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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF KING	INDEX
	EXAMINATION PAGE
JANET REINER, a single ) woman, )	BY MS. DAO:
)	
Plaintiff, )	EXHIBITS MARKED PAGE No. 1 Assignment of Deed of Trust
-vs- ) No. 11-2-02029-8	5/7/09 33
) NORTHWEST TRUSTEE SERVICES, )	N. O. N.C. CT. A. L.C.I.
INC., a Washington )	No. 2 Notice of Trustee's Sale 8/28/09 40
corporation; ONE WEST BANK, ) FSB, a federal savings bank; )	No. 3 Notice of Discontinuance
MORTGAGE ELECTRONIC )	8/14/09 42
REGISTRATION SYSTEMS, ) INC., a Delaware corporation,)	No. 4 Northwest Trustee's response
)	to plaintiff's first discovery 54
Defendants. )	discovery 54
	No. 5 Recording instructions 68
Deposition Upon Oral Examination	No. 6 Publication instructions 70
of	No. 7 Appointment of Successor
JEFF STENMAN	Trustee 12/26/07 79
9:00 a.m.	No. 8 Appointment of Successor Trustee 12/31/07 85
Wednesday, December 12, 2012	
787 Maynard Avenue South Seattle, Washington	No. 9 Appointment of Successor Trustee 4/8/08
Scattle, Washington	No. 10 Assignment of Deed of Trust
Cheryl Macdonald, RMR, CRR	6/1/09 88
Court Reporter	No. 11 Notice of Discontinuance
	4/29/10
MOBURG SEATON & WATKINS (206)622-3110	No. 12 Stenman signature 92 MOBURG SEATON & WATKINS (206)622-3110
Page 2	Pag
APPEARANCES	1 JEFF STENMAN, witness herein, having been fi
	2 duly sworn by the Certified Court
FOR THE PLAINTIFF: HA THU DAO	3 Reporter, deposed and said as
Attorney at Law	4 follows:
GRAND CENTRAL LAW 787 Maynard Avenue South	5 MS. DAO: For the record, Ha Dao. I'm the
Seattle, Washington 98104	6 attorney for Ms. Janet Reiner, and present at the
youremylawyer@gmail.com	1
EOD MODTHWEST TRICTEE SERVICES.	1
FOR NORTHWEST TRUSTEE SERVICES:	, , , , , , , , , , , , , , , , , , , ,
HEIDI BUCK MORRISON Attorney at Law	9 announce your presence for the deposition.  10 MR. KAYSER: This is Chris Kayser. I'm
ROUTH CRABTREE OLSEN	
13555 SE 36th Street Suite 300	appearing on behalf of One West Bank in this ma
Bellevue, Washington 98006	12 EYAMINATION
hbuckmorrison@rcolegal.com	13 EXAMINATION
	14 BY MS. DAO:
FOR ONE WEST BANK: (via telephone)	Q. Mr. Stenman, could you please state your
CHRISTOPHER J. KAYSER	full name and your address for the record.
Attorney at Law	A. Jeff Stenman, 17324 140th Court Southe
I ADKING VACUDA	18 Kent, Washington 98042.
LARKINS VACURA 621 SW Morrison Street	Q. Can I have a spelling of your last name?
621 SW Morrison Street Suite 1450	1
621 SW Morrison Street	20 A. S, as in Sam, T-E-N-M-A-N.
621 SW Morrison Street Suite 1450 Portland, Oregon 97205	1
621 SW Morrison Street Suite 1450 Portland, Oregon 97205	20 A. S, as in Sam, T-E-N-M-A-N.
621 SW Morrison Street Suite 1450 Portland, Oregon 97205 cjkayser@larkinsvacura.com	20 A. S, as in Sam, T-E-N-M-A-N. 21 Q. Are you employed by Northwest Trustee
621 SW Morrison Street Suite 1450 Portland, Oregon 97205 cjkayser@larkinsvacura.com	20 A. S, as in Sam, T-E-N-M-A-N. 21 Q. Are you employed by Northwest Trustee 22 of the defendants?

1 (Pages 1 to 4)

Moburg, Seaton & Watkins 206-622-3110 2033 Sixth Ave., Ste. 826

	Page 5		Page 7
1	A. I'm the secretary, the assistant	1	A. No.
2	vice-president, and the vice-president.	2	Q. What is your understanding of the
3	Q. Can you describe the organizational	3	affiliation between Northwest and Routh Crabtree Olsen
4	structure of the company, the type of incorporation?	4	as the law firm?
5	A. It's an Inc., I-N-C.	5	A. We're separate but we're affiliated. We
6	Q. And so it's a is it a privately held	6	have common ownership.
7	company?	7	Q. Common ownership you said?
8	A. Yes.	8	A. Yes.
9	Q. And can you name the directors or officers?	9	Q. In your position with Northwest Trustee, do
10	A. I believe Stephen Routh is the CEO.	10	you own any shares or any part of the company,
11	R-O-U-T-H.	11	Northwest Trustee, that is?
12	Q. Anyone else you can think of?	12	A. I do participate in 401(k) profit sharing
13	A. No.	13	like every other employee.
14	Q. Mr. Routh is a licensed attorney?	14	Q. But no shares?
15	A. I don't know if he's a licensed attorney.	15	A. No.
16	I don't know the status of his bar license.	16	Q. Other than the ownership share with RCO,
17	Q. How many employees does the company have?	17	does any other company or business own Northwest
18	A. Approximately 230.	18	Trustee, that you know of?
19	Q. And can you describe your own duties under	19	A. No.
20	the titles that you just mentioned?	20	Q. How long has the company been in business?
21	A. Well, my official title is the director of	21	A. I don't know. I don't have the exact date.
22	operations. I'm responsible for operations,	22	Q. How long have you been employed by the
23	supervising the operations of our Bellevue office, our	23	company?
24 25	Santa Ana office, and then some oversight over Alaska	24	A. My initial employment was with a law firm,
∠5	trustee in our Alaska office.	25	and then the trustee company was formed. So I was
	Page 6		Page 8
1	Q. Okay.	1	originally hired in as an employee of a law firm.
1 2	<ul><li>Q. Okay.</li><li>A. I have employees in our Portland office as</li></ul>	1 2	
			originally hired in as an employee of a law firm.
2	A. I have employees in our Portland office as well.     Q. Is Northwest trustee a Washington	2	originally hired in as an employee of a law firm.  Q. Which law firm is that?
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2 (Pages 5 to 8)

Moburg, Seaton & Watkins 206-622-3110 2033 Sixth Ave., Ste. 826

622-3110 Court Reporters Seattle, WA 98121

#### Page 9 Page 11 1 A. Washington has the majority of that count. 1 Q. The appointment which is recorded in public 2 2 records? So, at least, I would say it's greater than 50 3 3 A. Yes. 4 Q. Do you know in dollar amounts, based on 4 Q. What about a written agreement, separate 5 invoice bill and collected, what that number is for 5 and apart from that, that details duties, 6 6 expectations, compensation? gross? 7 7 A. Some of our clients have direct agreements A. No, I don't. 8 8 Q. Do you have any idea what the volume was with Northwest Trustee, yes. 9 for 2011? 9 Q. Can you recall who they are? 10 10 A. I'd be guessing. I don't know who exactly A. It fluctuates, so I don't have the exact 11 number. Probably somewhere similar to that number. 11 they are. 12 Depends. There was a law change. When there's a law 12 Q. Are you familiar with the facts of this 13 13 change, when there's a change in the law, sometimes it case, that Ms. Reiner is the borrower and the 14 takes the servicers time to get up to speed on their 14 plaintiff in the case? 15 15 part of the change in the law, and it affects the A. Yes. 16 referral volume. 16 Q. Do you know whether you have an express 17 Q. So if we're talking about the changes in 17 agreement with IndyMac Federal Bank, who was referring 18 18 in 2009? Washington law specifically in 2011 and 2012, 19 specifically the Foreclosure Fairness Act --19 A. I'm not aware if we have a specific written 20 A. Yes. 20 agreement. 21 Q. -- do you believe that those changes have 21 Q. You're not sure. It could exist but you 22 22 an effect, or have had an effect, on the servicer's just don't know? 23 volume to your company? 23 A. I'd have to -- like any client, I'd have to 24 A. To us, yes, because they had to come into 24 go into our client folder and look to see what we 25 compliance with that law. 25 have. I didn't review the client folder to see if we Page 10 Page 12 1 Q. Do you have any forecasts for Northwest had an express written agreement with IndyMac Federal 1 2 volume for 2013? 2 Bank. IndyMac Federal Bank no longer exists. 3 3 A. No. Q. I understand, but that was back -- the 4 4 referral was made back in 2009. Would you agree? Q. Do you know who Quality Loan Service 5 5 Corporation of Washington is? A. Yeah. 6 A. Yes. I know who they are, yes. 6 MS. DAO: This has already been marked as 7 Q. Do you know -- are you aware that they're 7 Exhibit 1. This is a copy, and I don't know why it's 8 8 also performing similar trustee services that not marked. Here. Have you look at that. 9 Northwest does? 9 Q. I'd like for you, Mr. Stenman, to look at 10 A. Yes. 10 Exhibit 1 which, I will represent to you, that has 11 11 been produced to us yesterday in connection with Q. Do you have any idea why certain 12 foreclosure referrals go to them as opposed to going 12 Ms. McElligott's deposition, and if you'll take a 13 13 to your company? moment to look it over. 14 14 A. No. MS. MORRISON: Ha, just so you know, these 15 Q. Who pays Northwest Trustee fees for trustee 15 are documents -- it's many of the same that were 16 16 services? produced yesterday, but there are some differences. 17 17 A. Whoever is referring it to us. The So... 18 servicer of the loan would be paying the invoice. 18 MS. DAO: And is Mr. Stenman going to be 19 Q. Is there an express written agreement for 19 able to speak to the differences? 20 Northwest Trustee to act as trustee in each of the 20 MS. MORRISON: If you want to question him 21 foreclosure referral? 21 about differences. 22 22 A. As trustee? MS. DAO: Are you saying that there's more 23 23 Q. Yes. documents than yesterday? 24 MS. MORRISON: Yeah. There are additional 2.4 A. There would be an appointment that would be 25 25 a written agreement. documents.

3 (Pages 9 to 12)

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	Page 13		Page 15
1	MS. DAO: Thank you.	1	desktop system and I'm just going to refer to it as
2	A. Okay.	2	the desktop system that you're speaking of. Is it
3	Q. All right. Now, do you recognize Exhibit 1	3	being used for all servicers?
4	to be a foreclosure transmittal package?	4	A. No.
5	A. Yes.	5	Q. Do you know who or for whom the system is
6	Q. And can you tell me where Exhibit 1 came	6	used for?
7	from?	7	A. I know of several servicers that use it. I
8	A. At the time I think they called it New	8	don't know every servicer that uses it.
9	Track, but it's LPS desktop, or a third-party website	9	Q. Can you name a few that you can recall?
10	that the lender uses to transmit foreclosure referrals	10	A. J. P. Morgan Chase, Wells Fargo, Bank of
11	and to communicate back and forth with the office.	11 12	America, Ceterras.
12	Q. Okay. What is the date of this referral	13	Q. In Ms. Reiner's case, it was being used obviously?
13 14	package? A. It says 4-5-2009.	14	A. Uh-huh.
15		15	Q. I need you to say yes or no.
16	Q. And who is designated as the referral source, if you can tell?	16	A. Yes.
17	A. Referral source? It says it's from FIS	17	Q. Now, also referring to Exhibit 1, there's a
18	Foreclosure Solutions.	18	reference that the mortgage currently held by and
19	Q. So that's the same as LPS?	19	foreclosure should be in the name of. Do you see
20	A. Yes. I think so, yes.	20	that?
21	Q. And I'd like for you to clarify as far as	21	A. Yes.
22	that system where you indicated that it's a third-	22	Q. And who is that entity?
23	party vendor. What exactly do they do and what is the	23	A. IndyMac Federal Bank.
24	reliance by Northwest?	24	Q. What is your understanding by that
25	A. They help facilitate a referral and	25	reference?
	Page 14		Page 16
			1030 10
1	information between the servicer and the attorney	1	A. That that is the name we should reference
1 2	information between the servicer and the attorney trustee.	1 2	A. That that is the name we should reference
	trustee.		A. That that is the name we should reference as the name we are foreclosing in the name of.
2		2	A. That that is the name we should reference
2 3	trustee. Q. The attorney trustee?	2	<ul><li>A. That that is the name we should reference as the name we are foreclosing in the name of.</li><li>Q. Is it fair to say that when this particular</li></ul>
2 3 4	trustee. Q. The attorney trustee? A. Rather than allowing me to go directly into	2 3 4	A. That that is the name we should reference as the name we are foreclosing in the name of.  Q. Is it fair to say that when this particular referral package came in you rely on the information there at face value?  A. In 2009, yes.
2 3 4 5	trustee. Q. The attorney trustee? A. Rather than allowing me to go directly into their service seed system to pull information, they download that information into a third-party system and then provide access to that system so that we can	2 3 4 5	<ul> <li>A. That that is the name we should reference as the name we are foreclosing in the name of.</li> <li>Q. Is it fair to say that when this particular referral package came in you rely on the information there at face value?</li> <li>A. In 2009, yes.</li> <li>Q. You don't go behind what is being</li> </ul>
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	trustee. Q. The attorney trustee? A. Rather than allowing me to go directly into their service seed system to pull information, they download that information into a third-party system and then provide access to that system so that we can pull that information out of the system and put it into our database. Q. And that is the LPS system? A. Yes. That's one name of it, yes. Q. What are the other names? A. LPS desktop is the most current name of it. Q. On Exhibit 1 there's FIS desktop. Is that the same system? A. I think so, yes. Q. Do you know anything about that system specifically, the platform, how it came about, where the data came from? A. Its origins, I wouldn't have any knowledge of its origins. I just know that it's a tool that we use to communicate back and forth. Q. Is that tool being used for all lenders?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. That that is the name we should reference as the name we are foreclosing in the name of.  Q. Is it fair to say that when this particular referral package came in you rely on the information there at face value?  A. In 2009, yes.  Q. You don't go behind what is being represented in Exhibit 1 to determine the veracity or the truth of the representation?  A. I'm not sure what you mean by that.  Q. You testify that you receive information from the website?  A. Correct.  Q. And you accepted that information in order to process your work as trustee?  A. Yes.  Q. Are there any activities that you take to verify that the data you receive from the system is accurate?  A. Accurate, no.  Q. I'm alerting you to the reference of the identification of the investor in this case.  A. Uh-huh.

4 (Pages 13 to 16)

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#### Page 17

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Q. Do you have any understanding or knowledge of the difference between the reference of mortgage currently held by IndyMac Federal and investor by Freddie Mac?

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MS. MORRISON: Objection. I think you're asking him to make any sort of legal conclusion. He can answer if he knows.

- A. Can you repeat your question, please.
- Q. In looking at Exhibit 1, when you see the two references of two separate entities, what is your understanding of the difference between those two entities as to the capacity regarding the foreclosure?
- A. Well, I know that Federal Home Loan Mortgage Corporation is the investor, and I know that IndyMac Federal Bank is the servicer, and I know that Federal Home Loan Mortgage Corporation requires that IndyMac Federal Bank foreclose in their name, not in Federal Home Loan Mortgage Corporation's name.
- 19 Q. Is there a guideline or written document 20 that you're referring to when you talk about your own 21 knowledge?
- 22 A. Yes. It's the guidelines that are 23 published by Federal Home Loan Mortgage Corporation. 24 Q. And we can find that on their Internet
  - website?

#### Page 19

Page 20

- Q. No separate agreement between your company and Freddie Mac?
- A. Northwest Trustee Services, no.
- Q. Can you describe to me the process by which the referral came in, in this case? And I'm still referring to the Exhibit 1.
  - A. How the referral came in?
- Q. Yeah.
- A. Through an electronic download from that third-party system.
  - Q. And your employees or Northwest Trustee employees would sign on with an access code?
- Q. And the information that you receive would be via electronic images and data?
  - A. Yes.
- 17 Q. Is there any paper copies or a transmission 18 of the package itself that you know of?
- 19 A. It's electronic transmit, electronically 20 transmitted. We're a paperless office, so we would 21 not have a paper file where we would print any of the 22 referral or documents out and put them into a physical 23
  - Q. I'd like for you to go to the pages beyond the first two pages there.

### Page 18

- A. I don't know if you have access or not.
- 2 Q. Have you ever read the guidelines that 3 you're referring to?
  - A. I'm familiar with them, yes.
    - Q. In this referral, who paid the invoices that your company billed?
- 6 7 A. I don't have direct knowledge of who paid
- 8 it.
  - Q. But --
- 10 A. In other words, I've never seen the check.
- 11 Q. Are you familiar with the existence of any
- 12 invoices --
- 13 A. Yes.
  - -- relating to this particular referral in
- 15 2009?
- 16 A. Yes.
- 17 Q. And you don't recall who the invoices were
- 18 being billed to?
  - A. IndyMac Federal Bank.
- 20 Q. And do you recall if you got -- I'm sorry,
- let me rephrase. Are you aware of any agreement 21
- 22 between Northwest Trustee and Federal Home Loan
- 23 Mortgage Company, which I will refer to from now on as
- 24 "Freddie Mac"?
- 25 A. No.

- 1 A. Okay.
- 2 Q. What are these figures and ledger here?
  - They look like ledgers to me.
- 4 A. Which page are you looking at?
  - Q. You go to the third page, which is VMD 10.
  - A. VMD 10?
- 7 Q. Yeah, through 17.
- 8 A. It would give us information regarding the
- 9 current interest rate, the unpaid principal balance.
- 10 It would give us the interest calculation, the escrow
- 11 advance balance, the accumulated late charges. These
- 12 are financials from the lender's system or the
- 13 servicer's system.
  - Q. And to the best of your knowledge, those
- 15 information would have come from IndyMac Federal Bank? 16
- 17 Q. What is your understanding of Freddie Mac 18 as an investor?
- 19
- MS. MORRISON: Objection if you're asking 20 him to make a legal conclusion. He can answer if he 21 knows.
- 22 A. My understanding of Federal Home Loan 23 Mortgage Corporation is the principal in interest
- 24 that's collected is passed through to them as they are
- 25 an investor in that loan.

5 (Pages 17 to 20)

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Page	21

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- 1 Q. Do you have any knowledge of the nature of 2 Ms. Reiner's loan as in whether it was sold to Freddie Mac, whether it was securitized? Do you have any
  - A. No, I don't.

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- 6 Q. Insofar as the third-party LPS system, are 7 you aware of any maintenance activities or design 8 activities of the program itself?
  - A. I'm not involved in that part of the process. I know they update the system and it changes occasionally, and they issue updates to the changes they make that affect us.
  - Q. Right. But that also -- electronic transmissions you're talking about?
  - A. I think I'm referring more to the structure of the system and where to find the information and how to communicate back and forth through that system.
    - Q. But you have no idea how it's maintained --
- 19 A. No.
  - Q. -- or worked on?
- 21 A. I don't.
- 22 Q. In looking at Exhibit 1 again, Mr. Stenman,
- 23 do you recall whether there's an agreement with
  - IndyMac Federal Bank for Northwest Trustee to act as
- 25 trustee?

# Page 23

- when, or the point of involvement? A. At the initial referral and issuance of the notice of default.
- Q. Okay. Now, when you talk about the schedule of fees, as we've just talked about -- and I'm narrowing it to the GSE type loan here. And you agree that this is a GSE type loan?
- A. Yeah. Federal Home Loan Mortgage Corporation I would consider a GSE, yes.
  - Q. Does that schedule of fees apply at the initial referral and throughout, or is it broken down to prior to appointment and after appointment?
  - A. I believe Freddie Mac's fee is just stated as an overall allowable amount. I don't believe that it breaks it down at each stage.
  - Q. All right. So when you -- when your company got involved in this case in 2009, that particular fee schedule would apply as a set amount?
- 19 A. We would be held to not to charge more than 20 the allowable fee in 2009, whatever the published fee 21 was in 2009.
  - Q. Does that remain true for all the work that you do, it's a flat fee?
    - A. It's a flat fee, yes.

MS. DAO: Hey, Chris, you want to mute your

Page 24

## Page 22

- 1 A. As trustee the agreement would be the 2 appointment of successor trustee.
  - Q. And I'm referring to a particular agreement about expectations, terms, compensation?
- 5 A. I don't know if there's a specific 6 agreement with -- between us and them. I'd have to 7 research that.
  - Q. Okay. What is your understanding of how Northwest Trustee is compensated? What's the basis for compensation?
  - A. The fee is derived by loan type, and typically they will provide a -- they'll make a statement that we're to bill to whatever loan type or GSE or government entity. Most government entities, like Freddie Mac and Fannie Mae and HFA and VA, provide fee schedules, allowable fees. And then usually the servicer will indicate what amount of fee can be charged at each particular milestone during a foreclosure.
  - Q. So along the line of that disclosure, is it fair to say that Northwest gets involved before the notice -- before it even is appointed as successor trustee?
- 24 A. Yes.
  - Q. So the stage of that involvement would be

end?

MR. KAYSER: I'm sorry about that. MS. DAO: Thanks.

- Q. Mr. Stenman, if I could ask you to pay attention to what I've handed you, which is Exhibit 3 from the previous day of deposition. If you could take a look and familiarize yourself with the document.
  - A. Okay.
- 10 Q. This is the notice of default that 11 Northwest Trustee sent out on behalf of IndyMac 12 Federal Bank; is that correct? 13
  - A. Yes.
  - Q. And the date of the document is what, Mr. Stenman?
    - A. April 7, 2009.
- 17 Q. So the information -- I'm sorry. Who 18 prepared the notice of default, to the best of your 19 knowledge?
  - A. Northwest Trustee Services.
    - Q. And you reviewed the information that is contained in Exhibit 3. Can you tell me where the information came from, and specifically the items account for the arrears?
      - A. Just the arrears?

6 (Pages 21 to 24)

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	Page 25		Page 27
1	Q. Yes.	1	A. Yes.
2	A. The arrears information came from the	2	Q. Is that a statement of fact?
3	screen prints that were provided at the referral, at	3	MS. MORRISON: Objection to the extent
4	the point of referral.	4	you're asking him to make any sort of legal
5	Q. And could it be the information that we	5	determination. He can answer if he knows.
6	were just talking about on the previous exhibit, the	6	A. It's our representation of ourselves in the
7	pages that were attached to the referral package?	7	document.
8	A. It could be, yes.	8	Q. Is that true?
9	Q. Where else would you get the information	9	A. Did we issue it as an agent, yes.
10	about the arrears?	10	Q. And the authority to act as an agent came
11	A. A very small portion of the information	11	from where?
12	comes in through the download, through our electronic	12	A. From the referral.
13	download.	13	Q. From the referral? Are we talking about
14	Q. Through the same third-party system you	14	the previous exhibit, or is it some other document
15	were	15	that I'm not seeing?
16	A. Yes, but a very small part. We verify all	16	A. When it was delivered to us through the
17	the financial information through the screen prints	17	LPS desktop system, that's when we picked up the
18	that they provide.	18	referral, and it was deposited into our database. And
19	Q. I'm going to call your attention to on the	19 20	we issued it as an agent because we had not been
20	item listed as trustee's fees. Do you see that?	21	appointed. So we couldn't issue it as a trustee.
21	A. Yes.	22	Q. And again the your the representation as appeared here is based on that referral?
22	Q. And that is how much? A. \$508.	23	A. Correct.
23 24	1-1-1	24	Q. Through the third-party system?
25	Q. Would that represent the amount of fees allowed for in this GSE loan?	25	A. That's correct.
25	anowed for in this GSE loan?	23	7. That s correct.
	Page 26		Page 28
1	A. It's the amount we charged at that stage,	1	Q. And then the fees of \$508 that we were
2	and it would be under the allowable amount for that	2	talking about, in the previous page of the same
3	stage well, for that GSE.	3	Exhibit 3, would be paid or would have been paid by
4	Q. Okay. Let me clarify. When you said "that	4	IndyMac Federal Bank?
5	stage," you're not talking about just pre-appointment	5	A. Yes. We would invoice them and they would
6	stage?	6	pay us, yes.
	A. At the point that we issue the notice of	7	* *
7			Q. In the event that the servicer changed
8	default it's the amount, the prorated amount, of the	8	Q. In the event that the servicer changed the servicers change in the middle of the foreclosure
8 9	total fee that we charge.	8 9	Q. In the event that the servicer changed the servicers change in the middle of the foreclosure process, does your company record a new appointment of
8 9 10	total fee that we charge.  Q. I see. So there would be more fees earned	8 9 10	Q. In the event that the servicer changed the servicers change in the middle of the foreclosure process, does your company record a new appointment of successor trustee?
8 9 10 11	total fee that we charge.  Q. I see. So there would be more fees earned as you continued on the trustee's work?	8 9 10 11	Q. In the event that the servicer changed the servicers change in the middle of the foreclosure process, does your company record a new appointment of successor trustee? A. We don't have to. Once we're appointed
8 9 10 11 12	total fee that we charge.  Q. I see. So there would be more fees earned as you continued on the trustee's work?  A. Correct.	8 9 10 11 12	Q. In the event that the servicer changed the servicers change in the middle of the foreclosure process, does your company record a new appointment of successor trustee?  A. We don't have to. Once we're appointed trustee we're the trustee until another trustee is
8 9 10 11 12 13	total fee that we charge.  Q. I see. So there would be more fees earned as you continued on the trustee's work?  A. Correct.  Q. In Exhibit 3, if you look it's it has	8 9 10 11 12 13	Q. In the event that the servicer changed the servicers change in the middle of the foreclosure process, does your company record a new appointment of successor trustee?  A. We don't have to. Once we're appointed trustee we're the trustee until another trustee is appointed, or the previous trustee resigns.
8 9 10 11 12 13	total fee that we charge.  Q. I see. So there would be more fees earned as you continued on the trustee's work?  A. Correct.  Q. In Exhibit 3, if you look it's it has  Ms. Vonnie McElligott's name on the last page. Is	8 9 10 11 12 13 14	Q. In the event that the servicer changed the servicers change in the middle of the foreclosure process, does your company record a new appointment of successor trustee?  A. We don't have to. Once we're appointed trustee we're the trustee until another trustee is appointed, or the previous trustee resigns.  Q. Okay. Are you aware that in this case
8 9 10 11 12 13 14 15	total fee that we charge.  Q. I see. So there would be more fees earned as you continued on the trustee's work?  A. Correct.  Q. In Exhibit 3, if you look it's it has Ms. Vonnie McElligott's name on the last page. Is that an indication of anything? Did she prepare the	8 9 10 11 12 13 14 15	Q. In the event that the servicer changed the servicers change in the middle of the foreclosure process, does your company record a new appointment of successor trustee?  A. We don't have to. Once we're appointed trustee we're the trustee until another trustee is appointed, or the previous trustee resigns.  Q. Okay. Are you aware that in this case there was a second appointment of successor trustee?
8 9 10 11 12 13 14 15	total fee that we charge.  Q. I see. So there would be more fees earned as you continued on the trustee's work?  A. Correct.  Q. In Exhibit 3, if you look it's it has Ms. Vonnie McElligott's name on the last page. Is that an indication of anything? Did she prepare the exhibit?	8 9 10 11 12 13 14 15 16	Q. In the event that the servicer changed the servicers change in the middle of the foreclosure process, does your company record a new appointment of successor trustee?  A. We don't have to. Once we're appointed trustee we're the trustee until another trustee is appointed, or the previous trustee resigns.  Q. Okay. Are you aware that in this case there was a second appointment of successor trustee?  A. Yes.
8 9 10 11 12 13 14 15 16	total fee that we charge.  Q. I see. So there would be more fees earned as you continued on the trustee's work?  A. Correct.  Q. In Exhibit 3, if you look it's it has Ms. Vonnie McElligott's name on the last page. Is that an indication of anything? Did she prepare the exhibit?  A. It's an indication of who the assigned	8 9 10 11 12 13 14 15	Q. In the event that the servicer changed the servicers change in the middle of the foreclosure process, does your company record a new appointment of successor trustee?  A. We don't have to. Once we're appointed trustee we're the trustee until another trustee is appointed, or the previous trustee resigns.  Q. Okay. Are you aware that in this case there was a second appointment of successor trustee?  A. Yes.  Q. And what is your understanding of why that
8 9 10 11 12 13 14 15	total fee that we charge.  Q. I see. So there would be more fees earned as you continued on the trustee's work?  A. Correct.  Q. In Exhibit 3, if you look it's it has Ms. Vonnie McElligott's name on the last page. Is that an indication of anything? Did she prepare the exhibit?  A. It's an indication of who the assigned processor is to the file.	8 9 10 11 12 13 14 15 16	Q. In the event that the servicer changed the servicers change in the middle of the foreclosure process, does your company record a new appointment of successor trustee?  A. We don't have to. Once we're appointed trustee we're the trustee until another trustee is appointed, or the previous trustee resigns.  Q. Okay. Are you aware that in this case there was a second appointment of successor trustee?  A. Yes.  Q. And what is your understanding of why that happened?
8 9 10 11 12 13 14 15 16 17	total fee that we charge.  Q. I see. So there would be more fees earned as you continued on the trustee's work?  A. Correct.  Q. In Exhibit 3, if you look it's it has Ms. Vonnie McElligott's name on the last page. Is that an indication of anything? Did she prepare the exhibit?  A. It's an indication of who the assigned processor is to the file.  Q. And that would be Vonnie McElligott for	8 9 10 11 12 13 14 15 16 17 18	Q. In the event that the servicer changed the servicers change in the middle of the foreclosure process, does your company record a new appointment of successor trustee?  A. We don't have to. Once we're appointed trustee we're the trustee until another trustee is appointed, or the previous trustee resigns.  Q. Okay. Are you aware that in this case there was a second appointment of successor trustee?  A. Yes.  Q. And what is your understanding of why that
8 9 10 11 12 13 14 15 16 17 18	total fee that we charge.  Q. I see. So there would be more fees earned as you continued on the trustee's work?  A. Correct.  Q. In Exhibit 3, if you look it's it has Ms. Vonnie McElligott's name on the last page. Is that an indication of anything? Did she prepare the exhibit?  A. It's an indication of who the assigned processor is to the file.	8 9 10 11 12 13 14 15 16 17 18	Q. In the event that the servicer changed the servicers change in the middle of the foreclosure process, does your company record a new appointment of successor trustee?  A. We don't have to. Once we're appointed trustee we're the trustee until another trustee is appointed, or the previous trustee resigns.  Q. Okay. Are you aware that in this case there was a second appointment of successor trustee?  A. Yes.  Q. And what is your understanding of why that happened?  A. I don't believe it was required. My belief
8 9 10 11 12 13 14 15 16 17 18 19 20	total fee that we charge.  Q. I see. So there would be more fees earned as you continued on the trustee's work?  A. Correct.  Q. In Exhibit 3, if you look it's it has Ms. Vonnie McElligott's name on the last page. Is that an indication of anything? Did she prepare the exhibit?  A. It's an indication of who the assigned processor is to the file.  Q. And that would be Vonnie McElligott for this particular file?	8 9 10 11 12 13 14 15 16 17 18 19 20	Q. In the event that the servicer changed the servicers change in the middle of the foreclosure process, does your company record a new appointment of successor trustee?  A. We don't have to. Once we're appointed trustee we're the trustee until another trustee is appointed, or the previous trustee resigns.  Q. Okay. Are you aware that in this case there was a second appointment of successor trustee? A. Yes. Q. And what is your understanding of why that happened?  A. I don't believe it was required. My belief is that we didn't take up the fact that there was a
8 9 10 11 12 13 14 15 16 17 18 19 20 21	total fee that we charge.  Q. I see. So there would be more fees earned as you continued on the trustee's work?  A. Correct.  Q. In Exhibit 3, if you look it's it has Ms. Vonnie McElligott's name on the last page. Is that an indication of anything? Did she prepare the exhibit?  A. It's an indication of who the assigned processor is to the file.  Q. And that would be Vonnie McElligott for this particular file?  A. Yes.	8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. In the event that the servicer changed the servicers change in the middle of the foreclosure process, does your company record a new appointment of successor trustee?  A. We don't have to. Once we're appointed trustee we're the trustee until another trustee is appointed, or the previous trustee resigns.  Q. Okay. Are you aware that in this case there was a second appointment of successor trustee? A. Yes. Q. And what is your understanding of why that happened?  A. I don't believe it was required. My belief is that we didn't take up the fact that there was a previous appointment and we recorded another one.
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	total fee that we charge.  Q. I see. So there would be more fees earned as you continued on the trustee's work?  A. Correct.  Q. In Exhibit 3, if you look it's it has Ms. Vonnie McElligott's name on the last page. Is that an indication of anything? Did she prepare the exhibit?  A. It's an indication of who the assigned processor is to the file.  Q. And that would be Vonnie McElligott for this particular file?  A. Yes.  Q. So let me clarify. On the same last page,	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. In the event that the servicer changed the servicers change in the middle of the foreclosure process, does your company record a new appointment of successor trustee?  A. We don't have to. Once we're appointed trustee we're the trustee until another trustee is appointed, or the previous trustee resigns.  Q. Okay. Are you aware that in this case there was a second appointment of successor trustee?  A. Yes.  Q. And what is your understanding of why that happened?  A. I don't believe it was required. My belief is that we didn't take up the fact that there was a previous appointment and we recorded another one.  Q. I asked you to describe the process, and I
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	total fee that we charge.  Q. I see. So there would be more fees earned as you continued on the trustee's work?  A. Correct.  Q. In Exhibit 3, if you look it's it has Ms. Vonnie McElligott's name on the last page. Is that an indication of anything? Did she prepare the exhibit?  A. It's an indication of who the assigned processor is to the file.  Q. And that would be Vonnie McElligott for this particular file?  A. Yes.  Q. So let me clarify. On the same last page, do you see the reference that Northwest Trustee	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. In the event that the servicer changed the servicers change in the middle of the foreclosure process, does your company record a new appointment of successor trustee?  A. We don't have to. Once we're appointed trustee we're the trustee until another trustee is appointed, or the previous trustee resigns.  Q. Okay. Are you aware that in this case there was a second appointment of successor trustee?  A. Yes.  Q. And what is your understanding of why that happened?  A. I don't believe it was required. My belief is that we didn't take up the fact that there was a previous appointment and we recorded another one.  Q. I asked you to describe the process, and I didn't pick up on it where we left off. After you got

7 (Pages 25 to 28)

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Page 29 Page 31 1 guarantee, which is a title report. 1 company creates? 2 2 Q. From where? A. For just this part of the stage or the 3 A. Depends on who we're using as a vendor. 3 whole foreclosure? 4 I'd have to look at the TSG, the trustee. We 4 Q. For the foreclosure process. And I'm 5 typically will default in our system who we record our 5 referring to this particular loan with Ms. Reiner. 6 title from, and I'd have to look to see who we ordered 6 A. Are we talking about both foreclosures or 7 7 it from. just the first one? 8 8 Q. What was the purpose for the title report? Q. Let's talk about the first one first 9 A. It tells us who the current owner is, who 9 because I realize that there were changes. 10 10 the current vested owner of the property is. It tells A. I think, I believe, we only got through the 11 us the current lien holders on the property. It 11 notice of the default on the first one. I'd have to 12 should indicate who our -- which deed of trust we're 12 check, have to look at what we got through. And can 13 foreclosing on. It would give us -- what would come 13 I? Can I look? 14 along with it would be supporting documents that we 14 Q. Yes, go ahead. 15 could review, like the recording deed of trust. Any 15 A. Because I'm not sure how far we got in 16 vesting deeds that may have been recorded prior to the 16 here. I get them mixed up. There's two of them. 17 deed of trust, and after the deed of trust in case the 17 Q. Sure. If we could confine to the 2009. 18 A. 2009? vested party transferred their interest to another 18 19 19 vested party. Q. Yes, please. 20 20 A. So we issued a notice of default. We Q. And then what do you do after the title 21 order is -- the title report is ordered? 21 procured an assignment of deed of trust. A. Well, our -- the title company will send us Q. Okay. Let's stop right there. You said 22 22 23 a confirmation of the order, and with the confirmation 23 you procure. What happened? 24 they'll send us the recorded deed of trust on the 24 A. We drafted it. 25 25 vesting deeds that I alluded to, tax information so we Q. And this is the assignment, you said? Page 30 Page 32 can see whether there's an additional mailing address A. Yes. 1 1 2 for the homeowner, the borrower. And then we would 2 Q. The assignment of deed of trust? 3 3 take that information and the additional information A. Correct. 4 that came from the referral and issue the notice of 4 Q. And are you looking at a particular 5 5 default. document there? 6 Q. And how do you go about issuing the notice 6 A. Yes. 7 of default? 7 Q. Could you --8 8 A. Yes. JSD 88. A. It gets mailed via first class and 9 certified mail/return receipt requested, and it gets 9 Q. Could you pull it out for me? 10 10 A. (Handing). Trying to find the appointment. posted on the property. 11 Q. And who does the mailing? 11 Q. Take your time. 12 A. We have a mailroom, full-service mailroom, 12 MS. MORRISON: The appointment was marked 13 13 as an exhibit yesterday. that would handle the mailing. 14 Q. Inside your company? 14 MS. DAO: Could be. 15 MS. MORRISON: Exhibit 2 and Exhibit 20. 15 A. Yes. 16 Q. What about the posting? 16 Both of them. 17 A. An outside agent. We would contact an 17 MS. DAO: 2 and 20? 18 outside agent and send a copy of the notice of default 18 MS. MORRISON: Yes. 19 and ask that they post it, and we would tell them that 19 A. Are you going to find it for me? 20 it had to be posted as soon as possible, hopefully 20 Q. We have it here (indicating). 21 same day. 21 A. The appointment of successor trustee, 22 Q. When I deposed Ms. McElligott yesterday, I 22 that's correct. The notice of trustee sale, which was 23 asked her about the documents relating to the 23 dated effective 5-26-2009. 24 24 Q. Will you hand me that? foreclosure process that your company creates, and she 25 25 A. Sure. This is another separate notice. gave me a list. Can you tell me what documents your

8 (Pages 29 to 32)

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		•	
	Page 33		Page 35
1	It's called a "Notice of Foreclosure." And a notice	1	is that a word processing template?
2	of discontinuance. It looks like those were the only	2	A. It's a template in our document system,
3	documents for this foreclosure that we had issued.	3	yes.
4	(Marked for identification Exhibit 1.)	4	Q. Is it part of the third _arty vendor system
5	Q. Thank you. I'm going to hand you what has	5	or is it separate?
6	been marked as Stenman Exhibit 1. Can you tell us	6	A. It's part of ours. It's our proprietary
7	what that is?	7	system.
8	A. It's the assignment of deed of trust.	8	Q. And how can you tell between you
9	Q. And you testified that your company	9	mentioned that the fonts look different, font type.
10	prepared that?	10	A. Well, I also know that we don't populate
11	A. Yes.	11	that information unless it's requested that we
12	Q. And where did you get the information to	12	populate some of the information, but typically we
13	prepare it from?	13	wouldn't we would not populate the title of the
14	A. From the referral and from the recorded	14	person signing the document because we wouldn't know
15	deed of trust.	15	who is going to sign it.
16	Q. How do you decide who the signatory would	16	Q. So in drafting the assignment of deed of
17	be?	17	trust, you leave it blank as far as the person who is
18	A. Well, we would use our standard template,	18	going to sign?
19	MERS template, and then it would be delivered to	19	A. We leave the signature section and the
20	IndyMac Bank, and then they would review it and make a	20	notary section blank.
21	determination on whether or not they want any edits to	21	Q. And is it your belief that that was done in
22	the document. So they may require revision, and then	22	this case?
23	we would have to upload a new one for revision. This	23	A. Yes.
24	particular one, I wouldn't know whether or not there	24	Q. And then how did you get it back signed?
25	was a revision done, but we would draft the first	25	A. They would have sent it to us in the mail.
	,		•
	Page 34		Page 36
1	version and send it up to them. And then they would	1	Q. "They" who?
2	determine if they would execute it and return it.	2	A. IndyMac Bank would have sent it to
3	Q. On Exhibit 1, the signatory is	3	IndyMac Federal Bank would have sent it to us in the
4	Erica A. Johnson-Seck. Do you see that?	4	mail.
5	A. Yes.	5	Q. And are you talking about customs or do you
6	Q. And what's her title there?	6	know for a fact that it happened in this case?
7	A. It says vice-president of MERS.	7	A. Well, they would either they would have
8	Q. Have you ever met her?	8	to deliver it to us in the mail because we have to
9	A. No.	9	have an original signed document for us to send for
10	Q. Do you know who she is?	10	recording.
11	A. No.	11	Q. So explain to me why this document was
12	Q. Do you know in fact do you know for a	12	supposed to be executed by MERS, but it would come
13	fact that she was the assistant VP for MERS?	13	from IndyMac Federal.
14	A. No.	14	A. The beneficiary on the deed of trust was
15	Q. But so how did you I'm sorry, how did	15	MERS.
16	Northwest decide to put her name there as signatory?	16	Q. Correct.
17	A. We didn't put her name on here.	17	A. So that's who would have to assign the
18	Q. Who would have?	18	interest.
19	A. They would. Somebody at IndyMac Federal	19	Q. Right. But my question is, why was it not
20	Bank would complete the signature line and the title	20	sent to MERS?
21	and the notary section.	21	A. Well, if IndyMac Bank wanted to send it to
22	Q. And how can you tell?	22	MERS for execution they could have, but we deliver the
22	A. Decessor it a new control than due to	22	ossis a massants from the manter was a management which is

9 (Pages 33 to 36)

assignments for the party we represent, which is

for signature that's up to them.

IndyMac Federal Bank. If they need to send it to MERS

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A. Because it's not part of the draft

Q. So the template that you were referring to,

document. It's got a different font size.

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	Page 37		Page 39
1	Q. So even though you prepared the document	1	Q. Yes.
2	for someone on behalf of MERS to sign, you never sent	2	A. I don't see how the assignment would have
3	it directly to MERS?	3	any how that would affect the assignment, the deed
4	A. I'm not sure how you're characterizing	4	of trust, since MERS is executing it, not IndyMac.
5	that.	5	Q. And so that's your understanding is that it
6	Q. The assigner in this case is MERS; is that	6	doesn't matter?
7	correct?	7	A. It's my understanding that MERS is
8	A. Correct.	8	executing the assignment, not IndyMac Bank.
9	Q. But you send the draft that you that	9	Q. Okay. And when you said MERS executed it,
10	your company drafted to IndyMac Federal?	10	are we referring back to your testimony that it was
11	A. Correct.	11	sent to IndyMac Federal?
12	Q. Do you do that in all cases where it goes	12	A. Yes.
13	back to the servicer?	13	Q. And so as far as your actual knowledge
14	A. Yes.	14	whether MERS actually executed the document, you don't
15	Q. Is there any exception at all where you	15	know?
16	send it directly to MERS?	16	A. I can only go by the document itself.
17	A. No.	17	Q. And is it fair to say that when you
18	Q. So you've never have you had any	18	received Exhibit 1, you took no action Northwest
19	dealings with MERS in this particular case?	19	Trustee took no action to verify the accuracy?
20	A. No.	20	A. Correct.
21	Q. Do you recall if there was ever any	21	Q. Or the identity of the signer?
22	correspondence from MERS to you?	22	A. Correct.
23	A. In this case, no.	23	Q. Or the fact or whether or not she had
24	Q. Let me ask you to refer back to Exhibit 1	24	authority to sign?
25	of Stenman. And the date of the assignment, when you	25	A. Correct.
	Page 38		Page 40
1	receive it, was when?	1	(Marked for identification Exhibit 2.)
2	A. I don't have that information in front of	2	Q. I'm going to show you Exhibit 2 as your own
3	me.	3	deposition exhibit here, and it's appointment of
4	Q. How about the day of execution?	4	successor trustee. Take a look at that document, Mr.
5	A. It says it right on the assignment that it	5	Stenman.
6	was executed on May 7.	6	A. Okay.
7	Q. Of 2000	7	Q. Your testimony is that Exhibit 2 was also
8	A. Nine.	8	created by Northwest?
9	Q. You referred to the fact that IndyMac	9	A. Yes.
10	Federal Bank is no longer in existence?	10	Q. And for what purpose?
11	A. Correct.	11	A. To appoint Northwest Trustee as trustee in
12	Q. Do you recall that?	12	the foreclosure in the deed of trust.
13	A. Yes.	13 14	Q. And what facts let you led Northwest to
14 15	Q. Do you know the date that the bank ceased		do that?
16	to exist as an entity? A. No.	15 16	A. We would have looked at the title, and the title would have reflected that there wasn't a
17	Q. Do you know the year that it ceased	17	successor, an appointment of Northwest Trustee already
18	operating as an entity?	18	of record.
19	A. No. I'd be guessing. I'd have to look	19	Q. And so that was a determination made by
20	back to see when that happened.	20	Northwest Trustee?
21	Q. So if I were to tell you that Exhibit 1 was	21	A. Yes.
22	executed after the date that the bank had ceased	22	Q. And so you created the appointment. And
23	operating, would you have any knowledge or information	23	then what did you do after that?
24	to dispute that?	24	A. We would have delivered it to IndyMac
25	A. Are we talking about the assignment?	25	Federal Bank for execution and return.
23	71. The we taking about the assignment.		redefair Bank for execution and return.

10 (Pages 37 to 40)

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	Page 41		Page 43
1	Q. Again, on Exhibit 2, when you drafted the	1	A. Okay.
2	document, did you decide who was going to be the	2	Q. What is that document?
3	signatory?	3	A. It's a "Notice of Discontinuance of
4	A. No.	4	Trustee's Sale."
5	Q. And again	5	Q. And who signed it?
6	A. Well, let me restate that. We expected	6	A. I did.
7	that IndyMac Federal Bank would be the signatory.	7	Q. What date?
8	Q. But did you pick a name?	8	A. August 14.
9	A. No.	9	Q. Of?
10	Q. So what so you used the template that	10	A. 2009.
11	you referred earlier to draft?	11	Q. Do you recall the circumstances that led
12	A. Yes. It's a template in our system.	12	you to sign that document?
13	Q. And then you sent it to IndyMac Federal?	13	A. We were advised to cancel the foreclosure
14	A. Yes.	14	and to close our file.
15	Q. And they executed it and returned it?	15	Q. Are you going by recollection from your
16	A. Correct.	16	memory?
17	Q. And again, the day of execution is May 7,	17	A. I saw a communication that was archived in
18	2009. Do you agree?	18	our image archive system indicating that we were
19	A. It doesn't have a date of execution. It	19	requested to cancel our foreclosure, to stop our
20	only has a notary date.	20	foreclosure.
21	Q. What is that date?	21	Q. When did you look at this message?
22	A. April or May 7, 2009.	22	A. Within the last few days.
23	Q. And who is the signatory?	23	Q. And what system are we talking about?
24	A. Roger Stotts.	24	A. LPS desktop.
25	Q. And what did he execute the document as?	25	Q. And you indicated that it was archived?
	Page 42		Page 44
1	A. Vice-president of IndyMac Federal Bank	1	A. Yes.
2	FSB.	2	Q. So how did you do that, sign on to the
3	Q. Do you know Mr. Roger Stotts personally?	3	system using
4	A. No.	4	A 77 P171 4 0
			A. How did I do that?
5	Q. Never met him?	5	A. How did I do that? Q. Yes.
5 6	<ul><li>Q. Never met him?</li><li>A. No.</li></ul>		
	-	5	Q. Yes.
6	A. No.	5 6	<ul><li>Q. Yes.</li><li>A. I looked at our image archive to determine</li></ul>
6 7	<ul><li>A. No.</li><li>Q. Would not have any idea whether he</li></ul>	5 6 7	<ul><li>Q. Yes.</li><li>A. I looked at our image archive to determine when the file was closed and why it was closed.</li></ul>
6 7 8	A. No. Q. Would not have any idea whether he actually, in fact, executed this document?	5 6 7 8	<ul><li>Q. Yes.</li><li>A. I looked at our image archive to determine when the file was closed and why it was closed.</li><li>Q. And now you're talking about Northwest's</li></ul>
6 7 8 9 10 11	A. No. Q. Would not have any idea whether he actually, in fact, executed this document? A. No.	5 6 7 8 9	<ul> <li>Q. Yes.</li> <li>A. I looked at our image archive to determine when the file was closed and why it was closed.</li> <li>Q. And now you're talking about Northwest's system?</li> <li>A. Correct.</li> <li>Q. And is that a computer system or hard copy</li> </ul>
6 7 8 9	<ul> <li>A. No.</li> <li>Q. Would not have any idea whether he actually, in fact, executed this document?</li> <li>A. No.</li> <li>Q. I asked you earlier whether you have any</li> </ul>	5 6 7 8 9 10 11 12	<ul> <li>Q. Yes.</li> <li>A. I looked at our image archive to determine when the file was closed and why it was closed.</li> <li>Q. And now you're talking about Northwest's system?</li> <li>A. Correct.</li> <li>Q. And is that a computer system or hard copy system that we're talking about?</li> </ul>
6 7 8 9 10 11	<ul> <li>A. No.</li> <li>Q. Would not have any idea whether he actually, in fact, executed this document?</li> <li>A. No.</li> <li>Q. I asked you earlier whether you have any knowledge of when IndyMac Federal ceased to exist.</li> <li>A. Correct.</li> <li>Q. And as to the date of this document, when</li> </ul>	5 6 7 8 9 10 11	<ul> <li>Q. Yes.</li> <li>A. I looked at our image archive to determine when the file was closed and why it was closed.</li> <li>Q. And now you're talking about Northwest's system?</li> <li>A. Correct.</li> <li>Q. And is that a computer system or hard copy system that we're talking about?</li> <li>A. Computer system.</li> </ul>
6 7 8 9 10 11 12 13	<ul> <li>A. No.</li> <li>Q. Would not have any idea whether he actually, in fact, executed this document?</li> <li>A. No.</li> <li>Q. I asked you earlier whether you have any knowledge of when IndyMac Federal ceased to exist.</li> <li>A. Correct.</li> <li>Q. And as to the date of this document, when Mr. Stotts's signature was notarized, May 7, 2009, you</li> </ul>	5 6 7 8 9 10 11 12 13	<ul> <li>Q. Yes.</li> <li>A. I looked at our image archive to determine when the file was closed and why it was closed.</li> <li>Q. And now you're talking about Northwest's system?</li> <li>A. Correct.</li> <li>Q. And is that a computer system or hard copy system that we're talking about?</li> <li>A. Computer system.</li> <li>Q. And the and what did you see? A</li> </ul>
6 7 8 9 10 11 12 13 14	A. No. Q. Would not have any idea whether he actually, in fact, executed this document? A. No. Q. I asked you earlier whether you have any knowledge of when IndyMac Federal ceased to exist. A. Correct. Q. And as to the date of this document, when Mr. Stotts's signature was notarized, May 7, 2009, you don't have any idea whether the bank was still in	5 6 7 8 9 10 11 12 13 14	<ul> <li>Q. Yes.</li> <li>A. I looked at our image archive to determine when the file was closed and why it was closed.</li> <li>Q. And now you're talking about Northwest's system?</li> <li>A. Correct.</li> <li>Q. And is that a computer system or hard copy system that we're talking about?</li> <li>A. Computer system.</li> <li>Q. And the and what did you see? A comment, a message?</li> </ul>
6 7 8 9 10 11 12 13 14 15	A. No. Q. Would not have any idea whether he actually, in fact, executed this document? A. No. Q. I asked you earlier whether you have any knowledge of when IndyMac Federal ceased to exist. A. Correct. Q. And as to the date of this document, when Mr. Stotts's signature was notarized, May 7, 2009, you don't have any idea whether the bank was still in existence at that time?	5 6 7 8 9 10 11 12 13 14 15	<ul> <li>Q. Yes.</li> <li>A. I looked at our image archive to determine when the file was closed and why it was closed.</li> <li>Q. And now you're talking about Northwest's system?</li> <li>A. Correct.</li> <li>Q. And is that a computer system or hard copy system that we're talking about?</li> <li>A. Computer system.</li> <li>Q. And the and what did you see? A comment, a message?</li> <li>A. Yes. It was a message through LPS desktop</li> </ul>
6 7 8 9 10 11 12 13 14 15 16	A. No. Q. Would not have any idea whether he actually, in fact, executed this document? A. No. Q. I asked you earlier whether you have any knowledge of when IndyMac Federal ceased to exist. A. Correct. Q. And as to the date of this document, when Mr. Stotts's signature was notarized, May 7, 2009, you don't have any idea whether the bank was still in existence at that time? A. I don't know when that occurred, no.	5 6 7 8 9 10 11 12 13 14 15 16 17	Q. Yes. A. I looked at our image archive to determine when the file was closed and why it was closed. Q. And now you're talking about Northwest's system? A. Correct. Q. And is that a computer system or hard copy system that we're talking about? A. Computer system. Q. And the and what did you see? A comment, a message? A. Yes. It was a message through LPS desktop that we imaged into our archive.
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6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. No. Q. Would not have any idea whether he actually, in fact, executed this document? A. No. Q. I asked you earlier whether you have any knowledge of when IndyMac Federal ceased to exist. A. Correct. Q. And as to the date of this document, when Mr. Stotts's signature was notarized, May 7, 2009, you don't have any idea whether the bank was still in existence at that time? A. I don't know when that occurred, no. Q. And when you received this Exhibit 2, you relied on it for face value? A. Correct. Q. And you used it to process the foreclosure? A. Correct.	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	<ul> <li>Q. Yes.</li> <li>A. I looked at our image archive to determine when the file was closed and why it was closed.</li> <li>Q. And now you're talking about Northwest's system?</li> <li>A. Correct.</li> <li>Q. And is that a computer system or hard copy system that we're talking about?</li> <li>A. Computer system.</li> <li>Q. And the and what did you see? A comment, a message?</li> <li>A. Yes. It was a message through LPS desktop that we imaged into our archive.</li> <li>Q. So the message came from LPS?</li> <li>A. Yes.</li> <li>Q. And do you recall what the message said?</li> <li>A. "Stop foreclosure" is the only part that I remember.</li> </ul>
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2 A. I don't know the name, but it does have the person that issued the stop foreclosure direction. 4 Q. In looking at that image or document that was archived, do you have any idea who that person is or where this person was working? 5 A. No. If I looked at it I might be able to tell if it was - who it was, if it was IndyMac, if it was an IndyMac person. 12 Q. But you don't know? 13 A. I can't remember. 14 Q. And so you surmised that when, at the time, when Northwest got that message. Northwest cancelled the sale? 15 Q. Discontinued? 16 A. Yes. 17 A. Yes. 18 Q. Discontinued? 19 A. Yes. 20 Q. It is a bad copy. 21 A. (Handing.) 22 Q. It is a bad copy. 22 Q. It is a bad copy. 23 A. It is, You can't read the signature or the notary. 25 Q. It looks blank.  Page 46 1 A. I know the image from accounting would probably show all that information because they would reject it for recording if you couldn't see it. 24 Q. I would imagine so. Let me ask you about continuances versus discontinuances. Do you understeam dwalf ms usying? 26 Q. And what dees that information because they would continuance versus discontinuances? 27 Q. And what does that company do for your company? 28 Q. It looks blank.  Page 46 29 A. Postponements versus discontinuances? 30 Q. And what does the toriower know that a sale is continued? 31 A. If a sale was scheduled for a specific date it would take place on that date. So if the sale was scheduled for Priday, when we would amounce it publicly at the place where the sale is scheduled to be read. 31 A. Yes. 32 A. They're sent a written notice of the postponement. 33 Page 48  A. Tanber'es a public producent continuance or jookponement happens at the sale to do don't a serit. 4 Q. I was an indy Mae can't have any idea to the protice of postponements? 4 Q. And how does it go byo deange it on your website? 4 A. No there are notices of postponements? 5 Q. So now, there are notices of postponements? 6 Q. And that's customary for Northwest? 7 A. Yes. 9 Q. For your don't know? 9 A. They're sent a written not		Page 45		Page 47
2 A. I don't know the name, but it does have the person that issued the stop foreclosme direction. 4 Q. In looking at that image or document that was archived, do you have any idea who that person is or where this person was working? A. No. 8 Q. For whom this person was working? 9 A. No. If I looked at it I might be able to tell if it was — who it was, if it was IndyMac, if it was an IndyMac person. 12 Q. But you don't know? 13 A. I can't remember. 14 Q. And so you surmised that when, at the time, when horthwest got that message, Northwest cancelled the sale? 15 when Northwest got that message, Northwest cancelled the sale? 16 dr. A. Yes. 18 Q. Discontinued? 19 A. Yes. 10 Q. Can'l see that exhibit for a second? 21 A. (Handing.) 22 Q. It is a bad copy. 23 A. It is, You can't read the signature or the notiary. 25 Q. It looks blank.  Page 46  A. I know the image from accounting would probably show all that information because they would ripiect it for recording if you couldn't see it. 4 Q. I would imagine so. Let me ask you about continuance or the sales take place? 27 A. Post-ponements versus discontinuances? 28 Q. Sure, let's go with that, because I've seen notices referring to everything. When does a continuance of the sales take place? 11 A. Yes. 12 Q. Rad what when we would announce it publicly at the place where the sale is scheduled for Friday, the continuance would be on Friday. That's when we would announce it publicly at the place where the sale is scheduled to be read. 10 Q. And that's customary for Northwest? 11 A. Ves. 12 Q. I how does the borrower know that a sale is continuanc? 22 Q. So now, there are notices of postponements? 23 A. They's sent a written notice of the postponement. 24 O. How does the borrower know that a sale is continuance? 25 Q. So now, there are notices of postponements? 26 Q. So now, there are notices of postponements? 27 A. They's sent a written notice of the postponement. 28 Q. So now, there are notices of postponements? 29 Q. So now, there are notices of postponements? 20 Q.	1	Q. Do you recall who it was?	1	A. There's a public proclamation and it's
gerson that issued the stop foreclosure direction.  4 Q. In looking at that image or document that 5 was archived, do you have any idea who that person is 6 or where this person was working? 7 A. No. 8 Q. For whom this person was working? 9 A. No. If I looked at it I might be able to 10 tell if it was - who it was, if it was IndyMac, if it 11 was an IndyMac person. 12 Q. But you don't know? 13 A. I can't remember. 14 Q. And so you sumised that when, at the time, 15 when Northwest got that message, Northwest cancelled 16 the sale? 17 A. Yes. 18 Q. Discontinued? 19 A. Yes. 20 Q. Can I see that exhibit for a second? 21 A. (Handing.) 22 Q. It is a bad copy. 23 A. It is. You can't read the signature or the 24 notary. 25 Q. It looks blank.  Page 46  1 A. I know the image from accounting would reject it for recording if you couldn't see it. 4 Q. I would imagine so. Let me ask you about continuance or the sales take place? 3 A. Postponements versus discontinuances. 4 Q. Sure, let's go with that, because I've seen notices referring to everything. When does a scheduled for Friday, the continuance would be on Friday. That's when we would announce if publicly at the place where the sale is scheduled to be road. 4 Q. And that's customary for Northwest? 4 Q. Son ow, there are notices of postponements? 5 Q. Son ow, there are notices of postponements? 6 Q. Son ow, there are notices of postponements? 7 A. Yes. 9 Q. Son ow, there are notices of postponements? 9 Q. Son ow, there are notices of postponements? 9 Q. Son ow, there are notices of postponements? 15 Q. And do so the son to the tother of the postponement of the continuance of the sales take place? 16 Q. Son ow, there are notices of postponements? 17 A. Yes. 18 Q. Son ow, there are notices of postponements? 18 Q. Son ow, there are notices of postponements? 29 Q. Son ow, there are notices of postponements? 20 Q. Son ow, there are notices of postponements? 21 Q. Son ow, there are notices of postponements? 22 Q. Son ow, there are notices of postponements? 23 Q. Son ow, there	2	· · · · · · · · · · · · · · · · · · ·	2	
4	3		3	
swas archived, do you have any idea who that person is of or where this person was working?  A. No.  Roy Q. For whom this person was working?  A. No. If I looked at it I might be able to tell if it was an IndyMac person.  D. But you don't know?  A. Learl tremember.  Q. But you don't know?  A. Yes.  Q. Discontinued?  A. Yes.  D. Discontinued?  A. Yes.  D. Gan Is see that exhibit for a second?  A. It is, You can't read the signature or the notary.  A. It is, You can't read the signature or the notary.  D. It is a bad copy.  A. It is, You can't read the signature or the notary.  D. It looks blank.  Page 46  A. I know the image from accounting would reject it for recording if you couldn't see it.  Q. I would imagine so. Let me ask you about continuances versus discontinuances, Do you understand what I'm saying?  A. Postpomements versus discontinuances?  A. Postpomements versus discontinuances?  A. Postpomements versus discontinuances?  A. Postpomements versus discontinuances would the on Friday. That's when we would amnource it publicly at the place where the sale is scheduled for lerically, the continuance would be on Friday. That's when we would amnource it publicly at the place where the sale is scheduled for lerically and the place on that date. So if the sale was scheduled for Priday, the continuance would be on Friday. That's when we would amnource it publicly at the place where the sale is scheduled to be read.  Q. And what does that company do for your company?  A. They're send a written notice of the postponement?  A. They're send a written notice of the postponement of the continuance of the sales take place?  A. They're send a written notice of the postponement of the continuance of the sales take place?  A. They're send a written notice of the postponement of the continuance of the sales take place?  A. They're send a written notice of the postponement of the continuance of the sales take place?  A. They're send a written notice of the postponement of the continuance of the sales take place?  A. Yes.  Q	4		4	
or where this person was working? 7 A. No. 8 Q. For whom this person was working? 9 A. No. If I looked at it I might be able to totell fit was — who it was, if it was IndyMac, if it was an IndyMac person. 12 Q. But you don't know? 13 A. I can't remember. 14 Q. And so you surmised that when, at the time, when Northwest got that message, Northwest cancelled the sale? 16 the sale? 17 A. Yes. 18 Q. Discontinued? 19 A. Yes. 20 Q. Can I see that exhibit for a second? 21 A. (Handing.) 22 Q. It is a bad copy. 23 A. It is. You can't read the signature or the notary. 25 Q. It looks blank. 26 Page 46 27 A. Northwest Trustee des not have a website that information because they would reject it for recording if you couldn't see it. 4 Q. I would imagine so. Let me ask you about continuances versus discontinuances? 8 Q. Sure, let's go with that, because I've seen notices of postponements? 19 A. Yes. 20 Q. Can I see that exhibit for a second? 21 A. (Handing.) 22 Q. It looks blank. 25 Day It looks blank. 26 Page 46 27 A. Fostponements versus discontinuances? 8 Q. I would imagine so. Let me ask you about continuances versus discontinuances? 9 Q. Sure, let's go with that, because I've seen notices of the sale s scheduled for Firday, the continuance would be on Firday. That's when we would announce it publicly at the place where the sale is scheduled for a specific date it would take place on that date. So if the sale was scheduled for a specific date it would take place on that date. So if the sale was scheduled for Firday, the continuance would be on Firday. That's when we would announce it publicly at the place where the sale is scheduled to be read. 12 Page and the firmation formation fired from Northwest Trustee? 10 Q. And that's customary for Northwest? 11 A. If a sale was scheduled for Firday, the continuance would be on Firmation formation from Northwest Trustee. Yes a scheduled for Firday, the continuance of the sale was scheduled for Firday and the sale is scheduled for Firday and the sale is scheduled for Firday and the	5		5	strike that.
A. No.   No.   For whom this person was working?   A. No. If I looked at it I might be able to tell if it was — who it was, if it was IndyMac, if it was an IndyMac person.   11	6		6	Going back to the notice of postponement,
A. No. If I looked at it I might be able to tell if it was - who it was, if it was IndyMac, if it was an IndyMac person.   11	7		7	what's the time frame that it gets transmitted or
tell if it was – who it was, if it was IndyMac, if it was an IndyMac person.  Q. But you don't know?  A. I cart remember.  Q. And soy ous urmised that when, at the time, when Northwest got that message, Northwest cancelled the sale?  A. Yes.  Q. Discontinued?  A. Yes.  Q. Can I see that exhibit for a second?  Q. Can I see that exhibit for a second?  I is a bad copy.  A. It is, You can't read the signature or the notary.  Q. It looks blank.  Page 46  A. I know the image from accounting would probably show all that information because they would reject it for recording if you couldn't see it.  Q. I would imagine so. Let me ask you about continuances of the sales take place?  A. Postponements versus discontinuances?  Q. Sure, let's go with that, because I've seen notices referring to everything. When does a continuance of the sales take place?  A. They's es nt a written notice of the proponement.  Q. How does the borrower know that a sale is continued?  A. They seen a written notice of the proponement.  Q. So now, there are notices of postponements? A. Yes. Q. So now, there are notices of postponements? A. Yes. Q. But the announcement of the continuance or  a continued? A. They're sent a written notice of the proponement.  D. Worldhish it in a website. A. No tater than Monday. A. Is inst that when dues a continuance of the sale to the public. A. They're sent a written notice of the proponement.  D. And hat else does Northwest do with regards to the postponement? Do you change it on your website? Innead to the sale to the public information directly from Northwest Trustee? A. They're sent a written notice of the proponement.  D. And that a third-party website?  A. Yes. Q. And what does does Northwest ow with recept the status of the sale to the public. D. And that information because they would probably show all that information because they would probably	8	Q. For whom this person was working?	8	mailed to the borrower?
11	9	A. No. If I looked at it I might be able to	9	A. Within three days of the actual the
12   Q. But you don't know?   13   A. I can't remember.   13   A. I can't remember.   13   Friday: It would go out when?   14   A. No later than Monday.   15   A. No later than Monday.   15   A. No later than Monday.   16   A. First class and certified mail/return receipt requested.   17   A. Yes.   18   Q. Discontinued?   18   Q. And what clase does Northwest do with regards to the postponement.   18   Q. And what clase does Northwest do with regards to the postponement.   18   Q. And what clase does Northwest do with regards to the postponement.   19   A. If is. You can't read the signature or the notary.   19   A. I know the image from accounting would reject it for recording if you couldn't see it.   19   A. I know the image from accounting would reject it for recording if you couldn't see it.   19   A. Postponements versus discontinuances?   10   A. Postponements versus discontinuances?   10   A. Postponements versus discontinuances?   10   A. Postponements with the place on that date. So if the sale was scheduled for Friday, the continuance on the sale is scheduled to be read.   10   A. Yes.   10   A. Yes.   10   A. Yes.   10   A. Yes.   10   A. Yes when we would announce it publicly at the place where the sale is scheduled to be read.   10   A. Yes.	10	tell if it was who it was, if it was IndyMac, if it	10	original sale date, or the date that it's being
13 A. I can't remember. 14 Q. And so you surmised that when, at the time, 15 when Northwest got that message, Northwest cancelled 16 the sale? 17 A. Yes. 18 Q. Discontinued? 19 A. Yes. 20 Q. Can I see that exhibit for a second? 21 A. (Handing.) 22 Q. It is a bad copy. 23 A. It is. You can't read the signature or the 24 notary. 25 Q. It looks blank. 26 Page 46 2 A. I know the image from accounting would 2 probably show all that information because they would 3 reject it for recording if you couldn't see it. 4 Q. I would imagine so. Let me ask you about 5 continuances versus discontinuances. Do you 26 understand what I'm saying? 27 A. Postponements versus discontinuances? 3 Q. Sure, let's go with that, because I've seen 3 protices referring to everything. When does a 4 probably show all that information because they would a probably show all that provided the place on that date. So if the sale was scheduled for a specific date it it would take place on that date. So if the sale was scheduled for Friday, the continuance would be on Friday. That's when we would announce it publicly at the place where the sale is scheduled to be read. They have been continued? 20 A. They're sent a written notice of the postponement. 21 Q. And down does it go by?  22 A. First class and certified mail/return receipt requested. 22 Q. It is a had copy. 23 A. It is. You can't read the signature or the regards to the postponement? Do you change it on your website? I'm sorry. Do you have a website that informsorrowers of the sales on the waste. Do we publish it in a website, yes. The website is USA/foreclosure.com. 24 Q. And what a third-party website? 25 Q. And what does that company do for your company? 26 A. First class and certified mail/return receipt requested. 27 A. Northwest Trustee does not have a website. 28 Do we publish it in a website, yes. The website is USA/foreclosure.com. 29 Q. And what a sale is the postponement. 20 Q. And what a sale is one protect and the sale of the public. 20 A. They're sent a written ontice of the la	11	was an IndyMac person.	11	postponed from.
14   Q. And so you surmised that when, at the time, when Northwest got that message, Northwest cancelled to the sale?   15   Q. And how does it go by?	12	Q. But you don't know?	12	Q. So if it's if the sale is scheduled for
the sale?  A. Yes.  B. Q. Discontinued?  C. Can I see that exhibit for a second?  C. A. Handing.  C. A. Handing.  C. A. Handing.  C. A. How the image from accounting would probably show all that information because they would arrived through the self.  C. I would inagine so. Let me ask you about continuances versus discontinuances?  C. I would imagine so. Let me ask you about continuances versus discontinuances?  C. I would inagine so. Let me ask you about continuances versus discontinuances?  C. Sure, let's go with that, because I've seen notices referring to everything. When does a scheduled for a specific date it would take place on that date. So if the sale was scheduled for Friday, the continuance would be on Friday. That's when we would announce it publicly at the place where the sale is scheduled to be read.  C. A. They're so would announce it publicly at the place where the sal	13	A. I can't remember.	13	Friday it would go out when?
16 the sale?  A. Yes.  17	14	Q. And so you surmised that when, at the time,	14	A. No later than Monday.
17 A. Yes. 18 Q. Discontinuel? 19 A. Yes. 20 Q. Can I see that exhibit for a second? 21 A. (Handing.) 22 Q. It is a bad copy. 23 A. It is. You can't read the signature or the notary. 25 Q. It looks blank.  26 Page 46  1 A. I know the image from accounting would probably show all that information because they would reject it for recording if you couldn't see it. 4 Q. I would imagine so. Let me ask you about continuances versus discontinuances. Do you understand what I'm saying? 26 Q. Sure, let's go with that, because I've seen notices referring to everything. When does a continuance of the sales take place? 21 A. Postponements versus discontinuances versued it is would take place on that date. So if the sale was scheduled for a specific date it would take place on that date. So if the sale was scheduled for Friday, the continuance would be on Priday. That's when we would announce it publicly at the place where the sale is scheduled to be read. 20 A. They're sent a written notice of the postponement. 21 Q. So now, there are notices of postponements? 22 Q. So now, there are notices of postponements? 23 A. Yes. 24 Q. And what else does Northwest do with regards to the postponement? Do you whether understand she take of the sale to the sale it on the sale is on the sale information directly from Northwest Trustee? 25 A. They're sent a written notice of the postponement. 26 D. Mr. Stenman, I asked you whether understand posts notice of default? 27 A. Yes. 28 Q. So now, there are notices of postponements? 29 Q. So now, there are notices of postponements? 30 Q. And does Northwest Trustee have any	15	when Northwest got that message, Northwest cancelled	15	Q. And how does it go by?
18 Q. Discontinued? 19 A. Yes. 20 Q. Can I see that exhibit for a second? 21 A. (Handing.) 22 Q. It is a bad copy. 23 A. It is. You can't read the signature or the notary. 25 Q. It looks blank.  26 Page 46  27 Page 48  28 A. I know the image from accounting would probably show all that information because they would reject it for recording if you couldn't see it. 29 Q. I would imagine so. Let me ask you about continuances versus discontinuances. Do you understand what I'm saying? 29 A. Postponements versus discontinuances? 30 Q. Sure, let's go with that, because I've seen notices referring to everything. When does a continuance of the sale was scheduled for Friday, the continuance would be on the place where the sale is scheduled to be read. 20 Q. And that's customary for Northwest? 21 Move the place where the sale is scheduled to be read. 22 Q. How does the borrower know that a sale is continued? 23 A. Yes. 24 Q. But the announcement of the continuance or 25 Q. Snow, there are notices of postponements? 26 Q. Snow, there are notices of postponements? 27 A. Yes. 28 Q. Snow, there are notices of postponements? 28 Q. Snow, there are notices of postponements? 39 Q. And what else does Northwest do with regards to the postponement of the continuance of the sale of the postponement of the continuance or 29 Q. And what does that company do for your company? 20 A. Postponements versus discontinuances? 30 A. Post publish the status of the sale to the public. 31 A. Yes. 32 A. Postponements versus discontinuances? 32 A. Postponements versus discontinuances? 33 Covering the sales take place? 44 A. Yes and what a third-party website? 45 A. Yes and what a third-party website? 46 A. Yes and what does that company do for your company? 40 A. They're a vendor, I believe. 41 A. They're a vendor, I believe. 42 Q. They don't work for Northwest Trustee? 43 A. Postponement of the sale to the public. 44 A. Prey for the sale to the public. 45 A. They're a vendor, I believe. 46 Q. They don't work for Northwest Trustee? 48 Q. They are, ok	16	the sale?	16	A. First class and certified mail/return
19 A. Yes. 20 Q. Can I see that exhibit for a second? 21 A. (Handing.) 22 Q. It is a bad copy. 23 A. It is. You can't read the signature or the notary. 25 Q. It looks blank.  26 Page 46  1 A. I know the image from accounting would probably show all that information because they would reject it for recording if you couldn't see it. 4 Q. I would imagine so. Let me ask you about continuances versus discontinuances. Do you understand what I'm saying? 4 A. Postponements versus discontinuances? 5 Q. Sure, let's go with that, because I've seen notices referring to everything. When does a continuance or fet sales take place? 1 A. If a sale was scheduled for a specific date it would take place on that date. So if the sale was scheduled for Friday, the continuance or the sales take bloce? 1 A. Yes. 2 A. Postponements versus discontinuances? 3 C. Sure, let's go with that, because I've seen notices referring to everything. When does a continuance or the sales take place? 1 A. If a sale was scheduled for a specific date it would take place on that date. So if the sale was the place where the sale is scheduled to be read. 3 C. A. They're sent a written notice of the postponement. 4 Priday. That's when we would announce it publicly at the place where the sale is scheduled to be read. 5 C. A. Orrect. 6 Q. And that's customary for Northwest? 1 A. Yes. 1 Q. How does the borrower know that a sale is continued? 2 A. They're sent a written notice of the postponement. 3 A. Yes. 4 Q. But the announcement of the continuance or 4 A. Yes. 4 Q. And you also testified to another third party that goes out and posts notice of default? 3 A. Yes. 4 Q. And does Northwest Trustee have any	17	A. Yes.	17	receipt requested.
20 Q. Can I see that exhibit for a second? 21 A. (Handing.) 22 Q. It is a bad copy. 23 A. It is. You can't read the signature or the notary. 25 Q. It looks blank.  26 Page 46  27 A. I know the image from accounting would probably show all that information because they would reject it for recording if you couldn't see it. 28 Q. I would imagine so. Let me ask you about continuances versus discontinuances. Do you understand what I'm saying? 29 Q. Sure, let's go with that, because I've seen notices referring to everything. When does a continuance of the sale take place? 20 A. If a sale was scheduled for a specific date it would take place on that date. So if the sale was scheduled for Friday, the continuance would be on Friday. That's when we would announce it publicly at the place where the sale is scheduled to be read. 21 Q. And that's customary for Northwest? 22 A. They're sen a written notice of the postponement. 23 wo, But the announcement of the continuance or 24 Postponement or the continuance or 25 Postponements or the sale time that information browners of the status of the sale? 24 A. Northwest Trustee does not have a website. 25 Do we publish it in a website, yes. The website is USAforeclosure.com. 26 D. And what does that company do for your company? 27 A. They just publish the notice within the they publish the status of the sale to the public. 28 Q. They are, okay. So they get the information directly from Northwest Trustee? 29 A. Correct. 20 MS. MORRISON: Can we take a break? I need to use the restroom. 29 MS. DAO: Let's just do 10 minutes. 20 (Off the record from 10:00 a.m. to 10:20 a.m.) 21 (Record read.) 22 Q. Mr. Stemman, I asked you whether USforeclosure.com got the information from Northwest Trustee or party that goes out and posts notice of default? 29 A. Yes. 20 And you also testified to another third party that goes out and posts notice of default? 29 A. Yes. 20 And does Northwest Trustee have any	18	Q. Discontinued?	18	Q. And what else does Northwest do with
21 A. (Handing.) 22 Q. It is a bad copy. 23 A. It is. You can't read the signature or the notary. 24 notary. 25 Q. It looks blank.  26 Page 46  1 A. I know the image from accounting would reject it for recording if you couldn't see it. 4 Q. I would imagine so. Let me ask you about continuances versus discontinuances. Do you understand what I'm saying? 4 A. Postponements versus discontinuances? 5 Q. Sure, let's go with that, because I've seen notices referring to everything. When does a continuance of the sales take place? 11 A. If a sale was scheduled for a specific date it would take place on that date. So if the sale was scheduled for Friday, the continuance would be on 14 Friday. That's when we would announce it publicly at the place where the sale is scheduled to be read. 15 Q. And that's customary for Northwest? 16 Q. And that's customary for Northwest? 17 A. Yes. 29 Q. And what does that company do for your company? 4 A. They just publish the notice within the they publish the status of the sale to the public. Q. They don't work for Northwest Trustee? 4 A. Correct.  MS. MORRISON: Can we take a break? I need to use the restroom.  MS. DAO: Let's just do 10 minutes. (Off the record from 10:00 a.m. to 10:20 a.m.) (Record read.)  Q. Mr. Stenman, I asked you whether USforeclosure.com. 21 G. And you also testified to another third party that goes out and posts notice of default? A. Yes.  Q. And you also testified to another third party that goes out and posts notice of default? A. Yes. Q. And does Northwest Trustee have any	19	A. Yes.	19	regards to the postponement? Do you change it on your
22 Q. It is a bad copy. 23 A. It is. You can't read the signature or the 24 notary. 25 Q. It looks blank.  Page 46  1 A. I know the image from accounting would probably show all that information because they would reject it for recording if you couldn't see it. 4 Q. I would imagine so. Let me ask you about continuances versus discontinuances. Do you understand what I'm saying?  A. Postponements versus discontinuances? Q. Sure, let's go with that, because I've seen notices referring to everything. When does a continuance of the sales take place? 1 A. If a sale was scheduled for a specific date it would take place on that date. So if the sale was scheduled for Friday, the continuance would be on Friday. That's when we would announce it publicly at the place where the sale is scheduled to be read. Q. And that's customary for Northwest? A. Yes. Q. And what does that company do for your company? A. They just publish the notice within the -they publish the status of the sale to the public. Q. They don't work for Northwest Trustee? A. They're a vendor, I believe. Q. They are, okay. So they get the information directly from Northwest Trustee? A. Correct. MS. MORRISON: Can we take a break? I need to use the restroom.  MS. DAO: Let's just do 10 minutes. (Off the record from 10:00 a.m. to 10:20 a.m.)  Record read.) Q. Mr. Stenman, I asked you whether USforeclosure.com got the information from Northwest Trustee. You said yes? A. Yes. Q. So now, there are notices of postponements? A. Yes. Q. And you also testified to another third party that goes out and posts notice of default? A. Yes. Q. And does Northwest Trustee hose in they in the website. Q. And does Northwest Trustee hose it useful to the public. Q. And you also testified to another third party that goes out and posts notice of default? A. Yes. Q. And does Northwest Trustee hose it useful to a party that goes out and posts notice of default? A. Yes. Q. And does Northwest Trustee have any	20	Q. Can I see that exhibit for a second?	20	website? I'm sorry. Do you have a website that
A. It is. You can't read the signature or the notary.  Q. It looks blank.  Page 46  A. I know the image from accounting would probably show all that information because they would reject it for recording if you couldn't see it.  Q. I would imagine so. Let me ask you about continuances versus discontinuances. Do you understand what I'm saying?  A. Postponements versus discontinuances? Q. Sure, let's go with that, because I've seen notices referring to everything. When does a continuance of the sales take place?  1 A. If a sale was scheduled for a specific date it would take place on that date. So if the sale was scheduled for Friday, the continuance would be on Friday. That's when we would announce it publicly at the place where the sale is scheduled to be read. Q. And is that a third-party website?  Page 48  A. Yes. Q. And what does that company do for your company?  A. They just publish the notice within thethey publish the status of the sale to the public. Q. They don't work for Northwest Trustee? A. They're a vendor, I believe. Q. They are, okay. So they get the information directly from Northwest Trustee? A. Correct.  MS. MORRISON: Can we take a break? I need to use the restroom.  MS. DAO: Let's just do 10 minutes. (Off the record from 10:00 a.m. to 10:20 a.m.)  (Record read.) Q. Mr. Stenman, I asked you whether USforeclosure.com got the information from Northwest Trustee. A. Yes. Q. And what does that company do for your company? A. They're sent a written notice of the postponement. Q. Son ow, there are notices of postponements? A. Yes. Q. And what a third-party website?  A. Treys. Q. And what does that company do for your company? A. They'is publish the notice within thethey publish the status of the sale to the public. Q. They don't work for Northwest Trustee? A. Correct. MS. MORRISON: Can we take a break? I need to use the restroom.  MS. DAO: Let's just do 10 minutes. (Off the record from 10:00 a.m. to 10:20 a.m.) (Record read.) Q. Mr. Stenman, I asked you whether USforeclosure.com got the informa	21	A. (Handing.)	21	informs borrowers of the status of the sale?
24 notary. 25 Q. It looks blank.  Page 46  A. I know the image from accounting would probably show all that information because they would reject it for recording if you couldn't see it.  Q. I would imagine so. Let me ask you about continuances versus discontinuances. Do you understand what I'm saying?  A. Postponements versus discontinuances?  Q. Sure, let's go with that, because I've seen notices referring to everything. When does a continuance of the sales take place?  A. If a sale was scheduled for a specific date it would take place on that date. So if the sale was scheduled for Friday, the continuance would be on Friday. That's when we would announce it publicly at the place where the sale is scheduled to be read.  Q. And that's customary for Northwest?  A. They're sent a written notice of the postponement.  Q. More does the borrower know that a sale is continued?  A. They're sent a written notice of the postponement.  Q. So now, there are notices of postponements?  A. Yes.  Q. And what does that company do for your company?  A. They just publish the notice within the—they publish the status of the sale to the public.  Q. They dort work for Northwest Trustee?  A. They're a vendor, I believe.  Q. They are, okay. So they get the information directly from Northwest Trustee?  A. Correct.  MS. MORRISON: Can we take a break? I need to use the restroom.  MS. DAO: Let's just do 10 minutes.  (Off the record from 10:00 a.m. to 10:20 a.m)  (Record read.)  Q. Mr. Stenman, I asked you whether  USforeclosure.com got the information from Northwest Trustee?  A. Yes.  Q. And you also testified to another third party that goes out and posts notice of default?  A. Yes.  Q. But the announcement of the continuance or  24 Q. And does Northwest Trustee have any	22	Q. It is a bad copy.		
Page 46  A. I know the image from accounting would probably show all that information because they would reject it for recording if you couldn't see it.  Q. I would imagine so. Let me ask you about continuances versus discontinuances. Do you understand what I'm saying?  A. Postponements versus discontinuances?  A. They're a vendor, I believe.  Q. They don't work for Northwest Trustee?  A. They're a vendor, I believe.  Q. They are, okay. So they get the information directly from Northwest Trustee?  A. Correct.  MS. MORRISON: Can we take a break? I need to use the restroom.  A. Yes.  Q. And that's customary for Northwest?  A. Yes.  Q. Mr. Stenman, I asked you whether  USforcelosure.com got the information from Northwest Trustee. You said yes?  A. Yes.  Q. And you also testified to another third party that goes out and posts notice of default?  A. Yes.  Q. And does Northwest Truste and to use the restroom.  MS. DAO: Let's just do 10 minutes.  (Off the record from 10:00 a.m. to 10:20 a.m.)  (Record read.)  Trustee. You said yes?  A. Yes.  Q. And you also testified to another third party that goes out and posts notice of default?  A. Yes.  Q. And does Northwest Trustee have any	23	A. It is. You can't read the signature or the	23	Do we publish it in a website, yes. The website is
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Q. But the announcement of the continuance or 24 Q. And does Northwest Trustee have any	18 19 20 21	<ul><li>Q. How does the borrower know that a sale is continued?</li><li>A. They're sent a written notice of the postponement.</li></ul>	19 20 21	Trustee. You said yes?  A. Yes.  Q. And you also testified to another third
	18 19 20 21 22	<ul><li>Q. How does the borrower know that a sale is continued?</li><li>A. They're sent a written notice of the postponement.</li><li>Q. So now, there are notices of postponements?</li></ul>	19 20 21 22	Trustee. You said yes?  A. Yes.  Q. And you also testified to another third party that goes out and posts notice of default?
25 postponement happens at the sales? 25 ownership interest in either one of these companies	18 19 20 21 22 23	<ul> <li>Q. How does the borrower know that a sale is continued?</li> <li>A. They're sent a written notice of the postponement.</li> <li>Q. So now, there are notices of postponements?</li> <li>A. Yes.</li> </ul>	19 20 21 22 23	Trustee. You said yes?  A. Yes.  Q. And you also testified to another third party that goes out and posts notice of default?  A. Yes.
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that you mentioned?  A. Northwest Trustee does not have an ownership interest in either.  Q. We were talking about documents created and maintained — or created by Northwest Trustee in this case. And you testified to three of them so far for the first forelcopium is 2000; cornect?  A. Correct.  Q. And you also testified to the fact that you had looked at a message that had been archived that directed Northwest Trustee to discontinue the sales?  A. I believe is said "stop foreclosure" 13  Q. Do you recall the reasons?  A. No.  Do you recall the reasons?  A. From the 2009 referral, or the was another referral. Is that what you're referring to?  A. From the 2009 referral, or you want to mute?  M. MORRISON: Chris, do you want to mute?  M. M. S. Learn and a signed to the condition. Can you take a look at that and tell me what it is.  A. It's the referral from July 17 of 2010.  Q. May be the referral actually went to low festory.  A. From LPS desktop.  Q. But the referral actually went to desktop.  A. Yes. The mess another referral to the one that you got this referral was similar to the one that you got this referral was similar to the one that you got this referral. And is preferral. And is preferral. This particular referral?  A. Ves. To mean in Northwest Trustee Services'  A. From the 2009 referral, or 100 message that the form that proposed to a team and assigned to vome the filling of the preferral source now, what is your complete the referral source now, what is your complete the referral from?  A. From LPS desktop.  Q. Why is that the case?  A. Yes.  D. From Ferral shows that it was sent to the law firm of Routh Crabiree and Olsen. Do you see that?  A. Yes.  D. Why is that the case?  A. That's how when the case?  A. That's how when the case?  A. That's how hey have the vendor set up in desktop.  Q. But the referral actually went to downloads. If it's a nonjudicial foreclosure in inegration with LPS or if it was through a integration in 2010.  A. That's a general understanding or or - so when the ferrit proma		Page 49		Page 51
a Ownership interest in either.  4 Q. We were talking about documents created and maintained—or created by Northwest Trustee in this case. And you testified to three of them so far for the first foreclosure in 2009; correct?  8 A. Correct. 9 Q. And you also testified to the fact that you had had looked at a message that had been archived that 11 directed Northwest Trustee to discontinue the sales? 12 A. I believe it said 'stop foreclosure.'' 13 Q. Do you recall the reasons? 14 A. No. 15 Q. Was there a time when the foreclosure resumed, that you can recall in this case? 16 P. A. From the 2009 referral, no. 17 Q. Do you recall what happened next? 18 Q. Do you recall what happened next? 19 A. There was another referral. Is that what you referring to? 21 Q. Yes. 22 A. Yes. There was another referral. 23 Ms. MORRISON: Chris, do you want to mute? 24 Mm. K. AYSER: Sorry. 25 Q. Okay. I'm handing you what has been marked 2 look at that and tell me what it is. 3 A. It's the referral from July 17 of 2010. 4 Q. And where did you get that referral from? 5 A. From LPS desktop. 6 Q. The referral abows that it was sent to the law firm of Routh Crabtree and Olsen. Do you see that? 10 Q. Why is that the case? 11 A. Prom LPS desktop. 22 A. Yes. 3 A. This's how they have the vendor set up in desktop. 3 A. That's how they have the vendor set up in desktop. 4 A. Yes. When we adata integration, it downloads. If it's a nonjudicial foreclosure it downloads in Northwest Trustsee undough a integration with LPS or if it was through a integration with LPS or if it was	1	that you mentioned?	1	A. Yes. I can't remember when we went from
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the first foreclosure in 2009; correct?  A. A. Correct.  Q. And you also testified to the fact that you had looked at a message that had been archived that directed Northwest Trustee to discontinue the sales?  A. I believe it said "stop foreclosure."  A. No.  Do you recall the reasons?  A. From the 2009 referral, no.  There was another referral. Is that what you're referring to?  A. There was another referral. Is that what you're referring to?  A. Yes.  A. Yes. There was another referral.  MS. MORRISON: Chris, do you want to mute?  MS. MORRISON: Chris, do you want to mute?  A. Ris the referral from July 17 of 2010.  Q. And where did you get that referral from my and that the assets from that law firm of Routh Crabtree and Olsen. Do you see that?  A. Yes.  Q. Why is that the case?  A. Yes.  D. Why is that the case?  A. Yes. We have a data integration, it downloads. It if's a nonjudicial foreclosure it downloads. It if's a nonjudicial foreclosure it downloads. If is's nonjudicial foreclosure it downloads in foreation with LPS or if it was through a integration in 2010. On the case is the precious the foreclosure it downloads in foreation with LPS or if it was through a integration in 2	5		5	A. Yes. It's from One West Bank FSB.
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9 Q. And you also testified to the fact that you had looked at a message that had been archived that directed Northwest Trustee to discontinue the sales? 12 A. I believe it said "stop foreclosure." 13 Q. Do you recall the reasons? 14 A. No. 15 Q. Was there a time when the foreclosure resumed, that you can recall in this case? 16 resumed, that you can recall in this case? 17 A. From the 2009 referral, no. 18 Q. Do you recall what happened next? 19 A. There was another referral. Is that what you're referring to? 20 Q. Yes. 21 Q. Yes. 22 A. Yes. There was another referral. 23 MS. MORRISON: Chris, do you want to mute? 24 MR. KAYSER: Sorry. 25 Q. Okay. Tm handing you what has been marked 2 look at that and tell me what it is. 3 A. It's the referral from July 17 of 2010. 4 Q. And where did you get that referral from? 5 A. From LPS desktop. 6 Q. The referral shows that it was sent to the law firm of Routh Crabtree and Olsen. Do you see that? 9 A. Yes. 10 Q. Why is that the case? 11 A. That's how they have the vendor set up in desktop. 12 desktop. 13 Q. Day ou recall what happened next? 14 A. You mean in Northwest Trustee Services' office? 2 Q. A. I gets assigned to a team and assigned to Vonnie McElligott. 2 A. It gets assigned to a team and assigned to Vonnie McElligott. 3 A. Yes, because it's a Freddie Mac Washington referral? 4 A. Yes, because it's a Freddie Mac Washington referral and It know hall freeddie Mac Washington referral so to Vonnie McElligott. 2 Q. Okay. So with regards to Northwest—to One West Bank and it's Washington referral so to Vonnie McElligott. 2 Q. Okay. So with regards to Northwest—to One West Bank and it's Washington referral so understanding? Was there a transferred so me west? 3 A. It's the referral from July 17 of 2010. 4 Q. And where did you get that referral from? 5 A. From LPS desktop. 6 Q. The referral shows that it was sent to the law firm of Routh Crabtree and Olsen. Do you see that?  9 A. Yes. 10 Q. Why is that the case? 11 A. That's how they have the vendor set up in desktop. 12 A.	7	the first foreclosure in 2009; correct?	7	referral was similar to the one that you got from
10 had looked at a message that had been archived that directed Northwest Trustee to discontinue the sales?  12 A. I believe it said "stop foreclosure." 13 Q. Do you recall the reasons? 14 A. No. 15 Q. Was there a time when the foreclosure resumed, that you can recall in this case? 16 resumed, that you can recall in this case? 17 A. From the 2009 referral, no. 18 Q. Do you recall what happened next? 19 A. There was another referral. Is that what you're referring to? 20 you're referring to? 21 Q. Yes. 22 A. Yes. There was another referral. 23 MS. MORRISON: Chris, do you want to mute? 24 MR. KAYSER: Sorry. 25 Q. Okay. I'm handing you what has been marked 26 MR. KAYSER: Sorry. 27 A. I's the referral from July 17 of 2010. 28 A. It's the referral from July 17 of 2010. 29 Q. And where did you get that referral from? 29 A. From LPS desktop. 29 A. Yes. 20 Q. Why is that the case? 20 Q. Why is that the case? 21 A. Yes. We have a data integration, it downloads. If it's a nonjudicial foreclosure it downloads. If it's a nonjudicial foreclosure it downloads. If it's a nonjudicial foreclosure it integration feature is also the LPS system? 20 A. Then of sure if this was our direct data integration in 2010. 20 Why is that the case? 31 A. That's not sure if this was our direct data integration in 2010. 32 G. Who are integration yit LPS or if it was through a third-party vendor that provides a portal. I believe integration in 2010. 33 G. What are there's and observed with this particular event? 34 A. Yes. 35 Q. What are thereforal actually went to integration in 2010. 35 A. The not sure if this was our direct data integration in 2010. 36 A. The not sure if this was our direct data integration in 2010. 37 A. The mot sure if this was our direct data integration in 2010. 38 A. The not sure if this was our direct data integration in 2010. 39 A. The not sure if this was our direct data integration in 2010.	8	A. Correct.	8	2009?
directed Northwest Trustee to discontinue the sales?  A I believe it said "stop foreclosure."  Q Do you recall the reasons?  A No.  Was there a time when the foreclosure resumed, that you can recall in this case?  A From LPS desktop.  A There was another referral.  MS MORRISON: Chris, do you want to mute?  MR KAYSER: Sorry.  Q Okay. I'm handing you what has been marked  Day Chay and where did you get that referral from?  A From LPS desktop.  A Yes.  Q Why is that the case?  A Yes.  D Why is	9	Q. And you also testified to the fact that you	9	A. Correct.
12 A. I believe it said "stop foreclosure." 13 Q. Do you recall the reasons? 14 A. No. 15 Q. Was there a time when the foreclosure 16 resumed, that you can recall in this case? 17 A. From the 2009 referral, no. 18 Q. Do you recall what happened next? 19 A. There was another referral. Is that what 20 you're referring to? 21 Q. Yes. 22 A. Yes. There was another referral. 23 MS. MORRISON: Chris, do you want to mute? 24 MR. KAYSER: Sorry. 25 Q. Okay. I'm handing you what has been marked 26 look at that and tell me what it is. 27 a. If you meerstanding is that the FDIC took over 28 as Exhibit 4 in the former deposition. Can you take a look at that and tell me what it is. 29 A. From LPS desktop. 29 Q. Why is that the case? 30 Q. Why is that the case? 40 Q. Why is that the case? 41 A. That's how they have the vendor set up in desktop. 42 desktop. 43 Q. But the referral actually went to 44 Northwest, did it? 45 A. Yes. We have a data integration, it downloads. If it's a nonjudicial foreclosure it downloads to Northwest Trustee seany other system or the integration in 2010. 46 Q. Okay. The integration system or the integration system or the integration in 2010. 47 A. To ornect. 48 A. You mean in Northwest Trustee sassigned to a team and assigned to Vonnine McElligott. 49 Q. And you can tell that from the referral? 40 A. Yes, because it's a Freddic Mac Washington referrals? 40 A. Yes, because it's a Freddic Mac Washington referral? 41 A. Yes, because it's a freddic Mac Washington referral go to Vonnie McElligott. 40 Q. Okay. The integration system or the integration in 2010. 41 IndyMac Federal and the the assets from that takeover were sold to or transferred to One West Bank. 41 IndyMac Federal, and that the assets from that takeover were sold to or transferred to One West Bank. 41 IndyMac Federal, and that the assets from that takeover were sold to or transferred to	10	had looked at a message that had been archived that	10	Q. Who in your office receives the referral,
13 Q. Do you recall the reasons? 14 A. No. 15 Q. Was there a time when the foreclosure resumed, that you can recall in this case? 17 A. From the 2009 referral, no. 18 Q. Do you recall what happened next? 19 A. There was another referral. Is that what you're referring to? 20 you're referring to? 21 Q. Yes. 22 A. Yes. There was another referral. 23 MS. MORRISON: Chris, do you want to mute? 24 MR. KAYSER: Sorry. 25 Q. Okay. I'm handing you what has been marked 2 look at that and tell me what it is. 3 A. It's the referral from July 17 of 2010. 4 Q. And where did you get that referral from? 5 A. From LPS desktop. 6 Q. The referral shows that it was sent to the law firm of Routh Crabtree and Olsen. Do you see that? 9 A. Yes. 10 Q. Why is that the case? 11 A. That's how they have the vendor set up in desktop. 12 Q. Why is that the case? 13 A. Yes. We have a data integration, it downloads. If it's a nonjudicial foreclosure it downloads. If it's a nonjudicial foreclosure it integration feature is also the LPS system? 10 Q. Okay. The integration system or the integration referral sourse now, what it was sour to the larger and on the provides a portal. I believe integration in 2010. 24 A. Yes. Q. Okay. The three automatically. Integration in Early that were doing direct data integration in 12010. 25 A. That's a general understanding or referral promatically. Q. So, again, in getting the referral package, you were relying at face value of the information that was provided to you? 26 A. Yes. Q. Okay. The integration system or the integration feature is also the LPS system? 27 A. Yes whave a data integration, it left was through a integration in 2010. 28 A. That's a monjudicial foreclosure it downloads. If it's a nonjudicial foreclosure it downloads to Northwest Trustee automatically. Q. Okay. The integration system or the integration feature is also the LPS system? 28 A. That's a possible the vendor set up in integration feature is also the LPS system? 29 A. Yes. 29 C. Okay. The integration system or the integration in 2010	11	directed Northwest Trustee to discontinue the sales?	11	this particular referral?
14 A. No. 15 Q. Was there a time when the foreclosure resumed, that you can recall in this case? 16 resumed, that you can recall in this case? 17 A. From the 2009 referral, no. 18 Q. Do you recall what happened next? 19 A. There was another referral. Is that what 20 you're referring to? 21 Q. Yes. 22 A. Yes. There was another referral. 23 MS. MORRISON: Chris, do you want to mute? 24 MR. KAYSER: Sorry. 25 Q. Okay. I'm handing you what has been marked 26 look at that and tell me what it is. 27 as Exhibit 4 in the former deposition. Can you take a look at that and tell me what it is. 28 A. It's the referral from July 17 of 2010. 29 A. From LPS desktop. 20 Chay. And where did you get that referral from? 20 A. From LPS desktop. 21 Q. The referral shows that it was sent to the law firm of Routh Crabtree and Olsen. Do you see that? 29 A. Yes. 29 A. Yes. 20 Q. Way. So with the cases? 20 (a) Okay. And is that a general understanding is that the EDIC took over 21 IndyMac Federal, and that the assets from that takeover were sold to or transferred to One West Bank. 20 Q. Okay. And is that a general understanding or A. That's how they have the vendor set up in desktop. 20 Q. Why is that the case? 21 Q. Sa again, in getting the referral package, you were relying at face value of the information that was provided to you? 22 A. Than to sure if this was our direct data integration feature is also the LPS system? 23 A. Than to sure if this was our direct data integration in that the So of if it was through a third-party vendor that provides a portal. I believe at third-party vendor that provides a portal. I believe at third-party vendor that provides a portal. I believe at third-party vendor that provides a portal. I believe at third-party vendor that provides a portal. I believe at third-party vendor that prov	12	A. I believe it said "stop foreclosure."	12	A. You mean in Northwest Trustee Services'
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Q. Okay. The integration system or the integration feature is also the LPS system?  A. I'm not sure if this was our direct data integration with LPS or if it was through a third-party vendor that provides a portal. I believe integration in 2010.  A. I'm not sure if this was our direct data integration with LPS or if it was through a integration in 2010.  A. Correct.  Q. Beside the desktop/UPS system, does  Northwest Trustee use any other system to work with other servicers?  A. Yes.  Q. What are they?  A. There's many, but VendorScape.		*		
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A. I'm not sure if this was our direct data  10 Northwest Trustee use any other system to work with  11 integration with LPS or if it was through a  12 third-party vendor that provides a portal. I believe  13 2010, I'm guessing that we were doing direct data  14 integration in 2010.  15 Northwest Trustee use any other system to work with  16 other servicers?  17 A. Yes.  18 Q. What are they?  19 A. There's many, but VendorScape.				
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23 2010, I'm guessing that we were doing direct data 24 integration in 2010.  23 Q. What are they? 24 A. There's many, but VendorScape.		-		
24 integration in 2010. 24 A. There's many, but VendorScape.				
25 Q. Tou were guessing:		-		
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13 (Pages 49 to 52)

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Page 53 Page 55 1 A. Lincs, L-I-N-C-S. Clarifier, A. Do you want me to look at the --2 C-L-A-R-I-F-I-E-R. Lenstar, L-E-N-S-T-A-R. Those are 2 Q. Yes, please, the attachments, to make sure 3 the ones I can think of off the top of my head. 3 that you're familiar with those attachments because Q. But they may not be all that there are? 4 they were given to us as your production. 5 A. Those are the only ones I can think of. 5 A. Okay. 6 I'm not sure if there's another one out there. There 6 Q. You're familiar with all the attachments? 7 may be another one out there, but I'm not remembering 7 A. Yes. 8 8 it right now. Q. And are you certifying that those are the 9 9 Q. How do your employees get trained to use documents that you provided to counsel to give to us? 10 these programs? 10 THE WITNESS: Can I do that? Did I provide 11 A. By experienced staff. If it's a brand-new 11 them? program then they'll have Webinars that we can attend 12 12 Q. That's what it says on the document. 13 that are conducted usually by the actual vendor, 13 A. On this you mean (indicating)? 14 VendorScape, Lenstar, Clarifier. 14 Q. Yes. 15 A. Yes. Q. Is it fair to say that you do not 15 16 understand the intricacies of these programs? You're 16 MS. MORRISON: You don't have to reveal 17 17 just a user? anything that happens between you and your counsel, 18 A. Correct. 18 any communication between your counsel. 19 Q. Northwest Trustee is just a user? 19 So, object to the extent that you're 20 20 requesting him to reveal attorney-client material A. Correct. protected by attorney-client privilege. 21 Q. I asked you about the referral for 2010. 21 22 And again, on Exhibit 4, the information you were Q. The question is, after reviewing the 22 23 given there also includes loan amounts, amounts of 23 attachments, are you certifying that these -- those 24 arrearages, would you say? 24 were documents you provided to counsel to provide to 25 A. It doesn't have arrearages on this specific 25 us as part of discovery? Page 54 Page 56 A. Yes. 1 statement. It shows principal balance, interest rate, 1 2 and the due date. 2 Q. Nothing looks out of place? It's not 3 3 foreign to you? Q. And as far as Freddie Mac being the 4 investor, has that changed at all? 4 A. No. 5 5 Q. Okay. That's all I need for you to do on 6 Q. So Freddie Mac remains the investor for the 6 that exhibit. Thank you. We're still on the referral 7 loan in 2010? 7 for 2010, and now I'm handing you Exhibit 5 of the 8 previous deposition. Could you take a look at that A. Yes. 8 and familiarize yourself? 9 (Marked for identification Exhibit 4.) 9 10 Q. I'm showing you what has been marked as 10 A. Okay. 11 your own Exhibit 4. And I will represent to you that Q. And I'm going to ask you to look at Exhibit 11 12 this is defense attorney Routh Crabtree's responses to 12 5 and 4 together because I believe that they are 13 our first discovery. I want you to take a moment to 13 together. 14 look at the document and verify the signature on the 14 A. Okay. 15 last page of the responses, page 11. 15 Q. We're talking about back in 2010, when you A. Okay. get the -- when Northwest Trustee got the second 16 16 17 Q. Is that your signature, Mr. Stenman? 17 referral from One West, is Exhibit 5 the information 18 A. Yes. 18 that you received from LPS in terms of loan 19 Q. So I want you to look through the answers, 19 information, arrearages, numbers that you needed to 20 as well as the contents, to make sure that you're 20 plug into your foreclosure? A. Yes. 21 familiar with the documents so I can start asking you 21 22 Q. And where did Exhibit 5 come from? questions. 22 23 MS. MORRISON: Can we go off the record for 23 A. From the servicer's servicing system. 24 24 a second here? 25 25 (Discussion off the record.) A. It came from -- it was delivered through

14 (Pages 53 to 56)

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	Page 57		Page 59
1	LPS, yes.	1	Q I have not received a copy of that. Is
2	Q. And did Northwest, in fact, rely on Exhibit	2	there a way to retrieve that particular
3	5 to prepare documents relating to the second	3	A. Yes.
4	foreclosure?	4	Q. Okay. And similarly, with regard to your
5	A. Yes.	5	testimony now relating to Exhibit 21, when you said
6	Q. Do you recall off memory what documents	6	that Northwest was advised to designate FDIC as the
7	were created by Northwest Trustee for the second	7	signatory, if it came from LPS, is there any way we
8	foreclosure?	8	can retrieve that from the system that you're
9	A. I'd like to look at them. I know we did	9	mentioning?
10	I know there was an appointment. I know there was a	10	A. I don't know because if sometimes, when
11	notice of default. I know there was a notice of sale	11	they close the system, sometimes when they put a close
12	and a notice of foreclosure.	12	date in their system you can't retrieve images from
13	Q. And these are documents that were created	13	their system. You're blocked from retrieving.
14	by Northwest Trustee?	14	Q. But you were referring to one that you were
15	A. Yes.	15	able to retrieve a few days ago with regard to the
16	Q. Showing you Exhibit 21 from the previous	16	2009's directive?
17	deposition of Ms. McElligott, does that help you in	17	A. We had imaged that when it was communicated
18	terms of identifying whether Exhibit 21 is a document	18	to us into our archive.
19	created by Northwest Trustee?	19	Q. I see, okay.
20	A. Yes.	20	A. So if it's not in our archive then I may or
21	Q. And how can you tell?	21	may not be able to retrieve it from LPS desktop.
22	A. It's our document format.	22	Q. I see what you're saying. So unless
23	Q. Okay.	23	Northwest Trustee saved the image and maintains it in
24	A. It has our file number and the borrower	24	its system, there are possibilities that you cannot retrieve it from
25	name listed in it. That means it was produced off of	25	retrieve it from
	Page 58		Page 60
1	our system.	1	A. Correct.
2	Q. And what is Exhibit 21?	2	Q the LPS system?
3	A. An assignment of deed of trust.	3	A. Yes.
4	Q. From whom to whom?	4	Q. With regard to Exhibit 21, you cannot say
5	A. Federal Deposit Insurance Corporation, as	5	whether the designation came from LPS or another
6	receiver for IndyMac Federal Bank, to One West Bank,	6	method?
7	FSB.	7	A. Correct.
8	Q. Do you know if that designation was made by	8	Q. From One West?
9	Northwest Trustee as to the signatory?	9	A. Yes. I can't.
10	A. We would have I think we provided I	10	Q. Would you agree that Exhibit 21 was also
11	think we were advised to put Federal Deposit Insurance	11	signed by Erica Johnson-Seck?
12	Corporation as receiver for IndyMac Federal Bank FSB.	12	A. Yes.
13	Q. Do you recall who advised you?	13	Q. And again, you don't know who she is?
14	A. No, not specifically.	14	A. No.
15	Q. But where would be the likely source that	15	Q. You don't know whether she signed it or
16	that came from?	16	not?
17	A. Either from LPS desktop through a	17	A. No.
18	communication, or a field within that program, or	18	Q. You don't know whether she signed it in
19	through a revision request from One West Bank. I	19	front of a notary as it represents there?
20	can't imagine that it would come from any other place.	20	A. No.
21	Q. The prior when you testified that you	21	Q. Do you recall how you got Exhibit 21 back
22	looked at an archive message from LPS to stop the	22	after she signed it or after it was signed?
23	foreclosure in 2009	23	A. It would have to have been delivered to us
24	Yes or no?	24	through the mail.
25	A. Yes.	25	Q. If that was the case, does Northwest have
I			

15 (Pages 57 to 60)

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	Page 61		Page 63
1	the original?	1	A. One West Bank.
2	A. Well, we're paperless. We don't have paper	2	Q. How did Northwest Trustee come to the
3	files, so I don't think we have the original.	3	conclusion that she should be the one who signs the
4	Q. So what would you do with the original	4	beneficiary declaration?
5	after you imaged it?	5	A. We don't come to a conclusion that she
6	A. Well, the original most likely would have	6	should be the one that signs it.
7	been returned to One West Bank since it says return to	7	Q. So what did you do after creating the
8	One West Bank after recording.	8	document?
9	Q. Okay.	9	A. We most likely we uploaded it to them
10	A. So it's unlikely we would have received the	10	for signature and return.
11	original since the return address isn't to us.	11	Q. Without designating who would be the
12	Q. So you can't say whether or not you have	12	signatory?
13	strike that. I'm going to show you Exhibit 17.	13	A. Correct.
14	Exhibit 17, Mr. Stenman, was referred to by Ms.	14	Q. That's not your decision at all?
15	McElligott as the "loss mit declaration." Would you	15	A. Correct.
16	agree?	16	Q. And again, did you in fact rely on Exhibit
17	A. Yes.	17	16 in order to conduct the foreclosure sales in this
18	Q. And do you know whether Exhibit 17 was	18	case?
19	created by Northwest Trustee?	19	A. We relied on this particular exhibit to
20	A. I don't believe it was.	20	issue the notice of trustee sale.
21	Q. And how could you tell?	21	Q. You don't know who Chamagne Williams is?
22	A. The second page has a section that isn't	22	A. No.
23	included in our template, in our in-house template.	23	Q. Showing you Exhibit 18 from the previous
24	Q. Where could this exhibit have come from?	24	day, can you tell me what that is?
25	A. One West Bank.	25	A. A notice of discontinuance of trustee sale.
	Page 62		Page 64
1	Q. And again, how did Northwest Trustee	1	Q. And do you do you know the circumstance
2	receive the exhibit?		
	receive the exhibit:	2	of that discontinuance?
3	A. I don't know how we received this exhibit.	2 3	of that discontinuance?  A. We were advised to cancel the foreclosure
3 4			
	A. I don't know how we received this exhibit.	3	A. We were advised to cancel the foreclosure
4	<ul><li>A. I don't know how we received this exhibit.</li><li>Q. And do you know who signed the document?</li></ul>	3 4	A. We were advised to cancel the foreclosure and close our file.
4 5	<ul><li>A. I don't know how we received this exhibit.</li><li>Q. And do you know who signed the document?</li><li>A. It says Champagne Williams or Chamagne</li></ul>	3 4 5	<ul><li>A. We were advised to cancel the foreclosure and close our file.</li><li>Q. Advised by whom?</li></ul>
4 5 6	<ul> <li>A. I don't know how we received this exhibit.</li> <li>Q. And do you know who signed the document?</li> <li>A. It says Champagne Williams or Chamagne Williams.</li> </ul>	3 4 5 6	<ul><li>A. We were advised to cancel the foreclosure and close our file.</li><li>Q. Advised by whom?</li><li>A. One West Bank.</li></ul>
4 5 6 7	<ul> <li>A. I don't know how we received this exhibit.</li> <li>Q. And do you know who signed the document?</li> <li>A. It says Champagne Williams or Chamagne Williams.</li> <li>Q. You don't know who that is?</li> </ul>	3 4 5 6 7	<ul> <li>A. We were advised to cancel the foreclosure and close our file.</li> <li>Q. Advised by whom?</li> <li>A. One West Bank.</li> <li>Q. And are you going by memory?</li> </ul>
4 5 6 7 8	<ul> <li>A. I don't know how we received this exhibit.</li> <li>Q. And do you know who signed the document?</li> <li>A. It says Champagne Williams or Chamagne</li> <li>Williams.</li> <li>Q. You don't know who that is?</li> <li>A. No.</li> </ul>	3 4 5 6 7 8	<ul> <li>A. We were advised to cancel the foreclosure and close our file.</li> <li>Q. Advised by whom?</li> <li>A. One West Bank.</li> <li>Q. And are you going by memory?</li> <li>A. Yeah. I'm going I believe there was a</li> </ul>
4 5 6 7 8 9	<ul> <li>A. I don't know how we received this exhibit.</li> <li>Q. And do you know who signed the document?</li> <li>A. It says Champagne Williams or Chamagne</li> <li>Williams.</li> <li>Q. You don't know who that is?</li> <li>A. No.</li> <li>Q. You don't know who she worked for?</li> </ul>	3 4 5 6 7 8 9	<ul> <li>A. We were advised to cancel the foreclosure and close our file.</li> <li>Q. Advised by whom?</li> <li>A. One West Bank.</li> <li>Q. And are you going by memory?</li> <li>A. Yeah. I'm going I believe there was a communication imaged into our archive indicating to</li> </ul>
4 5 6 7 8 9	<ul> <li>A. I don't know how we received this exhibit.</li> <li>Q. And do you know who signed the document?</li> <li>A. It says Champagne Williams or Chamagne</li> <li>Williams.</li> <li>Q. You don't know who that is?</li> <li>A. No.</li> <li>Q. You don't know who she worked for?</li> <li>A. I can only rely on the document.</li> </ul>	3 4 5 6 7 8 9	<ul> <li>A. We were advised to cancel the foreclosure and close our file.</li> <li>Q. Advised by whom?</li> <li>A. One West Bank.</li> <li>Q. And are you going by memory?</li> <li>A. Yeah. I'm going I believe there was a communication imaged into our archive indicating to close the file.</li> </ul>
4 5 6 7 8 9 10	<ul> <li>A. I don't know how we received this exhibit.</li> <li>Q. And do you know who signed the document?</li> <li>A. It says Champagne Williams or Chamagne</li> <li>Williams.</li> <li>Q. You don't know who that is?</li> <li>A. No.</li> <li>Q. You don't know who she worked for?</li> <li>A. I can only rely on the document.</li> <li>Q. And that's all you rely on is the document?</li> </ul>	3 4 5 6 7 8 9 10	<ul> <li>A. We were advised to cancel the foreclosure and close our file.</li> <li>Q. Advised by whom?</li> <li>A. One West Bank.</li> <li>Q. And are you going by memory?</li> <li>A. Yeah. I'm going I believe there was a communication imaged into our archive indicating to close the file.</li> <li>Q. And so this is a second imaged message that we're talking about?</li> <li>A. In the new foreclosure, yes.</li> </ul>
4 5 6 7 8 9 10 11	<ul> <li>A. I don't know how we received this exhibit.</li> <li>Q. And do you know who signed the document?</li> <li>A. It says Champagne Williams or Chamagne</li> <li>Williams.</li> <li>Q. You don't know who that is?</li> <li>A. No.</li> <li>Q. You don't know who she worked for?</li> <li>A. I can only rely on the document.</li> <li>Q. And that's all you rely on is the document?</li> <li>A. Correct.</li> </ul>	3 4 5 6 7 8 9 10 11	<ul> <li>A. We were advised to cancel the foreclosure and close our file.</li> <li>Q. Advised by whom?</li> <li>A. One West Bank.</li> <li>Q. And are you going by memory?</li> <li>A. Yeah. I'm going I believe there was a communication imaged into our archive indicating to close the file.</li> <li>Q. And so this is a second imaged message that we're talking about?</li> </ul>
4 5 6 7 8 9 10 11 12	<ul> <li>A. I don't know how we received this exhibit.</li> <li>Q. And do you know who signed the document?</li> <li>A. It says Champagne Williams or Chamagne</li> <li>Williams.</li> <li>Q. You don't know who that is?</li> <li>A. No.</li> <li>Q. You don't know who she worked for?</li> <li>A. I can only rely on the document.</li> <li>Q. And that's all you rely on is the document?</li> <li>A. Correct.</li> <li>Q. I'll show you Exhibit 16. And this is also</li> </ul>	3 4 5 6 7 8 9 10 11 12	<ul> <li>A. We were advised to cancel the foreclosure and close our file.</li> <li>Q. Advised by whom?</li> <li>A. One West Bank.</li> <li>Q. And are you going by memory?</li> <li>A. Yeah. I'm going I believe there was a communication imaged into our archive indicating to close the file.</li> <li>Q. And so this is a second imaged message that we're talking about?</li> <li>A. In the new foreclosure, yes.</li> </ul>
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4 5 6 7 8 9 10 11 12 13 14	<ul> <li>A. I don't know how we received this exhibit.</li> <li>Q. And do you know who signed the document?</li> <li>A. It says Champagne Williams or Chamagne</li> <li>Williams.</li> <li>Q. You don't know who that is?</li> <li>A. No.</li> <li>Q. You don't know who she worked for?</li> <li>A. I can only rely on the document.</li> <li>Q. And that's all you rely on is the document?</li> <li>A. Correct.</li> <li>Q. I'll show you Exhibit 16. And this is also from the deposition of the previous day. Would you agree that that is the declaration of the beneficiary?</li> </ul>	3 4 5 6 7 8 9 10 11 12 13 14 15	A. We were advised to cancel the foreclosure and close our file.  Q. Advised by whom?  A. One West Bank.  Q. And are you going by memory?  A. Yeah. I'm going I believe there was a communication imaged into our archive indicating to close the file.  Q. And so this is a second imaged message that we're talking about?  A. In the new foreclosure, yes.  Q. And is it your testimony that Northwest Trustee has possession of that imaged document?
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	<ul> <li>A. I don't know how we received this exhibit.</li> <li>Q. And do you know who signed the document?</li> <li>A. It says Champagne Williams or Chamagne</li> <li>Williams.</li> <li>Q. You don't know who that is?</li> <li>A. No.</li> <li>Q. You don't know who she worked for?</li> <li>A. I can only rely on the document.</li> <li>Q. And that's all you rely on is the document?</li> <li>A. Correct.</li> <li>Q. I'll show you Exhibit 16. And this is also from the deposition of the previous day. Would you agree that that is the declaration of the beneficiary?</li> <li>A. Yes.</li> <li>Q. And is that a document that Northwest</li> <li>Trustee prepared?</li> </ul>	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. We were advised to cancel the foreclosure and close our file.  Q. Advised by whom?  A. One West Bank. Q. And are you going by memory? A. Yeah. I'm going I believe there was a communication imaged into our archive indicating to close the file.  Q. And so this is a second imaged message that we're talking about?  A. In the new foreclosure, yes. Q. And is it your testimony that Northwest Trustee has possession of that imaged document? A. Yes. Q. Which I don't have, but you can retrieve? A. Yes.
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	<ul> <li>A. I don't know how we received this exhibit.</li> <li>Q. And do you know who signed the document?</li> <li>A. It says Champagne Williams or Chamagne</li> <li>Williams.</li> <li>Q. You don't know who that is?</li> <li>A. No.</li> <li>Q. You don't know who she worked for?</li> <li>A. I can only rely on the document.</li> <li>Q. And that's all you rely on is the document?</li> <li>A. Correct.</li> <li>Q. I'll show you Exhibit 16. And this is also from the deposition of the previous day. Would you agree that that is the declaration of the beneficiary?</li> <li>A. Yes.</li> <li>Q. And is that a document that Northwest</li> </ul>	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. We were advised to cancel the foreclosure and close our file.  Q. Advised by whom?  A. One West Bank. Q. And are you going by memory? A. Yeah. I'm going I believe there was a communication imaged into our archive indicating to close the file.  Q. And so this is a second imaged message that we're talking about?  A. In the new foreclosure, yes. Q. And is it your testimony that Northwest Trustee has possession of that imaged document? A. Yes. Q. Which I don't have, but you can retrieve? A. Yes. Q. Other than getting the message, do you
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. I don't know how we received this exhibit. Q. And do you know who signed the document? A. It says Champagne Williams or Chamagne Williams. Q. You don't know who that is? A. No. Q. You don't know who she worked for? A. I can only rely on the document. Q. And that's all you rely on is the document? A. Correct. Q. I'll show you Exhibit 16. And this is also from the deposition of the previous day. Would you agree that that is the declaration of the beneficiary? A. Yes. Q. And is that a document that Northwest Trustee prepared? A. This does look like our in-house template, yes.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. We were advised to cancel the foreclosure and close our file.  Q. Advised by whom?  A. One West Bank.  Q. And are you going by memory?  A. Yeah. I'm going I believe there was a communication imaged into our archive indicating to close the file.  Q. And so this is a second imaged message that we're talking about?  A. In the new foreclosure, yes.  Q. And is it your testimony that Northwest  Trustee has possession of that imaged document?  A. Yes.  Q. Which I don't have, but you can retrieve?  A. Yes.  Q. Other than getting the message, do you recall the specific circumstances of why the sales
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. I don't know how we received this exhibit. Q. And do you know who signed the document? A. It says Champagne Williams or Chamagne Williams. Q. You don't know who that is? A. No. Q. You don't know who she worked for? A. I can only rely on the document. Q. And that's all you rely on is the document? A. Correct. Q. I'll show you Exhibit 16. And this is also from the deposition of the previous day. Would you agree that that is the declaration of the beneficiary? A. Yes. Q. And is that a document that Northwest Trustee prepared? A. This does look like our in-house template, yes. Q. And the exhibit has, again, a signatory.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. We were advised to cancel the foreclosure and close our file.  Q. Advised by whom?  A. One West Bank.  Q. And are you going by memory?  A. Yeah. I'm going I believe there was a communication imaged into our archive indicating to close the file.  Q. And so this is a second imaged message that we're talking about?  A. In the new foreclosure, yes.  Q. And is it your testimony that Northwest  Trustee has possession of that imaged document?  A. Yes.  Q. Which I don't have, but you can retrieve?  A. Yes.  Q. Other than getting the message, do you recall the specific circumstances of why the sales were discontinued in 2011?
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. I don't know how we received this exhibit. Q. And do you know who signed the document? A. It says Champagne Williams or Chamagne Williams. Q. You don't know who that is? A. No. Q. You don't know who she worked for? A. I can only rely on the document. Q. And that's all you rely on is the document? A. Correct. Q. I'll show you Exhibit 16. And this is also from the deposition of the previous day. Would you agree that that is the declaration of the beneficiary? A. Yes. Q. And is that a document that Northwest Trustee prepared? A. This does look like our in-house template, yes. Q. And the exhibit has, again, a signatory. Who is that?	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. We were advised to cancel the foreclosure and close our file.  Q. Advised by whom?  A. One West Bank.  Q. And are you going by memory?  A. Yeah. I'm going I believe there was a communication imaged into our archive indicating to close the file.  Q. And so this is a second imaged message that we're talking about?  A. In the new foreclosure, yes.  Q. And is it your testimony that Northwest  Trustee has possession of that imaged document?  A. Yes.  Q. Which I don't have, but you can retrieve?  A. Yes.  Q. Other than getting the message, do you recall the specific circumstances of why the sales were discontinued in 2011?  A. I recognized that it was being closed and
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16 (Pages 61 to 64)

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	5	Page 67
1 Q. Are you familiar with Ms. McElligott's	1	A. Yeah.
2 signature?	2	Q. And the notary public there, are you
A. Yes.	3	familiar with who she is?
4 Q. How is she located in the office in	4	A. Yes.
5 relation to your office?	5	Q. Is that a she?
6 A. She's about 30 feet away from my office.	6	A. Yes.
7 Q. So you see her on a daily basis?	7	Q. Ms. Ree?
8 A. Yes.	8	A. Rhea.
9 Q. You're familiar with her duties as the	9	Q. What is her position with Northwest
10 foreclosure team manager?	10	Trustee?
11 A. Yes.	11	A. She's a foreclosure lead now. That's her
12 Q. And you have seen her sign documents?	12	official title.
13 A. Yes.	13	Q. And so what does she do as foreclosure
Q. With the team that she has, how many	14	lead?
documents would you say that she signs a day?	15	A. She'll draft notices of trustee sale.
16 A. Maybe on average 25.	16	She'll review other people's work. She's she does
Q. And what are these documents?	17	some training. She notarizes documents. Vonnie's a
18 A. I'm guessing.	18	manager, Rhea is a lead, and then there's another
19 Q. You're guessing?	19	level of foreclosure processors. So she's like a
A. Usually a notice of trustee sale would be	20	senior processor.
what she would sign.	21	Q. You said that now she's doing that. What
Q. Okay. And that would be 25 of them a day		was she doing before?
A. Depends on how many that she's reviewing	·	A. Rhea?
24 for signature.	24	Q. Yes.
Q. Do you know the review process that she	25	A. She's been a lead for quite some time.
Page 66	5	Page 68
1 engages in in issuing or signing the notice of trustee	. 1	Many years.
2 sales?	2	Q. Does she sign any foreclosure documents
0 4 71 6 121 131 13		
3 A. I'm familiar with it, yes.	3	that you know of?
<ul><li>3 A. I'm familiar with it, yes.</li><li>4 Q. Could you tell me?</li></ul>	3 4	that you know of?  A. No. I don't think she does. She does not.
4 Q. Could you tell me?	I	•
4 Q. Could you tell me?	4	A. No. I don't think she does. She does not.
<ul><li>Q. Could you tell me?</li><li>A. When the notice of sale is drafted by one</li></ul>	4 5	<ul><li>A. No. I don't think she does. She does not.</li><li>Q. So her act as notary public is a regular</li></ul>
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<ul> <li>Q. Could you tell me?</li> <li>A. When the notice of sale is drafted by one</li> <li>of her processors they have to deliver it to her to</li> <li>review it against the system to make sure that it's</li> </ul>	4 5 6 7	<ul><li>A. No. I don't think she does. She does not.</li><li>Q. So her act as notary public is a regular occurrence?</li><li>A. Yes.</li></ul>
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	ge 69	Page 71
1 record the notice of trustee sale.	1	compared to Exhibit 5?
Q. And it pertains to this case; correct?	2	A. They look like initials, not a signature.
3 A. Correct.	3	Q. But you don't know who did that?
4 Q. And the document has Ms. McElligott's	4	A. No.
5 signature on it; is that correct?	5	Q. You don't know whether it was her initials
6 A. No.	6	
7 Q. What is that?	7	A. No.
8 A. It looks like her initials.	8	Q that she placed there herself?
9 Q. Do you know for a fact that she was	9	A. No.
10 actually initialing there?	10	Q. Or that someone else did that?
11 A. No.	11	A. No.
12 Q. So you don't know in fact who did that?	2   12	Q. And again, the import of that is because
13 A. No.	13	this is a nonrecordable document?
Q. But you're guessing that that's her	14	A. Doesn't require attestation. It doesn't
15 initials?	15	require an original signature.
A. I doubt that they're her initials. It's	16	Q. So is it your testimony that if it's not a
not a recordable document. They would put her		recordable document that anyone can either place
initials on there because they are sending it over		initials of other people or sign for other people in
19 the title company. Could be somebody who pre		your company?
20 package.	20	A. For the documents that we produce, yes.
21 Q. Okay. So according	21	Q. And that's not against the company's policy
A. Doesn't matter whose initials they are.	22	at all?
23 It's not a document that requires signature.	23	A. No. These are just transmittal letters.
Q. I see.	24	If it was a document that required a signature and a
25 A. It's just a transmittal letter.	25	notary, it would have to be an original signature.
Pac	ge 70	Page 72
1 Q. So the import is when there is a docu	iment 1	Q. Are you familiar with occasions where Ms.
2 that is recordable?	2	McElligott signed on behalf of MERS?
3 A. Yes.	3	A. Yes.
4 Q. And if it's not then someone else can	4	Q. And how many times would you say that she
5 initial or sign for her?	5	has done that?
6 A. Correct.	6	A. Many times.
7 Q. And so in looking at Exhibit 5, you d	lon't 7	Q. And what was the reason for that?
8 know who did that for her?	8	A. It depends on the MERS authority that was
9 A. No.	9	granted. It would have been a tri-party agreement
Q. You don't know if she did that hersels		that would have allowed her to execute certain
11 A. She could have. I don't know if it wa		documents. So it would be whatever documents are
12 or not.	12	identified within that agreement.
13 (Marked for identification Exhibit 6.)	13	Q. And you're talking about a written
Q. This is your 6, and I'd ask you to put		agreement?
side by side with 5 where Ms. Rhea signed he	I	A. Correct.
16 A. Uh-huh, yes.	16	Q. What would the agreement be entitled?
17 Q. And what is your Exhibit 6?	17	A. Pardon?
18 A. It's the publication instructions for the	I	Q. What is the document called?
19 notice of trustee sale.	19	A. I think I'm not positive. I think it's
Q. Now, are you looking at the signature		called a tri-party agreement.
01 0 11 0 01 0 0	21	Q. And whenever she signs on behalf of MERS,
21 for Ms. Pre, Rhea Pre?		is it your testimony that she has to sign pursuant to
22 A. Yes.	22	district and months are not as a
A. Yes. 23 Q. Her last name is Pre?	23	that tri-party agreement?
22 A. Yes.	23 24	that tri-party agreement?  A. Yes.  Q. Would it be against company's policy for

18 (Pages 69 to 72)

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	Page 73		
1		1	
1 2	her to sign without one?  A. Yes.	1	A. No, they don't.
3		2 3	Q. What was the purpose of appointing AVPs?
4	Q. I'm going to show you what has been marked	4	A. To allow them to execute the notice of foreclosure as an officer of Northwest Trustee
5	A. Are we done with these?		
6		5 6	Services, and other documents.
7	<ul><li>Q. Yes.</li><li> 6 from the previous day. You can take a</li></ul>	7	Q. And they are, in fact, not corporate officers of Northwest Trustee?
8	look at Exhibit 6 so I can ask you some questions.	8	A. Yes, they are. They're assistant
9	A. Okay.	9	vice-presidents.
10	Q. What is Exhibit 6?	10	Q. I see. No salary pertaining to that title
11	A. It's a written consent of the board of	11	that you know of?
12	directors for Northwest Trustee Services. It elects	12	A. They're salaried employees.
13	vice-presidents, assistant vice-presidents.	13	Q. They're salaried employees, but they're not
14	O. A number of them?	14	getting paid extra for being appointed AVP?
15	A. Correct.	15	A. It's within their job description.
16	Q. Can I refer you to paragraph D?	16	Q. I'm sorry. It is within their job
17	A. Yes.	17	description to do what?
18	Q. And paragraph D, what does it say, Mr.	18	A. To execute those documents as part of the
19	Stenman?	19	job.
20	A. "The AVP of the company may also be	20	Q. Are we talking about a written job
21	authorized by Mortgage Electronic Registration	21	description that specifies that?
22	Systems, Inc., to execute certain documents on behalf	22	A. I don't know if it's within I don't know
23	of MERS. The company hereby authorizes the AVP to	23	if it's in the written job description, but it's
24	execute documents on behalf of MERS when and to the	24	inferred as a condition of the position that they
25	extent specifically authorized to do so by MERS."	25	execute their notice of trustee sales.
	1 ,		
	Page 74		Page 76
1	Q. Okay. So by this document, Exhibit 6,	1	Q. Okay. But this appoints them to be
2	certain people in your company are allowed to sign for	2	AVPs in order to do that?
3	MERS?	3	A. Correct.
4	A. According to paragraph D, yes.	4	Q. And you testified that Exhibit 6 is the
5	Q. But it would still be pursuant to a	5	action by the board of directors of Northwest Trustee?
6	separate agreement, the tri-party agreement you	6	A. Yes.
7	referred to?	7	Q. Do you know how many people on the board of
8	A. Yes.	8	directors for the company?
9	Q. Now, I'm referring you to Exhibit to	9	A. No. Actually, I don't. I believe it's
10	page 2 of the exhibit.	10	there's only one on the board of directors. That's my
11	A. Okay.	11	understanding.
12	Q. And do you see Ms. Vonnie McElligott's	12	Q. Have you ever been to a board meeting
13	signature there?	13	A. No.
14	A. Yes.	14	Q of the company? No?
15	Q. VP, or assistant VP, I should say. How did	15	A. No, I have not been to a board meeting.
16	she sign there?	16	Q. With regards to you as a signer, I don't
17	A. It looks like I can't tell exactly, but	17	see your name on the AVP list.
18	it looks like "Yvonne McElligott."	18	A. It isn't on this one, no.
19	Q. Do these people, as assistant VP's, get	19	Q. Is it your testimony that you might be on
20	paid extra for the title?	20	some other one?
21	A. No.	21	A. Yes.
22	Q. Do they get paid extra for the act of	22	Q. Let's see if I can find that.
23	signing	23	A. Do you want this one back?
24	A. No.	24	Q. Yes, please. Let me show you what has been
25	Q as AVP?	25	marked as Exhibit 7 from the day before. Can you tell

19 (Pages 73 to 76)

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	Page 77		Page 79
1 me what 7 is?		1 A	There would be somebody who represents the
2 A. It's action by written co	onsent of the		have to look at the agreements.
3 shareholders and directors of N		3 Q.	You don't know?
4 it's		4 A.	I don't know. I would be I think I
5 Q. What's the effective dat	te?		d be a signature. I don't know. I have to look
6 A. March 1st, 2005.			agreements.
7 Q. And on Exhibit 7, on th	ne third page		I don't want you to guess.
8 A. Okay.	1.0	8	(Marked for identification Exhibit 7.)
9 Q you signed as being a	appointed AVP?		I'm going to show you what has been marked
10 A. Correct.	appointed 11 v 1 ·		ur Exhibit 7. And I will represent to you that
11 Q. Is that your signature th	nere?	-	copy of the certified copy we have obtained
12 A. Yes.	icic:		the court.
	a MaElligatt's		
13 Q. And do you also see M 14 signature above you?	s. McEnigous		Okay.
I			What is Exhibit 7?
15 A. Yes.	.1	15 A.	11
Q. And this time what did	she sign as?	16 Q.	•
17 A. Vonnie McElligott.		17 A.	
Q. Are you contending that			Where you signed as a vice-president for
19 documents allowing you to sign	n as AVP or is this the	19 MER	
20 one?			Correct.
A. There may be. I'm not	sure if they're I	_	Have you ever worked for MERS?
22 don't know.		22 A.	Worked for them, no.
Q. Okay. Does this Exhib	it 7 allow you to	23 Q.	Have you ever got any money from them for
sign on behalf of MERS?		24 comp	ensation of any kind?
25 A. This in as itself? As of	itself, no.	25 A	No.
	Page 78		Page 80
	2 6.50		rage ou
1 Q. Do you recall a particula		1 Q	. Have you ever been to their office?
Q. Do you recall a particula     allows you to sign on behalf of M	r document that	1 Q 2 A	. Have you ever been to their office?
	r document that MERS?		. Have you ever been to their office? . No.
2 allows you to sign on behalf of N	r document that MERS?	2 A	<ul><li>Have you ever been to their office?</li><li>No.</li><li>Do you know who owns MERS?</li></ul>
2 allows you to sign on behalf of M 3 A. I know that there's a tri-p 4 that allows that.	r document that MERS? party agreement	2 A 3 Q	<ul><li>Have you ever been to their office?</li><li>No.</li><li>Do you know who owns MERS?</li><li>No.</li></ul>
<ul> <li>allows you to sign on behalf of M</li> <li>A. I know that there's a tri-p</li> <li>that allows that.</li> </ul>	r document that MERS? party agreement ment or is it	2 A 3 Q 4 A 5 Q	<ul> <li>Have you ever been to their office?</li> <li>No.</li> <li>Do you know who owns MERS?</li> <li>No.</li> <li>Do you have any idea how many employees</li> </ul>
2 allows you to sign on behalf of M 3 A. I know that there's a tri-p 4 that allows that. 5 Q. Is it a same global agree	r document that MERS? party agreement ment or is it	2 A 3 Q 4 A 5 Q 6 they	<ul><li>Have you ever been to their office?</li><li>No.</li><li>Do you know who owns MERS?</li><li>No.</li></ul>
2 allows you to sign on behalf of M 3 A. I know that there's a tri-p 4 that allows that. 5 Q. Is it a same global agreer 6 are there separate agreements for 7 A. Separate agreements.	r document that MERS? party agreement ment or is it r you to sign as MERS?	2 A 3 Q 4 A 5 Q 6 they 7 A	<ul> <li>Have you ever been to their office?</li> <li>No.</li> <li>Do you know who owns MERS?</li> <li>No.</li> <li>Do you have any idea how many employees have?</li> <li>No.</li> </ul>
2 allows you to sign on behalf of M 3 A. I know that there's a tri-p 4 that allows that. 5 Q. Is it a same global agreer 6 are there separate agreements for 7 A. Separate agreements. 8 Q. And how many of them a	r document that MERS? party agreement ment or is it r you to sign as MERS?	2 A 3 Q 4 A 5 Q 6 they 7 A 8 Q	<ul> <li>Have you ever been to their office?</li> <li>No.</li> <li>Do you know who owns MERS?</li> <li>No.</li> <li>Do you have any idea how many employees have?</li> <li>No.</li> <li>Do you know anything about their corporate</li> </ul>
2 allows you to sign on behalf of M 3 A. I know that there's a tri-p 4 that allows that. 5 Q. Is it a same global agreet 6 are there separate agreements for 7 A. Separate agreements. 8 Q. And how many of them a 9 A. Five or six.	r document that MERS? party agreement ment or is it r you to sign as MERS? are there?	2 A 3 Q 4 A 5 Q 6 they 7 A 8 Q 9 gove	<ul> <li>Have you ever been to their office?</li> <li>No.</li> <li>Do you know who owns MERS?</li> <li>No.</li> <li>Do you have any idea how many employees have?</li> <li>No.</li> <li>Do you know anything about their corporate rnance, meaning their officers, directors?</li> </ul>
2 allows you to sign on behalf of M 3 A. I know that there's a tri-p 4 that allows that. 5 Q. Is it a same global agreet 6 are there separate agreements for 7 A. Separate agreements. 8 Q. And how many of them a 9 A. Five or six. 10 Q. And are they pertaining the	r document that MERS? party agreement ment or is it r you to sign as MERS? are there? to certain periods	2 A 3 Q 4 A 5 Q 6 they 7 A 8 Q 9 gove 10 A	<ul> <li>Have you ever been to their office?</li> <li>No.</li> <li>Do you know who owns MERS?</li> <li>No.</li> <li>Do you have any idea how many employees have?</li> <li>No.</li> <li>Do you know anything about their corporate rnance, meaning their officers, directors?</li> <li>No.</li> </ul>
2 allows you to sign on behalf of M 3 A. I know that there's a tri-p 4 that allows that. 5 Q. Is it a same global agreet 6 are there separate agreements for 7 A. Separate agreements. 8 Q. And how many of them a 9 A. Five or six. 10 Q. And are they pertaining to	r document that  MERS?  party agreement  ment or is it r you to sign as MERS?  are there?  to certain periods	2 A 3 Q 4 A 5 Q 6 they 7 A 8 Q 9 gove 10 A 11 Q	<ul> <li>Have you ever been to their office?</li> <li>No.</li> <li>Do you know who owns MERS?</li> <li>No.</li> <li>Do you have any idea how many employees have?</li> <li>No.</li> <li>Do you know anything about their corporate rnance, meaning their officers, directors?</li> <li>No.</li> <li>So how did you come to sign as</li> </ul>
2 allows you to sign on behalf of M 3 A. I know that there's a tri-p 4 that allows that. 5 Q. Is it a same global agreer 6 are there separate agreements for 7 A. Separate agreements. 8 Q. And how many of them a 9 A. Five or six. 10 Q. And are they pertaining to 11 of time? 12 A. I'd have to look at the do	r document that  MERS?  Dearty agreement  ment or is it r you to sign as MERS?  are there?  to certain periods  cument itself to	2 A 3 Q 4 A 5 Q 6 they 7 A 8 Q 9 gove 10 A 11 Q 12 vice-	<ul> <li>Have you ever been to their office?</li> <li>No.</li> <li>Do you know who owns MERS?</li> <li>No.</li> <li>Do you have any idea how many employees have?</li> <li>No.</li> <li>Do you know anything about their corporate rnance, meaning their officers, directors?</li> <li>No.</li> <li>So how did you come to sign as president for MERS?</li> </ul>
2 allows you to sign on behalf of M 3 A. I know that there's a tri-p 4 that allows that. 5 Q. Is it a same global agreer 6 are there separate agreements for 7 A. Separate agreements. 8 Q. And how many of them a 9 A. Five or six. 10 Q. And are they pertaining to 11 of time? 12 A. I'd have to look at the do 13 see if there was a time limit to th	r document that MERS? party agreement ment or is it r you to sign as MERS? are there? to certain periods cument itself to e document. I	2 A 3 Q 4 A 5 Q 6 they 7 A 8 Q 9 gove 10 A 11 Q 12 vice- 13 A	<ul> <li>Have you ever been to their office?</li> <li>No.</li> <li>Do you know who owns MERS?</li> <li>No.</li> <li>Do you have any idea how many employees have?</li> <li>No.</li> <li>Do you know anything about their corporate rnance, meaning their officers, directors?</li> <li>No.</li> <li>So how did you come to sign as president for MERS?</li> <li>Through an agreement, a tri-party</li> </ul>
2 allows you to sign on behalf of M 3 A. I know that there's a tri-p 4 that allows that. 5 Q. Is it a same global agreer 6 are there separate agreements for 7 A. Separate agreements. 8 Q. And how many of them a 9 A. Five or six. 10 Q. And are they pertaining to 11 of time? 12 A. I'd have to look at the do 13 see if there was a time limit to th 14 don't think there's a time limit to	r document that MERS? party agreement ment or is it r you to sign as MERS? are there? to certain periods cument itself to e document. I the document.	2 A 3 Q 4 A 5 Q 6 they 7 A 8 Q 9 gove 10 A 11 Q 12 vice- 13 A 14 agree	<ul> <li>Have you ever been to their office?</li> <li>No.</li> <li>Do you know who owns MERS?</li> <li>No.</li> <li>Do you have any idea how many employees have?</li> <li>No.</li> <li>Do you know anything about their corporate rnance, meaning their officers, directors?</li> <li>No.</li> <li>So how did you come to sign as president for MERS?</li> <li>Through an agreement, a tri-party ement.</li> </ul>
2 allows you to sign on behalf of M 3 A. I know that there's a tri-p 4 that allows that. 5 Q. Is it a same global agreer 6 are there separate agreements for 7 A. Separate agreements. 8 Q. And how many of them a 9 A. Five or six. 10 Q. And are they pertaining to 11 of time? 12 A. I'd have to look at the do 13 see if there was a time limit to th 14 don't think there's a time limit to 15 They'd be for individual servicer	r document that MERS? party agreement ment or is it r you to sign as MERS? are there? to certain periods cument itself to e document. I the document. s.	2 A 3 Q 4 A 5 Q 6 they 7 A 8 Q 9 gove 10 A 11 Q 12 vice- 13 A 14 agree 15 Q	<ul> <li>Have you ever been to their office?</li> <li>No.</li> <li>Do you know who owns MERS?</li> <li>No.</li> <li>Do you have any idea how many employees have?</li> <li>No.</li> <li>Do you know anything about their corporate mance, meaning their officers, directors?</li> <li>No.</li> <li>So how did you come to sign as president for MERS?</li> <li>Through an agreement, a tri-party ement.</li> <li>And you're not a party to that agreement,</li> </ul>
allows you to sign on behalf of M A. I know that there's a tri-p that allows that.  Q. Is it a same global agreer are there separate agreements for A. Separate agreements.  Q. And how many of them a A. Five or six.  Q. And are they pertaining to of time?  A. I'd have to look at the do see if there was a time limit to th don't think there's a time limit to They'd be for individual servicer Q. And to the best of your k	r document that MERS? party agreement ment or is it r you to sign as MERS? are there? to certain periods cument itself to e document. I the document. s. chowledge, the	2 A 3 Q 4 A 5 Q 6 they 7 A 8 Q 9 gove 10 A 11 Q 12 vice- 13 A 14 agree 15 Q 16 are y	<ul> <li>Have you ever been to their office?</li> <li>No.</li> <li>Do you know who owns MERS?</li> <li>No.</li> <li>Do you have any idea how many employees have?</li> <li>No.</li> <li>Do you know anything about their corporate mance, meaning their officers, directors?</li> <li>No.</li> <li>So how did you come to sign as president for MERS?</li> <li>Through an agreement, a tri-party ement.</li> <li>And you're not a party to that agreement, ou?</li> </ul>
2 allows you to sign on behalf of M 3 A. I know that there's a tri-p 4 that allows that. 5 Q. Is it a same global agreer 6 are there separate agreements for 7 A. Separate agreements. 8 Q. And how many of them a 9 A. Five or six. 10 Q. And are they pertaining to 11 of time? 12 A. I'd have to look at the do 13 see if there was a time limit to th 14 don't think there's a time limit to 15 They'd be for individual servicer 16 Q. And to the best of your k 17 tri-party agreement allowing you	r document that MERS? party agreement ment or is it r you to sign as MERS? are there? to certain periods cument itself to e document. I the document. s. chowledge, the to sign on behalf of	2 A 3 Q 4 A 5 Q 6 they 7 A 8 Q 9 gove 10 A 11 Q 12 vice- 13 A 14 agree 15 Q 16 are y 17 A	<ul> <li>Have you ever been to their office?</li> <li>No.</li> <li>Do you know who owns MERS?</li> <li>No.</li> <li>Do you have any idea how many employees have?</li> <li>No.</li> <li>Do you know anything about their corporate mance, meaning their officers, directors?</li> <li>No.</li> <li>So how did you come to sign as president for MERS?</li> <li>Through an agreement, a tri-party ement.</li> <li>And you're not a party to that agreement, ou?</li> <li>I think I'd have to be.</li> </ul>
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allows you to sign on behalf of M A. I know that there's a tri-p that allows that.  Q. Is it a same global agreer are there separate agreements for A. Separate agreements. Q. And how many of them a A. Five or six. Q. And are they pertaining to of time? A. I'd have to look at the do see if there was a time limit to th don't think there's a time limit to They'd be for individual servicer Q. And to the best of your k tri-party agreement allowing you MERS, these are separate docum produced to me; correct? THE WITNESS: I don't k	r document that MERS? party agreement ment or is it r you to sign as MERS? are there? to certain periods cument itself to e document. I the document. s. chowledge, the it to sign on behalf of ments that have not been	2 A 3 Q 4 A 5 Q 6 they 7 A 8 Q 9 gove 10 A 11 Q 12 vice- 13 A 14 agree 15 Q 16 are y 17 A 18 Q 19 said 20 A	<ul> <li>Have you ever been to their office?</li> <li>No.</li> <li>Do you know who owns MERS?</li> <li>No.</li> <li>Do you have any idea how many employees have?</li> <li>No.</li> <li>Do you know anything about their corporate rnance, meaning their officers, directors?</li> <li>No.</li> <li>So how did you come to sign as president for MERS?</li> <li>Through an agreement, a tri-party ement.</li> <li>And you're not a party to that agreement, ou?</li> <li>I think I'd have to be.</li> <li>So I asked you who the parties are and you you</li> <li>I'd have to look at the agreement to see</li> </ul>
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20 (Pages 77 to 80)

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	Page 81		Page 83
1	execute for MERS.	1	actually had beneficiary interest?
2	Q. And do you, in fact, know that the	2	A. I'm relying on this document. I would have
3	tri-party agreements allowing you authority to sign	3	been relying on title to tell me who had the current
4	were executed by someone who has authority for MERS?	4	beneficial interest.
5	A. I'm relying on the document.	5	Q. And the language was not drafted by you but
6	Q. And where did these documents come from?	6	by an attorney?
7	A. They would be from the servicer, from MERS,	7	A. Correct.
8	and from our company.	8	Q. And do you recognize Heather Casey, the
9	Q. So in referring to the Exhibit 7 of your	9	notary public there?
10	own there, this one, can you tell who the servicer is	10	A. Yes.
11	on this particular foreclosure?	11	Q. She's an employee of Northwest Trustee; is
12	A. America Servicing Company.	12	that correct?
13	Q. You don't work for them, do you?	13	A. Yes.
14	A. No.	14	Q. Is it your belief that you signed this
15	Q. I want you to go through the contents of	15	document in front of her on the date that is specified
16	Exhibit 7.	16	there?
17	A. Okay.	17	A. Yes.
18	Q. The second paragraph said that "The present	18	Q. Is there ever a time where you would sign
19	beneficiary under said deed of trust appoints	19	not in front of a notary public for these recordable
20	Northwest Trustees Services, Inc." Do you see that?	20	documents?
21	A. Yes.	21	A. I mean, I'd have signed in front of a
22	Q. The present beneficiary would be MERS?	22	notary, but I would have sworn in front of the notary
23	A. Under this, yes.	23	that I signed it.
24	Q. And this language, was it drafted for you	24	Q. How does that work? Explain to me.
25	or did you design this language?	25	A. Well, currently we do it in front of a
	Page 82		Dago 94
	5		Page 84
1		1	
1 2	A. It was drafted for me.	1 2	notary. In 2008 we weren't doing the signature itself
1 2 3	<ul><li>A. It was drafted for me.</li><li>Q. Do you know who drafted it?</li></ul>	2	notary. In 2008 we weren't doing the signature itself in front of a notary. I would sign them and then walk
2	<ul><li>A. It was drafted for me.</li><li>Q. Do you know who drafted it?</li><li>A. An attorney would have approved the</li></ul>		notary. In 2008 we weren't doing the signature itself
2	<ul><li>A. It was drafted for me.</li><li>Q. Do you know who drafted it?</li><li>A. An attorney would have approved the drafting of this, in-house attorney.</li></ul>	2	notary. In 2008 we weren't doing the signature itself in front of a notary. I would sign them and then walk them to a notary and then swear under an oath that I had executed the documents.
2 3 4	<ul><li>A. It was drafted for me.</li><li>Q. Do you know who drafted it?</li><li>A. An attorney would have approved the drafting of this, in-house attorney.</li><li>Q. I'm sorry?</li></ul>	2 3 4	notary. In 2008 we weren't doing the signature itself in front of a notary. I would sign them and then walk them to a notary and then swear under an oath that I had executed the documents.  Q. And so in 2008 it was done outside of the
2 3 4 5	<ul><li>A. It was drafted for me.</li><li>Q. Do you know who drafted it?</li><li>A. An attorney would have approved the drafting of this, in-house attorney.</li></ul>	2 3 4 5	notary. In 2008 we weren't doing the signature itself in front of a notary. I would sign them and then walk them to a notary and then swear under an oath that I had executed the documents.  Q. And so in 2008 it was done outside of the presence of a notary public?
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21 (Pages 81 to 84)

Moburg, Seaton & Watkins 206-622-3110 2033 Sixth Ave., Ste. 826

	Page 85		Page 87
1	(Marked for identification Exhibit 8.)	1	Q. Do you recall on this occasion whether you
2	Q. You've been handed Exhibit 8. Mr. Stenman,	2	were signing in front of her or not?
3	can you tell me what 8 is?	3	A. I don't recall. Sometimes I could have.
4	A. It's an appointment of successor trustee.	4	Sometimes I couldn't. Sometimes they're bringing them
5	Q. And I would represent to you that's a true	5	to me and sometimes I'm signing it in their presence.
6	and correct copy of the certified copy that we got	6	I would say most of the time that that's how it
7	from the court.	7	occurs.
8	A. Okay.	8	Q. Is Heather Casey still employed?
9	Q. And you are the signatory of Exhibit 8;	9	A. Yes.
10	correct?	10	Q. And what is her job duties or title?
11	A. Correct.	11	A. She's a foreclosure lead on Vonnie
12	Q. And here what did you sign as?	12	McElligott's team.
13	A. Power of attorney. Attorney in fact.	13	(Marked for identification Exhibit 9.)
14	Q. For who?	14	Q. I'm handing you Exhibit 9, and I will
15	A. Wells Fargo Bank NA.	15	represent to you that's another appointment of
16	Q. You never have you ever worked for Wells	16	successor trustee signed by you, and it's a true and
17	Fargo?	17	correct copy of the certified copy we obtained from
18	A. No.	18	court.
19	Q. And you did not get paid for your signing	19	A. Yes.
20	on behalf of Wells Fargo?	20	Q. You signed Exhibit 9; correct?
21	A. No.	21	A. Yes.
22	Q. And according to Exhibit 8, there is a	22	Q. As what?
23	power of attorney that goes along with your signature?	23	A. Attorney in fact.
24	A. Correct.	24	Q. For who?
25	Q. Allowing you to sign?	25	A. Bank of America NA.
	Page 86		Page 88
			rage ou
1	A. Yes.	1	
1 2	A. Yes.	1 2	Q. You're not an employee of Bank of America? A. No.
	A. Yes.		Q. You're not an employee of Bank of America?
2	<ul><li>A. Yes.</li><li>Q. As the attorney in fact?</li></ul>	2	<ul><li>Q. You're not an employee of Bank of America?</li><li>A. No.</li></ul>
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. Yes. Q. As the attorney in fact? A. Yes. Q. I want you to look at the contents of the appointment of the successor trustee, which is a document. And do you see the language there, Mr. Stenman? A. Yes. Q. And then again, did you author these paragraphs? A. No. Q. So it was drafted by someone else? A. Correct. Q. And possibly an attorney? A. Correct. Q. Possibly from Routh Crabtree? A. Yes. Q. And I want you to look at 7 and 8 together. And 8 is also notarized by Heather E. Casey, another she's the same employee that we've talked about earlier? A. Yes. Q. Do you see the differences in your signature at all or do they look the same to you?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	<ul> <li>Q. You're not an employee of Bank of America?</li> <li>A. No.</li> <li>Q. And you signed this according to a limited power of attorney?</li> <li>A. Yes.</li> <li>Q. And again, the language that is displayed here on the document, that's not your language?</li> <li>A. No. It's a template.</li> <li>Q. And someone else might have drafted that language for you?</li> <li>A. Correct.</li> <li>Q. Do you have any idea how many different companies you've signed for?</li> <li>A. Currently?</li> <li>Q. Yeah.</li> <li>A. Probably two or three.</li> <li>Q. Do you know who they are?</li> <li>A. Bank of America and Wells Fargo.  (Marked for identification Exhibit 10.)</li> <li>Q. This is 10. It's an assignment of deed of trust in an unrelated case. I will represent to you that that is a copy of the certified copy we obtained from the court.</li> <li>A. Okay.</li> </ul>
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Yes. Q. As the attorney in fact? A. Yes. Q. I want you to look at the contents of the appointment of the successor trustee, which is a document. And do you see the language there, Mr. Stenman? A. Yes. Q. And then again, did you author these paragraphs? A. No. Q. So it was drafted by someone else? A. Correct. Q. And possibly an attorney? A. Correct. Q. Possibly from Routh Crabtree? A. Yes. Q. And I want you to look at 7 and 8 together. And 8 is also notarized by Heather E. Casey, another—she's the same employee that we've talked about earlier? A. Yes. Q. Do you see the differences in your	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>Q. You're not an employee of Bank of America?</li> <li>A. No.</li> <li>Q. And you signed this according to a limited power of attorney?</li> <li>A. Yes.</li> <li>Q. And again, the language that is displayed here on the document, that's not your language?</li> <li>A. No. It's a template.</li> <li>Q. And someone else might have drafted that language for you?</li> <li>A. Correct.</li> <li>Q. Do you have any idea how many different companies you've signed for?</li> <li>A. Currently?</li> <li>Q. Yeah.</li> <li>A. Probably two or three.</li> <li>Q. Do you know who they are?</li> <li>A. Bank of America and Wells Fargo.  (Marked for identification Exhibit 10.)</li> <li>Q. This is 10. It's an assignment of deed of trust in an unrelated case. I will represent to you that that is a copy of the certified copy we obtained from the court.</li> </ul>

22 (Pages 85 to 88)

Moburg, Seaton & Watkins 206-622-3110 2033 Sixth Ave., Ste. 826

1 2 3 4	notes or how the money is due someone?  A. No.  MS. DAO: You can put that away.
3 4	
4	MS. DAO: You can put that away.
	(Marked for identification Exhibit 11.)
5	Q. Exhibit 11, Mr. Stenman, I will represent
6	to you that is a notice of discontinuance of trustee
7	sales in an unrelated case. It's a true and correct
8	copy of
9	MS. MORRISON: We're going to need to take
10	a break here because I'm going to need to make a
11	MS. DAO: Let me finish this.
12	Q a certified copy from the court.
13	A. Uh-huh, yes.
14	Q. And does 11 have a signature of yours?
15	A. Yes.
16	Q. And the date of execution is April 29,
17	2010?
18	A. Yes.
19	Q. And Natalya Galuzo is the notary public?
20	A. Yes.
21	Q. Does she work for your company still?
22	A. Yes.
23	Q. And on this occasion, do you recall whether
	you were signing in front of her or not?
25	A. Yes, because she's outside my office. She
	Page 92
1	would bring them in to me to have me sign them.
2	Q. But you're guessing that that's what
3	happened?
4	A. I'm guessing.
5	MS. DAO: Okay. All right. We can take a
6	break now.
7	(Off the record from 11:22 a.m. to 11:47
8	a.m.)
9	Q. Mr. Stenman, we were talking about the
10	variations of your signature over time, and I would
11	like for you to sign your name several times, if you
12	don't mind. And with this particular exhibit, if you
13	could refer to Exhibit 10 where your signature is very
14	different there.
15	A. Yes.
16	Q. Can you make an attempt and sign something
17	close to that?
18	A. I guess so. Must have been in a hurry.
19	Q. Can you date the bottom for me?
20	A. (Complying.)
21	(Marked for identification Exhibit 12.)
22	Q. How many notary publics in the office right
	now?
	A. I don't have the exact number. We keep
25	track of it. We have a I don't have the exact
	10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 19 19 19 19 19 19 19 19 19 19 19 19

23 (Pages 89 to 92)

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	Page 93		Page 95
1	number. Probably 20, 25.	1	A. I don't know.
2	Q. Okay. And these notary publics, they're	2	Q. I know I asked you whether you're a
3	bonded, I take it?	3	salaried employee, whether you got profit sharings,
4	A. I think it's required by the state.	4	and you testified you got 401(k)?
5	Q. Does the company pay for the bonding?	5	A. Yes.
6	A. We pay for the application, which includes	6	Q. And that is the only form of profit
7	the bonding.	7	sharing?
8	Q. And to the best of your knowledge, do these	8	A. Correct.
9	notary publics, who work for Northwest Trustee, keep a	9	Q. Do you receive bonuses?
10	log of what they notarized?	10	A. Yes.
11	A. Yes.	11	Q. And what is the basis of bonuses at work?
12	Q. And where are these logs kept?	12	A. Performance.
13	A. At their desks.	13	Q. I'm sorry?
14	Q. And to the best of your knowledge, do they	14	A. Performance.
15	notarize signatures of anyone other than employees of	15	Q. Such as? What are the criteria for
16	Northwest Trustee?	16	measuring your performance?
17	A. No.	17	A. Whether I meet or exceed expectations.
18	Q. To the best of your knowledge, are they	18	Q. Is it linked to volume, production?
19	allowed to are they allowed to notarize signatures	19	A. No.
20	of those other than employees of Northwest Trustee?	20	Q. Anybody in the company that gets paid by
21	A. I don't believe that they're prevented from	21	production that you know of?
22	doing notary outside of work.	22	A. No.
23	Q. I asked you about whether Northwest Trustee	23	Q. I want to shift focus a bit and ask you
24	has ownership in any of the third-party vendors that	24	about the occasion that a borrower contacts Northwest
25	we've spoken today. Do you happen to know whether Mr.	25	Trustee directly. Okay?
	Page 94		Dama 06
			Page 96
1	Routh himself has any ownership interest in any other	1	A. Okay.
1 2		1 2	
	Routh himself has any ownership interest in any other		A. Okay.
2	Routh himself has any ownership interest in any other companies?	2	<ul><li>A. Okay.</li><li>Q. If they call if a borrower calls your</li></ul>
2	Routh himself has any ownership interest in any other companies?  A. Yes.	2 3	A. Okay.  Q. If they call if a borrower calls your company and claims that the amounts as stated in the notice of trustee sale are incorrect, is that a basis for Northwest Trustee to stop and investigate?
2 3 4 5 6	Routh himself has any ownership interest in any other companies?  A. Yes.  Q. Do you know who which companies?  A. I believe he's got an ownership interest in Routh Crabtree Olsen, in FEI.	2 3 4 5 6	A. Okay. Q. If they call if a borrower calls your company and claims that the amounts as stated in the notice of trustee sale are incorrect, is that a basis for Northwest Trustee to stop and investigate? A. It depends on when they make that
2 3 4 5 6 7	Routh himself has any ownership interest in any other companies?  A. Yes. Q. Do you know who which companies? A. I believe he's got an ownership interest in Routh Crabtree Olsen, in FEI. Q. What's FEI?	2 3 4 5 6 7	A. Okay. Q. If they call if a borrower calls your company and claims that the amounts as stated in the notice of trustee sale are incorrect, is that a basis for Northwest Trustee to stop and investigate? A. It depends on when they make that statement. If it's during the period that the NOD was
2 3 4 5 6 7 8	Routh himself has any ownership interest in any other companies?  A. Yes. Q. Do you know who which companies? A. I believe he's got an ownership interest in Routh Crabtree Olsen, in FEI. Q. What's FEI? A. The posting and publishing company.	2 3 4 5 6 7 8	A. Okay. Q. If they call if a borrower calls your company and claims that the amounts as stated in the notice of trustee sale are incorrect, is that a basis for Northwest Trustee to stop and investigate? A. It depends on when they make that statement. If it's during the period that the NOD was issued, within the 30-day period that it was issued
2 3 4 5 6 7 8	Routh himself has any ownership interest in any other companies?  A. Yes. Q. Do you know who which companies? A. I believe he's got an ownership interest in Routh Crabtree Olsen, in FEI. Q. What's FEI? A. The posting and publishing company. Q. And any other company?	2 3 4 5 6 7 8	A. Okay. Q. If they call if a borrower calls your company and claims that the amounts as stated in the notice of trustee sale are incorrect, is that a basis for Northwest Trustee to stop and investigate? A. It depends on when they make that statement. If it's during the period that the NOD was issued, within the 30-day period that it was issued well, let me back up. Any time then the
2 3 4 5 6 7 8 9	Routh himself has any ownership interest in any other companies?  A. Yes.  Q. Do you know who which companies?  A. I believe he's got an ownership interest in Routh Crabtree Olsen, in FEI.  Q. What's FEI?  A. The posting and publishing company.  Q. And any other company?  A. Next Title.	2 3 4 5 6 7 8 9	A. Okay. Q. If they call if a borrower calls your company and claims that the amounts as stated in the notice of trustee sale are incorrect, is that a basis for Northwest Trustee to stop and investigate? A. It depends on when they make that statement. If it's during the period that the NOD was issued, within the 30-day period that it was issued well, let me back up. Any time then the foreclosure would go on. If it was after the NOD
2 3 4 5 6 7 8 9 10	Routh himself has any ownership interest in any other companies?  A. Yes. Q. Do you know who which companies? A. I believe he's got an ownership interest in Routh Crabtree Olsen, in FEI. Q. What's FEI? A. The posting and publishing company. Q. And any other company? A. Next Title. Q. What is that?	2 3 4 5 6 7 8 9 10	A. Okay. Q. If they call if a borrower calls your company and claims that the amounts as stated in the notice of trustee sale are incorrect, is that a basis for Northwest Trustee to stop and investigate? A. It depends on when they make that statement. If it's during the period that the NOD was issued, within the 30-day period that it was issued well, let me back up. Any time then the foreclosure would go on. If it was after the NOD expired and after the notice of trustee sale was
2 3 4 5 6 7 8 9 10 11	Routh himself has any ownership interest in any other companies?  A. Yes. Q. Do you know who which companies? A. I believe he's got an ownership interest in Routh Crabtree Olsen, in FEI. Q. What's FEI? A. The posting and publishing company. Q. And any other company? A. Next Title. Q. What is that? A. It's a title company.	2 3 4 5 6 7 8 9 10 11	A. Okay. Q. If they call if a borrower calls your company and claims that the amounts as stated in the notice of trustee sale are incorrect, is that a basis for Northwest Trustee to stop and investigate? A. It depends on when they make that statement. If it's during the period that the NOD was issued, within the 30-day period that it was issued well, let me back up. Any time then the foreclosure would go on. If it was after the NOD expired and after the notice of trustee sale was issued, we would investigate. We wouldn't necessarily
2 3 4 5 6 7 8 9 10 11 12	Routh himself has any ownership interest in any other companies?  A. Yes. Q. Do you know who which companies? A. I believe he's got an ownership interest in Routh Crabtree Olsen, in FEI. Q. What's FEI? A. The posting and publishing company. Q. And any other company? A. Next Title. Q. What is that? A. It's a title company. Q. Located here in Seattle?	2 3 4 5 6 7 8 9 10 11 12	A. Okay. Q. If they call if a borrower calls your company and claims that the amounts as stated in the notice of trustee sale are incorrect, is that a basis for Northwest Trustee to stop and investigate? A. It depends on when they make that statement. If it's during the period that the NOD was issued, within the 30-day period that it was issued well, let me back up. Any time then the foreclosure would go on. If it was after the NOD expired and after the notice of trustee sale was issued, we would investigate. We wouldn't necessarily place it on hold.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15	Routh himself has any ownership interest in any other companies?  A. Yes. Q. Do you know who which companies? A. I believe he's got an ownership interest in Routh Crabtree Olsen, in FEI. Q. What's FEI? A. The posting and publishing company. Q. And any other company? A. Next Title. Q. What is that? A. It's a title company. Q. Located here in Seattle? A. (Nodding head.) Q. What about Mr. Lance Olsen, do you know if	2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. Okay. Q. If they call if a borrower calls your company and claims that the amounts as stated in the notice of trustee sale are incorrect, is that a basis for Northwest Trustee to stop and investigate? A. It depends on when they make that statement. If it's during the period that the NOD was issued, within the 30-day period that it was issued well, let me back up. Any time then the foreclosure would go on. If it was after the NOD expired and after the notice of trustee sale was issued, we would investigate. We wouldn't necessarily place it on hold. Q. So what do you do A. And it depends on the allegation.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Routh himself has any ownership interest in any other companies?  A. Yes. Q. Do you know who which companies? A. I believe he's got an ownership interest in Routh Crabtree Olsen, in FEI. Q. What's FEI? A. The posting and publishing company. Q. And any other company? A. Next Title. Q. What is that? A. It's a title company. Q. Located here in Seattle? A. (Nodding head.) Q. What about Mr. Lance Olsen, do you know if he has ownership interest in any other companies that	2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. Okay. Q. If they call if a borrower calls your company and claims that the amounts as stated in the notice of trustee sale are incorrect, is that a basis for Northwest Trustee to stop and investigate? A. It depends on when they make that statement. If it's during the period that the NOD was issued, within the 30-day period that it was issued well, let me back up. Any time then the foreclosure would go on. If it was after the NOD expired and after the notice of trustee sale was issued, we would investigate. We wouldn't necessarily place it on hold. Q. So what do you do A. And it depends on the allegation. Q. Okay. So what do you do by way of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Routh himself has any ownership interest in any other companies?  A. Yes. Q. Do you know who which companies? A. I believe he's got an ownership interest in Routh Crabtree Olsen, in FEI. Q. What's FEI? A. The posting and publishing company. Q. And any other company? A. Next Title. Q. What is that? A. It's a title company. Q. Located here in Seattle? A. (Nodding head.) Q. What about Mr. Lance Olsen, do you know if he has ownership interest in any other companies that do business with Northwest Trustee?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. Okay. Q. If they call if a borrower calls your company and claims that the amounts as stated in the notice of trustee sale are incorrect, is that a basis for Northwest Trustee to stop and investigate? A. It depends on when they make that statement. If it's during the period that the NOD was issued, within the 30-day period that it was issued well, let me back up. Any time then the foreclosure would go on. If it was after the NOD expired and after the notice of trustee sale was issued, we would investigate. We wouldn't necessarily place it on hold. Q. So what do you do A. And it depends on the allegation. Q. Okay. So what do you do by way of investigation?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Routh himself has any ownership interest in any other companies?  A. Yes. Q. Do you know who which companies? A. I believe he's got an ownership interest in Routh Crabtree Olsen, in FEI. Q. What's FEI? A. The posting and publishing company. Q. And any other company? A. Next Title. Q. What is that? A. It's a title company. Q. Located here in Seattle? A. (Nodding head.) Q. What about Mr. Lance Olsen, do you know if he has ownership interest in any other companies that do business with Northwest Trustee? A. No. Q. And I don't know anything about Mr. Crabtree. Is he present? A. Mr. Crabtree works out of Anchorage. He works in our Anchorage office, Routh Crabtree, APC. Q. And do you know if he has any ownership	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Okay. Q. If they call if a borrower calls your company and claims that the amounts as stated in the notice of trustee sale are incorrect, is that a basis for Northwest Trustee to stop and investigate? A. It depends on when they make that statement. If it's during the period that the NOD was issued, within the 30-day period that it was issued well, let me back up. Any time then the foreclosure would go on. If it was after the NOD expired and after the notice of trustee sale was issued, we would investigate. We wouldn't necessarily place it on hold. Q. So what do you do A. And it depends on the allegation. Q. Okay. So what do you do by way of investigation? A. We would refer it to Routh Crabtree Olsen. There's a debt dispute group within that company that is led by an attorney, and they would contact the servicer and investigate the allegation, and we would provide a written response to the borrower. Q. And this would occur I'm sorry, I'll ask

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	Page 97		Page 99
1	A. It's mailed and it's posted.	1	A. It would go to the same group.
2	Q. Okay. And then they the borrower makes	2	Q. The debt dispute group?
3	a call into Northwest Trustee?	3	A. Exactly.
4	A. Yes.	4	Q. Which consists of lawyers?
5	Q. Within how many days of the notice of	5	A. At least one attorney and some support
6	default?	6	staff.
7	A. If it's if the notice the notice of	7	Q. Is that procedure the product of something
8	default is a 30-day notice. If they dispute the debt	8	recent, or has it always been handled in that fashion?
9	within that 30 days, then we would place the file on	9	A. It's been a number of years that we've had
10	hold and investigate the dispute.	10	that in place.
11	Q. Beyond the notice of default, there's a	11	Q. If the borrower claims that there are
12	sales date pending. You already recorded the notice	12	irregularities in the assignment of deed of trust, for
13	of trustee sale?	13	example, does Northwest Trustee stop the sale to
14	A. Yes.	14	investigate?
15	Q. If the borrower calls in and tells you that	15	A. We would review it before we went to sale,
16	that he or she disputes the amounts as stated in the	16	and we would provide a response before we went to
17	notice of trustee sales, do you investigate?	17	sale.
18	A. Yes.	18	Q. If the borrower calls Northwest Trustee and
19		19	advises that his or her loan modification is being
	Q. And do you postpone the sales to	20	approved, and there's a sales date pending, does that
20 21	investigate?	21	suffice for Northwest Trustee to stop the sales to
	A. On the advice of the attorney that's		
22	reviewing the debt dispute, we would make a determination on whether the sales should be	22	investigate?
23		23	A. We would go back to the servicer and ask if
24	postponed.	24	there was a pending loan modification review.
25	Q. Okay. And you don't happen to know what	25	Q. And do you know for a fact that these
	Page 98		Page 100
1	the attorney and the debt dispute group do in these	1	procedures were actually carried out in that fashion,
2	circumstances when the amounts are disputed? You	2	that someone challenges certain aspect of the sales?
3	don't know what they actually do, or do you?	3	MR. KAYSER: Are you talking specifically
4	A. I have a general sense of what they do.	4	with respect to Ms. Reiner because, if you are, I
5	Q. Okay. Go ahead.	5	don't think we've ever seen any evidence that there
6	A. They would obtain payment information in	6	was a loan modification request or ratification.
7	the form of paystub, payment histories, and review	7	MS. DAO: You don't know as counsel or
8	them, and then if there were additional allegations	8	you're saying that this witness doesn't know?
9	they would ask the servicer to respond to them, and	9	MR. KAYSER: What I'm saying is you've
10	then they would provide a response back in writing to	10	never produced anything to indicate that Ms. Reiner
11	the borrower.	11	applied for a loan modification, and if she did, we
12	Q. Do you know what the turn around is? Let's	12	would like to get a copy of those documents.
13	say I have a sales date in a couple of weeks. Would	13	MS. DAO: I don't know that. I'm just
14	the turn around be sufficient to postpone the sales	14	asking the witness for his knowledge. I'm not
15	date?	15	proposing to submit anything to you.
16	A. It depends on the situation.	16	MS. MORRISON: Why are we talking about
17	Q. So it would be evaluated on a case by case	17	loan modification with no loan modification
18	basis?	18	application even happened in this case?
19	A. Correct.	19	MS. DAO: That's not what I'm saying at
20	Q. Suppose that the borrower disputes the	20	all.
21	identification of the beneficiary as stated in the	21	MR. KAYSER: How is it possibly relevant if
22	notice of default. Does Northwest Trustee stop the	22	there's no loan modification in this case? How is any
22	1		•
23	sales to investigate?	23	of this
	sales to investigate?  A. We would investigate it.	23 24	of this MS. DAO: We contend that there was a

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	Page 101		Page 103
1	MR. KAYSER: Do you have the application?	1	Q. And what's the reason for that practice not
2	I mean, why haven't we gotten those documents then?	2	going on?
3	MS. DAO: The problem is that the servicer	3	A. At the request of the servicers.
4	has all the documents. And we produced everything we	4	Q. Are we talking about specific servicers?
5	have, but Ms. Reiner already testified in her	5	A. All of them.
6	deposition that she doesn't have everything.	6	Q. All of them. When did this request come
7	MR. KAYSER: Ms. Reiner doesn't have a	7	about?
8	single document reflecting the loan modification that	8	A. I don't have the dates, but it's been more
9	you're now alleging occurred? No correspondence, no	9	than a year.
10	nothing? No application?	10	Q. So it's not it wasn't made in 2012?
11	MS. DAO: Nothing that she has in her	11	A. It was before May of 2012.
12	possession. It doesn't mean that it didn't happen.	12	Q. It was before May of 2012 you said?
13	I'm just asking for the witness's knowledge, if he has	13	MS. MORRISON: I think he misheard you.
14	any. If he doesn't, he doesn't.	14	A. The Bain decision had no impact on whether
15	MR. KAYSER: Okay. But anyway he doesn't.	15	we were executing as MERS. We stopped executing as
16	MS. DAO: I'm sorry?	16	MERS years ago.
17	Q. So I'm sorry. Let me rephrase the question	17	Q. And when is that?
18	to you. To the best of your knowledge, is there any	18	A. I don't have a date. I don't have the
19	information about a loan modification in this case	19	date. I don't know.
20	with Ms. Reiner's property?	20	Q. How many years would you say?
21	A. No.	21	A. I don't know.
22	Q. If there were how would you get it?	22	Q. And then I asked you the reason for that
23	A. Well, if it was delivered by her to us,	23	practice to be stopped.
24	then we would investigate it with the servicer.	24	A. At the request of the servicers.
25	Q. If it was by her to the servicer, how would	25	Q. And are these written requests?
	Page 102		Page 104
1		1	
1 2	you know or how would you go about it?	1 2	A. I don't know what form of communication it
2	you know or how would you go about it?  A. I don't know that I would know unless she	2	A. I don't know what form of communication it may have been in.
2 3	you know or how would you go about it?  A. I don't know that I would know unless she said it was and we would investigate.	2	<ul><li>A. I don't know what form of communication it may have been in.</li><li>Q. And you don't know approximately when the</li></ul>
2	you know or how would you go about it?  A. I don't know that I would know unless she said it was and we would investigate.  Q. Got you. Okay. Are you aware of the Bain	2	A. I don't know what form of communication it may have been in.  Q. And you don't know approximately when the requests were made?
2 3 4	you know or how would you go about it?  A. I don't know that I would know unless she said it was and we would investigate.  Q. Got you. Okay. Are you aware of the Bain vs. Metropolitan decision issued by the supreme court	2 3 4	<ul><li>A. I don't know what form of communication it may have been in.</li><li>Q. And you don't know approximately when the requests were made?</li><li>A. No.</li></ul>
2 3 4 5	you know or how would you go about it?  A. I don't know that I would know unless she said it was and we would investigate.  Q. Got you. Okay. Are you aware of the Bain vs. Metropolitan decision issued by the supreme court earlier this year?	2 3 4 5	A. I don't know what form of communication it may have been in.  Q. And you don't know approximately when the requests were made?
2 3 4 5 6	you know or how would you go about it?  A. I don't know that I would know unless she said it was and we would investigate.  Q. Got you. Okay. Are you aware of the Bain vs. Metropolitan decision issued by the supreme court earlier this year?  MS. MORRISON: Objection. He's not a	2 3 4 5 6	<ul> <li>A. I don't know what form of communication it may have been in.</li> <li>Q. And you don't know approximately when the requests were made?</li> <li>A. No.</li> <li>Q. Now, have you yourself stopped signing on behalf of MERS?</li> </ul>
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2 3 4 5 6 7 8 9 10 11 12 13	you know or how would you go about it?  A. I don't know that I would know unless she said it was and we would investigate.  Q. Got you. Okay. Are you aware of the Bain vs. Metropolitan decision issued by the supreme court earlier this year?  MS. MORRISON: Objection. He's not a lawyer. To the extent you are asking him for any legal  MS. DAO: I'm not. I'm just asking him if he's aware.  MS. MORRISON: He can answer if he knows.  A. Yes.  Q. What is your understanding of the impact of	2 3 4 5 6 7 8 9 10 11 12 13 14	A. I don't know what form of communication it may have been in.  Q. And you don't know approximately when the requests were made?  A. No.  Q. Now, have you yourself stopped signing on behalf of MERS?  A. Yes.  Q. Does the law firm of Routh Crabtree Olsen act as counsel for the company in all aspects of the company's work as trustee?  A. No.  Q. Does Routh Crabtree Olsen act as counsel for Northwest Trustee on active litigation?
2 3 4 5 6 7 8 9 10 11 12 13 14	you know or how would you go about it?  A. I don't know that I would know unless she said it was and we would investigate.  Q. Got you. Okay. Are you aware of the Bain vs. Metropolitan decision issued by the supreme court earlier this year?  MS. MORRISON: Objection. He's not a lawyer. To the extent you are asking him for any legal  MS. DAO: I'm not. I'm just asking him if he's aware.  MS. MORRISON: He can answer if he knows.  A. Yes.  Q. What is your understanding of the impact of that decision on your work with Northwest Trustee?	2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. I don't know what form of communication it may have been in.  Q. And you don't know approximately when the requests were made?  A. No.  Q. Now, have you yourself stopped signing on behalf of MERS?  A. Yes.  Q. Does the law firm of Routh Crabtree Olsen act as counsel for the company in all aspects of the company's work as trustee?  A. No.  Q. Does Routh Crabtree Olsen act as counsel for Northwest Trustee on active litigation?  A. Yes.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	you know or how would you go about it?  A. I don't know that I would know unless she said it was and we would investigate.  Q. Got you. Okay. Are you aware of the Bain vs. Metropolitan decision issued by the supreme court earlier this year?  MS. MORRISON: Objection. He's not a lawyer. To the extent you are asking him for any legal  MS. DAO: I'm not. I'm just asking him if he's aware.  MS. MORRISON: He can answer if he knows.  A. Yes.  Q. What is your understanding of the impact of that decision on your work with Northwest Trustee?  MS. MORRISON: Objection to the extent you're asking him to make any legal conclusion. He can answer if he knows.  A. None.  Q. No impact whatsoever?  A. No.  Q. So the practice of allowing employees of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. I don't know what form of communication it may have been in.  Q. And you don't know approximately when the requests were made?  A. No.  Q. Now, have you yourself stopped signing on behalf of MERS?  A. Yes.  Q. Does the law firm of Routh Crabtree Olsen act as counsel for the company in all aspects of the company's work as trustee?  A. No.  Q. Does Routh Crabtree Olsen act as counsel for Northwest Trustee on active litigation?  A. Yes.  Q. If any of the employees is being sued individually, does Routh Crabtree Olsen represent them?  A. Yes.  Q. Are you being represented by the law firm today?  MS. MORRISON: He's not an individual named

26 (Pages 101 to 104)

Moburg, Seaton & Watkins 206-622-3110 2033 Sixth Ave., Ste. 826

DECLARATION  Morrison?  MR. KAYSER: I'm going to object to that, too, because I think it's a little confusing and vague in that you're not actually asking in what capacity be's being represented. I mean, he's here today as a representative.  MS. MORRISON: He's a corporate representative - MS. MORRISON: He's a corporate anything further and thank you very much.  Hath before but now you do. I don't think I have anything further and thank you very much.  HIT HE WITNESS: Thanks.  MS. MORRISON: I just have one quick question.  Page 106  A. No.  EXAMINATION  BY MS. MORRISON:  Page 106  A. No.  C. That reminds me, are you aware of any investigation by any governmental agency of your company?  A. No.  D. That reminds me, are you aware of any investigation by any governmental agency of your company?  A. No.  D. Has there ever been one initiated against your company for the practices, any of the practices?  A. No.  C. That you know of?  A. No.  D. Has there ever been one initiated against your company for the practices, any of the practices?  A. No.  MS. DAO: That's it.  (Deposition concluded at 12:04 p.m.)  MS. DAO: That's it.  (Deposition concluded at 12:04 p.m.)		Page 105		Page 107
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22 Q. You just previously testified that you no longer sign on behalf of MERS. Is there any employee, that currently signs documents on behalf of MERS?  24			21	
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27 (Pages 105 to 108)

Moburg, Seaton & Watkins 206-622-3110 2033 Sixth Ave., Ste. 826

Page 109  1 outcome thereof; 2 I further certify that the witness before 3 examination was by me duly sworn to testify to the 4 truth, the whole truth and nothing but the truth; 5 I further certify that the deposition, as 6 transcribed, is a full, true and correct transcript of 7 the testimony, including questions and answers, and 8 all objections, motions, and exceptions of counsel 9 made and taken at the time of foregoing examination 10 and was prepared pursuant to Washington Administrative 11 Code 308-14-135, the transcript preparation format 12 guideline; 13 I further certify that I am sealing the 14 deposition in an envelope with the title of the above 15 cause and the name of the witness visible, and I am 16 delivering the same to the appropriate authority; 17 18 IN WITNESS WHEREOF, I have hereunto set my hand, 19 and affixed my official seal this 31st day of 20 December 2012. 21 Certified Court Reporter No. 2498 23 in and for the State of  JANET REINER. Plaintiff., ) NO. 11-2-02029-8  Vs. ) NOTICE OF READINGS AND SIGNING NORTHWEST TRUSTEE SERVICE) READING AND SIGNING NORTHWEST TRUSTEE SERVICE) READING AND SIGNING Defendant. ) TO: Jeff Steaman 15 of Heid Buck Morrison 15355 SE 36h St. #300 Belevue, WA 58006 NOTICE IS HEREBY GIVEN that the transcript of your deposition given in the above entitled cause is ready for your reading and signing at MOBURG SEATON & WATKINS, 2033 Sixth Avenue, Suite 826, Seattle, Washington 98121. You must, within thirty (30) days from the date of this notice, read and sign the deposition or state in writing the fact that you waive your right to sign; failing to do so, signature shall be deemed for all purposes waived, and your deposition will be sent to the ordering party for retention until time of trial.  DATED at Seattle, Washington this December 31, 2012. CC: Ha Dao Biy: CHERYL MACDONALD, CCR Moburg Seaton & Watkins	111
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Wooding Scatton & Watkins	
24 Washington, residing at Shoreline, 2033 Sixth Avenue, Suite 826 Seattle, Washington 98101	
25 Washington. 206-622-3110 FAX 206-343-2272 MOBURG SEATON & WATKINS (206)622-3110	
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