



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

* * * * *

DEUTSCHE BANK NATIONAL TRUST COMPANY,
AS TRUSTEE FOR JPMAC 2007-CH5 - J.P.
MORGAN CHASE BANK NATIONAL ASSOCIATION,
Plaintiff,

VERSUS

CASE NO. 50 2008 CA 018964XXXX MB
General Jurisdiction Division
Division: A WÁÁÁÁÁ

: THE UNKNOWNÁ SPOUSE OF
: ANY AND ALL UNKNOWN
PARTIES CLAIMING BY, THROUGH, UNDER,
AND AGAINST THE HEREIN NAMED INDIVIDUAL
DEFENDANT(S) WHO ARE NOT KNOWN TO BE DEAD
OR ALIVE, WHETHER SAID UNKNOWN PARTIES MAY
CLAIM AN INTEREST AS SPOUSES, HEIRS, DEVISEES,
GRANTEES OR OTHER CLAIMANTS; CHASE BANK USA,
NATIONAL ASSOCIATION; TENANT #1, TENANT #2,
TENANT #3, and TENANT #4 the names being
fictitious to account for parties in possession,
Defendants.

* * * * *

DEPOSITION OF

ANGELA MELISSA NOLAN

January 29, 2010

* * * * *

Taken At:

Chase Home Finance
780 Delta Drive
Monroe, Louisiana 71203

* * * * *

Reported By:

MARGARET A. COPELAND
CERTIFIED COURT REPORTER
CERTIFICATE NO. 92160
PARISH OF OUACHITA
STATE OF LOUISIANA

1 APPEARANCES:

5 VIA TELEPHONE: FOR PLAINTIFFS:

7 FLORIDA DEFAULT LAW GROUP
8 9119 Corporate Lake Drive, Suite 300
9 Tampa, Florida 33634
10 appearing herein by and through
11 Mr. Joseph Mancilla

15 FOR DEFENDANTS:

17 ICE LEGAL, P.A.
18 1975 Sansburys Way, Suite 104
19 West Palm Beach, Florida 33411
20 appearing herein by and through
21 Mr. Dustin A. Zacks

24 * * * * *

27 INDEX OF EXHIBITS

29 Page No.

31	1 - Notice of Filing	7
32		
33	2 - Creating Allonges.	21
34		
35	3 - Manage Signers	32
36		
37	4 - Sort Process	37
38		
39	5 - Complaint.	61
40		
41	6 - Notice of Assignment	71
42		
43	7 - R, sum,	76
44		
45	8 - Request to appoint assistant treasurers.	80
46		
47	9 - Notice of Deposition	81
48		
49	10 - Resolution granting signing authority	84
50		

1 11 - Win CMSS screen printout. 88

2 12 - Corporate Resolution. 95

3 13 - Corporate Resolution. 97

4 14 - Plan and agreement of merger. 101

5 15- Corporate Resolution. 110

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7 STIPULATIONS

8 It is stipulated and agreed between counsel that this

9 deposition of ANGELA MELISSA NOLAN is taken pursuant to

10 Notice by counsel for defendants, and may be used for all

11 purposes permitted by the Florida Code of Civil Procedure.

12 All objections except as to the form of the question and

13 responsiveness of the answer are reserved until such time as

14 the deposition is offered and introduced into evidence.

15 * * * * *

16 The witness, ANGELA MELISSA NOLAN, was advised of her

17 right to read and sign this deposition, and she elected to

18 exercise that right.

19 * * * * *

20 ANGELA MELISSA NOLAN, being first duly sworn, testified

21 as follows:

22 MR. ZACKS: Okay. For the record, this is

23 Dustin Zacks in the case of "Chase Bank versus

24 [REDACTED]."

25 (To Mr. Mancilla): And, Joe, do you want

1 to make your appearance?

2 MR. MANCILLA: Yes. This is Joe Mancilla for
3 the plaintiff. I'm with the Florida Default
4 Law Group in Tampa.

5 EXAMINATION BY MR. ZACKS:

6 Q And if you could say your name for the record,
7 please.

8 A Angela Nolan with J.P. Morgan Chase.

9 Q And your business address, please?

10 A 780 Delta Drive, Monroe, Louisiana 71203.

11 Q And your title?

12 A Vice-president.

13 Q Okay.

14 MR. ZACKS TO WITNESS: Have you ever been
15 deposed before?

16 WITNESS: I have not.

17 MR. ZACKS: Okay. The big things are let me
18 finish my entire question just for the Court
19 Reporter's sake. She can't type it up for the
20 record when we're talking at the same time.
21 Also, make sure you say yes or no. When we
22 get some people who say uh-huh, it doesn't
23 work for the record. And the other issue is
24 sometimes Joe will object. You can always
25 answer after that, unless he instructs you not

1 to.

2 WITNESS: Okay.

3 MR. ZACKS: And, also, if you have any
4 questions, if you need me to clarify a
5 question, just go ahead and ask me.

6 WITNESS: Okay.

7 MR. ZACKS: And, also, if you need to take a
8 break, just let me know.

9 WITNESS: Okay.

10 MR. ZACKS: Okay.

11 Q Now, how long have you been at your current
12 position as vice president of J.P. Morgan Chase?

13 A Approximately two years.

14 Q Okay. And can you describe for me your duties as
15 vice-president?

16 A I am the vice president of the quality assurance
17 and partial release teams for loan transfer and document
18 management. My group basically validates the quality of the
19 work produced by our division, and we also performed kind of
20 a legal services function for partial release of mortgages,
21 easements, that sort of thing.

22 Q Okay. For partial releases, what kinds of things
23 would you do for that? What kind of documents would you
24 produce?

25 A We actually don't produce any documents. The

1 mortgagor that's requesting a partial release provides us
2 with those documents. We make sure that we're releasing the
3 correct legal description, compare it back to our original
4 documents and, you know, just sign off on those documents
5 granting the mortgagor a release. Usually it's a couple
6 hundred feet driveway, something along those lines.

7 Q Okay. Can you tell me, what's the relationship
8 between Chase Bank USA and J.P. Morgan Chase Bank?

9 A Chase Bank USA was our--like a subprime line of
10 business that kind of merged into Chase Bank USA several
11 years ago.

12 Q Okay. So Chase Bank USA doesn't exist any longer?

13 A That's my understanding, but I could not tell you
14 that definitely. We don't originate loans in Chase Bank
15 USA's name anymore.

16 Q Okay. And Chase Home Finance, is that a
17 subsidiary, or could you describe the relationship?

18 A It's a subsidiary of the bank, the mortgage
19 subsidiary of the bank.

20 Q And are they more responsible for servicing, or is
21 that--do they have a separate and distinct function from
22 J.P. Morgan Chase?

23 A They do the servicing of the mortgage loans.

24 Q And do they do anything else?

25 A I would not know.

1 Q Okay.

2 MR. ZACKS TO COURT REPORTER: The first
3 exhibit I'd like to enter is the Notice of
4 Filing, and you can have--you can mark that,
5 if you would.

6 COURT REPORTER: Okay.

7 MR. ZACKS TO MR. MANCILLA: And, Joe, I've
8 handed her the Notice of Filing, the original
9 mortgage,--

10 MR. MANCILLA: Okay.

11 MR. ZACKS: --original note, and recorded
12 assignment of mortgage that was filed on
13 February 26th by James.

14 MR. MANCILLA: Okay.

15 Q And let's see. If I could have you flip to the
16 second page here where it's titled "Assignment of Mortgage."
17 I'll ask if you've ever seen this document before?

18 A Not that I remember.

19 Q Okay. Have you ever seen documents like this
20 before?

21 A Yes.

22 Q And in what capacity? What set of circumstances
23 would you come across a document like this?

24 A For my position, lots of different circumstances.
25 In the past I have signed these documents. My quality

1 assurance team also does a quality review behind the
2 preparation of these documents, as well as the loan filing of
3 the documents into the vault with the collateral file. I
4 also handle all internal and external audits from auditors.
5 So if the auditors would have requested this document, my
6 team would prepare--you know, provide those documents.

7 Q And you say you have signed these documents. When
8 would the company have you sign this as opposed to someone
9 else?

10 A I don't know that there's any certain situation.
11 What happens is usually loans are allocated to a deal,
12 assignments are prepared. And, you know, I'm in the office
13 this week, so, you know, whoever is available, basically,
14 that has the title needed to sign those documents, those are
15 delegated to those individuals.

16 Q Okay. So it wouldn't be like for one particular
17 trust you would sign the assignments in that case?

18 A Usually that's the way it would work.

19 Q Okay. Now, you said for audits you would also come
20 across these. What kind of circumstances would that be? Are
21 we talking about--

22 A Well, we have auditors that come in, you know, our
23 internal auditors, as well as the external auditors, and
24 they're testing different things. So if they requested
25 assignments for these loans, as well as other mortgage

1 documents, my team is responsible for gathering those
2 documents and providing them to auditors.

3 Q Okay. And internal/external, are these folks you
4 would hire for quality control purposes, or are these
5 actually--

6 A They're agencies that are investors that Chase has
7 loan secure ties with will be the externals. Internals would
8 just be our general auditing department, but not necessarily
9 someone we would go hire.

10 Q So--

11 A Now, Price Waterhouse does come in and do an audit
12 once a year, as well, so it would include them. And they are
13 hired to come in and do that audit.

14 Q And do you know-- I mean, what kinds of things are
15 they looking for? Are they just making sure they're in the
16 files, or they actually examine these documents, or--

17 A It would depend on what the investor is looking
18 for. Most of the times they're looking for document
19 presence.

20 Q Okay. Do you know in this case-- Well, you said
21 you haven't seen it. Do you know, has there been such an
22 audit conducted for--

23 A I wouldn't know.

24 Q Okay. The names on here, Dell Cunamay, do you know
25 who that is?

1 A No. I do not.

2 Q And ever seen his or her name before?

3 A No.

4 Q And Terrie Renteria? Do you know who that is?

5 A No.

6 Q Ever seen, I guess, her name before?

7 A No.

8 Q Okay. And Chase Bank USA, before they merged, were
9 their offices here, as well?

10 A I don't believe they had any in Louisiana. It was
11 mostly-- California was, I think, one of their main offices.

12 Q Okay. In that merge, do you know, did most of the
13 documents from Chase Bank end up here, or--

14 A They did.

15 Q Okay. In connection with this loan, the subject of
16 this lawsuit, do you know if any-- This assignment says that
17 it transferred the mortgage on or before June 19th. Do you
18 have any knowledge of any circumstances surrounding that date
19 that would have happened concerning the transfer of the
20 mortgage?

21 A No. I do not.

22 Q Okay. And do you know who would have more
23 knowledge of what actually took place on or before June 19th
24 concerning the transfer?

25 A That would be more on the servicing side.

1 Servicing is the group that, you know, sells or transfers
2 those. So it would not be a custodial function.

3 Q Okay. So the servicing department. And is there a
4 person in charge of that, or--

5 A Diane Bentz is the vice-president over that group,
6 so you could probably start with her and work your way down.

7 Q And so you don't know of any documents that would
8 evidence anything that happened in connection with the
9 transfer of the mortgage?

10 A No. I do not.

11 Q Okay. Do you have any knowledge of a physical
12 transfer of the mortgage in this case?

13 A No.

14 Q Okay. Do you have any knowledge of a physical
15 transfer of the note in this case?

16 A No.

17 Q This mortgage, below the paragraph with the legal
18 description, states that it's transferring the mortgage--
19 well, at least the language says, "...together with the note
20 and indebtedness secured thereby." Do you know? Did you
21 sign the allonge at the same time this assignment was
22 produced?

23 A I think the allonge was signed in 2007. So, I
24 mean, it looks like-- I'm not sure what this-- It looks
25 like this was 2008, so--

1 Q Okay. And, typically, is there an effort to match
2 the dates up when you do an assignment, or allonge is a
3 completely separate process?

4 A Those are completely separate processes.

5 Q Okay. And to produce an assignment-- Well, for
6 example, you have given us the procedures that we'll be going
7 over on how you produced allonges. Are you aware, is there a
8 similar set of guidelines for producing assignments?

9 A There is, but this one was produced by Chase Bank
10 USA, so I wouldn't have procedures on how they produced
11 assignments. So--

12 Q And I'm assuming since Chase Bank merged with
13 J.P. Morgan Chase, that now it would be J.P. Morgan Chase or
14 Chase Home Finance that's in charge of producing assignments?

15 A I would assume, but I could not tell you that
16 definitely.

17 Q Okay. So you said there--you knew there were
18 guidelines. Do you know anything about the guidelines, such
19 as if they were typed into a form or computer-generated or
20 anything like that?

21 A Not for Chase Bank USA, I do not.

22 Q Okay. For the assignments that you have signed,
23 are you aware of the procedures that resulted in the
24 generating--

25 A Yes.

1 Q --of this document? Can you take me through the
2 process, a little bit of that? Such as, like I said, are
3 they computer-generated or is somebody--

4 A It's basically a database that we receive the
5 servicing data that would give us the legal description, the
6 mortgagor's name, everything needed based on state
7 requirements for that assignment to be recorded. It's
8 populated into the assignment, it's printed off, and sent for
9 signing and notarizing.

10 Q Okay. And you said it's from a database. Is there
11 a name of the database?

12 A I believe it's just the assignment database, for
13 lack of a better terminology.

14 Q Okay. And, again, would that be the servicing
15 department who is responsible for generating these
16 assignments?

17 A The custodial-- The custodian is responsible for
18 generating those, as well as national post closing, two
19 different groups. And I'm not sure-- One group is
20 responsible for one set of--or population of loans, another
21 group is responsible for the other, and I'm not sure what the
22 difference is.

23 Q National post closing, is that a separate company
24 or--

25 A No. It's a division of loan transfer and document

1 management.

2 Q Okay. In terms of the custodial department, can
3 you tell me-- Give me the name of some of the in-servicing--
4 Do you have someone who would have more knowledge of the
5 procedures generating this who is in the custodial
6 department?

7 A I mean, that's pretty much the procedures for
8 generating it today, and has been. Now, the Chase Bank USA,
9 we wouldn't have anybody in our shop knowledgeable of that.

10 Q Okay. The assignment, if you'll look at the second
11 page, it looks to have been notarized on June 26th. Does
12 that appear correct to you?

13 A I've never seen it, so I do not know.

14 Q Okay. I'm sorry to have you flip back to the front
15 page here of the assignment, where it says, "And witnessed
16 where the signers executed and delivered this instrument on,"
17 blank, "____ 2008." Is it usual for that to be left blank,
18 or--

19 A For Chase Bank USA, I don't know what their
20 procedure was. So everybody has a different procedure, so I
21 couldn't speak to that.

22 Q Uh-huh (yes). And have you-- In the assignments
23 you have signed, do you typically leave the date blank?

24 A The notary would do, so it would be whatever notary
25 requirements are for that particular state.

1 Q Okay. In regards to allonges on notes, can you
2 tell me how many allonges you have signed?

3 A No.

4 Q Can you tell me how many you sign in a given week?

5 A I mean, it can vary from zero to a couple hundred.

6 Q Okay.

7 A Just depends on what loans Chase is selling or
8 securitizing during a given time frame.

9 Q Do you always sign as assistant vice-president?

10 A In the past I have. Now it would be vice-
11 president.

12 Q Do you sign as any other title?

13 A No.

14 Q Okay. And have you ever signed for other
15 companies?

16 A No.

17 Q If I could have you flip forward. I'm sorry, I
18 don't have them numbered, but--

19 A That's fine.

20 Q --after the note, obviously, is the--

21 A The rider? Okay.

22 Q --allonge. There's the rider, then there's the
23 allonge. Do you recognize this allonge?

24 A Yes.

25 Q Okay. And when did you see this allonge?

1 A When our attorneys forwarded it to me.

2 Q Okay. What? Your attorneys forwarded it to you,
3 you said?

4 A Yes.

5 Q Okay. Did you see it before that?

6 A Not to my knowledge.

7 Q Okay. And is that your signature?

8 A It is.

9 Q Okay. On this particular allonge that we're
10 looking at, do you recall signing this?

11 A I do not. Let me explain the process. This is an
12 electronic signature, so there's certain states that allow
13 electronic signatures. And I believe I sent you
14 documentation on that where we sign our name, it's scanned
15 into a database, then the signatures are applied
16 electronically.

17 Q Okay. Who-- Did someone direct you to sign this
18 allonge?

19 A No.

20 Q Can you tell me, why did it go first to Chase Home
21 Finance and then from Chase Home Finance to blank?

22 A I cannot. It is something to do with the legal
23 entities and the way the loans are sold and securitized.

24 Q Okay.

25 A I could not answer that specifically, though.

1 Q The date on the allonge, again, you didn't
2 personally put that in there?

3 A Correct.

4 Q Do you know who decided that date?

5 A The way that happens is, we get a securitization
6 listing from our delivery group out of New Jersey. They
7 would send it to our certification team who determines or, I
8 guess, is responsible for generating these allonges. So once
9 we get notification from the delivery group in New Jersey,
10 the certification team goes out and they're responsible for
11 extracting the servicing data to prepare the allonges. So I
12 don't have a specific person's name.

13 Q Okay. Have you ever backdated an allonge?

14 A No.

15 Q Have you ever seen a backdated allonge?

16 A No.

17 Q Now, on this allonge you're not swearing--or, in
18 other words, you didn't take an oath that this is the actual
19 date that the transfer occurred. Correct?

20 A This is not the date the transfer occurred. This
21 should be the date the allonge was printed.

22 Q Okay. When you endorse in blank, is that always
23 when it's in a trust, or do you ever endorse in blank in
24 other circumstances?

25 A Typically, all endorsements are in blank.

1 Q Okay. And would you say that all the allonges you
2 do are because the loans have been securitized? Or, I should
3 say, all the allonges that you do are because the loans have
4 been securitized?

5 A Either that, or a lender that Chase purchased a
6 loan from failed to endorse the note and we don't want to
7 risk sending the note to them to endorse and not getting it
8 back, so there will be an allonge created in that instance.

9 Q Do you ever take any independent steps to verify
10 that your endorsement is correct, that it's endorsed by the
11 right party, whether it's in blank or not?

12 A We have a quality assurance team that does a sample
13 of all--every individual's work and all the allonges to make
14 sure that that is correct and accurate.

15 Q Okay. And you, yourself, don't actually go through
16 each allonge to see--

17 A No.

18 Q --that everything is correct? So do you ever
19 verify that there is a complete chain of endorsements prior
20 to your signing an allonge?

21 A No.

22 Q Do you ever endorse right on the note?

23 A What set of circumstances would that happen? In
24 other words, what's the difference? Why in one case would
25 you do an allonge as opposed to another case where you would

1 endorse--

2 A Typically, we do allonges. That is ninety-nine
3 percent of what we do because the vault--the note is in our
4 vault. We don't want to risk taking that note out and it
5 being misplaced. If it's endorsed on the spot, it's usually
6 an audit finding that an auditor has the live note and
7 realizes it's missing an endorsement. "Can you correct it
8 now while we're on site?" And then in those instances we
9 would typically endorse the note versus creating an allonge.

10 Q So when these allonges are created, the note
11 typically has not been taken from the vault?

12 A That is correct.

13 Q Okay. Do you always have an electronic signature,
14 or do you sometimes physically sign?

15 A Depends on state requirements.

16 Q Okay. Do you happen to know for Florida loans, do
17 you ever physically sign?

18 A I do not know.

19 Q Do you know about a requirement that allonges be
20 permanently affixed to notes?

21 A That's-- I believe that was a Fannie Mae
22 requirement that was eliminated several years ago.

23 Q To get this allonge-- Well, we'll go into that, I
24 guess, later. Am I wrong in saying that it looks like the
25 allonge is attached to the rider and not to the note?

1 A Well, in this document the rider should be attached
2 to the note, as well, so it should all be one document,--

3 Q Okay.

4 A --not considered a separate document.

5 Q Okay. For the purposes of this lawsuit, do you
6 know who requested the note from the vault?

7 A I do not.

8 Q Okay. And the vault is on site here?

9 A It is.

10 Q Okay. Do you take any steps to verify that the
11 note, when it is extracted from the vault, is actually the
12 original?

13 A Extracted for what purposes?

14 Q Well, for a foreclosure lawsuit.

15 A Yes. I do not, but there is a team within the
16 custodial shop that verifies the authentic--or originality
17 of those documents prior to releasing it to the attorneys.

18 Q And that's a team within the custodial department,
19 you said? Do they have a particular name or--

20 A I believe it's the release department.

21 Q And do you have any knowledge of the procedures
22 that they use to verify originality or authenticity?

23 A Typically, the note is requested from the vault.
24 They-- The release team receives the note. They go into
25 their tracking system, which is Win CMSS, and they basically

1 do an inventory of the file and update Win CMSS with the
2 contents of the file, as well as shipping information as far
3 as tracking numbers, when it is sent to the attorney. And
4 that's basically a record of what was in the file, and it
5 will have if it's an original note, if it's a copy, so on.

6 Q If it was ever checked out, that would be on the
7 Win CMSS system?

8 A Correct.

9 Q Okay. After this allonge was signed or got your
10 E signature on there, do you know, does this automatically
11 get filed with the note?

12 A It does.

13 Q Okay. If you would, we're going to go on to the--
14 into this one a minute.

15 MR. ZACKS TO MR. MANCILLA: This is the
16 document called "Creating Allonges," Joe.

17 (To Court Reporter): I'm going to enter
18 that, please, if you would.

19 COURT REPORTER: Exhibit "2"?

20 MR. ZACKS: Yeah.

21 COURT REPORTER: Okay.

22 MR. ZACKS: Thank you.

23 MR. MANCILLA: Where did that document come
24 from, Dustin?

25 MR. ZACKS: That's one of the ones you guys

1 produced.

2 MR. MANCILLA: Okay.

3 Q Okay. And I'll ask you if you recognize this
4 document?

5 A I do.

6 Q And can you tell me what it is?

7 A It is the custodial shop's procedures for creating
8 allonges.

9 Q Okay. First, who determines when you need to file
10 an allonge? Is that the custodial shop or is that someone
11 else?

12 A The custodial shop is notified by private investors
13 groups or a loan delivery group of pending sales, and at that
14 point the custodial shop determines--would--if an allonge or
15 an endorsement is not currently there, they would create the
16 allonge at that point.

17 Q Okay. And is there a way to tell-- Well, I guess,
18 does the database track when an allonge is requested?

19 A No. Once the custodial shop is notified of the
20 request for a pending sale, they provide a list of loans to
21 the custodial shop. They will upload it, do some data bumps,
22 and the loans that require an allonge is basically sent to
23 the certificate team to create the allonges.

24 Q On step one here, it's--

25 A That would be the list of allocated loans.

1 Q And report manager, can you tell me what that is?

2 A It is just a reporting tool that the custodial shop
3 uses to manipulate, extract data, load data, so we can like
4 put a population of loans out there in report manager and
5 bump it to various servicing data systems to get the
6 information that we require.

7 Q So that you can-- Basically, so you can sift and
8 organize?

9 A Right. So we-- In this case, we would bump it to
10 the servicing data, get whatever the state required to be
11 printed on those allonges and extract it, the mortgagor's
12 name, the loan amount, the property address, that type of
13 information.

14 Q And the report manager, would that be-- I mean, do
15 you actually have a list of all the ones you have, or would
16 that just be for this particular trust?

17 A No. Report manager, we take the list of loans and
18 you go back and bump it to the systems that you need the
19 information for. It's just a tool to facilitate getting the
20 data that we would require.

21 Q Okay. The loan level information report, can you
22 tell me what that is?

23 A It is another report that basically has basically
24 loan level information for a particular set of loans that we
25 have bumped up that gives us--the user can basically select

1 from a drop-down box if they want mortgagor name, property
2 address, interest rate, first payment date, et cetera, what
3 field that they want to pull in.

4 Q So I guess the level it's referring to, that's just
5 different--

6 A Loan level. Right. What level of information do
7 you want? Do you want very high level, mortgagor's name,
8 property address, or do you want detailed?

9 Q Okay. And ad hoc reporting, again, is that like a
10 separate database, or is this all--

11 A It's a folder within the database. So ad hoc is
12 where you can take a list of loans, bump it, ad hoc, and
13 get--select the loan level information that you want to see
14 back.

15 Q Okay. So you'd get the list of loans in report
16 manager, and then you sift it using ad hoc?

17 A Right.

18 Q Okay; okay. In terms of that loan level
19 information report, is that totally based on what you get
20 from the people who tell you it's being securitized, or--

21 A We get the loan's number from the list of
22 individual, then we bump it to the loan level report to get
23 the information that we need to create the allonge.

24 Q Okay. And, again, is that automatically
25 transferred in there, or does somebody enter that?

1 A Oh, we have an operations support team that's
2 responsible for all data. They would upload the list.

3 Q Okay. On step three it says to filter for all
4 loans that have been released or are not on the system. What
5 kind of loans would those be, or what kinds of circumstances
6 would that be?

7 A Well, if it's paid in full--it could be a timing
8 difference if a loan is paid in full since we received the
9 list. And we are not the custodian for all Chase loans, so
10 if we don't have the loan in our shop, we're obviously not
11 going to create a document for that loan.

12 Q Okay. And, again, you can just search through the
13 system to see if it's been released, to know, again, if your
14 record is in there?

15 A If it's on Win CMSS, right, it would be an inactive
16 loan on our system.

17 Q Okay. Next it talks about filtering for MERS. Can
18 you explain, you know, what you're filtering for and--

19 A Well, if it's a MERS loan, and I'm not sure if
20 you're familiar with MERS, there are different requirements
21 as far as the verbiage on allonges and/or assignments at some
22 point. That would have to just make sure the verbiage is
23 included to include MERS.

24 Q Okay. So that's just the way to pars them out so
25 you'll know what--

1 A Right.

2 Q Okay. Do you know if the loan in this case was a
3 MERS loan?

4 A No. I do not.

5 Q Okay. Tell me, if you know, in the process of
6 creating allonges, are there different things you would do if
7 this was a MERS loan as opposed to not?

8 A I don't perform that process, so-- I think you
9 would just look for the verbiage, but, again, I do not
10 perform that process, so--

11 Q Okay. And you've signed both allonges that were
12 originally MERS loans and allonges that were not. Correct?

13 A Correct.

14 Okay. But you don't know particularly what the
15 difference is?

16 A I don't believe there's any on the allonge. I
17 think there is a difference on the assignment. I think the
18 assignments are probably different verbiage.

19 Q Okay. And the same question for assignments.
20 You've signed assignments that were--

21 A Right. And the assignments would require different
22 verbiage if it's a MERS loan.

23 Q Okay. Off the top of your head do you recall if--
24 Is there a big difference, or what different verbiage they're
25 talking about there?

1 A On the assignment it has to reflect MERS as
2 beneficiary, I believe.

3 Q Okay. It also-- Going back to step six, it's
4 filtering for co-op loans. Can you explain that to me,
5 please?

6 A Co-op loans are unique to the tri-state area, New
7 York, Connecticut, those areas, where it's basically a condo
8 that is just a little different.

9 Q Got you. And this is not a co-op loan?

10 A Correct.

11 Q Okay. So this-- Steps one through nine here are
12 all done by the custodial shop?

13 A Correct.

14 Q Okay. Next in step one-- Now, are you going to
15 take all the loans that you filtered from steps one through
16 nine and go onto the next step?

17 A I mean, I would not. The team that performs this
18 would.

19 Q Okay. In step nine of the second table here,
20 there are some differences, I guess, it prime allonges and
21 nonprime allonges. Can you explain those differences to me?

22 A I mean, we probably really need to get the teams
23 that does that in here. I mean, I couldn't explain that.

24 Q And this would still be the custodial shop
25 producing these allonges?

1 A It would be.

2 Q Okay. You don't know the difference, then, because
3 a prime allonge and a nonprime allonge?

4 A No.

5 Q Okay. Do you know who determined the steps in
6 terms of what the allonge should actually read?

7 A I believe it was the legal department.

8 Q Okay. And that's an in-house legal department, or
9 is that--

10 A I would-- Yeah. I would assume.

11 Q Okay. Do you know if this allonge was a prime or
12 nonprime allonge?

13 A I believe it was nonprime, just because I looked
14 the loan number up since I received the documentation.

15 Q Now, you stated this was done by the custodial
16 department. Do you know the name of any particular person
17 who would have produced the allonge in this case?

18 A Not three years ago. I mean, I wouldn't know who
19 was in that role then.

20 Q Would that be a database, or is that kept?

21 A Well, it is the database and I-- Yeah. I mean,
22 this is the database, the information for creating the
23 allonges, so--

24 Q Right. But I guess my question was, would they--
25 would it get you on who actually produced--who actually put

1 the data in there?

2 A No. Uh-uh (no).

3 Q No? Okay. How is it determine whose person's--or
4 which person's signature will get on the allonge?

5 A I believe it's just a random process of making sure
6 you have the individuals. There are certain titles that are
7 required, assistant vice-president, vice-president, assistant
8 treasurer. I believe they just go in and randomly select
9 those individuals.

10 Q Okay.

11 A And it is an approved list that the authenticity of
12 those signatures were validated prior to them being scanned
13 into the database.

14 Q Okay.

15 A Obviously, they're active employees. That is
16 updated if anyone leaves the company, that sort of thing.
17 Not in that role anymore.

18 Q Okay. So when they are doing these, again, they're
19 doing it in bulk. Is that correct?

20 A For the most-- Yes.

21 Q Okay. So, for example, when we go through these
22 steps and we filter it and then we put some signatures on
23 there, do they actually have to drop down and select who's
24 going to sign each individual loan? Are they examining that
25 on each turn, or will they just simply, "I've got a group of

1 loans here that are filtered and I'm going to have a couple
2 of signatures and then print them all at once"?

3 A I do not know.

4 Q Okay. Auto sign. I'm sorry. On the second page
5 we're looking at, step ten. It says, "Make sure auto sign
6 boxes are checked." What's that?

7 A That actually makes sure the signature gets applied
8 to the document.

9 Q Okay. Is this list, the entirety of this document
10 preparing allonges, specific to this trust, or are these the
11 procedures--

12 A No. Those are just the procedures in general,--

13 Q --in general?

14 A --not specific to this trust.

15 Q Okay. Now, do you supervise the people who do
16 this, or is it a totally separate department?

17 A It's a separate department.

18 Q Okay. So you stated, I think, depending on if
19 you're securitizing a loan, it could be anywhere from zero to
20 two hundred that gets your signature on them each week?

21 A Right.

22 Q Okay. Now, let me ask you about your actual
23 viewing of the allonge. Have you-- Before they send it to
24 the sort team to start filing them, do you actually go
25 through and look at the allonges or not?

1 A I do not. The team that prepares them goes through
2 and does like a quality check, basically, behind those.

3 Q Okay.

4 A Make sure it's got all the documentation, the
5 signatures applied, reconcile it to the loan list. But I do
6 not.

7 Q When they're checking it, do you know, is it like a
8 quality control thing where they pick a few out and check it,
9 or they're actually going through each allonge to make sure
10 everything's--

11 A I believe they're going through each allonge.

12 Q Okay. And, again, the title of that would be
13 quality assurance?

14 A That is no more. The certification team that
15 prepares the document is actually doing that as an internal
16 check, not really quality control.

17 Q Certainly when they print these out, it could be
18 that once they filtered everything they could be printing a
19 bunch of these at one time. Is that--

20 A Correct.

21 Q --correct? And when it says they're sent to the
22 sort team, and that's the last step here,--

23 A Right.

24 Q --is that just interdepartmental?

25 A It is.

1 Q Okay. Is that-- Does that get on the database of
2 when it was sent and when it was received?

3 A No.

4 Q Okay. Can you tell me, how is the date determined
5 that actually gets on the allonge?

6 A Should be the date the document's printed.

7 Q So-- Okay. And, again, you don't verify--or go
8 back and verify that that was the actual date it was printed?

9 A I do not.

10 Q Okay. The next one, I guess, I'll enter is the--
11 I've got a list of signatures here. And, again, this is one
12 of the documents you provided us.

13 A Okay.

14 MR. ZACKS TO MR. MANCILLA: And, Joe, the
15 title of this one is Manage Signers. It's the
16 one with all the signatures on it.

17 MR. MANCILLA: Okay.

18 Q And I'll ask you if you recognize this document?

19 A I do.

20 Q And if you'll tell me what it is, please.

21 A It is a list of basically the signatures that are
22 scanned into the database to use in the creating of allonges
23 and assignments. So those are the actual signatures that are
24 applied to the documents.

25 Q Okay. And this would be the drop-down menu we were

1 talking about in terms of the allonge production procedures
2 we just went through that somebody will click and just--

3 A Well, I don't believe this is what they see. I
4 believe this is the back-end table that--where the signatures
5 are actually scanned in. So when the processor is creating
6 it, they only see Angie Nolan's name. They don't really see
7 my signature. This is kind of a back-end table that would
8 populate that.

9 Q Okay. And is this a restricted list, or can
10 anybody go on and see this, or--

11 A No. Only our operations support team can see this
12 who is responsible for loading those signatures. So it's
13 very restricted.

14 Q And then when they look at-- You say for different
15 securities or trusts there's different requirements in terms
16 of what your title is and who can sign what documents. Do
17 you know when somebody looks at the drop-down list or looks
18 at, you know, all the names they could possible put on there,
19 are they--are they actually themselves filtering and say,
20 "Well, I have to have a vice-president on this, so I'm going
21 to use this one," or does the computer kind of filter that
22 thing out, if you know?

23 A I do not know.

24 Q Okay. Have you ever had somebody checking on the
25 allonges for quality purposes and see that somebody with the

1 wrong title got on an allonge and they had to do a corrective
2 something?

3 A No.

4 Q Okay. And the same question for assignments. Have
5 you ever seen one come back where, you know, it maybe was an
6 assistant secretary instead of an assistant vice-president?

7 A No.

8 Q Okay. I noticed A. Young signed before you on the
9 allonge.

10 A Right.

11 Q Again, always the case or randomly selected?

12 A Randomly selected.

13 Q Okay. And just part of that could be just because
14 you're the first couple of names? Is that possible?

15 A I'm assuming it's possible, but, again, I think
16 it's a random process.

17 Q Okay. Do you happen to know, or have any reason to
18 know, the people below you on the list or further down, if
19 they're signing way less allonges than you, or--

20 A I would not know.

21 Q Okay. And, again, that would be the custodial team
22 who produces the allonges who would--

23 A Right.

24 Q Okay. Now, A. Young-- I'm not sure. It was
25 somewhere else we found the name of, I think it was, Judith

1 A. Young. Is that a different person or is that the same
2 person?

3 A That's the same person.

4 Q Okay. Any idea why she signs as A. Young?

5 A I don't know.

6 Q Okay. And you know her?

7 A I do.

8 Q Okay. And is she in your department?

9 A She is not.

10 Q What's her title?

11 A Assistant vice-president today.

12 Q In what department?

13 A Lien release.

14 Q Lien release? Okay. Have you ever signed anything
15 other than Angela Nolan? Have you ever signed Angie Nolan
16 or--

17 A I'm sure I have.

18 Q Okay. Any other reason to know if some of these
19 other folks with initials, such as B. Davis or B. Turner,
20 have other names in front of the initial, or--

21 A I'm not sure I understand what you're asking.

22 Oh, well, sure. A. Young, again, you said her--

23 A What--

24 Q --complete name would be Judith.

25 A I mean, B. Davis is Brenda Davis, B. Turner is

1 Bernadette Turner. I mean,--

2 Q Okay.

3 A More than likely it is when we had the corporate
4 resolution, that's the way they signed the corporate
5 resolution, so that's the way their signature would need to
6 be applied.

7 Q Okay. This one, you said, Ms. Young is assistant
8 vice-president now?

9 A Correct.

10 Q Do you know when this list that we're actually
11 looking at was produced?

12 A I do not. I mean, the title on here is her title
13 to sign documents, so it doesn't necessarily agree with her
14 working title.

15 Q Okay.

16 A It's the title that she has authority to sign
17 documents under, which would be granted by the corporate
18 resolution.

19 Q Is your signature ever updated?

20 A No.

21 Q And any idea how long ago you signed this, or
22 signed it for the purposes of getting it on a database like
23 this?

24 A No.

25 Q Okay. Good. That speaks for that one. Let's see.

1 Okay. I'm handing you a document.

2 MR. ZACKS TO COURT REPORTER: If we can enter
3 this one, as well, please. It's titled Sort
4 Process.

5 COURT REPORTER: "#4."

6 MR. ZACKS TO MR. MANCILLA: And again, Joe,
7 that's one of the ones you've produced for us.

8 MR. MANCILLA: Okay.

9 COURT REPORTER: Exhibit "4."

10 Q I'll ask you if you-- Well, before we get to this
11 one, the date on the allonge, you said that's the date it was
12 actually produced or printed off. Correct?

13 A Right.

14 Q Do you know if that has any connection with, say,
15 the closing of a trust, or the completely of a sale of a
16 loan?

17 A It should be completed prior to the closing of the
18 trust.

19 Q Okay. And I'm assuming you have somebody that
20 verifies that that was done, or--

21 A Correct.

22 Q And who would that be?

23 A The certification team.

24 Q Now, in terms of when the note was actually sold,
25 or when it was actually transferred, legal title was

1 transferred, is that an open date or are you actually saying
2 that on the date you signed the allonge that's the date the
3 note got transferred?

4 A No. The allonge would typically be prior to the
5 date the note got transferred. Because we have certain
6 investor requirements to meet, so we want to make sure that
7 those requirements are met prior to the sale date, otherwise
8 it wouldn't be eligible for sale.

9 Q Okay. So you would actually-- You sign the
10 allonge. I guess the question is, isn't it risky to sign a
11 note in blank when anybody could go and cash that note before
12 you actually closed the deal, or before you actually closed
13 the trust?

14 A Well, I mean, they're not going to get the note in
15 our vault to go--

16 MR. MANCILLA: Object to the form of the--

17 WITNESS TO MR. MANCILLA: I'm sorry?

18 MR. MANCILLA: I object to the form of the
19 question.

20 (To witness): You can go ahead and
21 answer it if you can.

22 MR. ZACKS: What's the form, Joe?

23 MR. MANCILLA: Oh, it's not-- I didn't
24 understand it, so I'm going to let you repeat
25 it and--

1 MR. ZACKS: Oh, I'm sorry. Okay.

2 MR. MANCILLA: So it didn't really come out
3 clear to me.

4 MR. ZACKS: That's fine. I can clear it.

5 Q The-- Sure. First question. Do you know-- I
6 mean, is it a risk-- And I think you started to answer.
7 Isn't it risky to sign a note in blank or to endorse a note
8 in blank when anybody can go and then cash that note?

9 A I mean, the note's going to be in our vault, so
10 that wouldn't be a possibility that anybody could go out and
11 sell it, endorse it. It's--

12 Q Okay; okay.

13 A --restricted access within our vault area, so the
14 chances are it getting released are pretty much zilch.

15 Q Okay. So the sort process here starts with all the
16 loans held in the vault are filed in term digit or-- What's
17 the-- Is that just the loan number, or what's that?

18 A Term digit is the last four to five digits of the
19 loan number. It's just a vault filing process.

20 Q The file team it refers to, is that separate from
21 some of the people we've spoken about, or where do they--

22 A Well, it's all within the custodial shop, so the
23 certification team prepares the allonges, it goes to the sort
24 team to kind of sort the document for filing, and then it
25 will go to the actual file team to interfile the document

1 within the vault itself.

2 Q Okay. And, again, do you oversee any of that
3 process?

4 A I do not.

5 Q Okay. Are all those teams here in Louisiana, or--

6 A They are.

7 Q Okay. The team associated with the loan number--
8 Sorry. The term associated with the loan number, again, is
9 that just referring to the last four digits, or--

10 A The term is within our vault. We have a file such
11 as this (indicating). The loan number is on the file, and
12 then it is color-coded with the last four digits so it's an
13 easy system to go interfile documents. So the term digit is
14 the last four digits of the loan number.

15 Q Okay.

16 A They're color-coded so you can easily go within the
17 vault and determine what section or what term you're looking
18 at.

19 Q Okay. Step one, receive from various areas of
20 custody/MRC. What's that?

21 A Monroe Records Center.

22 Q And is that here?

23 A It is.

24 Q Okay. So that would be-- Again, from custody/MRC,
25 that's just referring to the certification team you spoke of,

1 or--

2 A Well, custody would be different areas within
3 custody. I mean, the documents come from all over the
4 country, so it would be all incoming documents, not
5 necessarily limited to allonges or assignments.

6 Q Okay. It speaks of a daily log-in sheet. Do you
7 know when that's completed? Just the end of each day, or--

8 A Do not know.

9 Q Okay. So the sort unit, you said this is kind of
10 like the intermediary before everything gets in a row, and
11 then--

12 A Right. The sort team takes all the documents and
13 they're sorting it by the last four digits of the loan
14 number, which makes it easy for the filer to actually just go
15 physically drop that document in the file. It's already in
16 loan number order, basically.

17 Q Okay. And number three says team lead numbers. Is
18 that different from a term digit, or what?

19 A Well, the team lead is actually a person on the
20 team that kind of leads the team, and they kind of basically
21 number and date the boxes and make sure we reconcile, I
22 guess.

23 Q Okay.

24 A Or they reconcile.

25 Q So when they're sorting these, again, when they get

1 the documents from all over the country, you said there could
2 be all different kinds of documents?

3 A Correct.

4 Q Number four speaks about entering information into
5 a spreadsheet. Is that-- Is there a name of that--

6 A I do not know.

7 Q Okay. And step five, holding documents and loose
8 documents, can you basically explain what those are and what
9 differences, maybe?

10 A I mean, I can-- I'm not over the team, don't
11 manage the team, so-- Holding documents, basically if we
12 have a file that has been released to a foreclosure attorney
13 in an instance, or whoever on nonliquidated code, we want to
14 hold those documents until the file gets returned, and at
15 that point we would go interfile the documents. Loose
16 documents, I'm not sure what they would be referring to.

17 Q Okay. So holding documents, you might have already
18 sent it out for initiated of a lawsuit, for example?

19 A Right.

20 Q And then you get some other document. You're not
21 going to send every new document you get to the attorney?

22 A Right. We would create basically a holding file in
23 the process, and then we would periodically check those
24 documents to make sure the loan has returned, and at that
25 point they would be interfiled.

1 Q Okay. And when you say when the loan is returned,
2 what--

3 A Reinstated.

4 Q Okay. Any other circumstances besides that you
5 would get the loan back?

6 A Well, loans are sent out for correction. I mean,
7 if another group within Chase needed it, or a legal group
8 needed it. I mean, there's various reasons for nonliquidated
9 requests. So any nonliquidated request.

10 Q Okay. DDC, any idea what that is?

11 A DDC is a group within Chase. It's direct document
12 collection, and it's actually responsible for collecting
13 documents, mortgages, title policies, those sort of things.
14 So they, as they collect those documents, would send in to
15 the custodial shop for receipt and interfiling.

16 Q Now, the next three-- I mean, after notes there's
17 documents received from research unit, transfer and
18 salability and quality assurance. Again, can you just take
19 me through what the difference is if I got a document--

20 A Research unit is basically get a document in that
21 probably doesn't have a loan number on it, so the research
22 unit would research that, you know, to determine what the
23 correct loan number is. Transfer and salability team and
24 quality assurance, those are basically documents that get
25 rerouted in error to us that we would actually at one point

1 hand off to the research team for them to research, determine
2 what the loan number is, or either hand off to the transfer
3 and salability team. They're actually responsible for
4 reviewing those documents prior to them getting updated on
5 Win CMSS. So it would just be various trailing documents
6 coming into different points of the business.

7 Q Okay. Now, would that include when you're filing
8 allonges, or--

9 A No.

10 Q --typically they're not much of a problem getting
11 allonges back?

12 A No. Allonges would not be because of the internal
13 process. It's usually documents that areas outside of Monroe
14 are sending at different branches or things like that that
15 have my name and they're sending me the documents.

16 Q Okay. Exception, clearing documents. Can you tell
17 me what that is?

18 A Those are documents-- Typically when a loan--a new
19 origination comes in, the note is reviewed by the transfer
20 and salability area. They may cite an exception on it.
21 Maybe it--the borrower's name was not legible and we need a
22 name affidavit. So in order to clear that exception,
23 additional documents are required. And there's a team that's
24 responsible for those exception items, and reviewing those to
25 make sure exceptions are cleared.

1 Q Do you know if there were any filed in regards to
2 this loan?

3 A I do not.

4 Q And, again, that would be-- Which unit would--

5 A The custodial shop is responsible for all of these.

6 Q Okay.

7 A Or all these reside, I guess, in the custodial
8 shop.

9 Q Total documents first sorted, total documents
10 second sorted.

11 A First sort, the documents are sorted by the last
12 four digits of the loan number, and then a fine sort is
13 completed where the documents are sorted by the last two
14 digits of the last four digits to make it easier for
15 interfiling those documents.

16 Q And when you're talking about interfiling, you
17 actually mean all these trailing documents actually get into
18 the specific mortgage file?

19 A Correct.

20 Q Okay. Do you happen to know, were there any other
21 of the things we talked about, holding documents or anything
22 like that, that would have pertained to this loan?

23 A I do not.

24 Q Okay. Pull three documents from each incoming bin.
25 Is that--

1 A The supervisor does that, and it's just a quality
2 assurance check. So they're randomly writing down the three
3 loan numbers and our QA team goes in a few days later to make
4 sure those documents got filed accurately and timely.

5 Q Okay. Now, I think I read a sorted-- Well, first
6 of all, "bin." I mean, is a bin actually a huge thing, or
7 are we talking about the bundles of fifty documents each,
8 or--

9 A The bin is a huge thing, but it's typically bundled
10 in stacks of fifty.

11 Q Okay. So out of the bin there could be multiple--

12 A Right.

13 Q --bundles of fifty,--

14 A Correct.

15 Q --and they're taking three documents out of the
16 entire bin?

17 A I believe they're doing the bundle out of each--
18 It may be bin. I'm not--

19 Q Okay.

20 A Because I'm not over that process.

21 Q Deliver the documents to quality assurance, mark
22 the boxes in date order, oldest to newest. Do you know when
23 they're sorted, or how soon after--

24 A They have a twenty-four-hour service level.

25 Q Oh. Can you take me through what that means in

1 terms of allonges? So you know-- From the time-- First
2 when an allonge is requested, how long would it take it
3 generally, if you know, to produce an allonge?

4 A I do not know.

5 Q After it's produced, how long would it take to get
6 sent to the sort team?

7 A Same day.

8 Q Same day? And then once it's with the sort team,
9 then they have twenty-four hours to actually interfile it,--

10 A Correct.

11 Q --get it in that mortgage file?

12 A Correct.

13 Q Okay. Is there ever a time when it doesn't get in
14 the file within the twenty-four-hour period, or--

15 A The service level right now, we're--they're
16 interfiling ninety-nine point seven percent (99.7%) within
17 twenty-four hours. The remaining point three percent (.3%)
18 is making it within forty-eight hours.

19 Q Okay. Now, let's say something didn't get filed.
20 Again, you wouldn't--they wouldn't send a note to you saying,
21 "Hey, we had your allonge here and it didn't get filed. We
22 don't know where it is"? They would all be within the
23 custodial--

24 A Right.

25 Q Okay. Now, notes and co-op documents forwarded

1 into the transfer and salability unit for review, again,
2 that's for an error or an omission they're looking for?

3 A Well, if by chance the sort team got an original
4 note or an original co-op doc from someone other than the
5 custodial shop, those are original documents that need to be
6 reviewed, so the transfer and salability team is responsible
7 for that.

8 Q And this loan, you know, in this case, that never
9 left the site, or you didn't receive that from--

10 A I don't know.

11 Q Don't know?

12 A Don't know.

13 Q That would be on Win CMSS if it were received from,
14 you know, an external place?

15 A If we received it from an external custodian prior
16 to it transferring, it would. But I believe this originated
17 with Chase Bank, so we should have received the file
18 initially. But I do not know that for certain.

19 Q Okay. And if it was received from Chase Bank,
20 which as you said was in California, then--

21 A Right.

22 Q --transfer and salability would have done a review?

23 A I would assume, but, again, could not tell you that
24 definitely. The process would have been that they should
25 have.

1 Q Okay. And so you don't have any personal knowledge
2 of it,--

3 A Right.

4 Q --if transfer and salability did a review of this
5 particular loan and if they found anything missing or--

6 A Correct.

7 Q Okay. Before number ten, on the next page, it
8 says, "Modifications are pulled and delivered to the research
9 unit." Modifications, again, you're speaking of if something
10 might have been illegible?

11 A Oh, no. Modification agreements.

12 Q Okay.

13 A If those come in, they have to be researched.

14 Q Okay. So it's the same thing as almost getting an
15 original document?

16 A Correct.

17 Q They would skim through it?

18 A It is.

19 Q Okay. Just tell me in those, do you know what
20 they're looking for, what kind of errors they might be trying
21 to point out? Same thing as an original note, or--

22 Well, there's investor requirements that if we
23 receive an original note, mortgages or co-op documents, the
24 authenticity and originality of those signatures needs to be
25 verified and certain data updated. So they would be

1 reviewing those in accordance with investor guidelines.

2 Q Besides data and authenticity, do they also--does
3 transfer and salability also review modifications for whether
4 or not they meet the investor guidelines on modifications, or
5 would that be totally--

6 A No. That's not a custodial function or
7 requirement.

8 Q Okay. That would be probably servicing?

9 A Correct.

10 Q Okay. Oh, were there any modifications for this
11 loan? Do you know?

12 A I do not know.

13 Q Okay. Now, transfer and salability looks at the
14 modifications and then it says they're delivered to the
15 research unit. Are they-- Is the basic idea that transfer
16 and salability points out the problems and then research
17 might go ahead and say, "This is what we need to do"?

18 A I'm not sure.

19 Q Okay. Number ten, round up any documents received
20 without loan numbers. Again, that would probably be
21 something--typically, I'm speaking, that would be something
22 received from somewhere else?

23 A External to Chase, or external to Monroe.
24 Branches, closing attorneys, title companies, those sort of
25 areas.

1 Q Okay. And then the note on number ten,
2 miscellaneous credit file documents are routed to image prep.
3 Do you know what that's referring to?

4 A If it's a miscellaneous, the custodial shop should
5 only have trailing legal documents, the note, the mortgage,
6 the title policy, assignments. So if it's a credit document
7 that got slipped through-- If it's a copy of an appraisal or
8 whatever, as an example, we want to make sure we have images
9 of those documents so it goes to our image prep team and they
10 will prep that and send it to through the imaging process.

11 Q Do you also make images of the--you know, the legal
12 stuff,--

13 A We do.

14 Q --the notes and the mortgages and the assignments?

15 A Correct.

16 Q So for this loan there would be an imaged or a
17 scanned-in copy of the note on a database somewhere?

18 A Correct.

19 Q Okay. And the same thing for the allonge in this
20 case. That would be somewhere on a database after it was
21 scanned in?

22 A Right.

23 Q And the mortgage and the assignment, same question?

24 A Right. All documents.

25 Q Okay. With those copies or, you know, the images

1 that were scanned in, when would you have occasion-- Would
2 you ever have occasion to print those out?

3 A Typically, if they're required to be printed out,
4 it's an audit request, again, from internal/external
5 auditors. Typically, that's the only time they're printed
6 from my perspective. Now, all-- Servicing uses them, so if
7 the tax department, escrow department needs them, I'm sure
8 there's instances where they would print those documents off,
9 as well.

10 Q Do they ever print one-- Do they ever print one of
11 the documents that have been imaged when they just can't find
12 it, or is that typically just because they don't want to get
13 the documents from the physical file?

14 A I mean, typically we don't want to release the file
15 so that's why we image it, so that servicing and other areas
16 can look at the image and, you know, perform whatever service
17 they need based on an image of the document.

18 Q Okay. But also part of it is to protect against--

19 A Well, it would be disaster recovery, so in the
20 event, you know, our vault got blown away and we don't have
21 the docs, we've got images to go back and recreate those
22 with.

23 Q Sure. Number twelve, after you do the two sorts,
24 you put them into bundles of fifty documents. Is there a
25 reason fifty? Is it just a random number, or manageable,

1 or--

2 A It's just manageable.

3 Q Okay. And the fifty documents, again, are those
4 stacked-- I realize that they're sorted by the loan numbers,
5 but--

6 A Right.

7 Q --we could potentially be talking about all
8 different kinds of documents?

9 A Correct.

10 Q Okay. So-- Okay. So these allonges, then, when
11 they're produced, let's say you assign, you know, a couple of
12 hundred for one particular trust in a week, it's not as if
13 those would get in one particular bundle and then be filed?
14 Those would go through the sort process?

15 A Right. They would be sorted by loan numbers, so
16 the loan numbers would be different, so they would not be in
17 the same bundle.

18 Q Okay. Fifteen, the delivery area located in the
19 sort unit. Again, I'm assuming this is during the twenty-
20 four-hour period?

21 A It is.

22 Q The delivery area is here on site?

23 A It's just, right, a courier basically that delivers
24 the boxes from the sort team to the vault. So it's a staging
25 area.

1 Q Okay.

2 A It's all within one building, though. It doesn't
3 move buildings.

4 Q Seventeen and eighteen talk about validating boxes.
5 Can you tell if you know what that is?

6 A I do not know.

7 Q Okay. And for steps one through eighteen of this
8 sorting process document, are there records of each step, or
9 only a couple of steps, or--

10 A What do you mean "records"? Can you clarify?

11 Q Well, sure. Just each step-- Each step along the
12 way, is somebody saying, "Okay. I did the first sort," and
13 then inputting that on the--

14 A No.

15 Q --on any kind of database? Okay. Tell me a little
16 bit about the vault. It's on site, it's locked and guarded?

17 A You have to have basically dual access to get in
18 the vault. There is-- Similar to this (indicating). You
19 have to have a badge to enter the building. Then there is a
20 separate vault area within the building that only vault
21 access is limited to actually vault staff, as well as limited
22 QA staff and managers. There is a security camera at the
23 entrance of the first point of entry, as well as the vault
24 door, that monitors access. There's a monthly report that's
25 ran to validate-- You know, vault access is restricted.

1 You, you know, have to be the vault employee, the things I
2 just mentioned, to work in the vault. So that's recertified
3 on a monthly basis. It's two-hour fire rated, all of that.

4 Q So for example if, you know, a loan is in a trust
5 and the trustee requests some document, it's not like they
6 would send somebody down here to go into the vault. You--

7 A Right.

8 Q You folks would-- They would just send the
9 request,--

10 A Right.

11 Q --and then only the vault staff would be able to go
12 in there and get it?

13 Right.

14 Q Okay. Again, document filing, designed to get the
15 documents in there timely and accurately within the service
16 level. The service level is just talking about the twenty-
17 four-hour period?

18 A Right.

19 Q Okay. Any reason to know if in this case anything
20 took longer than twenty-four hours?

21 A I would not know.

22 Q Okay. The next page, this is talking about after
23 it's sorted. Correct?

24 A Correct.

25 Q Okay. It speaks of the completeness of the

1 custodial file. Do you have any record of that other than
2 the internal spreadsheet?

3 A I'm not sure I understand what you're asking.

4 Q Yeah. Let me--

5 A I mean, the documents are filed to ensure we have a
6 complete file, so we want to make sure that all the trailing
7 docs that we receive get interfiled. And once that happens,
8 we should have a complete file. So we just want to make sure
9 the documents get filed accurately.

10 Q Team lead picks up the daily boxes. Team lead just
11 could be random? It's however is on duty?

12 A No. It's a role, I guess, within that unit.
13 There's a supervisor who manages the unit, then the team lead
14 helps distribute workflow.

15 Q Now, again, step three, places the boxes in the
16 designated--

17 A It's a staging area. Right.

18 Q And that's, again, on site,--

19 A It is.

20 Q --internal here? Six, file clerk gives the QA
21 sheet. What is the QA sheet?

22 A Where the three loan--random documents were
23 selected earlier back in the procedures. We're randomly
24 writing those three loan numbers down to go back and perform
25 a QA check to make sure they were filed accurately and

1 timely.

2 Q But that would be different-- That would-- Just
3 to main- -- Is that just for service levels, to see if they
4 got in there?

5 A Oh, we're checking service levels, and then we're
6 making sure that it got filed accurately. So we want to make
7 sure we've got the loan number, that it made it to the right
8 file.

9 Q Okay. But you're not-- I guess my question is,
10 you're not-- At that point, with this Q&A, when you're
11 looking at the three docs you pulled before, you're not--it's
12 not like the transfer and salability, you know, when they
13 look through them?

14 A No. Correct. We're just making sure it got filed
15 accurately and timely. We're not checking anything else.

16 Q Okay. The daily filing notes, does it have anymore
17 info on it besides the three bullet points there?

18 A Not that I'm aware. Again, I'm not over that team.

19 Q Okay. The-- And number eleven, find the 7890
20 area.

21 A That was just an example. So the loan number reads
22 that, and it's 7890 in bold, so you want to find that section
23 within the vault. So--

24 Q Okay. I get it now. Okay. Take me through number
25 twelve, if you would.

1 A So there's a loan number on the document, so in the
2 vault we could have multiple loans that end in 7890, so all
3 those loans are basically on a shelf together. So the filer
4 has the document that has loan number 1234567, whatever, on
5 it, so they're going to take the document-- Once they find a
6 section, they physically have to go through the, you know,
7 fifteen, twenty files in that section. So they're pulling it
8 out, looking up the loan number on the file, matching it to
9 the loan number they have in their hand before that document
10 is interfiled. So the document has the mortgagor's name and
11 loan number on it, the file label itself has the mortgagor's
12 loan number and name, so they're matching those two items up
13 prior to interfiling that document.

14 Q When they interfile it, are they actually-- So
15 they will actually pull the file to match it up--

16 A We do.

17 Q --with the documents that got in there?

18 A Uh-huh (yes).

19 Q Okay. But they wouldn't take them anywhere? They
20 would just--

21 A They cannot leave the vault. No. They should file
22 it right there. They don't take it off the shelf. It's that
23 little area within the vault.

24 Q Okay. And, again, we've been going over an hour.
25 Let me know if you want to take a quick break.

1 A No. I'm fine. Just let me know.

2 Q The boxes lower after that speaks about if the file
3 is not located, then certain steps are taken. Can you take
4 me through those steps and state when you might--

5 A Usually it's a timing difference of the document
6 comes in and the loan's paid off. That's the typical
7 scenario we see. So the file is not on the shelf, so it's
8 going to go to the research area. They're going to-- I
9 mean, they will continue to file the documents they have in
10 their possession. At the end of the day they take the
11 documents that they were not able to find a file for to the
12 research area and they would research it and say, "Hey, this
13 loan paid off. We need to send the documents to our lien
14 release area."

15 Q Okay. So basically when the file is not located,
16 that would be if it was paid off?

17 A It could have got released on a nonliquidate, such
18 as the foreclosure attorney requested it. It's timing
19 difference.

20 Q Okay; okay. Do you happen to know, did that happen
21 in this case?

22 A I do not know.

23 Q Okay. The last bullet point on the bottom right,
24 all the documents that are not located are placed with the
25 file reports daily production sheet, given to the team lead,

1 delivers these documents to the research team the next
2 morning. And then that's when the process you said will
3 start?

4 A The research team would research it to determine if
5 the file was released and why it was released, and determine
6 where those documents need to go.

7 Q Okay. One question I've got in my mind is--I may
8 have asked you before, but the allonges--do you ever have
9 occasion to look at the allonges that get your signature on
10 them?

11 A Not unless it's been requested for an audit or
12 something along those lines.

13 Q Okay. So when an audit would come, it would pass
14 your desk before going to someone else, or would you actually
15 be responsible for pulling that, or--

16 A I don't pull it. I'll look at the documents before
17 I hand them off to auditors.

18 Q Just to make sure--

19 A Everything that they requested is in the file.

20 Q Okay; okay. If you can give me your best estimate,
21 I mean, what's a percentage of the allonges that you see
22 versus the ones you don't see that have your signature on
23 them?

24 A I would not have a clue.

25 Q Okay. For this loan--I should say for this trust,

1 do you know how many allonges you signed or have your
2 A signature on them?

3 A I do not.

4 Q Do you have any recollection of seeing any other
5 allonges in this trust?

6 A I do not.

7 Q Do you have any recollection of seeing any other
8 notes in this trust?

9 A I do not.

10 Q Okay.

11 MR. ZACKS: The next one I'd like to enter--

12 (To Mr. Mancilla): This is going to be
13 the complaint, Joe.

14 COURT REPORTER: Exhibit "5."

15 MR. MANCILLA: Okay.

16 Q And if I could, on the bottom right there's number
17 three, and ask you if you've ever-- Well, first of all, have
18 you ever seen this document before,--

19 A No.

20 Q --this whole package? All right. And you're not
21 in charge of stating when a case needs to have foreclosure
22 proceedings initiated. Is that correct?

23 A No.

24 Q Okay. Did you know in this case that your
25 attorneys represented that the note was lost at the time this

1 complaint was filed?

2 A No. I did not.

3 Q Okay. And, again, you've stated it is uncommon for
4 your company to lose an original note?

5 A I mean, I'm not responsible for that area. I mean,
6 there are instances where a note is not found, but I wouldn't
7 know what percent of the case that is.

8 Q Okay.

9 A It's a very small percent.

10 Q Take me through the process, if you know, about
11 requesting original documents for use in foreclosure
12 litigation. Is there a written request or is there--

13 A The custodial shop has a--it's internal with Chase,
14 basically a website set up where the foreclosure department
15 sends requests for files. Only certain individuals are
16 authorized to request those files, so there is an approval
17 process granting those individuals authority to request
18 files. They are only granted access to request certain files
19 or certain accounts, like for this particular trust deal or
20 for, you know, difference scenarios. So it is limited access
21 even on a file level. That comes to the custodial's
22 operation support team. They bump the request received to
23 make sure that the individual requesting it, number one, is
24 an authorized requester and, number two, that we have that
25 file in our shop. That request then gets appended to the

1 custodial system, Win CMSS, for our vault staff to pull. The
2 vault staff gets a daily report. They go in, pull those
3 files, give those files to the release team. The release
4 team then goes in, validates the originality and the presence
5 of the documents in the file, updates Win CMSS, and those
6 document's files are sent out via FedEx, UPS, whatever the
7 case may be, to those attorneys, and Win is updated with that
8 information.

9 Q So in terms of the date the request would come
10 through, that would be on Win CMSS?

11 A Not the date the request come through. Win is only
12 going to have the date the file was released.

13 Q Okay. Would it be on any other database in terms
14 of when you actually got a request for some document?

15 A I'm not sure how long that information is
16 maintained.

17 Q Okay. But it is updated when you actually send it
18 out to whoever requests it?

19 A Correct.

20 Q Okay. Do you know in this case? Do you have any
21 idea when the note was sent out?

22 A I do not.

23 Q Okay. Do you know anything-- Again, in this it
24 was claimed that there was a due and diligent search for the
25 note, and that's in paragraph twenty. "After a due and

1 diligent search, plaintiff has been unable to possession of
2 the mortgage note." I have to ask you if you know anything
3 about that search?

4 A I do not. No.

5 Q Okay. So you wouldn't know the location searched?

6 A I would not.

7 Q The identity of people performing the search?

8 A No.

9 Q Identity of people queried in the search?

10 A No.

11 Q The date the search began?

12 A No.

13 Q And total time spent searching?

14 A No.

15 Q Okay. In this case where was--if you know, where
16 was the note actually found?

17 A I do not know.

18 Q Now, updating on Win CMSS, is that the only place
19 that you document if an original note gets taken out of the
20 vault?

21 A Yes.

22 Q Okay. And is there a physical document that
23 corresponds with what's updated on Win CMSS, or is this just
24 a line entry that says, "Took it out of the vault"?

25 A The file actually has a bar code on it, so those

1 files are scanned as they move. So--

2 Q Okay. But nothing would be scanned as it came in,
3 as a request came in,--

4 A No.

5 Q --nothing like that? Okay. The bar code system,
6 in terms of when that's checked out and checked in, is that a
7 separate--the data that that collects, is that--would that be
8 in a separate database from Win CMSS?

9 A No. That's in Win CMSS.

10 Q Okay. So every time it's checked out, it'll have
11 it in there?

12 A Correct.

13 Q Okay. Does it record who actually took it out, or
14 is it going to have maybe the name of the vault employee?

15 A It'll have the name of the vault employ- --or the
16 standard ID, everyone's assigned a standard ID--of the vault
17 employee that scanned the file. And then it would-- If I
18 requested it, for example, it would be scanned to my standard
19 ID. So I could determine, you know, the vault staff released
20 it to me. It has a date and a time stamp.

21 Q Okay. But that wasn't, you know, for this loan?

22 A Correct.

23 Q Okay. Do you know anything about the pooling and
24 servicing agreement that covers the trust that this loan is
25 in?

1 A Not this particular one.

2 Q Are you aware of other cases of some of the
3 requirements? Have you had occasion to deal with some of the
4 requirements in pooling and service--

5 A I mean, I've looked at the pooling and servicing
6 agreements, but it's not specific to the custodian shop, so
7 that's more on the servicing side.

8 Q So you did see it in this case? Just didn't
9 really--

10 A I'm not sure that I saw this one. I have seen and
11 reviewed pooling and servicing agreements in the past.
12 Cannot say that I reviewed this one.

13 Q Okay. So in your opinion, the servicing department
14 would know about the pooling and servicing agreement?

15 A Correct.

16 Q But, in general, in the occasions where you've come
17 across the pooling and servicing agreements when a loan is in
18 a trust, you are aware that there are some requirements that
19 speak to the custodial duties?

20 A Yes.

21 Q Okay. But you don't know in regards to this--

22 A I do not.

23 Q Okay. J.P. Morgan Chase, is it your understanding
24 that they're the custodian for this trust?

25 A Yes.

1 Q And what about the servicer?

2 A I am not sure. I mean, they were the custodian at
3 one point. I'm assuming we still are. So--

4 Q Okay. Now, other than the mortgage and the note
5 and assignments and things like that, documents associated
6 with the trust, those would go on the same file as everything
7 else?

8 A Credit documents would not. There's a separate
9 file called a "servicing file" where credit documents,
10 origination documents are maintained. Only the legal
11 documents are maintained in the collateral file.

12 Q Okay. Would some of those legal documents include
13 like a request for a release from the trustee?

14 A Those are maintained all systemically on Win CMSS.

15 Q Okay. And what about if you ever have to certify
16 something to the trustee? Again, would that go in the same
17 file as the mortgage or note, or would that go in the credit
18 document file, or--

19 A Well, I'm not over the certification team, but
20 certifications are usually performed in a separate database,
21 and it's not put in the collateral file.

22 Q Do you know what that database is called?

23 A I do not.

24 Q But it's under the auspices of the certification
25 department?

1 A Yes. And a lot of times it's just paperwork that's
2 signed. So depending on who the investor is, it could be
3 physical paper that's signed and maintained in a file folder
4 somewhere versus on-line.

5 Q Sure. Do you know about the requirement in this
6 case in the pooling and servicing agreement that requires the
7 assignment to be given to the custodian within thirty days of
8 the closing date?

9 A I am not.

10 Q Have you seen provision like that in other pooling
11 and servicing agreements?

12 A I have.

13 Q And how do you-- Again, would that be the
14 certification team that's typically in charge of ensuring
15 that they meet the dates?

16 A It would be the custodial shop. I'm not sure it
17 would be the certification team. Because those documents are
18 not required to initially certify the document.

19 Q Do you know if you got the assignment in this case
20 within thirty days of the closing date?

21 A I do not.

22 Q Do you know, did your company file--I should say
23 complete a certification reviewing the mortgage file?

24 A I do not know.

25 Q Do you know if you found any documents missing in

1 the file that would require you to file an exception or
2 omissions report?

3 A I do not know.

4 Q Have you seen certifications when you review a
5 mortgage file that were then sent to the trustee? Have you
6 seen that in other cases?

7 A I'm not sure I understand.

8 Q Sure. Under-- Have you-- Sure. In other cases
9 have you seen the requirement that the custodian certify a
10 review of the mortgage file?

11 A Yes.

12 Q Okay.

13 A Sorry.

14 Q And in those cases have you actually seen a
15 certification? Have you ever reviewed one?

16 A Yes.

17 Q Okay. But not in this case?

18 A Not that I remember.

19 Q Okay. And typically-- I mean, you said that could
20 be electronic or a document. When you send that, typically--
21 Let me ask, in other cases when you've seen the
22 certifications, did those then get sent to the trustee?

23 A I am not sure.

24 Q Okay.

25 A No. That would be the certification team's

1 responsibility.

2 Q Okay. Are you aware in this pooling and servicing
3 agreement of a requirement that when the mortgage file gets
4 released out of the vault, that there needs to be a request
5 for release?

6 A Not in this particular agreement, but that's pretty
7 standard.

8 Q Okay. And so you've seen them in other cases?

9 A Yes.

10 Q What are the requests for releases typically
11 consisting of? Just--

12 A I mean, in this case it's the electronic process
13 that I described earlier. There are certain data that's
14 required, the loan number, requester. And, again, all of
15 that's restricted. Certain fields are required to validate
16 who's requesting it is authorized, and certain loan data.

17 Q And that would be maintained on your files
18 somewhere. Right?

19 A The request is actually maintained electronically
20 in Win CMSS.

21 Q Okay. But you haven't seen a request for release
22 in this case?

23 A Correct.

24 Q Okay. The next one I'll give you is--

25 COURT REPORTER: This will be "6."

1 Q These are--

2 MR. ZACKS: "6."

3 (To Mr. Mancilla): And, Joe, this is one
4 Jenny should have sent you. I titled it
5 "Selections From Your Response To Our Request
6 For Production."

7 MR. MANCILLA: Right. I have it.

8 MR. ZACKS: Okay. And the reason I did that,
9 obviously it's partial, but because you had
10 like six hundred pages or something. So I
11 took a few documents out of there.

12 MR. MANCILLA: Okay.

13 MR. ZACKS: Let's see what we're looking at.

14 MR. MANCILLA: Okay.

15 Q I ask you if you recognize the first document here?

16 A I do not.

17 Q Okay. Have you ever seen a document like this
18 before?

19 A Yes.

20 Q Okay. Chase Bank USA, NA, appears to switch the
21 servicing rights to J.P. Morgan Chase Bank in it. Does that
22 look about right?

23 A It does.

24 Q Okay. And, again, can you state, if you have any
25 knowledge, why that switch would occur?

1 A No.

2 Q Okay. Did the mortgage file switch locations or
3 change vaults in connection with this sale or transfer of the
4 servicing rights?

5 A Not that I'm aware.

6 Q Okay.

7 A I mean, servicing is typically servicing the file
8 and typically has nothing to do with the location of the
9 collateral file or servicing activity.

10 Q And would there be a record of that if the
11 physical--

12 A Sure. It would be scanned with the bar code and
13 tracked on Win CMSS if it did move.

14 Q Okay. The next document-- Let's see. After--
15 Yeah. After the employment verification we've got--the page
16 after that at the top is titled "Open Conversation Log."

17 A Okay.

18 Q I ask you if you recognize that document?

19 A I do not.

20 Q Have you ever seen a document like it?

21 A I have not.

22 Q Okay. So you wouldn't know what database this is
23 from?

24 A No. I do not.

25 Q Okay. And on 1-30 of '07. It says, "SAM

1 assigned." Would you know what that means? Also, there's a
2 couple of dates with--

3 A I'm sorry. I do not.

4 Q Okay. And if we can flip ahead to page--on the top
5 right, same title, "Open Conversation Log," top right, page
6 four.

7 A Okay.

8 Q Again, the same question. Have you ever seen this
9 before?

10 A No.

11 Q Don't know what database it's from?

12 A Correct.

13 Q Okay. Second-to-last entry from the bottom it
14 says, "Missing HUD mortgage in same name affidavit. Gave
15 quality gate to on-site." Any knowledge of what that means?

16 A I do not.

17 Q Would that be somebody from your company?

18 A I do not know.

19 Q Okay. So would you know who would have more
20 knowledge of this, or--

21 A Let me look through it.

22 (WITNESS PERUSES DOCUMENT.)

23 A It looks something maybe like originations would
24 have done, but that's just my guess. I don't know. I'm not
25 sure.

1 Q Okay.

2 A I mean, I don't recognize any of the users' names.

3 Q Okay. The next one after that, page four, I took
4 out. This is-- The top page is 3270 Explorer.

5 A Okay.

6 Q I ask if you recognize this document?

7 A I do not.

8 Q Have you ever seen a document like it?

9 A No.

10 Q So you wouldn't know what database it's from?

11 A It looks like from a servicing system just because
12 3270 Explorer is, I believe, the servicing system. But I've
13 never seen the screen before.

14 Q Okay. In any other-- Is-- Okay. In any other
15 cases, you've never had occasion to go on this particular
16 database then?

17 A No. It's a--servicing. I do not.

18 Q Okay. So I still have to ask you with their entry
19 down, where it says, "LMT053009," it looks like, "review.
20 FCR being contested per FRC notes. Currently on hold." And
21 you would have no knowledge of what that means?

22 A Correct. I do not.

23 Q Okay. Have you ever-- In your dealings with cases
24 that have gone to foreclosure proceedings or litigation, have
25 you known the bank to put a case on hold?

1 A I have no knowledge of this at all. I mean, it's
2 not my area.

3 Q Okay. The next one looks to be the same database,
4 and we're looking at the page where the top right says,
5 "P012/019." On 2-20- -- I'm sure that's wrong. Yes. On
6 2-20, the third entry from the bottom, "Skip trace possible.
7 Number pulled credit app from I-vault." Would you have any
8 knowledge of what that means?

9 A I-vault is the image repository that all of are
10 documents are scanned into once they're imaged.

11 Q Okay. So-- Okay. But I asked you before about
12 the physical vault and the security procedures with that.
13 The I-vault, then, similar protections or, you know, password
14 and stuff?

15 A Yeah. It is. It's password protected and all the
16 accesses recertified periodically.

17 Q And who typically has access, if you can say?

18 A Anybody that would need it to complete their job.
19 I mean, servicing, if they need copies of documents for
20 escrow, that sort of thing. I mean, I wouldn't have a list
21 of users available.

22 Q And you said you scan in every document?

23 A Yes.

24 Q Okay.

25 A Well, every credit or servicing file collateral

1 document, we do.

2 Q Okay.

3 MR. ZACKS: The next one I'll enter is a
4 r, sum, .

5 COURT REPORTER: Exhibit "7."

6 MR. ZACKS: Yes, please.

7 Q The quality assurance plan, again, just if you
8 could, take me through that, what exactly is meant by that.

9 A Quality assurance currently employed by loan
10 transferring document management. It's just a division
11 within Chase. We-- My team is responsible for performing a
12 quality assurance review, both domestically as well as
13 internationally, behind all functions within our area--
14 department, rather.

15 Q So any time a-- Well, I guess, just tell me-- The
16 loan transfer and document management. So are we talking
17 about any time a document gets transferred?

18 A Well, this group-- The group is responsible for
19 managing credit and collateral files, which typically
20 includes document movement for CHFLLC.

21 Q For--?

22 A CHF, which is the mortgage division.

23 Q Oh, okay. Of course. Okay. The quality assurance
24 reviews, what kinds of things does that entail? What
25 exactly-- What kinds of things are you looking for, how do

1 you go about looking for those things?

2 A I mean, we typically look for all investor
3 requirements of loans coming in. We do a quality assurance
4 review. We're making sure that the loans were reviewed in
5 accordance with investor guidelines. If exceptions were
6 needed, they were noted, cleared appropriately. Some
7 internal things we look for to make sure service levels are
8 met, like the documents being filed accurately, documents
9 being filed timely. We typically perform a percent of each
10 employee's work performing that function and roll it up into
11 a monthly QA report that goes to senior management.

12 Q So you do conduct some reviews at the behest of the
13 investor,--

14 A Yes.

15 Q --if the investor wants you to review and make sure
16 the file is in there?

17 A And certain investors require us to have our own
18 internal QA plan and monitor that sort of thing, and they
19 periodically request a report for review.

20 Q So your review would be separate from any review
21 required by the pooling and servicing agreement?

22 A Yes.

23 Q Okay. What kinds of problems are you trying to
24 eliminate? I mean, what kinds of things do they say, "This
25 has happened in the past. Make sure you've got quality

1 control on it to make sure it doesn't happen"?

2 A I mean, just any risk to the company. I mean, if
3 the loan was reviewed incorrectly and our data doesn't match,
4 I mean, that would be a repurchase down the road if the
5 investor would find that. I mean, documents being interfiled
6 incorrectly, if the loan did go to litigation and we can't
7 find the documents. I mean, just anything that would pose a
8 risk to the company.

9 Q Previous title was "Develop and Monitor MIS for Key
10 Risk Areas." Again, talking about the same kinds of things?

11 A It is. It's based off quality reports. I mean, we
12 just monitor different reports and determine what the risk is
13 and try to implement QA around that.

14 Q You said identify and respond to any trends. What
15 kinds of-- I mean, were there things--

16 A I mean, it stands for an employee level. If an
17 employee is--we were typically missing note endorsements or
18 making sure that the ARM data is certified inaccurately. So
19 we trend down to that level and try to identify that and
20 implement corrective action.

21 Q Okay. But there wasn't any pervasive misfiling
22 going on--

23 A No.

24 Q --and they told you to come in and fix it?

25 A No. I mean, typically the vault filing area is

1 over ninety-nine percent (99%) compliance at all times, so--

2 Q Okay. Now, the external and internal audits, in
3 terms of the internal audits, again, would that come from
4 senior management, or would that be something you would do,
5 you'd go ahead and order that to do some quality assurance?

6 A Internal audits, Chase a general auditing
7 department located out of New York that typically comes in,
8 and depending on the risk and severity and when their last
9 review is, they'll do internal audits of various divisions,
10 so I just coordinate all of that.

11 Q And forgive me if I've asked it, but for this
12 particular loan do you recall doing an audit?

13 A I do not.

14 Q Okay. Were there trailing documents in this case
15 that you know about?

16 A Well, any of the recorded documents were typically
17 considered trailing documents, anything that's not in the
18 file at the time the note comes in. Most of the documents
19 have to be recorded, so they come in after the fact, and we
20 just term that, "trailing documents."

21 Q And, again, to tell when those trailing documents
22 came in, would you look at Win CMSS?

23 A That's correct.

24 Q Okay. Previous title,-- Well, I don't know.
25 Somewhere in here it spoke about-- Oh, yeah. Bulk

1 acquisitions. In your position as servicing and quality
2 assurance manager, bulk acquisitions, am I right to assume
3 we're talking about securitization or no?

4 A Most of those are securitized with agencies,
5 Fannie, Freddie, Ginnie, where Chase would go out and acquire
6 servicing from a particular seller and bring those into our
7 shop.

8 Q So due diligence. It'd be the same kinds of things
9 we were talking about, making sure that the documents got in
10 the right--

11 A Right.

12 Q --file--

13 A Correct.

14 Q --any time it was--

15 A And a lot of times we would actually go out to
16 those lenders and perform an on-site due diligence.

17 Q Okay. I hand you another one here.

18 COURT REPORTER: "8."

19 MR. ZACKS TO MR. MANCILLA: This is one you
20 gave to us, Joe, that has--it's got Ramon Lusk
21 and Judith A. Young written on it,--

22 MR. MANCILLA: Uh-huh (yes).

23 MR. ZACKS: --talking about their some kind of
24 appointment. That's what we're looking at.

25 Can you tell me if you recognize this document?

1 A I do.

2 Q And can you tell me what this is?

3 A It's a request to have Ramon Lusk and Alicia Young
4 appointed as assistant treasurers. It's execute documents.

5 Q Okay. And Judith A. Young, you said before, that
6 is the person who signs this?

7 A It is A. Young. Right.

8 Q Okay. And Ramon Lusk, I don't think I ask you
9 about him before. Do you know him?

10 A I do.

11 Q What's his department?

12 A He actually reports to Judith or Alicia.

13 Q Okay.

14 A He's in lien release.

15 Q Lien release? Okay. When you gave us this
16 document, do you know what this was in response to? You may
17 have it numbered from the--

18 A Yeah. I think I numbered it. Let me see.

19 (WITNESS PERUSES DOCUMENTS.)

20 A Number ten.

21 Q Okay.

22 MR. ZACKS: We're a little bit out of order
23 here, but let's enter the Notice of Deposition
24 as our next one.

25 COURT REPORTER: "9."

1 Q So that document you gave us, that was in response
2 to number ten, which states, "Documents received from
3 J.P. Morgan Chase Bank upon which the plaintiff relied on as
4 evidence of the authority of A. Young--

5 A Right.

6 Q --to endorse the promissory note."

7 A Correct. And then the authenticity of the
8 signature, I believe, is on the other document. You looked
9 at that earlier, where the image--signatures were actually
10 scanned in.

11 Q The list of the signatures that we looked at?

12 A Well, this document (indicating).

13 Q Okay. And that's--

14 COURT REPORTER: "3."

15 MR. ZACKS: She's referring to is--?

16 COURT REPORTER: Exhibit "3."

17 MR. ZACKS: Okay. Exhibit "3." Thank you.

18 COURT REPORTER: Okay.

19 Q So this appointed them as assistant treasurer. Am
20 I reading that correctly? Oh, I'm sorry. I should put that
21 back on there.

22 A Yes.

23 Q Okay. And do you know why assistant treasurer as
24 opposed to assistant vice-president or assistant secretary?

25 A I do not.

1 Q Do you know if they had any other duties, you know,
2 as assistant treasurer versus in the times when they sign as
3 assistant vice-president?

4 A I do not.

5 Q Have you ever signed as assistant treasurer?

6 A I'm not sure.

7 Q Okay. And do you know why Judith Young signs as
8 A. Young?

9 A No.

10 Q Okay. We're through with that one.

11 WITNESS TO MR. ZACKS: Could we like just take
12 a break before 1:00?

13 MR. ZACKS: Of course.

14 WITNESS: Just before 1:00. I just need to
15 reschedule a meeting. I didn't think it'd
16 take quite this long.

17 MR. ZACKS: No; no. Of course; of course.

18 WITNESS: So--

19 MR. ZACKS: Absolutely. Yeah. Oh, do you
20 want to take a break now?

21 WITNESS: It doesn't matter. I just want a
22 few minutes before 1:00.

23 MR. ZACKS: Sure; sure; sure. Take--

24 WITNESS: I'm sorry.

25 MR. ZACKS: Sure. We can take it now.

1 WITNESS: About how long is good for you?

2 Fifteen minutes, maybe?

3 MR. ZACKS: Whatever you want. Yeah.

4 (OFF RECORD.)

5 MR. ZACKS: And I don't think we entered this
6 one yet. This is the second authorization.

7 COURT REPORTER: "10."

8 MR. ZACKS: Okay.

9 EXAMINATION BY MR. ZACKS, continuing:

10 Q Now, this is another document with Ramon Lusk and
11 Judith A. Young, and I'll ask you if you recognize this
12 document?

13 A I do.

14 Q And can you tell me what it is?

15 A It's the resolution granting them signing authority
16 as assistant treasurer to execute allonges and assignments.

17 Q Okay. Do you know, do they have any additional
18 duties when they are appointing with signing authority? Like
19 do they have to-- I'll just ask this, do they have any
20 additional duties?

21 A Not that I'm aware.

22 Q Okay. When it says they are appointed to assistant
23 treasurer, again, is that--that's just a title? They don't
24 have any actual duties as a treasurer?

25 A That's my understanding. Right. It's for

1 executing document purposes.

2 Q Okay. On this allonge, I mean, it appears that a
3 Judith A. Young signed as assistant secretary. And I'll ask
4 you, is that--if I'm reading that right.

5 A It does.

6 Q Do you know why on that document she signed as
7 assistant secretary?

8 A Well, she has additional signing authority that I
9 just, I guess, overlooked that and didn't request.

10 Q Okay; okay. Typically, would you just have one of
11 these appointments for all signing purposes, or if a new
12 trust came in would you have to get another--

13 A No. I think you could have multiple titles for
14 signing purposes.

15 Q Okay. So it's possible she has another one?

16 A It is. That I just failed to--

17 Q That's okay.

18 A --get.

19 Q Okay. And in your signing capacity as assistant
20 vice-president--in your capacity to sign as assistant vice-
21 president, did they require you to take in any addition
22 duties?

23 A No.

24 Q Attend any extra meetings?

25 A No.

1 Q And have you ever signed as assistant treasurer or
2 assistant secretary?

3 A I do not recall.

4 Q Okay. And your title, you know, on your r, sum, is
5 vice-president, and you sign as assistant vice-president.
6 Any difference there, or--

7 A No. I mean, my--that's my working title, is vice-
8 president. My functional job, I'm a vice-president. But for
9 signing documents, my title is assistant vice-president.

10 Q And you're vice-president--your working title,
11 you're vice-president of J.P. Morgan Chase. Correct?

12 A Correct.

13 Q Not vice-president of Chase Home Finance?

14 A Correct.

15 Q Okay. But on the allonge you sign as assistant
16 vice-president of Chase Home Finance?

17 A Right. And I believe that should be on the
18 corporate resolution for that legal entity.

19 Q All right. Do you have sign-in authority for other
20 companies?

21 A I have it for J.P. Morgan Chase Bank and CHF.

22 Q Okay. And not other companies besides that?

23 A Correct.

24 Q Well, not MERS? You don't have any authority to
25 sign anything on behalf of MERS?

1 A I do not believe so, but we'd have to confirm that.

2 Q Okay. Now, again, Judith A. Young, her real title,
3 she's a vice-president, you said?

4 A Assistant vice-president.

5 Q She's an assistant vice-president. Okay. Let me
6 go back to after the allonge was produced. We've gone
7 through the sorting procedures. When you actually get it
8 into the file, when you actually physically place in the
9 file, can you tell me what takes place? Do they just put
10 it-- When you say they "interfile it," when they take that
11 allonge, do they just place it into the file?

12 A Well, I'm not sure. I mean, that's our process.
13 I'm not sure what you're trying to--

14 Q Well, do they--you know, would they attach it to
15 something else?

16 A I'm not sure. I mean, I'm not over the team, so--

17 Q Okay. Okay. So you wouldn't have reason to know
18 if they, for example, staple it to the note?

19 A No. I mean, I don't know, so--

20 Q Okay. Well, have you seen in other cases? Is
21 there a typical--

22 A Yeah. I've seen it stapled to the notes, so-- But
23 does that team do it? I'm not sure.

24 Q Okay. Okay. So you wouldn't-- And, likewise, you
25 wouldn't know if there's a standard procedure for what they

1 do when they take that allonge and get in the file?

2 A Correct.

3 Q Okay. And that would be--?

4 A Because--

5 MR. ZACKS: If we could enter this one, this
6 is the Win CMSS screen printout.

7 COURT REPORTER: "11."

8 MR. ZACKS: Number "11"?

9 COURT REPORTER: Yes, sir.

10 Q I ask if you recognize that document?

11 A I do.

12 Q And if you would tell me what it is, please.

13 A It is a screen shot from Win CMSS, the custodial
14 system of record, that basically shows this loan, when it
15 moved into the securitization.

16 Q If you'll look on the right side just in terms of
17 where you can scroll up and down like on a computer screen,
18 it appears you can scroll up and down on this screen.

19 A Correct.

20 Q Does that mean there are a lot more entries for
21 this loan?

22 A I would assume. Yes.

23 Q Okay. And do you know why all those weren't
24 produced, or--

25 A Well, I believe I was giving you this in response

1 to one of the items that asked when the loan moved. So--

2 Q Okay.

3 A If you'll look, it was toward the bottom of the
4 screen. It's CMBW, which is basically a warehouse account.
5 And it transferred into a JPMAC subprime securitization,
6 which would have been the point it would have been in the
7 security. So that was the information I was trying to
8 provide, which is why I only provided this screen shot.

9 Q Okay. So if you could, forgive me, but take me
10 down from the top. "Location: Move into M- --"

11 A That's just when it's physically moving locations,
12 so it got scanned. Somebody requested it, so it got scanned
13 from one location to another. The certification means the
14 pool would have got certified, some type of certification.
15 It could have been initial, final, research, not sure. You'd
16 have to get the details to determine that.

17 Q The location move, say we clicked on that, we could
18 see--

19 A Uh-huh (yes).

20 Q --where it actually--

21 A Correct.

22 Q Okay. And the certification--

23 A And you would click on that and tell--we could tell
24 what type of certification. So this was actually for the
25 JPMAC 2007, whatever this deal name is. I don't have the

1 rest of it.

2 Q Uh-huh (yes). But if you clicked on that, would
3 you actually get to look at the certification?

4 A No. It just gives you dates.

5 Q But the certification, that would be somewhere?
6 There is a document produced in connection with that?

7 A Well, there should either be an electronic or a
8 paper document that the certification team would have with
9 that information.

10 Q The certification team would have that. And you
11 didn't actually look at that for this one?

12 A Correct.

13 Q Okay. And then transfer in/transfer out?

14 A That means-- If you'll see, transfer out is on the
15 2007 CFIWL6, so it was another securitization. So it
16 transferred out of that securitization and into the JPMAC
17 2007 one that we are referring to today.

18 Q Okay. So this one was in another trust?

19 A It appears that way based on the screen shot.

20 Q Okay. And is that--can I ask, in your experience
21 is that common?

22 A It is.

23 Q Okay. Now, when it switched loans, is there--

24 A What do you mean "switched loans"?

25 Q I'm sorry; I'm sorry. When it switched trusts

1 there,--

2 A Okay.

3 Q --is there generally a request for them to do that,
4 or do they just--

5 A No. Somebody on the servicing or delivery side is
6 initiating that request.

7 Q Okay. So would that-- I know it says transfer in
8 and transfer out. Would that be a physical transfer, or is
9 this just--

10 A On the system we're transferring it out of-- The
11 file shouldn't be moving. I mean, we're transferring it on
12 our system out of that pool into another pool for accounting
13 purposes or securitization. So we know which loans are
14 associated with which securitization.

15 Q Okay. Prior to that, do you see a document package
16 review?

17 A And that's when the file just got reviewed, what
18 the note, the mortgage-- There was a request for the
19 transfer and salability team to go in and review the file and
20 all of its contents.

21 Q Okay. And the previous certification, I'm assuming
22 that's the certification under the terms of the prior trust?

23 A I would-- Yes, I would assume.

24 Q Okay. And then prior to that there was another
25 transfer in/transfer out?

1 A Right.

2 Q Do you know what that would be in--

3 A Well, you're transferring it out of a ware- --CMBW,
4 which was Chase's warehouse line. So you're transferring it
5 out of warehouse into the 2007 CFI securitization. And then
6 it got transferred out of that into the JPMAC 2007
7 securitization.

8 Q Okay; okay. But the first transfer that--when it
9 says "Pool #0," that means it was not securitized at that
10 point?

11 A Correct.

12 Q Okay; okay. The location moves at the bottom of
13 the screen, are those anything to do with those other--

14 A I think we would have to look and see, but nine
15 times out of ten it's transferring it from--every time it
16 moves. So if it comes to the transfer and salability review
17 team, it's scanned to that team. Then once it's assigned to
18 a processor to review, it's assigned to that processor's GID,
19 and then assigned back to--and then back to-- Every time it
20 moves. So it could be anything trans- -- I would assume
21 it's probably going between processors within the review
22 group.

23 Q Okay.

24 A But we'll have to pull that detail to confirm.

25 Q Okay. Besides this record, would there be other

1 records of what happened when it changed from the first trust
2 to the second one?

3 A What-- Not that I'm aware. I mean, you would have
4 the certification record, which could either be paper or
5 electronic, and this record on the custodial side. Now,
6 there may be servicing records that I'm not aware of.

7 Q Okay. That other trust, am I right to assume
8 J.P.--that it was still a J.P. Morgan trust, or--

9 A It appears to be. It's in a J.P. Morgan account,
10 so--

11 Q Is there a way to tell who the trustee was on that?

12 A I am not aware. Servicing could probably provide
13 that information.

14 Q Okay. Are there different procedures that you
15 follow? Say, one set of circumstances is this initial
16 transfer, it was not securitized and it gets into the first
17 trust. Is that process different from going from one trust
18 to another?

19 A Well, I think the review should take place
20 according to the investor's guidelines. So if the investor
21 guidelines differ, I mean, we would go back and re-review the
22 entire file to make sure that the guidelines are met.

23 Q Okay. And the location, that's when you said, you
24 know, that can be for anything. That could be--

25 A Right.

1 Q --for foreclosure proceedings, for instance.

2 A And you see it's got the INT to INT.

3 Q Uh-huh (yes).

4 A That's internal to internal, so it means it moved
5 within the custody shop. If it was external, it would have
6 EXT. So it was just moving within the custody shop through
7 the various processes.

8 Q Okay. Additionally, when it says location move,
9 are we talking about the entire file, or--

10 A Yes.

11 Q --could that be just one document?

12 A No. The file. It's scanned at a file level.

13 Q Okay. So like, for example, if one document just
14 got filed, like an allonge for instance, what would it state?

15 A I mean, it's-- We don't-- It's not tracked at a
16 document level, only at a loan level. So everything that's
17 in that file at the time it was scanned would be considered
18 moved. It's kind of a parent/child relationship, so--

19 Q Okay. Other identifying marks on here as far as
20 who entered all this stuff, or--

21 A Not on here. But there's like an activity journal
22 that if we need to go back and see who scanned the file or
23 who performed certain functions, that information would be
24 available.

25 Q Okay. So as far as the allonges, again, when that

1 gets into the file there would be no record of at such-and-
2 such a date, at such-and-such a time that was interfiled?

3 A That is correct.

4 Q Okay.

5 MR. ZACKS: The next one is--?

6 COURT REPORTER: Exhibit "12."

7 MR. ZACKS: "12"? Okay.

8 Q And I ask if you recognize the document?

9 A I do recognize it.

10 Q All right. Tell me what this is, please.

11 A It's the corporate resolution granting me signing
12 authority to execute notes and assignments.

13 Q Okay. And that appoints you as assistant vice-
14 president. Correct?

15 A Correct.

16 Q Did you have to authorize this in any way, or did
17 they just essentially tell you, "Hey, you have authority
18 now," or--

19 A My manager has to approve it, and then it goes
20 through our legal group and they approve it, and then it goes
21 to the board of directors for final approval.

22 Q Okay. Let's see. Do you know anything about that
23 process, what the approval consists of or--

24 A No. I do not.

25 Q Okay. And, again, do you know why they appointed

1 you as assistant V-P as opposed to V-P?

2 A It's just different levels of signing authority.
3 So, again, whatever signing authority is required to execute
4 documents and--

5 Q Okay.

6 A I'm assuming maybe that's what was needed at the
7 time. I'm not sure.

8 Q Got you. But-- Okay. But you didn't take on any
9 additional--

10 A Correct.

11 Q --duties with this one? Okay. Has your
12 appointment been revoked?

13 A No.

14 Q Have you ever had other authorities be revoked?

15 A No.

16 Q And did you electronically sign this one, or did
17 you actually sign this one?

18 A I actually signed that one.

19 Q Okay. And, again, you have-- Does this give you
20 authority to sign for Chase Home Finance?

21 Well, this one is actually for Chase Manhattan
22 Mortgage Corporation. I believe I provided a merger document
23 where Chase Manhattan Mortgage Corporation merged into Chase
24 Home Finance, LLC.

25 Q Okay. So this--

1 A And the merger document is still valid. This is
2 valid under the merger document.

3 Q Okay. And did you-- Did anybody-- Did you ask
4 anybody if that was the case, or did they just basically tell
5 you, "Hey, you can now sign as Chase Home Finance now that
6 it's merged"?

7 A Legal gave us direction on that.

8 Q Okay.

9 A Our internal legal department.

10 Q Okay. So you didn't need any reauthorization on
11 Home Finance?

12 A Correct.

13 Q Okay. Previously you had been signing, though, as
14 assistant vice-president of Chase Manhattan, though?

15 A Correct.

16 Q Okay.

17 MR. ZACKS: And this one, I think this is--

18 COURT REPORTER: "13."

19 MR. ZACKS: Yeah.

20 Q I think that's different. Right?

21 A It is.

22 Q Okay. Tell me what that document is, please.

23 A This is a corporate resolution giving me assistant
24 vice-president authority to endorse notes and assignments for
25 J.P. Morgan Chase Bank.

1 Q All right. And same question. Any additional
2 duties that you took on as a result of this?

3 A No.

4 Q Same process of getting approval?

5 A Correct.

6 Q Has it ever been revoked?

7 A No.

8 Q Did you personally sign that one?

9 A Yes.

10 Q Have you signed other documents on behalf of
11 J.P. Morgan Chase besides notes, assignments--notes and
12 assignments?

13 A Not legal documents. I mean, letters or things
14 like that, correspondence, but no legal documents.

15 Q Okay. Okay. When you send original documents to
16 the Law firm for the purposes of a foreclosure lawsuit, what
17 format do you do that in? Do you take the whole file and
18 send it to them, or only specific documents that they
19 request?

20 A The entire file.

21 Q Okay. And, again, those records would be on
22 Win CMSS?

23 A Correct.

24 Q Is that the only receipt of shipping?

25 A To my knowledge.

1 Q Okay. Do they track those or--

2 A They do. Their tracking number is also included in
3 Win CMSS.

4 Q Okay. So when the firm gets it, they would--you
5 would know?

6 A I'm not sure.

7 Q Okay. When you send it to the Law firm, would that
8 include the assignments?

9 A It would include anything that was in the file at
10 the time it was released.

11 Q If an assignment was later created, would it first
12 get sent to you and then--

13 A And it would go in the holding area. It would get
14 sent to the imaging process and it would get sent to the sort
15 team and eventually research, and they would determine the
16 file was released and it would go to the holding area that we
17 had discussed earlier until we received the file back or
18 foreclosure is actually initiated and completed.

19 Q Okay. And the holding area-- So you wouldn't
20 automatically send that to the attorney?

21 A No.

22 Q Do you usually prepare-- And by "you," I mean,
23 your company. Do you usually prepare the assignments of
24 mortgages?

25 A It really depends on deals. It just depends.

1 Sometimes they do, sometimes they--it's a--an outsourced
2 vendor prepares them.

3 Q Okay. The same question for the allonges. Does
4 anybody else prepare those besides in-house folks?

5 A If an allonge was missing on a loan that Chase
6 purchased from a correspondent lender and the correspondent
7 would need to like prepare the allonge to have their
8 signature on it, those lenders would prepare it.

9 Q Okay.

10 A We would only prepare it if Chase is actually the
11 one assigning the loan.

12 Q Okay. Do you happen to know when this--when you
13 sent the originals to the Law firm for use in this
14 foreclosure lawsuit?

15 A I do not.

16 Q Do you happen to know if--when you sent that, if
17 the allonge was attached in any fashion to the note?

18 A I do not.

19 Q Okay. If we can go back to--

20 MR. ZACKS TO COURT REPORTER: This was the
21 Notice of taking Deposition. I think you've
22 already entered it.

23 COURT REPORTER: Yes, "#9."

24 MR. ZACKS: All right.

25 Q And I'll ask you, do you have anything else besides

1 the CV you've provided me in response to number one?

2 A No.

3 Q Do you have any other documents besides what you've
4 provided us in response to number two?

5 A No.

6 Q And that was-- Okay. So number two, that was the
7 appointment and the merger agreement. Right?

8 A Correct.

9 Q Okay. And number three, besides the exhibit
10 entered on that one, is there any other--

11 A No.

12 Q --corporate resolution?

13 A And do you need the merger agreement? I believe I
14 provided you a copy.

15 Q No. I-- You know, I--

16 A I believe it's in your folder.

17 Q I have it. I don't need to enter it.

18 A Okay.

19 Q Well, you know, I do. If you're-- Actually, if
20 you're providing it, I've got to enter it.

21 A I'm sorry.

22 Q That's okay.

23 MR. ZACKS: And we'll enter this plan and
24 agreement of merger between Chase Home Finance
25 and Chase Manhattan.

1 COURT REPORTER: "#14."

2 Q And, again, it's your understanding that that
3 continued your authority--or, rather, transferred your
4 authority to sign from Chase Manhattan, and your
5 understanding was after that merger you could sign as Chase
6 Home Finance?

7 A That is correct.

8 Q Okay. In response to number four, was there
9 anything specifically from Chase Home Finance that gave you
10 authority to execute--

11 A No.

12 Q --the allonge in this case?

13 A No.

14 Q Number five, anything that instructed you to
15 execute the allonge in this case?

16 A No.

17 Q Nobody-- Besides any documents, did anyone
18 actually tell you to do it?

19 A No.

20 Q Where would that request have come from?

21 A And, again, it goes back to the database where they
22 randomly select signatures of the appropriate level people
23 needed to complete those.

24 Q Okay. But the request to actually get those done,
25 is that, what? Certification says, "We need an allonge.

1 Let's see who we've got--"

2 A Well, actually, either the-- The delivery side
3 that was going to securitize the loan would notify our
4 certification department, who in turn would get the allonges
5 created.

6 Q Okay. And in the process, again, you didn't
7 receive anything?

8 A Correct.

9 Q Okay. Number six is anything disclosing when you
10 executed the endorsement.

11 A And it should have been the date printed on the
12 allonge.

13 Q Okay. And nothing else besides that?

14 A Correct.

15 Q Okay. Number seven is anything tracking the
16 removal of the note from the storage area for the purposes of
17 endorsing it.

18 A No. Because our process is the file is not removed
19 from the vault, documents in our file.

20 Q All right. And the same question, anything--any
21 written instructions or anything, any documents at all,
22 documenting or demonstrating the attachment of the allonge to
23 the note?

24 A No.

25 Q And anything documenting the return of the

1 promissory note and he allonge to the storage area?

2 A No. It wouldn't have got removed, so there is
3 nothing.

4 Q When it-- Did the note get removed for the
5 purposes of this lawsuit?

6 A I'm assuming, but I have not checked our system.

7 Q Okay. But that would be on Win CMSS?

8 A It would.

9 Q And if it got returned, that would be on Win
10 CMSS,--

11 A Correct.

12 Q --as well. Right? Okay. But we didn't--we don't
13 have--on the screen shot we have, we don't have that?

14 A That's correct.

15 Q Okay. And the same thing for the allonge. I know
16 I asked you before, but there's no document that would--that
17 you produced that would actually state this is when the
18 allonge got in the file?

19 A Correct.

20 Q Okay. Number eight, anything that discloses the
21 reason you were instructed to execute the allonge in this
22 case?

23 A No.

24 Q Didn't receive anything like that. Number nine?

25 A No. I believe I provided some doc- --the screen

1 shots from that. Nothing additional.

2 Q Okay. So besides the allonge production process we
3 went through,--

4 A Correct.

5 Q --there's nothing else you would have that would
6 show how your endorsement got on there?

7 A Correct.

8 Q Okay. And when that endorsement was produced--
9 Again, is there a way to find out who actually did that?

10 A No.

11 Q Okay. Someone in which department?

12 A Certification.

13 Q Okay. How many people are in the certification
14 department, if you know?

15 A Ten to twelve.

16 Q Okay. Number ten, everything evidencing stuff from
17 J.P. Morgan Chase Bank allowing for the authority of A. Young
18 to endorse the note,--

19 A No.

20 Q --and the authenticity of the signature of A.
21 Young?

22 A Nothing other than what's been provided.

23 Q Okay.

24 MR. ZACKS: And I don't know-- I'm going to
25 withhold entering this. I think I entered

1 this one. So--

2 A Yeah. I mean, everything in there that I provided
3 you, I think you've entered. So--

4 Q Yeah. Number eleven, any documents, anything else
5 which show the sale of the promissory note to another entity?

6 WITNESS TO MR. MANCILLA: Joe, was this one of
7 the ones that I was told--

8 MR. MANCILLA: Subject to a Protective Order.

9 WITNESS: Right.

10 MR. MANCILLA: But I think we don't have to
11 provide anything for eleven, twelve and
12 thirteen, Dustin.

13 MR. ZACKS: Okay. So-- Okay. That's fine.

14 Q I'll still ask you, did you bring anything?

15 A No.

16 Q Okay. And the same thing, number twelve,
17 anything--any written materials--

18 A No.

19 Q --which show the current owner of the promissory
20 note. And number thirteen, did you bring any documents in
21 response to that?

22 A No.

23 Q Okay.

24 MR. ZACKS TO MR. MANCILLA: Number eleven and
25 twelve, Joe, wasn't that the one where the

1 order said it was denied as overbroad, but
2 plaintiff shall produce in good faith
3 documents related to the sale of the note? I
4 didn't bring a copy of the order with me, but
5 I know--

6 MR. MANCILLA: Well, let's see. I've got it
7 here.

8 MR. ZACKS: Yeah. Check it out just to see.

9 MR. MANCILLA: Okay.

10 Q I mean, the answer is the same. If you didn't
11 bring anything, you didn't bring anything. But I just-- For
12 the record, I-- Which--

13 MR. MANCILLA: My understanding of it was that
14 she didn't have to bring anything relating to
15 that. I don't have it right in front of me at
16 this moment.

17 MR. ZACKS: Okay. Well, that's all right.
18 I'll just put that, I guess, my two cents for
19 the record, I think the order said that the
20 plaintiff shall produce in good faith
21 documents related to the sale or transfer of
22 the note.

23 MR. MANCILLA: Uh-huh (yes).

24 MR. ZACKS: And the deponent has stated--

25 Q You didn't bring anything in response to number

1 eleven and twelve?

2 A Correct.

3 Q Okay.

4 MR. MANCILLA: Thanks.

5 MR. ZACKS: So, again, we reserve our right to
6 request those documents and continue the
7 deposition if we get those documents.

8 A I mean, I wouldn't be the one providing those
9 documents. That's servicing. So in my role, I would not
10 provide that. I do not have that system that--

11 Q Can you tell me what kind of documents-- You know,
12 we're looking for anything, obviously, that-- Again, the way
13 we termed it was "showing the sale of the promissory note."
14 What--

15 A That would be a servicing/investor reporting type
16 activity versus custodian. I mean, we only do what we're
17 instructed to do. So if it's sold, we get notified on the
18 back end.

19 Q Okay. And, again, documents showing the current
20 owner. What kinds of documents would we ask for if we wanted
21 to specifically ask, "You have a document somewhere on your
22 records that says this is the current investor"? What would
23 we ask for?

24 A I would say investor reporting.

25 Q Investor reporting. And the same thing with

1 eleven. You said servicing and investor reporting?

2 A Right. Servicing. I'm not so sure about investor
3 reporting, but someone in servicing manages the sale of
4 loans.

5 Q Okay. So they would be the ones, they would have

6 A Right.

7 Q --documentation of it? Is it true that Win CMSS
8 would have-- I mean, if I clicked on the spot where it says,
9 you know, transfer in or transfer out into a different trust,
10 if I clicked on that would there be a document there, or is
11 that just--

12 A No.

13 Q --a notation?

14 A It's just a notation with the time and date
15 stamped.

16 Q Okay. So that doesn't link to any other, I don't
17 know, sale agreement or something like that?

18 A No.

19 Q Okay. Okay. Great. The only thing is, can we
20 check and see if I entered that one? I think I brought
21 copies of that, but see if we have that already entered. If
22 not, I'm going to enter that as your response to one of the
23 items. So--

24 COURT REPORTER: This is it right here, I
25 think, or--

1 MR. ZACKS: Is that it, or is it different?

2 COURT REPORTER: I let you compare them.

3 MR. ZACKS: Let's see. Thank you.

4 COURT REPORTER: I see just some dates.

5 MR. ZACKS: Well, this one has more pages. I
6 don't know if I printed it off wrong or what.
7 Let's enter it.

8 COURT REPORTER: Okay. So this will be "15."

9 MR. ZACKS: And this appears to be-- This is
10 another document with Ramon Lusk and Judith A.
11 Young on it, and we'll enter this.

12 Q And this was what you stated was in response to
13 number ten, I believe.

14 A Yes. I'm sorry.

15 Q Oh, that's okay. And I wonder if you'd take a look
16 and tell me what the document is?

17 A It's the corporate resolution granting Ramon Lusk
18 and Judith Young assistant treasurer signing authority to
19 endorse notes and assignments.

20 Q Okay. And do you know if that authorization was
21 revoked?

22 A Not to my knowledge.

23 Q Okay. And any additional duties that you know of
24 that they would have taken on as a result of that
25 appointment?

1 A No.

2 MR. ZACKS: And I think I'm good.

3 (To Mr. Mancilla): Joe?

4 MR. MANCILLA: Okay.

5 MR. ZACKS: Got anything?

6 MR. MANCILLA: No. I don't. We would like to
7 have her read it if it's going to be typed up.

8 MR. ZACKS: Yeah. I think we're going to get
9 it.

10 COURT REPORTER: Okay.

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DEPOSITION CONCLUDED.

1 STATE OF LOUISIANA

2 PARISH OF OUACHITA

3 I, MARGARET A. COPELAND, Certified Court Reporter in and
4 for the State of Louisiana, as the officer before whom this
5 testimony was taken, do hereby certify that ANGELA MELISSA
6 NOLAN, after having been duly sworn by me upon authority of
7 R.S. 37:2554, did testify as set forth in the foregoing
8 deposition at the offices of Chase Home Finance, 780 Delta
9 Drive, Monroe, Louisiana 71203, on the 29th day of January,
10 2010, commencing at 10:55 a.m. and concluding at 1:35 p.m.;
11 that this testimony was reported by me in the electronic
12 reporting method, was prepared and transcribed under my
13 personal direction and supervision, and is a true and correct
14 transcript to the best of my ability and understanding; that
15 I am not related to counsel or to the parties herein nor am I
16 otherwise interested in the outcome of this matter.

17 This certification is valid only for a transcript
18 accompanied by my original signature and original seal on
19 this page.

20 Monroe, Louisiana, this 22nd day of February, 2010.

21
22
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24
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27
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29 _____
30 MARGARET A. COPELAND,
31

CCR