 A.M. ROOM 1302 PATE

SUMMONS FOR TRIAL

Please serve the following Defendants:

Patricia Seat in Winfield- Garrick - 15624 Gouwens Lane, South Holland, IL 60473

Step anie Winfield - 15624 Gouwens Lane, South Holland, IL 60473 Clyde Nevels - 15624 Gouwens Lane, South Holland, IL 60473

Unknown Occupants - 15624 Gouwens Lane, South Holland, IL 60473

YOU ARE HEREBY summoned and a quired to appear in person on ___06/27/2013 at 9:30 a.m., in the courtroom stamped on the sum nons of the Richard J. Daley Center, 50 W. Washington Chicago for TRIAL of this case.

You are further required to file your written appearance by yourself or your attorney at the

same time and place.

If you fail to appear for TRIAL, a Judgment by default may be taken against you for the relief asked in the complaint, a copy of which is hereto attached. After the Judgment is entered, the Sheriff may evict you.

This summons may not be served later than seven (7) days before the trial date.

Name:

Codilis & Associates, P.C.

Attorney for:

HSBC Bank USA, N.A

Address:

15W030 North Frontage Road, Suite 100

Burr Ridge, IL 60527

Telephone:

(630) 794-5300

WITNESS. .2013

Clerk of the Court

Date of Service

(To be inserted by officer on copy left with defendant or other person)

NOTICE TO PLAINTIFF

*Not less than 14 days nor more than 40 days after issuance of summons.

Dorothy Brown

Clerk of the Circuit Court of Cook County

14-13-03405

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4/29

Cook # 21762

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS MUNICIPAL DEPARTMENT 1ST DISTRICT

HSBC Bank USA, N.A.

PLAINTIFF

Vs.

Patricia Seaton Winfield- Garrick, Stephanie Winfield, Clyde Nevels, Unknown Occupants

DEFENDANTS

Court date: 06/27/2013

FORCIBLE DETAIN CR. COMPLAINT FOR POSSESSION ONLY

NOW COMES the Plaintiff, HSBC BANK USA, N.A, by and through its attorneys, CODILIS & ASSOCIATES, P.C., complaining of the Defe idants herein and, pursuant to 735 Illinois Compiled Statutes 5/9-101 et. seq., states as follows:

1. The Plaintiff is entitled to possession of the property commonly known as:

15624 Gouwens Lane South Holland, IL 60473

- 2. The Plaintiff is the holder of the certificate of sale and/or Judiciai Sale Deed issued pursuant to the Order Approving Sale entered in Chancery Case Number 11 CV 2562 on 08/21/12. See attached Exhibit "A".
- 3. Pursuant to 735 ILCS 5/9-102(a)(2), Defendant(s) Patricia Seaton Winfield-Garrick, Stephanie Winfield, Clyde Nevels, Unknown Occupants have made peaceable entry into the subject premises and unlawfully withholds possession thereof.
- 4. Pursuant to 735 ILCS 5/15-1701(h)(4), Plaintiff served a 90 Day Notice of Intent and Demand for Possession on all of the above defendants. See Exhibit "B".
 - 5. Plaintiff claims possession of the property.

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WHEREFORE, Plaintiff prays that this Court enter an Order of Possession in its favor as to the above property, and for such other and further relief as this Court deems just and equitable.

Respectfully submitted,

Codilis & Associates, P.C.

By:

Aaron J. Demuth ARDC# 6276249

CODILIS & ASSOCIATES, P.C 15W030 North Frontage Road, State 100

Burr Ridge, IL 60527

(630) 794-5300

Cook #21762

14-13-03405

NOTE: This law firm is deemed to be a debt collector.

6/29

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STATE OF ILLINOIS)	
	j	SS
COUNTY OF COOK	j	

I, the undersigned, an attorney with Codilis & Associates, P.C., attorneys for the Plaintiff, upon oath, state that I have read the above and foregoing document, know the contents therein, and, to the best of my knowledge and belief, know the contents thereof to be true in substance and in fact.

Aaron J. Demuth
ARDC# 6276249

Codilis & Associates, P.C. 15W030 North Frontage Road, Suite 100 Burr Ridge, IL 60527 (630) 794-5300 Cook# 21762

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EXHIBIT "A"

Property or County Clerk's Office

UNOFFICIAL COPY O6-19-2013

8 /29

Case: 1:11-cv-02562 Document #: 22 Filed: 08/21/12 Page 1 of 3 PageID #:83

CC

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

EXHIBIT "A"

HSBC BANK USA, N.A., AS TRUSTEE FOR THE REGISTERED HOLDERS OF FIRST NLC TRUST 2007-1 MORTGAGE-BACKED CERTIFICATES, SERIES 2007-1

CASE NUMBER:1:11-cv-2562

PLAINTIFF

VS.

DISTRICT JUDGE: Ruben Castillo

DERRICK SEATON, SHERRY SEATON.

MAGISTRATE JUDGE: Maria Valdez

DEFFEIDANT(S).

ORDER

THIS CAUSE comes to be heard on Plaintiff's motion for the entry of an Order Approving the Report of Sale and Distribution, confirming the sale of the premises, which are the subject of the matter captioned above and described as:

LOT 7 IN FIRST ADDITION TO MUTUAL BUILDERS SUBDIVISION, BEING A SUBDIVISION OF PART OF LOT 7 IN VAN VURREN'S SUBDIVISION OF THE SOUTHEAST 1/4 OF SECTION 10, THE NORTHEAST 1/4 OF SECTION 15, PART OF THE NORTHWEST 1/4 OF SECTION 15, AND PART OF THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THAT PART OF THE SOUTHEAST 1/4 OF SECTION 15, LYING SOUTH OF SOUTH LINE OF SAID LOT 8 AND NORTH OF THE CENTER OF THE CALUMENT RIVER (TAKEN AS A TRACT) ACCORDING TO TAP PLAT THEREOF REGISTERED IN THE OFFICE OF REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS, ON MAY 21, 1958, AS DOCUMENT NO. 1979125.

Commonly known as 15624 Gouwens Lane, South Holland, IL 60473 Property Index No. 29-15-214-065-0000

Due notice of said motion having been given, the Court having examined said report and being fully advised in the premises, FINDS:

That personal service was had against the Borrower Defendant(s), Derrick Seaton, Sherry Seaton;

That the real property that is the subject matter of the instant proceeding is a single family residence;

That all notices required by 735 ILCS 5/15-1507(c) were given;

That said sale was fairly and properly made;

UNOFFICIAL COPY 06-19-2013

Case: 1:11-cv-02562 Document #: 22 Filed: 08/21/12 Page 2 of 3 PageID #:84

That Edward Grossman, hereinafter "Special Commissioner," has in every respect proceeded in accordance with the terms of this Court's Judgment; and

That justice was done.

IT IS THEREFORE ORDERED:

That the sale of the premises involved herein and the Report of Sale and Distribution filed by the Special Commissioner are hereby approved, ratified, and confirmed;

That the proceeds of the sale be distributed in accordance with the Report of Sale and Distribution;

That the Mortgagee's fees and costs arising between the entry of the Judgment of Foreclosure and Sale and the date of sale are approved;

That Plaintiff is granted a deficiency judgment in the amount of \$82,214.26 against Defendant, Derrick Seaton, Sherry Seaton ONLY pursuant to 735 ILCS 5/15-1508(e) and 735 ILCS 5/15-1511;

735 ILCS 5/9-117 is not applicable in this order entered pursuant to Article 15 (IMFL).

That upon request by the successful bidder, including any insurers, investors, and agents of Plaintiff and provided that all required payments have been made pursuant to 735 ILCS 5/15-1509, the Special Commissioner shall execute and deliver to the successful bidder a deed sufficient to convey title.

Municipality or County may contact the below with concerns about the real property:

HSBC Bank USA, N.A., as Trustee for the registered holders of First NLC Trust 2007-1 Mortgage-Backed Certificates, Series 2007-1 1661 Worthington Road, Ste. 100 West Palm Beach, FL 33409 877-596-8580

IT IS FURTHER ORDERED:

That upon request by the successful bidder, including any insurers, investors, and agents of Plaintiff is entitled to and shall have possession of the premises as of a date 30 days after entry of this Order, without further Order of Court, as provisioned in 735 ILCS 5/15-1701;

That the Sheriff of Cook County is directed to evict and dispossess Derrick Seaton, Sherry Seaton from the premises commonly known as 15624 Gouwens Lane, South Holland, IL 60473.

The Sheriff cannot evict until 30 days after the entry of this order.

IT IS FURTHER ORDERED that the Deed to be issued hereunder is a transaction that is exempt from all transfer taxes, either state or local, and the County Recorder of Deeds is ordered to permit immediate recordation of the Deed issued hereunder without affixing any transfer stamps.

A copy of this order shall be sent via regular mail to all defendants within 7 days.

1335819039 Page: 72 of 111

773 884 8095

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10/29

Case: 1:11-cv-02562 Document #: 22 Filed: 08/21/12 Page 3 of 3 PageID #:85

Dated:

Entered:

Judge

JAMES N. PAPPAS #6291873 Burke Costanza & Carberry LLP 225 W. Washington St, Suite 2200 Chicago, IL 60606 (219) 769-1313

Opens of County Clerk's Office

UNOFFICIAL 06-19-2013

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

HSBC Bank USA, N.A., As Trust e for the Registered Holders of First NLC Trust 2(07-1 Mortgage-Backed Certificates Series 2007-1 Plaintiff, Case No. 11 cv 2562 District Judge: Ruben Castillo Magistrate Judge: Derrick Seaton, Sherry Seator Maria Valdez Defendant(s)

SPECIAL COMMISSIONER & DEED

This Deed made this 16th day of October, 2012 between the undersigned, EDWARD GROSSMAN, grantor, noc individually but as Special Commissioner of this Court and MSSC Bank USA, N.A., GRANTEE

WHEREAS, the premises hereinafter described having been duly offered, struck off and sold at public venue the highest bidder, on July 25, 2012, pursuant to the judgement of foreclosure entered on August 2, 2011.

NOW THEREFORE, in consideration of \$10.00 and other consideration and pursuant to the authority granted by this court in the above-entitled proceedings, the undersigned does hereby convey unto said grantee or its assigns the said premises described as follows:

LOT 7 IN FIRST ADDITION TO MUTUAL BUILDERS SUBDIVISION, BEING A SUBDIVISION OF PART OF LOT 7 IN VAN VURREN'S SUBDIVISION OF THE SOUTHEAST % OF SECTION 10, THE NORTHEAST % OF SECTION 15, PART OF THE NORTHWEST % OF SECTION 15, AND PART OF THE SOUTHEAST % OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THAT

UNOFFICIAL COPY 06-19-2013

PART OF THE SOUTHEAST % OF SECTION 15 LYING SOUTH OF SOUTH LINE OF SAID LOT 8 AND NORTH OF THE CENTER OF THE CALUMET RIVER (TAKEN AS A TRACT) ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS, ON MAY 21, 1958, AS DOCUMENT NO. 1979125.

COMMONLY KNOWN AS: 15624 Gouwens Lane, South Holland, IL 60473.

PERMANS'T INDEX NO.: 29-15-214-065-0000.

Special Commissioner

Given under my hand and Notarial Seal this 16th day of October, 2012.

OFFIGIAL SEAL

GUADALUPE MATA

NOTARY PUBLIC NOTARY PUBLIC, STATE OF ILLINOIS

MY COMMISSION EXPIRES 5-15-2014

This Deed prepared by Chicago Legal Clinic, Inc., 2938 E. 91st Street, Chicago, IL 60617.

This deed is exempt under provisions of paragraph L. Section 4. Real Estate Transfer Act

Date: 11-16-2012 Buyer, Seller or Representative

Grantee Name and Address and Send tax bill to: *

No/City/Village Municipal Exempt Stamp or Fee required per the attached Certificate Court Order marked Exhibit

*

Grantee Name and Address and Mail Tax Bills To: 15K Bone USA, D.A. AS Trustee for the Foundated Hedden of First DLC Trust 2007-1 MORSONC - Booked Centificates Some 2007-1

c/o Oowen Loan Servicing, LLC 1661 Worthington Road, Suite 100 West Palm Beach, FL 33409

Property of Cook County Clerk's Office

UNOFFICIAL COPY 06-19-2013



LAW OFFICES

15W030 North Frontage Road Suite 100 Burr Ridge, Illinois 60527

P: (630) 794-5300 / FAX: (630) 794-9090

February 14, 2013

NOTICE OF TERMINATION OF TENANCY, INTENT TO FILE FORCIBLE ENTRY AND DETAINER ACTION AND DEMAND FOR POSSESSION

To: Patricia Seaton Winfield- Garrick 15624 Gouwens Lane South Holland, IL 60473

NOTICE OF TERMINATION OF TENANCY AND INTENT TO FILE FORCIBLE ENTRY AND DETAINER ACTION

You are hereby notified that the Property known as 15624 Gouwens Lane, South Holland, IL 60473 has been foreclosed and is now owned by HSBC Bank USA, N.A.

Pursuant to the Protecting Tenants at Foreclosure Act of 2001, you are hereby notified that HSBC Bank USA, N.A, as Owner and Landlord, has elected to terminate your tenancy of the property now occupied by you, and located at 15624 Gouwens Lane South Holland, IL 60473, together with all improvements and appurtenances. The termination of you tenancy will take effect 90 days after this Notice to Terminate Tenancy is properly served upon you. At that time, you are notified, and hereby required, to quit the premises and deliver possession of the same to HSBC Bank USA, N.A, Landlord.

You are further notified that the Owner of the Property is hereby notifying you pursimant to 735 ILCS 5/15-1701 that the Owner and/or its Agent intends to file a Forcible Entry and Detainer Action seeking possession only of the aforementioned property, against you and all Unknown Occupants 90 days after this Notice of Intent to File Forcible Entry and Detainer Action is properly served upon you.

IMPORTANT NOTICE TO SERVICEMEMBERS AND THEIR DEPENDENTS PROTECTIONS UNDER THE SERVICEMEMBERS CIVIL RELIEF ACT

If you are a servicemember on "active duty" or "active service," or a dependent of such a servicemember, you may be entitled to certain legal rights and protections, including protection from eviction, pursuant to the Servicemembers Civil Relief Act (50 USC App. 501-596), as amended, (the "SCRA") and, possibly, certain related state statutes. Eligible service can include:

- 1. active duty (as defined in section 101(d)(1) of title 10, United States Code) with the Army, Navy, Air Force, Marine Corps, or Coast Guard;
- 2. active service with the National Guard;
- 3. active service as a commissioned officer of the National Oceanic and Atmospheric Administration;
- 4. active service as a commissioned officer of the Public Health Service; or
- 5. service with the forces of a nation with which the United States is allied in the prosecution of a war or military action.

Eligible service also includes any period during which a servicemember is absent from duty on account of sickness, wounds, leave, or other lawful cause.

UNOFFICIAL

06:46:13 a.m. 06-19-2013

15/29



LAW OFFICES

15W030 North Frontage Road Burr Ridge, Illinois 60527

P: (630) 794-5300 / FAX: (630) 794-9090

If you are such a servicemember, or a dependent of such a servicemember, you should contact Eviction Department at (630) 794-5300 ext. 3150 to discuss your status under the SCRA.

DEMAND FOR POSSESSION

HSBC Bank USA, N.A hereby demands possession of the following described premises 90 days from the date you are properly served with this Notice of Termination of Tenancy and Notice of Intent to File Forcible Entry and Detainer Action, OOF COUNTY CLOTH'S OFFICE

15624 Gouwens Lane South Holland, IL 60473

Dated: February 14, 2013

By:

Aaron J. Demuth

Codilis & Associates, P.C. 15W030 North Frontage Road, Suite 100 Burr Ridge, £L 60527 Ph#:(630) 794-5300

14-13-03405

NOTE: This law firm is deemed to be a debt collector.

06:46:33 a.m. 06-19-201:

16/29

AFFIDAVIT OF SPECIAL PROCESS SERVER

I, <u>Peter Valente</u>, being first duly sworn on oath depose and state as follows: I am over the age of 18, not a party to this action, and an employee or agent of Firefly Legal IL, Inc., a licensed private detective agency, license number 117-001465.

Type of Process: Motice of Termination of Tenancy and Intent to File Forcible Entry and Detainer Action

Defendant to be served. Patricia Seaton Winfield-Garrick

ADDRESS WHERE ATTEM PTED OR SERVED: 15624 Gouwens Lane, South Holland, IL, 60473

I SERVED the within named defendent on: 2/26/2013 10:10:00 AM

✓ POSTED

Additional Comments:

A copy of this notice was mailed via regular mailing any certified mailing.

Attempts Made:

2/19/2013 9:35:00 AM no answer at the door shades closed no moven ent inside the house. No car in the driveway.

2/19/2013 8:11:00 PM No answer at the door no movement inside the house no car in the driveway unable to come in contact with anybody at the address.,

2/20/2013 9:52:00 AM No answer at both the front and back door shades closed garbage can out by the street no movement inside the house no car in the driveway.

2/20/2013 7:30:00 PM No answer at the door no movement inside the house no crain the driveway appears to be no lights on inside the house.

2/21/2013 9:53:00 AM No answer at both the front and back door no movement inside the bruse no answer at the door. , 2/21/2013 5:20:00 PM No answer at both the front and back door unable to come in contact with any of the neighbors. No

movement inside the house.,

2/22/2013 2:15:00 PM No answer at both the front and back door no movement inside the house at adea closed no car in the driveway.

2/23/2013 10:30:00 AM No answer at the door shades closed no movement inside the house no answer at the door. No car in the driveway.

2/24/2013 8:11:00 AM No answer at the door no movement inside the house shades closed no car in the driveway,

2/24/2013 3:30:00 PM No answer at both the front and back door no car in the driveway shades closed no answer at the door. Unable to come in contact with any of the neighbors.

2/25/2013 10:15:00 AM No answer at the door shades closed no movement inside the house.,

2/26/2013 10:10:00 AM No answer at the door shades closed notice posted to the front door.

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the above statements set forth in this instrument are true and correct.

I certify that I am a United States citizen, over the age of 18 and not a party to, nor otherwise interested in the above action

to movement inset

Subscribed and sworn before me on S

Signature of Process Server

Notary Public

OFFICIAL SEAL
JAMIE KONTOS ::
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 09/25/16

Reference Num: 2980277 File Number: ED_14-13-03405

AFFIDAVIT OF SPECIAL PROCESS SERVER

I, Lori Sherman, being first duly sworn on oath depose and state as follows: I am over the age of 18, not party to this action, and an employee or agent of Firefly Legal IL, Inc., a licensed private detective agency, license number 117-001465.

Type of Process: Notice of Termination of Tenancy and Intent to File Forcible Entry and Detainer Action

Defendant to be served: Patricia Seaton Winfield-Garrick

ADDRESS WHERE ATTEMPTED OR SERVED:

D: 15624 Gouwens Lane South Holland, IL, 60473

SERVED the within normed defendant on: 2/27/2013 9:46:00 AM

✓ CERTIFIED MAILING AND REGULAR MAIL

Additional Comments:

TRACKING NUMBER IS 7010 1870 0003 2484 2663

Under Penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that

the above statements set forth in this instrument are the and correct.

Subscribed and swam before me on 2 /27/2013

Signature of Process Server

Notary Public

OFFICIAL SEAL
DENNIS MCMASTER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:07/10/16

<u>, 5624 tách a</u> Namh Faill

1

Reference Num: 2980277 File Number: ED_14-13-03405

06:47:33 a.m. 06-19-2013

18/29



LAW OFFICES

15W030 North Frontage Road Suite 100 Burr Ridge, Illinois 60527

P: (630) 794-5300 / FAX: (630) 794-9090

February 14, 2013

NOTICE OF TERMINA TION OF TENANCY, INTENT TO FILE FORCIBLE ENTRY AND DETAINER ACTION AND DEMAND FOR POSSESSION

To: Stephanie Winfield 15624 Gouwers Lane South Holland, IL 60473

NOTICE OF TERMINATION OF TENAN CY AND INTENT TO FILE FORCIBLE ENTRY AND DETAINER ACTION

You are hereby notified that the Property known as 13624 Gouwens Lane, South Holland, IL 60473 has been foreclosed and is now owned by HSBC Bank USA, N.A.

Pursuant to the Protecting Tenants at Foreclosure Act of 2005, you are hereby notified that HSBC Bank USA, N.A, as Owner and Landlord, has elected to terminate your tenancy of the property now occupied by you, and located at 15624 Gouwens Lane South Holland, IL 60473, together with all improvement and appurtenances. The termination of you tenancy will take effect 90 days after this Notice to Terminate Tenancy is properly served upon you. At that time, you are notified, and hereby required, to quit the premises and deliver possession of the same to HSBC Bank USA, N.A, Landlord.

You are further notified that the Owner of the Property is hereby notifying you pursuant to 735 ILCS 5/15-1701 that the Owner and/or its Agent intends to file a Forcible Entry and Detainer Action seeking possession only of the aforementioned property, against you and all Unknown Occupants 90 days after this Notice of intent to File Forcible Entry and Detainer Action is properly served upon you.

IMPORTANT NOTICE TO SERVICEMEMBERS AND THEIR DEPENDENTS: PROTECTIONS UNDER THE SERVICEMEMBERS CIVIL RELIEF ACT

If you are a servicemember on "active duty" or "active service," or a dependent of such a servicemember, you may be entitled to certain legal rights and protections, including protection from eviction, pursuant to the Servicemembers Civil Relief Act (50 USC App. 501-596), as amended, (the "SCRA") and, possibly, certain related state statutes. Eligible service can include:

- 1. active duty (as defined in section 101(d)(1) of title 10, United States Code) with the Army, Navy, Air Force, Marine Corps, or Coast Guard;
- 2. active service with the National Guard;
- 3. active service as a commissioned officer of the National Oceanic and Atmospheric Administration;
- 4. active service as a commissioned officer of the Public Health Service; or
- 5. service with the forces of a nation with which the United States is allied in the prosecution of a war or military action.

Eligible service also includes any period during which a servicemember is absent from duty on account of sickness, wounds, leave, or other lawful cause.

UNOFFICIAL COPY 06-19-201:



LAW OFFICES

15W030 North Frontage Road Suite 100 Burr Ridge, Illinois 60527

P: (630) 794-5300 / FAX: (630) 794-9090

204 COUNTY CLEPT'S OFFICE

If you are such a service member, or a dependent of such a service member, you should contact Eviction Department at (630) 794-5300 ext. 315 Jtr discuss your status under the SCRA.

DEMAND FOR POSSESSION

HSBC Bank USA, N.A hereby demands possession of the following described premises 90 days from the date you are properly served with this Notice of Termination of Tenancy and Notice of Intent to File Forcible Entry and Detainer Action.

15624 Gouwens Lane South Holland, IL 60473

Dated: February 14, 2013

By: (

Codilis & Associates, P.C. 15W030 North Frontage Road, Suite 100 Burr Ridge, IL 60527

Ph#:(630) 794-5300 14-13-03405

NOTE: This law firm is deemed to be a debt collector.

06:48:32 a.m. 06-19-2013

20/29

AFFIDAVIT OF SPECIAL PROCESS SERVER

I, <u>Peter Valente</u>, being first duly sworn on oath depose and state as follows: I am over the age of 18, not a party to this action, and an employee or agent of Firefly Legal IL, Inc., a licensed private detective agency, license number 117-001465.

Type of Process: Notice of Termination of Tenancy and Intent to File Forcible Entry and Detainer Action

Defendant to be serred: Stephanie Winfield

ADDRESS WHERE AT TIMPTED OR SERVED: 15624 Gouwens Lane.

South Holland, IL, 60473

I SERVED the within named defendant on: 2/26/2013 10:10:00 AM

∠ POSTED

Additional Comments:

A copy of this notice was mailed via regular mailing and certified mailing

Attempts Made:

2/19/2013 9:35:00 AM no answer at the door shades closed to movement inside the house. No car in the driveway.

2/19/2013 8:11:00 PM No answer at the door no movement inside the house no car in the driveway unable to come in contact with anybody at the address.

2/20/2013 9:52:00 AM No answer at both the front and back door shader closed garbage can out by the street no movement inside the house no car in the driveway.

2/20/2013 7:30:00 PM No answer at the door no movement inside the house to car in the driveway appears to be no lights on inside the house.

2/21/2013 9:53:00 AM No answer at both the front and back door no movement inside the house no answer at the door.

2/21/2013 5:20:00 PM No answer at both the front and back door unable to come in contact with any of the neighbors. No movement inside the house.

2/22/2013 2:15:00 PM No answer at both the front and back door no movement inside the house shades closed no car in the driveway.

2/23/2013 10:30:00 AM No answer at the door shades closed no movement inside the house no answer at the door. No car in the driveway.

2/24/2013 8:11:00 AM No answer at the door no movement inside the house shades closed no car in the driver example.

2/24/2013 3:30:00 PM No answer at both the front and back door no car in the driveway shades closed no answer at the door. Unable to come in contact with any of the neighbors.

2/25/2013 10:15:00 AM No answer at the door shades closed no movement inside the house.,

2/26/2013 10:10:00 AM No answer at the door shades closed notice posted to the front door.

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the above statements set forth in this instrument are true and correct.

I certify that I am a United States citizen, over the age of 18 and not a party to, nor otherwise interested in the above action

and tack wing

Subscribed and swom before me on 3/

Signature of Process Server

Notary Public

OFFICIAL SEAL
JAMIE KONTOS
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXPIRES 09/25/16

Reference Num: 2980278 File Number: ED: 14-13-03405

UNOFFICIAL COPY O6-19-2013

AFFIDAVIT OF SPECIAL PROCESS SERVER

I, Lori Sherman, being first duly sworn on oath depose and state as follows: I am over the age of 18, not party to this action, and an employee or agent of Firefly Legal IL, Inc., a licensed private detective agency, license number 117-001465.

Type of Process: Notice of Termination of Tenancy and Intent to File Forcible Entry and Detainer Action

Defendant to be served: Stephanie Winfield

ADDRESS WHERE ATTEMPTED OR SERVED:

15624 Gouwens Lane

South Holland, IL, 60473

SERVED the within 1 am d defendant on: 2/27/2013 9:46:00 AM

✓ CERTIFIED MAILING AND REGULAR MAIL

Additional Comments:

TRACKING NUMBER IS 7010 1870 0.03 2:64 2670

Under Penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that

Trafa at 1

the above statements set forth in this instrument are 'one and correct.

Suffiscribed and sworn before me on -

Signature of Process Server

Notary Public

OFFICIAL SEAL
DENNIS MCMASTER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:07/10/16

Reference Num: 2980278 File Number: ED_14-13-03405

1335819039 Page: 84 of 111

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06:49:32 a.m.

06-19-2013

22 /29



LAW OFFICES

15W030 North Frontage Road Suite 100 Burr Ridge, Illinois 60527

P: (630) 794-5300 / FAX: (630) 794-9090

February 14, 2013

NOTICE OF TERMINA CON OF TENANCY, INTENT TO FILE FORCIBLE ENTRY AND DETAINER ACTION AND DEMAND FOR POSSESSION

To: Clyde Nevels 15624 Gouwens Lane South Holland, IL 60473

NOTICE OF TERMINATION OF TENA VCY AND INTENT TO FILE FORCIBLE ENTRY AND DETAINER ACTION

You are hereby notified that the Property known as 1/624 Gouwens Lane, South Holland, IL 60473 has been foreclosed and is now owned by HSBC Bank USA, N.A.

Pursuant to the Protecting Tenants at Foreclosure Act of 2005, you are hereby notified that HSBC Bank USA, N.A, as Owner and Landlord, has elected to terminate your tenancy of the property now occupied by you, and located at 15624 Gouwens Lane South Holland, IL 60473, together with all improvements and appurtenances. The termination of you tenancy will take effect 90 days after this Notice to Terminate Tenancy is properly served upon you. At that time, you are notified, and hereby required, to quit the premises and deliver possession of the same to HSBC Bank USA, N.A, Landlord.

You are further notified that the Owner of the Property is hereby notifying you pursuant to 735 ILCS 5/15-1701 that the Owner and/or its Agent intends to file a Forcible Entry and Detainer Action seeking possession only of the aforementioned property, against you and all Unknown Occupants 90 days after this Notice of intent to File Forcible Entry and Detainer Action is properly served upon you.

IMPORTANT NOTICE TO SERVICEMEMBERS AND THEIR DEPENDENTS: PROTECTIONS UNDER THE SERVICEMEMBERS CIVIL RELIEF ACT

If you are a servicemember on "active duty" or "active service," or a dependent of such a servicemember, you may be entitled to certain legal rights and protections, including protection from eviction, pursuant to the Servicemembers Civil Relief Act (50 USC App. 501-596), as amended, (the "SCRA") and, possibly, certain related state statutes. Eligible service can include:

- 1. active duty (as defined in section 101(d)(1) of title 10, United States Code) with the Army, Navy, Air Force, Marine Corps, or Coast Guard;
- 2. active service with the National Guard;
- 3. active service as a commissioned officer of the National Oceanic and Atmospheric Administration;
- 4. active service as a commissioned officer of the Public Health Service; or
- 5. service with the forces of a nation with which the United States is allied in the prosecution of a war or military action.

Eligible service also includes any period during which a servicemember is absent from duty on account of sickness, wounds, leave, or other lawful cause.

1335819039 Page: 85 of 111

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773 884 8095

06:50:11 a.m.

06-19-2013

23 / 29



LAW OFFICES

15W030 North Frontage Road Suite 100 Burr Ridge, Illinois 60527

P: (630) 794-5300 / FAX: (630) 794-9090

If you are such a servicementer, or a dependent of such a servicemember, you should contact Eviction Department at (630) 794-5300 ext. 3150 to discuss your status under the SCRA.

DEMAND FOR POSSESSION

HSBC Bank USA, N.A hereby demands possession of the following described premises 90 days from the date you are properly served with this Notice of Termination of Tenancy and Notice of Intent to File Forcible Entry and Detainer Action.

15624 Gouwens Lane South Holland, IL 60473

Dated: February 14, 2013

By: Aaron J. Demuth

Codilis & Associates, P.C. 15W030 North Frontage Road, Suite 100 Burr Ridge, IL 60527

Ph#:(630) 794/5300 14-13-03405

NOTE: This law firm is deemed to be a debt collector.

Office

06-19-2013

24/29

AFFIDAVIT OF SPECIAL PROCESS SERVER

I, Peter Valente, being first duly sworn on oath depose and state as follows: I am over the age of 18, not a party to this action, and an employee or agent of Firefly Legal IL, Inc., a licensed private detective agency, license number 117-001465.

Type of Process: Notice of Termination of Tenancy and Intent to File Forcible Entry and Detainer Action

Defendant to be served: Clyde Nevels

ADDRESS WHERE AT EMPTED OR SERVED: 15624 Gouwens Lane.

South Holland, IL, 60473

I SERVED the within named defer cant on: 2/26/2013 10:10:00 AM

✓ POSTED

Additional Comments:

A copy of this notice was mailed via regular mailing and certified mailing

Attempts Made:

2/19/2013 9:35:00 AM no answer at the door shades closed to movement inside the house. No car in the driveway.

2/19/2013 8:11:00 PM No answer at the door no movement inside the house no car in the driveway unable to come in contact with anybody at the address.,

2/20/2013 9:52:00 AM No answer at both the front and back door shades closed garbage can out by the street no movement inside the house no car in the driveway.,

2/20/2013 7:30:00 PM No answer at the door no movement inside the house no far in the driveway appears to be no lights on inside the house.,

2/21/2013 9:53:00 AM No answer at both the front and back door no movement inside the house no answer at the door.

2/21/2013 5:20:00 PM No answer at both the front and back door unable to come in contact with any of the neighbors. No movement inside the house...

2/22/2013 2:15:00 PM No answer at both the front and back door no movement inside the house sounder closed no car in the driveway...

2/23/2013 10:30:00 AM No answer at the door shades closed no movement inside the house no answer at the door. No car in the driveway.,

2/24/2013 8:11:00 AM No answer at the door no movement inside the house shades closed no car in the drivey av.,

2/24/2013 3:30:00 PM No answer at both the front and back door no car in the driveway shades closed no answer at the door. Unable to come in contact with any of the neighbors.,

2/25/2013 10:15:00 AM No answer at the door shades closed no movement inside the house.,

2/26/2013 10:10:00 AM No answer at the door shades closed notice posted to the front door.

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the above statements set forth in this instrument are true and correct.

I certify that I am a United States citizen, over the age of 18 and not a party to, nor otherwise intercerts in the abovepact

Subscribed and sworn before me on

Signature of Process Server

OFFICIAL SEAL FOR ALL JAMIE KONTOS NOTARY PUBLIC - STATE OF ILLINOIS. MY COMMISSION EXPIRES 09/25/16

Reference Num: 2980279 File Number: ED_14-13-03405

AFFIDAVIT OF SPECIAL PROCESS SERVER

I, Lori Sherman, being first duly sworn on oath depose and state as follows: I am over the age of 18, not party to this action, and an employee or agent of Firefly Legal IL, Inc., a licensed private detective agency, license number 117-001465.

Type of Process: Notice of Termination of Tenancy and Intent to File Forcible Entry and Detainer Action

Defendant to be served: Clyde Nevels

ADDRESS WHERE ATTEMPTED OR SERVED:

15624 Gouwens Lane

South Holland, IL, 60473

SERVED the within 1 am id defendant on: 2/27/2013 9:46:00 AM

✓ CERTIFIED MAILING AND REGULAR MAIL

Additional Comments:

TRACKING NUMBER IS 7010 1870 0(03 2:54 2687

Under Penalties as provided by law pursuant to lection 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that

the above statements set forth in this instrument are fue and correct.

Subscribed and sworn before me on 27/20

Rignature of Process Server

Notary Public

OFFICIAL SEAL DENNIS MCMASTER NOTARY PUBLIC - STATE OF ILLINOIS

MY COMMISSION EXPIRES:07/10/16

72013 9.46 60 AV

J. Barrey

Reserve Num: 2980279 File Number: ED_14-13-03405

UNOFFICIAL COPY 06-19-201



LAW OFFICES

15W030 North Frontage Road Suite 100 Burr Ridge, Illinois 60527

P: (630) 794-5300 / FAX: (630) 794-9090

February 14, 2013

NOTICE OF TERMINATION OF TENANCY, INTENT TO FILE FORCIBLE ENTRY AND DETAINER ACTION AND DEMAND FOR POSSESSION

To: Unknown Occupants 15624 Gouvens Lane South Holland, IL 60473

NOTICE OF TERMINATION OF TENANCY AND INTENT TO FILE FORCIBLE ENTRY AND DETAINER ACTION

You are hereby notified that the Property known as 15624 Gouwens Lane, South Holland, IL 60473 has been foreclosed and is now owned by HSBC Bank USA, N.A.

Pursuant to the Protecting Tenants at Foreclosure Act of 200? you are hereby notified that HSBC Bank USA, N.A, as Owner and Landlord, has elected to terminate your tenancy of the property now occupied by you, and located at 15624 Gouwens Lane South Holland, IL 60473, together with all improvements and appurtenances. The termination of you tenancy will take effect 90 days after this Notice to Terminate Tenancy is properly served upon you. At that time, you are notified, and hereby required, to quit the premises and deliver possession of the same to HSBC Bank USA, N.A, Landlord.

You are further notified that the Owner of the Property is hereby notifying you pursuant to 735 ILCS 5/15-1701 that the Owner and/or its Agent intends to file a Forcible Entry and Detainer Action seeking possession only of the aforementioned property, against you and all Unknown Occupants 90 days after this Notice of Intent to File Forcible Entry and Detainer Action is properly served upon you.

IMPORTANT NOTICE TO SERVICEMEMBERS AND THEIR DEPENDENTS. PROTECTIONS UNDER THE SERVICEMEMBERS CIVIL RELIEF ACT

If you are a servicemember on "active duty" or "active service," or a dependent of such a servicemember, you may be entitled to certain legal rights and protections, including protection from eviction, pursuant to the Servicemembers Civil Relief Act (50 USC App. 501-596), as amended, (the "SCRA") and, possibly, certain related state statutes. Eligible service can include:

- 1. active duty (as defined in section 101(d)(1) of title 10, United States Code) with the Army, Navy, Air Force, Marine Corps, or Coast Guard;
- 2. active service with the National Guard;
- 3. active service as a commissioned officer of the National Oceanic and Atmospheric Administration;
- 4. active service as a commissioned officer of the Public Health Service; or
- 5. service with the forces of a nation with which the United States is allied in the prosecution of a war or military action.

Eligible service also includes any period during which a servicemember is absent from duty on account of sickness, wounds, leave, or other lawful cause.

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LAW OFFICES

15W030 North Frontage Road Suite 100 Burr Ridge, Illinois 60527

P: (630) 794-5300 / FAX: (630) 794-9090

If you are such a service member, or a dependent of such a servicemember, you should contact Eviction Department at (630) 794-5300 ext. 315(to discuss your status under the SCRA.

DEMAND FOR POSSESSION

HSBC Bank USA, N.A hereby demands possession of the following described premises 90 days from the date you are properly served with this Notice of Termination of Tenancy and Notice of Intent to File Forcible Entry and Detainer Action. Oct Colling Clorks Office

15624 Gouwens Lane South Holland, IL 604/3

Dated: February 14, 2013

By: Aaron J. Demuth

Codilis & Associates, P.C. 15W030 North Frontage Road, Suite 100

Burr Ridge, IL 60527. Ph#:(630) 194-5300 14-13-03405

NOTE: This law from is deemed to be a debt collector.

AFFIDAVIT OF SPECIAL PROCESS SERVER

I, <u>Peter Valente</u>, being first duly sworn on oath depose and state as follows: I am over the age of 18, not a party to this action, and an employee or agent of Firefly Legal IL, Inc., a licensed private detective agency, license number 117-001465.

Type of Process: Notice of Termination of Tenancy and Intent to File Forcible Entry and Detainer Action

Defendant to be served: Unknown Occupants

ADDRESS WHERE (T) FMPTED OR SERVED: 15624 Gouwens Lane,

South Holland, IL, 60473

I SERVED the within named dater cant on: 2/26/2013 10:10:00 AM

✓ POSTED

Additional Comments:

A copy of this notice was mailed via regular mailing and certified mailing.

Attempts Made:

2/19/2013 9:35:00 AM no answer at the door shades closed to movement inside the house. No car in the driveway.

2/19/2013 8:11:00 PM No answer at the door no movement inside the house no car in the driveway unable to come in contact with anybody at the address.

2/20/2013 9:52:00 AM No answer at both the front and back door shades closed garbage can out by the street no movement inside the house no car in the driveway.

2/20/2013 7:30:00 PM No answer at the door no movement inside the house to car in the driveway appears to be no lights on inside the house.

2/21/2013 9:53:00 AM No answer at both the front and back door no movement inside the house no answer at the door.

2/21/2013 5:20:00 PM No answer at both the front and back door unable to come in contact with any of the neighbors. No movement inside the house.

2/22/2013 2:15:00 PM No answer at both the front and back door no movement inside the hour shades closed no car in the driveway.

2/23/2013 10:30:00 AM No answer at the door shades closed no movement inside the house no answer at the door. No car in the driveway.

2/24/2013 8:11:00 AM No answer at the door no movement inside the house shades closed no car in the d ivey av

2/24/2013 3:30:00 PM No answer at both the front and back door no car in the driveway shades closed no answer at the door. Unable to come in contact with any of the heighbors.

2/25/2013 10:15:00 AM No answer at the door shades closed no movement inside the house.

2/26/2013 10:10:00 AM No answer at the door shades closed notice posted to the front door.

220/2015 10:10:00 (Min 140 diswor at the door shades closed notice posted to the front door.

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the above statements set forth in this instrument are true and correct.

I certify that I am a United States citizen, over the age of 18 and not a party to, nor otherwise interested in the above a

Subscribed and sworn before me on 3

2__

Signature of Process Server

lowary Public

OFFICIAL SEAL
JAMIE KONTOS
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES .09725/16

Reference Num: 2980280 File Number: ED_14-13-03405

re verifical h

06:53:07 a.m. 06-19-2013

29/29

AFFIDAVIT OF SPECIAL PROCESS SERVER

I, <u>Lori Sherman</u>, being first duly sworn on oath depose and state as follows: I am over the age of 18, not party to this action, and an employee or agent of Firefly Legal IL, Inc., a licensed private detective agency, license number 117-001465.

Type of Process: Notice of Termination of Tenancy and Intent to File Forcible Entry and Detainer Action

Defendant to be served: Unknown Occupants

ADDRESS WH'RE ATTEMPTED OR SERVED:

15624 Gouwens Lane

South Holland, IL, 60473

SERVED the within named defendant on: 2/27/2013 9;46;00 AM

✓ CERTIFIED MAILING AND PEGULAR MAIL

Additional Comments:

TRACKING NUMBER IS 7010 1870 0002 2484 2694

Under Penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that

the above statements set forth in this instrument are true ap' correct.

Subscribed and sworn before me on 2 27/201

Signature of Process Server

Notary Public

OFFICIAL SEAL
DENNIS MCMASTER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:07/10/16

Reference Num: 2980280 File Number: ED_14-13-03405

1335819039 Page: 92 of 111

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Exhibit C LAW DE FRAUDULENT TRANSACTIONS

1335819039 Page: 93 of 111

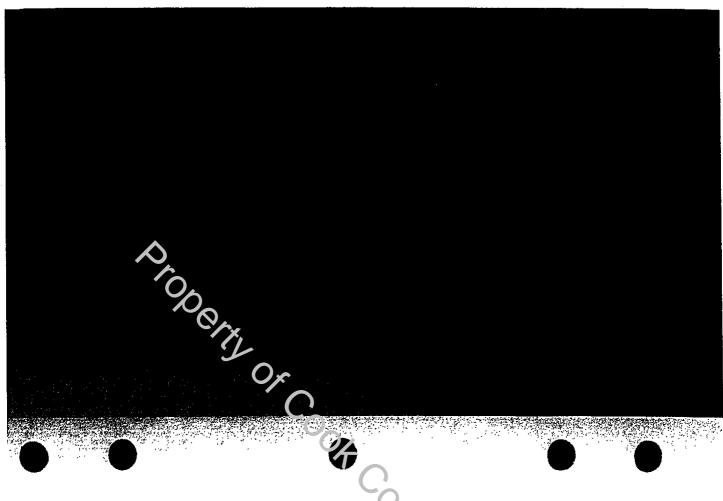
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The Law of Fraudulent Tonsactions

Alces

Clerk's Office

NOFFICIAL



FRAUD AND THE UCC

the fiduciary is, in fact, breaching his fiduciary obligation.24 for a personal debt of the fiduciary, then the bank is liable if

were payable to his principal or payable to him as fiduciary, that its payment would be deemed bad faith.27 actual knowledge of the breach or knowledge of such facts breach of obligation by the fiduciary, unless the bank had without a duty of inquiry20 and, without being liable for any drawal of the proceeds by personal check of the fiduciary fiduciary funds. In that case, the bank may permit withor checks drawn by him on the beneficiary's account, or other the fiduciary deposits in his personal account checks that Section 9 goes further, and protects the bank even where

§ 3:66 Bank liability for fiduciary fraud—Original **UCC Article 3**

section 3-304, providing fiduciary fraud rules in the context the courts' allocation of risk for fiduciary fraud between sential elements of the holder-in-due-course doctrine of notice of claims or defenses of prior parties, one of the esrestrictively indorsed item; and, most significantly, original concerning the proper application of the proceeds of a ing the proper form of indorsement; original section 3-206, banks and their customers: original section 3-117, concern-Original Article 3 of the UCC provides three rules to guide

§ 3:67 Bank liability for fiduciary fraud—Original UCC Article 3—Identifying the proper payee

payable. A bank that pays the wrong party may be liable in which identifies the party to whom an instrument is properly liability for fiduciary fraud begins with original section 3-117, Discussion of UCC provisions that have an impact on bank

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the name of the principal). "UFA § 8, 7A Uniform Laws Annotated p 415 (applies to accounts in

²⁵UFA § 9, 7A Uniform Laws Annotated p 415

^{(1990) (}revised UCC Article 3 departs from this rule); see generally §§ 3:68 ²⁶UFA § 9, 7A Uniform Laws Annotated p 417. Contra UCC § 3-307

²⁷UFA § 9, 7A Uniform Laws Annotated p 417

FRAUD AND THE UCC

§ 3:68

court concluded, in fact, that once original section 3-117 was found inapplicable, the depositary and all who claimed through the depositary would be potentially liable for their negligent handling of the item. The court then remanded on the grounds that there was an issue of fact concerning the bank's negligence. An Ohio court was confronted with a similarly unusual entry on the payee line. In Geraldo v. First Dominion Mut. Life Ins. Co., a financial institution is sued checks drawn on the account of a deceased customer, payable to the owner, "c/o" the forger. After analyzing the meaning of original section 3-117, the court held that the symbol coo on the payee line was not ambiguous and did not work to designate the forger as an alternative payee. The court expirited that the symbol merely means that one has temporary charge or custody over something belonging to another. The court found that the language did not establish the forger as the owner's agent or fiduciary.

§ 3:68 Bank liability for fiduciary fraud—Original UCC Article 3—Restrictive indorsements

Fiduciary fraud issues may also arise in the context of instruments bearing certain restrictive indorsements. Original UCC section 3-205' describes an indorsement that "states that it is for the benefit of use of the injurier or of another person" as a restrictive indorsement, and original section 3-206 describes the consequences that attend negotiation of an instrument restrictively indorsed. The effect of original subsection 3-206(4) is twofold: (1) to impose on the first taker of a restrictively indorsed instrument the duty to pay, or apply value, consistently with the restrictive indorsement and (2) to make clear that no subsequent transferee is enough bered by the duty to assure that the value was in fact properly credited.

If, therefore, a check is indorsed "Pay to B, as trustee for A" and a depositary bank allows B to deposit the check in his personal account, the bank has no duty to see that the

¹⁹Geraldo v. First Dominion Mut. Life Ins. Co., 2002-Ohio-4654, 49 U.C.C. Rep. Serv. 2d 206 (Ohio Ct. App. 6th Dist. Lucas County 2002). [Section 3:68]

¹Original UCC § 3-205 (1989).

²Original UCC § 3-206 (1989)

^{§ 2006} Thomson/West, 12/2006

THE LAW OF FRAUDULENT TRANSACTIONS

§ 3:53

and other payors but, instead, makes it available to "any person who, in good faith, pays the instrument or takes it for value or for collection." 5

Both the original and revised versions of section 3-406 require that the precluded party's negligence "substantially contributed" to the forgery. To demonstrate negligence "substantially contributing" to an unauthorized signature, a drawee bank must establish both that the party behaved in a sufficiently negligent fashion and that a causal link exists between the regligence and the unauthorized signature. The Supreme Court of Tennessee decided in 2002 that if the drawer acts within reasonable business practice, any negligence the drawer may commit cannot "substantially contribute" to the force y and therefore the bank cannot assert the negligent drawer defense. The "substantially contributing" language of section 3-406 is a relaxation of the strict proximate cause requirement found in tort, at least to the extent that "but-for" causation is considered to be an ele-

A.2d 199, 25 U.C.C. Rep. Serv. 2d 842 (A) p. Div. 1995) (depositary bank not "other payor" for section 3-406 purposes).

**SUCC § 3-406 (1990), comment 1; see also CCC § 3-406 (1990), comment 3 (including hypothetical cases in which a barl is permitted to assert the preclusion defense); National Accident Ins. Underwriters, Inc. v. Citibank, FSB, 333 F. Supp. 2d 720, 723-24, 54 U.C.C. Lep. Gerv. 2d 797 (N.D. Ill. 2004) (holding that revised section 3-406 Case biguously protects any 'person' who pays in good faith").

^eUCC § 3-406 (1989); UCC § 3-406 (1990); see also UCC § 3-406 (1990), comment 2.

The The Bank/First Citizens Bank v. Citizens and Associates, 52. S.W.3d 259, 48 U.C.C. Rep. Serv. 2d 26 (Tenn. 2002); see also UCC 3 3-406 (1990), comment 1 (drawing a connection between negligence "substantially contributing" to the forgery and a lack of "ordinary care" as defined in section 3-103(a)(9) (1990)).

*UCC § 8-406 (1990), comment 2; Vectra Bank of Englewood v. Bank Western, 890 P.2d 259, 25 U.C.C. Rep. Serv. 2d 862 (Colo. Ct. App. 1995); Insurance Co. of North America v. Purdue Nat. Bank of Lafayette, 401 N.E.2d 708, 28 U.C.C. Rep. Serv. 766 (Ind. Ct. App. 3d Dist. 1980); Dominion Const., Inc. v. First Nat. Bank of Maryland, 271 Md. 154, 315 A.2d 69, 14 U.C.C. Rep. Serv. 129 (1974); see also Willey v. Mayer, 862 P.2d 959, 19 U.C.C. Rep. Serv. 2d 1101 (Colo. Ct. App. 1993), judgment rev'd on other grounds, 876 P.2d 1260, 23 U.C.C. Rep. Serv. 2d 1003 (Colo. 1994) (must be causal link between negligence and unauthorized signature); Wachovia Bank, N.A. v. Federal Reserve Bank of Richmond, 338 F.3d 318, 51 U.C.C. Rep. Serv. 2d 26 (4th Cir. 2003) (based on the facts presented, the defendant's failure to implement suggested precautions did not constitute



1335819039 Page: 97 of 111

UNOFFICIAL COPY

FRAUD AND THE UCC

§ 3:53

unauthorized signature is precluded from asserting the lack of authority against a drawee or other payor who pays the instrument in good faith and in accordance with the reasonable commercial standards of its business. The official comment to original section 3-406, as well as the case law interpreting the section, refers to the provision as establishing a conditional estoppel' that rests on three factual predicates: (1) negligence by the drawer; (2) that substantially contributes to the forgery; and (3) reasonableness of the drawee in paying the instrument. If those requirements are met, preclusion is generally deemed complete, though there are decisions imposing liability on the drawee for any proceeds of the instrument remaining in its hands.

The original section 3-406 preclusion defense is available by its own terms to any drawee "or other payor" who pays in good faith. Cases interpreting this provision have concluded that a collecting brank falls under the definition of "other payor" and is allowed to assert the defense. Revised section 3-406 does not limit the possibility of preclusion to drawees

[Section 3:53]

¹UCC § 3-406 (1989), comments 5 and 6; UCC § 3-406 (1990), comment 1. See Jacoby Transport Systems, Inc. Continental Bank, 277 Pa. Super. 440, 419 A.2d 1227, 28 U.C.C. Rep. Serv 1398 (1980) (negligence of corporation barred them from asserting lack of authority for the negotiation of unsigned checks).

²See, e.g., Commercial Credit Equipment Corp. v. First Alabama Bank of Montgomery, N.A., 636 F.2d 1051, 30 U.C.C. Rep. Serv. 1185 (5th Cir. 1981); Jacoby Transport Systems, Inc. v. Continental Lat., 277 Pa. Super. 440, 419 A.2d 1227, 28 U.C.C. Rep. Serv. 1398 (1980) Taylor v. Equitable Trust Co., 269 Md. 149, 304 A.2d 838, 12 U.C.C. Rep. Serv. 222 (1973); Gulf States section, PGA, Inc. v. Whitney Nat. Bank of New O leans, 689 So. 2d 638, 34 U.C.C. Rep. Serv. 2d 1080 (La. Ct. App. 4th Cir. 1997) Mouradian v. Astoria Federal Sav. and Loan, 91 N.Y.2d 124, 667 N.Y.S.2 a 340, 689 N.E.2d 1385, 34 U.C.C. Rep. Serv. 2d 267 (1997). Weafri Well-Services, Co. Ltd. v. Fleet Bank, National Ass'n, 43 U.C.C. Rep. Serv. 2d 649 (S.D. N.Y. 2000). Springfield Tp. v. Mellon PSFS Bank, 828 A.2d 409 50 U.C.C. Rep. Serv. 2d 850, 855 (Pa. Super. Ct. 2003), order rev'd on other grounds, 586 Pa. 1, 889 A.2d 1184 (2005).

³Central, Inc. v. Cache Nat. Banh, 748 P.2d 351, 5 U.C.C. Rep. Serv. 2d 1031 (Colo. Ct. App. 1987).

⁴See Fidelity & Deposit Co. of Maryland v. First Nat. Bank of Kenosha 98 Wis. 2d 474, 297 N.W.2d 46, 30 U.C.C. Rep. Serv. 253 (Ct. App. 1980) Sun 'n Sand, Inc. v. United California Bank, 21 Cal. 3d 671; 148 Cal Rptr. 329, 582 P.2d 920, 21 U.C.C. Rep. Serv. 2d 1003 (1978) Bus. 6 Martin Glennon, Inc. v. First Fidelity Bank, N.A., 279 N.J. Super. 48, 654

§ 2006 Thomson/West, 12/2006

FRAUD AND THE UCC

§ 3:52

the victim of the forgery works out an arrangement with the forger to settle the matter, ratification may also be justified on the ground that by agreeing to work with the forger, the victim has retained some benefit from the forgery.

§ 3:52 Loss allocation in cases of fraudulent alteration—When the validity of a forgery may not be denied—Preclusion based on estoppel or negligence

Original section 3-404(1) also provides that an otherwise ineffective signature may be deemed effective if the party whose name is signed is precluded from denying the validity of the forgery. The preclusion concept is broad, encompassing notions of common-law estoppel as well as the more specific negligence grounds mentioned in section 3-406. Although there is a great deal of overlap between common-law estoppel and the UCC notions of ratification and drawee

⁸See Hendrix v. First Bani of Javannah, 195 Ga. App. 510, 394 S.E.2d 134, 12 U.C.C. Rep. Serv. 2d Tol (1990); Federal Pac. Elec. Co. v. First Pennsylvania Bank, 266 Pa. Seper. 471, 405 A.2d 530, 27 U.C.C. Rep. Serv. 744 (1979); Thermo Contracting Corp. v. Bank of New Jersey, 69 N.J. 352, 354 A.2d 291, 18 U.C.C. Rep. Serv. 1096 (1976). But see Bank of Glen Burnie v. Elkridge Bank, 120 Md. Apr. 402, 707 A.2d 438, 35 U.C.C. Rep. Serv. 2d 213 (1998) (acceptance of loan repayments prior to learning of the forged indorsements does not ratify the improper payment of the loan checks by the depositary bank).

[Section 3:52]

¹UCC § 3-404(1) (1989). Courts have incorporated as well a requirement that the party interposing section 3-404 establish that i. acted in a commercially reasonable manner. See the discussion in *In re Lou Levy & Sons Fashions, Inc.*, 988 F.2d 311, 19 U.C.C. Rep. Serv. 2d 1107 (2d C'r. 1993).

²United Bank v. Mesa N. O. Nelson Co., Inc., 121 Ariz. 438, 439, 590 P.2d 1384, 1385, 25 U.C.C. Rep. Serv. 1113 (1979) ("UCC 3-404(1), by providing that an unauthorized signature may be effective if the person whose name is signed is precluded from denying it, recognizes the possibility of an estoppel against the person whose name is signed, or negligence which precludes a denial of the signature").

³See, e.g., European American Bank and Trust Co. v. Starcrete Intern. Ind., Inc., 613 F.2d 564, 566-67, 28 U.C.C. Rep. Serv. 722 (5th Cir. 1980) (holding that a drafter may be precluded from denying the validity of an instrument "not only by estoppel but also by negligence in permitting or failing to disavow it"); Penalosa Co-op. Exchange v. A.S. Polonyi Co., 754 F. Supp. 722, 737-38 (W.D. Mo. 1991).

§ 3:52

THE LAW OF FRAUDULENT TRANSACTIONS

negligence, estoppel provides courts additional flexibility, provided that the common-law reliance element can be satisfied.

Revised section 3-403 does not include the preclusion language from its predecessor. The official comment to this section indicates that this is because the drafters preferred to allow the negligence standard of revised section 3-406 to govern.⁶

§ 3:53 Loss allocation in cases of fraudulent alteration.—When the validity of a forgery may not be deried.—Preclusion based on estoppel or negligence.—Drawer negligence substantially contributing to unauthorized signature

Both original and revised sections 3-406 of the UCC provide that any person whose regligence contributes to an

⁴Most factual circumstances that sup ort a finding of implied ratification also provide the basis for common-law es oppel. See Wilmington Trust Co. v. Phoenix Steel Corp., 273 A.2d 266, & C.C. Rep. Serv. 867 (Del. 1971) (corporate resolution instructing bank to o nor checks bearing facsimile signatures precluded corporation from denying validity of forgeries). See Ford Motor Credit Co. v. Aetna Life & Car. Co., 23 U.C.C. Rep. Serv. 111 (N.Y. Sup 1977); Thermo Contracting Corp. v. Bank of New Jersey, 69 N.J. 352, 354 A.2d 291, 18 U.C.C. Rep. Serv. 10'6 (1976) (plaintiff estopped from denying unauthorized check because plaintiff's actions contributed to fault); Common Wealth Ins. Systems, Inc. v. Kersien. 40 Cal. App. 3d 1014, 115 Cal. Rptr. 653, 15 U.C.C. Rep. Serv. 133 (4.1) Dist. 1974) (forged signature may be ratified even where the forger is not the agent of the purported signer. Ratified signature of shareholder estopped him from denying validity); Southtrust Bank of Georgia v. Parker, 226 Ga. App. 292, 486 S.E.2d 402, 33 U.C.C. Rep. Serv. 2d 136 (1997) ("When . . . 3-404(1) and . . . 3-406 are read in para materia with each other and an instrument is forged, in order to estop or preclude such defense, the holder in due course must show that the neglect of the one whose signature appears comes within . . . 3-406.")

⁵See, e.g., East Gadsden Bank v. First City Nat. Bank of Gadsden, 50 Ala. App. 576, 582, 281 So. 2d 431, 435–436, 13 U.C.C. Rep. Serv. 275, 67 A.L.R.3d 135 (Civ. App. 1973) ("The negligence necessary to preclude or estop the drawer must have been some act upon which the drawer relied or which affirmatively induced or contributed to the drawee's acceptance of the forged indorsement.") A showing of such reliance, according to most courts, is not an element of the UCC section 3-406 negligence preclusion.

⁶UCC § 3-403 (1990), comment 1.

3-120



§ 3:67

- "John Doe, Trustee of Smithers Trust":
- "John Doe, Administrator of the Estate of Richard Roe";
 or
- "John Doe, Executor Under Will of Richard Roe" is payable to the named fiduciary, John Doe, who, as personal representative, will be liable to the beneficiary for any breach of fiduciary duty."

The Official Comment to subsection 3-117(b) does not specifically refer to an instrument made payable in the form contemplated by subsection 3-117(a); there is no reason to treat the two cases differently. Therefore, original section 3-304 should apply to the subsection 3-117(a) context just as it applies to the subsection 3-117(b) context.

Finally, original subsection 3-117(c) provides a catch-all rule, as follows: In 'an case of an instrument made payable, with additional words of description not within the scope of subsections 3-117(a) and 3-117(b), and therefore not in a manner that suggests the payer is acting in a representative capacity for another party, to sinstrument is payable to the payee absolutely, and subsequent parties can therefore ignore such additional words of description with impunity. The rule of original subsection 3-117(4) extends to cases in which the representative capacity of the payee, but not the identity of the party represented, is designated. 10 While the language of the original subsection 3-117(c) ara Comment 3 make it clear that words of description alone are not sufficient to impart notice that would compromise a state equent taker's holder-in-due-course status, it remains the case that such notice can be established by reference to other circum-

⁷Original UCC § 3-117, Comment 2 (1989).

⁶Original UCC § 3-117, Comment 3 (offers examples of subsection (c) applied to "any description of the payee as "Treasurer', 'President', 'Agent', 'Trustee', 'Executor', or 'Administrator', which does not name the principal or beneficiary"). UCC § 3-117 (1989), comment 3.

Original UCC § 3-117(c) (1989).

¹⁰Original UCC § 3-117 (1989), comment 3. Thus original section 3-117(c) applied to "any description of the payee as "Treasurer', 'President', 'Agent', 'Trustee', 'Executor', or 'Administrator', which does not name the principal or beneficiary."

^{§ 2006} Thomson/West, 12/2006