

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MARYLAND

*Baltimore Division*

IN RE:  
CARRINGTON BURRELL  
Debtor

Case No. 09-17987-TJC

Chapter 13

WELLS FARGO BANK NATIONAL ASSOCIATION  
c/o AMERICAN HOME MORTGAGE SERVICING, INC.  
Movant

vs.  
CARRINGTON BURRELL  
Debtor

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**AFFIDAVIT OF MICHELLE HALYARD**

Comes now Michelle Halyard, who being duly sworn, states as follows:

1. My name is Michelle Halyard. I am over the age of eighteen (18) years and am competent to serve as a witness as to the matters set forth herein which are based on my personal knowledge and are true and accurate.
2. I am a Foreclosure and Bankruptcy Support Manager of American Home Mortgage Servicing, Inc. I have reviewed the records that are kept in the ordinary course of business of American Home Mortgage Servicing, Inc. and of Option One Mortgage Corporation (predecessor to American Home Mortgage Servicing, Inc. and referred to collectively hereinafter as "American Home") pertaining to the Note executed by Carrington Burrell on December 7, 2006 in the original principal amount of \$292,000.00 and the Deed of Trust securing the Note, also executed on December 7, 2006 and recorded in the land records of Prince George's County, Maryland at Book 26998, Page 040 for the property located at 9701 Green Apple Turn, Upper Marlboro, MD 20772 (the "Account"). My statements herein are based upon my review of those records.
3. American Home Mortgage Servicing, Inc. is the successor by acquisition completed April 30, 2008, to substantially all of the residential mortgage servicing business of Option One Mortgage Corporation. The Account referenced herein was included in the acquisition.
4. The exact date the Allonge was executed by Jessica Mayhew can not be determined.

5. In December 2006, it was the policy, practice and business custom of Option One Mortgage Corporation to have Allonges executed promptly upon receiving the loan documents from the closing agent.

6. Loan documents were and are typically received the first business day after conclusion of the settlement.

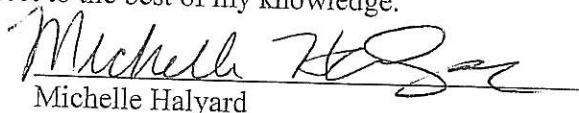
7. There is no indication in the records of Option One Mortgage Corporation or AHMSI that the loan documents for Mr. Burrell's account were not received in the typical manor and/or the policies, practices and business customs of Option One Mortgage Corporation was not followed regarding this allonge and the prompt execution thereof.

8. The Allonge to Note, for this Account, that was executed by Jessica Mayhew and included in American Home's collateral file is the true and correct original Allonge.

**AFFIRMATION**

I, Michelle Halyard, Foreclosure and Bankruptcy Support Manager of American Home Mortgage Servicing, Inc., am above the age of eighteen (18) years, am competent to testify to the matters contained herein, and solemnly swear that the information stated in this Affidavit is based upon records maintained in the ordinary course of business of American Home Mortgage Servicing, Inc. I further state that I have personal knowledge about the information contained herein and the information is true and correct to the best of my knowledge.

DATE: November 25<sup>th</sup> 2009



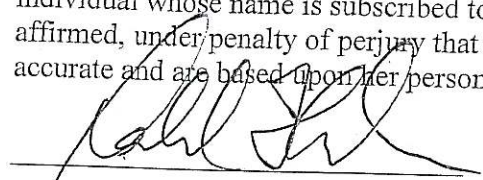
Michelle Halyard  
Foreclosure and Bankruptcy Support Manager  
American Home Mortgage Servicing, Inc.

STATE OF Florida

COUNTY OF Duval

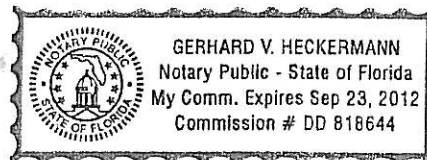
SS:

I hereby certify that on this 25<sup>th</sup> day of November, in the year 2009, before me, a Notary Public of the aforesaid State and County, personally appeared Michelle Halyard, Foreclosure and Bankruptcy Support Manager, American Home Mortgage Servicing, Inc., who is personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and, after being duly sworn, she affirmed, under penalty of perjury that the statements set forth in this Affidavit are true and accurate and are based upon her personal knowledge.

  
Notary Public

Printed Name: Gerhard V Heckermann

My Commission Expires: 9-23-2012



1. The primary offices of AHMSI are located in the State of Texas. They have no offices in Florida.
2. The affidavit was notarized on the same day (Nov. 25) in Duval County, Florida.
3. No way this could have happened and comply with Florida Notary laws.
4. The notary is an employee of LPS-Fidelity.
5. I am not sure if the affiant works for AHMSI or for LPS-Fidelity but my suspicions are lending toward LPS.
6. AHMSI cannot authenticate the business practices of Option One. The affiant would have no idea what Option One normally did in the regular course of business.
7. The Master Document Custodian would have records on the dates of all negotiations of the note and could therefore zero in on the date any allonge was executed.
8. I would notice out the deposition of the Notary and take it from there.