



LERNER SAMPSON & ROTHFUSS

A LEGAL PROFESSIONAL ASSOCIATION

120 East Fourth Street, 8th Floor - Cincinnati, OH 45202-4007
Phone (513) 241-3100 - Fax (513) 241-4094

September 10, 2009

Hon. W. Kenneth Zuk
Judge, Court of Common Pleas
270 Main Street
Batavia, OH 45103

IN RE: Deutsche Bank National Trust Company, as trustee under the Pooling
and Servicing Agreement dated as of November 1, 2005, GSAMP
Trust 2005-HE5
-vs- Steve M. Feck, et al.
Case No.: 2008 CVE 00807
LS&R No.: 200818576

Dear Judge Zuk:

Enclosed are the original and copies of a Notice of Filing of Affidavit of Teresa L. Miller which we have submitted for filing in connection with the above referenced matter for the purpose of aiding the court with regard to the issue of the signing authority of Shellie Hill of the Assignment from MERS.

Thank you for your courtesy and consideration.

Respectfully yours,

LERNER, SAMPSON & ROTHFUSS



Matthew A. Taulbee

MAT/mat
Enclosures

200818576
(mat)

COURT OF COMMON PLEAS
CLERMONT COUNTY, OHIO

Deutsche Bank National Trust Company, as
trustee under the Pooling and Servicing
Agreement dated as of November 1, 2005,
GSAMP Trust 2005-HE5

Case No. 2008 CVE 00807

Judge W. Kenneth Zuk

Plaintiff, NOTICE OF FILING OF AFFIDAVIT OF
TERESA L. MILLER

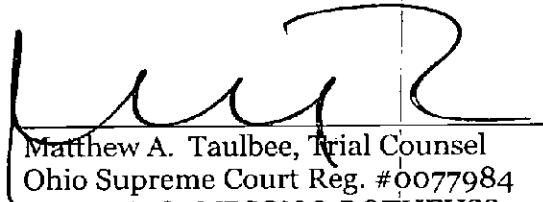
-vs-

Steve M. Feck, et al.

Defendants.

Now comes Plaintiff through counsel and hereby submits for filing an Affidavit of
Teresa L. Miller for the purpose of aiding this court as to the issue of the signing authority
of Shellie Hill for Assignments from Mortgage Electronic Registration Systems, Inc.

Respectfully submitted,



Matthew A. Taulbee, Trial Counsel
Ohio Supreme Court Reg. #0077984
LERNER, SAMPSON & ROTHFUSS
P.O. Box 5480
Cincinnati, OH 45201-5480
(513) 241-3100
attyemail@lsrlaw.com


CERTIFICATE OF SERVICE

This is to certify that a true and exact copy of the foregoing Notice of Filing has been duly served upon the following by ordinary U.S. mail, postage prepaid, this 10th day of September 2009:

Daniel L. McGookey
225 Meigs Street
Sandusky, OH 44870

Nicholas J. Pantel
221 East Fourth Street
Suite 400
Cincinnati, OH 45202

Nicole R. Randall
150 East Gay St., 21st Floor
Columbus, OH 43215-3130



Matthew A. Taulbee

200818576
(mat)

COURT OF COMMON PLEAS
CLERMONT COUNTY, OHIO

Deutsche Bank National Trust Company, as
trustee under the Pooling and Servicing
Agreement dated as of November 1, 2005,
GSAMP Trust 2005-HE5

Case No. 2008 CVE 00807

Judge W. Kenneth Zuk

Plaintiff, AFFIDAVIT OF TERESA L. MILLER

-vs-

Steve M. Feck, et al.

Defendants.

Now comes Teresa L. Miller, affiant herein, and being first duly sworn, states as follows:

1. Affiant's position is that of Secretary of Lerner, Sampson and Rothfuss ("LSR"), and that I make this affidavit based upon my own personal knowledge of the averments made herein, having reviewed the business records of LSR in this matter. Affiant states that LSR was retained by Litton Loan Servicing, L.P. ("Litton"), as servicer, to represent Plaintiff Deutsche Bank National Trust Company, as trustee under the Pooling and Servicing Agreement dated as of November 1, 2005, GSAMP Trust 2005-HE5, in the resolution of its defaulted note and mortgage.

2. Affiant states that LSR has ongoing business relations with Litton who regularly refers foreclosure matters to LSR to handle on behalf of its clients, the

investors/owners of various mortgages serviced by Litton. It is LSR's experience over many years that Litton can be trusted to provide accurate information about the servicing and ownership rights of the loans Litton Services.

3. Affiant states that LSR has ongoing business relations with Mortgage Electronic Registration Systems, Inc. ("MERS"), a third party service provider for Litton. MERS holds legal title to mortgages serviced by Litton and maintains a database tracking the servicing rights to each mortgage registered with MERS.

4. Affiant states that in such job position, she has authority to act on behalf of LSR, enter into agreements, and execute documents and agreements, as well as, has access to, and custody of files and records of Lerner, Sampson and Rothfuss, as part of its regular business practices. Said records are made contemporaneously with the events reflected by the records, including the execution and dissemination of an Agreement for Signing Authority between LSR, Litton, and MERS.

5. Affiant states that on September 18, 2007, LSR's President Richard M. Rothfuss executed the Agreement for Signing Authority between LSR, Litton, and MERS. A true and accurate copy of this Agreement is attached hereto as Exhibit 'A.'

6. Affiant states that the purpose of this Agreement was to appoint certain employees of LSR as Assistant Secretaries and Vice Presidents of MERS in order for these employees to have authority to execute certain documents on behalf of MERS.

7. Affiant states that this authority extended to the execution of and any all assignments of mortgage registered on the MERS system and shown to be registered to Litton as servicer.

8. Affiant states that the employees of LSR who are Assistant Secretaries and Vice Presidents of MERS, of which affiant is one, are instructed by Litton when to execute assignments for mortgages registered to Litton on MERS' system. Such execution of

assignments is requested by Litton as servicer and is not initiated by LSR without authority from Litton.

9. Affiant states that the subject mortgage at issue in this action has been and is currently serviced by Litton. A true and accurate copy of the MERS Servicer Identification System printout is attached hereto as Exhibit 'B.'

10. Affiant states that on October 16, 2007, Shellie Hill was appointed as an Assistant Secretary and Vice President of MERS and it was upon this authority conferred upon her that she executed the affidavit from MERS to Plaintiff on April 21, 2008. A true and accurate copy of the Assignment of Mortgage is attached hereto as Exhibit 'C.'

Teresa L. Miller

Teresa L. Miller
Secretary

STATE OF OHIO)

COUNTY OF HAMILTON)

ss:

Subscribed and sworn to (or affirmed) before me on this 10th day of September 2009, by Teresa L. Miller proved to me on the basis of satisfactory evidence to be the person who appeared before me.



COLLEEN M. STANCHFIELD
Notary Public, State of Ohio
My Commission Expires
January 22, 2014

Colleen M. Stanchfield
Notary Public
My Commission Expires: 1.22.2014

AGREEMENT FOR SIGNING AUTHORITY

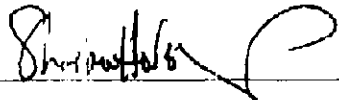
MERSCORP, INC. ("MERS") and its subsidiary, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., Litton Loan Servicing LP ("MEMBER") and Lerner, Sampson & Rothfuss ("VENDOR") hereby agree as follows:

1. The purpose of this agreement for signing authority (the "Agreement") is to define the rights and obligations of the parties when Vendor performs certain duties, as described in the attached corporate resolution (the "Resolution"), relating to mortgage loans that are registered on the MERS® System and show on the MERS® System to be serviced by Member.
2. Litton Loan Servicing LP is a member of MERS, and has signed an agreement of membership that is incorporated herein by reference. Member has entered into a separate contract with Vendor to perform certain services for Member. References herein to "mortgage(s)" and "mortgagee of record" shall include deed(s) of trust and beneficiary under a deed of trust, respectively, and any other form of security instrument under applicable state law.
3. The parties acknowledge that Mortgage Electronic Registration Systems, Inc. may be the mortgagee of record on Member's mortgages. Therefore, in order for Vendor to perform its contractual duties to Member, MERS, by corporate resolution, will grant employees of Vendor the limited authority to act on behalf of MERS to perform certain duties. Such authority is set forth in the Resolution, which is made a part of this Agreement.
4. The parties agree that Member will provide all necessary information and instructions to Vendor to perform certain duties where Mortgage Electronic Registration Systems, Inc. act as the mortgagee of record. All parties agree that MERS and Mortgage Electronic Registration Systems, Inc. are not responsible for the accuracy of any information provided by Member to Vendor, or any information entered into the MERS® System by or on behalf of Member. Any problems regarding the information or instructions between Member and Vendor must be resolved between those two parties.
5. Member and Vendor agree to indemnify and hold harmless MERS, Mortgage Electronic Registration Systems, Inc. and any employee, director, officer, agent or affiliate of MERS or Mortgage Electronic Registration systems, Inc. ("MERS Party") from and against any and all third-party claims, losses, penalties, fines, forfeitures, reasonable attorney fees and related costs, judgments, and any other costs, fees and expenses that result from the negligence, errors and omissions, breach of confidentiality or willful misconduct of Vendor in performing certain duties where Mortgage Electronic Registration Systems, Inc. is the mortgagee of record.

6. Vendor shall maintain appropriate insurance coverage that shall include coverage for any negligence, errors and omissions or willful misconduct of all employees authorized to sign as officers of Mortgage Electronic Registration Systems, Inc.
7. Upon termination of the contract between Member and Vendor, this agreement shall concurrently terminate and the corporate resolution shall be revoked at such time.
8. This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia without regard to its choice of law provisions.

The parties have executed this Agreement intending to be bound as of the dates indicated below.

MERSCORP, INC.

By: 

Title: Vice President

Dated: 10-16-07

**MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.**

By: 

Title: Secretary/Treasurer

Dated: 10 16 07


Litton Loan Servicing LP

By: 

Title: Debra Lyman, Vice President

Dated: September 13, 2007

Lerner, Sampson & Rothfuss

By: 

Title: President

Dated: September 18, 2007

**MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.
CORPORATE RESOLUTION**

Be it Resolved that the attached list of candidates are employee(s) of Lerner, Sampson & Rothfuss and are hereby appointed as assistant secretaries and vice presidents of Mortgage Electronic Registration Systems, Inc., and as such, are authorized to:

Assign the lien of any mortgage loan registered on the MERS® System that is shown to be registered to Litton Loan Servicing LP or its designee.

Release the lien of any mortgage loan registered on the MERS® System that is shown to be registered to Litton Loan Servicing LP or its designee.

Execute any and all documents necessary to foreclose upon the property securing any mortgage loan registered on the MERS System that is shown to be registered to the Member, including but not limited to (a) substitution of trustee on Deeds of Trust, (b) Trustee's Deeds upon sale on behalf of MERS, (c) Affidavits of Non-military Status, (d) Affidavits of Judgment, (e) Affidavits of Debt, (f) quitclaim deeds, (g) Affidavits regarding lost promissory notes, and (h) endorsements of promissory notes to VA or HUD on behalf of MERS as a required part of the claims process;

Take any and all actions and execute all documents necessary to protect the interest of the Member, the beneficial owner of such mortgage loan, or MERS in any bankruptcy proceeding regarding a loan registered on the MERS System that is shown to be registered to the Member, including but not limited to: (a) executing Proofs of Claim and Affidavits of Movant under 11 U.S.C. Sec. 501-502, Bankruptcy Rule 3001-3003, and applicable local bankruptcy rules, (b) entering a Notice of Appearance, (c) vote for a trustee of the estate of the debtor, (d) vote for a committee of creditors, (e) attend the meeting of creditors of the debtor, or any adjournment thereof, and vote on behalf of the Member, the beneficial owner of such mortgage loan, or MERS, on any question that may be lawfully submitted before creditors in such a meeting, (f) complete, execute, and return a ballot accepting or rejecting a plan, and (g) execute reaffirmation agreements.

I, William H. Lerner, being the Corporate Secretary of Mortgage Electronic Registration Systems, Inc., hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Board of Directors of said corporation effective as of the 16 day of October, 2007 which is in full force and effect on this date and does not conflict with the Certificate of Incorporation or By-Laws of said corporation.



Secretary

Lerner, Sampson & Rothfuss

Mortgage Electronic Registration Systems, Inc.
Certifying Officers

Hill, Shellie

Czarnecki, Mindi L.

Miller, Teresa L.

Priesthoff, Kevin M.

Rothfuss, Richard M.

Stanchfield, Colleen M.



www.mers-servicerid.org

EXHIBIT B
Process Loans, Not Paperwork™

1 record matched your search:

MIN: 1001908-2115119696-8 Note Date: 05/23/2005

MIN Status: Inactive

Servicer: Litton Loan Servicing LP
Houston, TX

Phone: (800) 247-9727

[Return to Search](#)

For more information about MERS please go to www.mersinc.org

Copyright© 2006 by MERSCORP, Inc.

LS&R No.: 200818576
Loan No.: 14394431
Pidn: 28-55-10-007

EXHIBIT C

ASSIGNMENT OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, Mortgage Electronic Registration Systems, Inc. as nominee for SouthStar Funding, LLC its successor and assigns, whose address is P.O. Box 7814, Ocala, FL 34478-7814, does hereby sell, assign, transfer and set over unto Deutsche Bank National Trust Company, as trustee under the Pooling and Servicing Agreement dated as of November 1, 2005, GSAMP Trust 2005-HE5, whose address is 4828 Loop Central Drive, Houston, TX 77081-2226, a certain mortgage from Steve M. Feck and Michele Feck, Husband and Wife to Mortgage Electronic Registration Systems, Inc. as nominee for SouthStar Funding, LLC its successor and assigns, dated May 23, 2005, recorded May 25, 2005, in Volume 1879, Page 2072, in the office of the Clermont County Recorder, and all sums of money due and to become due thereon, and secured by the following real estate:

SITUATE IN THE STATE OF OHIO, CLERMONT COUNTY, PIERCE TOWNSHIP, LUCAS MILITARY SURVEY NO 1753 AND BEING LOT 7 OF FRABK A FISCHER SUBDIVISION AS RECORDED IN PLAT BOOK X PAGE 30 CLERMONT COUNTY, OHIO PLAT RECORDS.

PROPERTY ADDRESS: 1303 BETTY JANE LANE AMELIA, OH 45102

IN WITNESS WHEREOF, Mortgage Electronic Registration Systems, Inc. as nominee for SouthStar Funding, LLC its successor and assigns has set its hand this 21 day of April, 2008.

Mortgage Electronic Registration Systems, Inc. as nominee for SouthStar Funding, LLC its successor and assigns

By: Shellie Hill
Shellie Hill,
Assistant Secretary and Vice President

STATE OF OHIO

SS.

COUNTY OF HAMILTON

On APR 21 2008 before me, Pamela K. Troxell, Notary Public, State of Ohio, personally appeared Shellie Hill, Assistant Secretary and Vice President, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Pamela K. Troxell
Notary Public
My Commission Expires:



PAMELA K. TROXELL
Notary Public, State of Ohio
My Commission Expires
June 4, 2008

This instrument was prepared by:
LERNER, SAMPSON & ROTHFUSS
A Legal Professional Association
P.O. Box 5480
Cincinnati, OH 45201-5480