

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CASE NO.: 16-2009-CA-016234-MA  
DIVISION: CV-E

BAYVIEW LOAN SERVICING, LLC  
Plaintiff,

vs.

CYNTHIA LEE COREY a/k/a CYNTHIA L.  
COREY, *et al*  
Defendant.

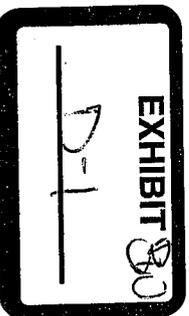
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SECOND AMENDED NOTICE OF TAKING DEPOSITION DUCES TECUM  
(Amended to include Exhibit "A")

TO: Bayview Loan Servicing, LLC  
c/o Danielle Parsons, Esquire  
Law Offices of David J. Stern, P.A.  
900 South Pine Island Road, Suite 400  
Plantation, Florida 33324

PLEASE TAKE NOTICE that counsel for the Defendant, Cynthia Corey, will take the deposition of Erika Lance on Wednesday, June 2, 2010 at 11:30 a.m., upon oral examination pursuant to Florida Rules of Civil Procedure before a court reporter authorized by law to take depositions at Nationwide Title Clearing, 2100 Alt. 19 North, Palm Harbor, Florida 34683 for the taking of her deposition in this action upon oral examination for purposes of discovery and use at trial, and all other lawful purposes.

Ms. Lance has been commanded to have with her at that time, available for inspection and copying, the following items:



1. Your resume or curriculum vitae.
2. All contracts with or resolutions or other documents received from CitiMortgage, Inc. or Citi Residential Lending, Inc. describing Nationwide Title Clearing's duties and authority relating to the execution of mortgage assignment documents or any other real estate and foreclosure related documents prepared and/or executed by employees of Nationwide Title Clearing.
3. All contracts with or resolutions or other documents received from any other banks or finance companies describing Nationwide Title Clearing's duties and authority relating to the execution of mortgage assignment documents or any other real estate and foreclosure related documents prepared and/or executed by employees of Nationwide Title Clearing.
4. All minutes of the Executive Committee of the CitiMortgage, Inc. and Citi Residential Lending, Inc. Board of Directors relating to the unanimous consent of the Executive Committee to name employees of Nationwide Title Clearing, Inc. as Vice Presidents and Assistant Secretaries of CitiMortgage, Inc. and/or Citi Residential Lending, Inc.
5. All documents describing Nationwide Title Clearing's methodology utilized in creating and executing assignments of mortgage and other documents utilized in mortgage foreclosure lawsuits.
6. All corporate resolution or other document showing your position or authority with Nationwide Title Clearing.
7. All corporate resolution or other document showing your position or authority with any other financial institution or business entity.
8. All documents showing your communications with CitiMortgage, Inc. and Citi Residential Lending, Inc. concerning your duties as Vice President or Assistant Secretary, including telephone logs, notes on telephone calls, email messages and memorandum from January, 2009 to present.
9. Your job description as Vice-President of Citi Residential Lending.
10. All corporate seals or corporate stamps of which you have custody and control, including those for CitiMortgage, Inc. and Citi Residential Lending and any other financial institutions or business entities.
11. All logs, lists or database which lists the assignments of mortgage you signed in 2009

and 2010 which were prepared for filing in Duval County, Florida.

12. All documents relied upon in preparing and executing the assignment of mortgage attached hereto as Exhibit "A."
13. All document showing any consideration paid by the assignor or the assignee for the assignment attached hereto as Exhibit "A", including a printout of any electronic document or part of a document.
14. All instructions you relied on in preparing the assignment of mortgage attached hereto as Exhibit "A" including a printout of any electronic document or part of a document.

DATED at Jacksonville, Duval County, Florida, this 25<sup>th</sup> day of May, 2010.

RESPECTFULLY SUBMITTED  
JACKSONVILLE AREA LEGAL AID, INC.

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Lynn Drysdale, Esquire (508489)  
Attorney for Ms. Corey  
126 West Adams Street  
Jacksonville, Florida 32202  
Telephone: (904) 356-8371, ext. 306  
Facsimile: (904)224-1587  
lynn.drysdale@jaxlegalaid.org

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of this document has been furnished by U.S. Mail and facsimile to Danielle Parsons, Esquire, Law Offices of David J. Stern, P.A., 900 South Pine Island Road, Suite 400, Plantation, Florida 33324 and Erika Lance, Nationwide Title Clearing, 2100 Alternative 19 North, Palm Harbor, Florida 34683 on this \_\_\_\_\_ day of May, 2010.

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ATTORNEY

When Recorded Return To:  
CitMortgage, Inc.  
C/O NTC 2100 Alt. 19 North  
Palm Harbor, FL 34683

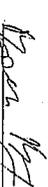
CMI L#: 5000538343  
Assignee L#: 410197  
Effective Date: 08/01/2009

**ASSIGNMENT OF MORTGAGE**

FOR GOOD AND VALUABLE CONSIDERATION, the sufficiency of which is hereby acknowledged, the undersigned, CITIMORTGAGE, INC., SUCCESSOR IN INTEREST BY MERGER TO CITIFINANCIAL MORTGAGE COMPANY, INC., WHOSE ADDRESS IS 1000 TECHNOLOGY DRIVE, O'FALLON, MO 63368, (ASSIGNOR), by these presents does convey, grant, sell, assign, transfer and set over the described mortgage together with the certain note(s) described therein together with all interest secured thereby, all liens, and any rights due or to become due thereon to BAYVIEW LOAN SERVICING, LLC, WHOSE ADDRESS IS 4425 PONCE DE LEON BLVD 5TH FLOOR, CORAL GABLES, FL 33146, ITS SUCCESSORS OR ASSIGNS, (ASSIGNEE)  
Said Mortgage was made by CYNTHIA LEE COREY FKA CYNTHIA COREY DISCH and was recorded in Official Records of the Clerk of the Circuit Court of DUVAL County, Florida, in Book 10611, Page 113 or Inst # 2002223701

upon the property situated in said State and County as more fully described in said mortgage.

Date: 08/01/2009  
CITIMORTGAGE, INC., SUCCESSOR IN INTEREST BY MERGER TO CITIFINANCIAL MORTGAGE COMPANY, INC.

  
BRYAN BLY  
VICE PRESIDENT

Whose address is: 1000 TECHNOLOGY DRIVE, O'FALLON, MO 63368

STATE OF FLORIDA      COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me THIS 01ST DAY OF AUGUST IN THE YEAR 2009 by BRYAN BLY, personally known to me to be the VICE PRESIDENT of CITIMORTGAGE, INC., SUCCESSOR IN INTEREST BY MERGER TO CITIFINANCIAL MORTGAGE COMPANY, INC., a corporation, on behalf of the corporation.

  
Christopher Jones    Notary Public  
Comm. Expires: Aug 3, 2012



Document Prepared By:

Jessica Fretwell/NTC-2100 Alt. 19 North, Palm Harbor, FL 34683 (800)346-9152  
CIMAS 10479835    forms@FRMFLI



\*10479835\*

When Recorded Return To:  
CitiMortgage, Inc.  
C/O NTC 2100 Alt. 19 North  
Palm Harbor, FL 34683

CML L#: 5000538343  
Assignee I#: 410197  
Effective Date: 08/01/2009

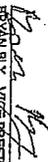
ASSIGNMENT OF MORTGAGE

FOR GOOD AND VALUABLE CONSIDERATION, the sufficiency of which is hereby acknowledged, the undersigned, CITIMORTGAGE, INC., SUCCESSOR IN INTEREST BY MERGER TO CITIFINANCIAL MORTGAGE COMPANY, INC., WHOSE ADDRESS IS 1000 TECHNOLOGY DRIVE, O'FALLON, MO 63366, (ASSIGNOR), by these presents does convey, grant, sell, assign, transfer and set over the described mortgage together with the certain note(s) described herein together with all interest secured thereby, all lease, and any rights due or to become due hereon to BAYVIEW LOAN SERVICING, LLC, WHOSE ADDRESS IS 4425 PONCE DE LEON BLVD 5TH FLOOR, CORAL GABLES, FL 33146, ITS SUCCESSORS OR ASSIGNS, (ASSIGNEE)

Said mortgage was made by CYNTHIA LEE COREY PEKA CYNTHIA COREY DISCH and was recorded in Official Records of the Clerk of the Circuit Court of DUVAL County, Florida, in Book 10611, Page 113 of Instr # 2002223701

upon the property situated in said State and County as more fully described in said mortgage.

Dated: 08/01/2009  
CITIMORTGAGE, INC., SUCCESSOR IN INTEREST BY MERGER TO CITIFINANCIAL MORTGAGE COMPANY, INC.

  
BRYAN BLAY  
VICE PRESIDENT

Whose address is: 1000 TECHNOLOGY DRIVE, O'FALLON, MO 63366

STATE OF FLORIDA COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me THIS 01ST DAY OF AUGUST IN THE YEAR 2009 by BRYAN BLAY, personally known to me to be the VICE PRESIDENT of CITIMORTGAGE, INC., SUCCESSOR IN INTEREST BY MERGER TO CITIFINANCIAL MORTGAGE COMPANY, INC., a corporation, on behalf of the corporation.

  
CHRISTOPHER JONES  
Notary Public  
Comm. Expires: Aug 3, 2012



Document Prepared By:

Jessica Kretwel/NTC, 2100 Alt. 19 North, Palm Harbor, FL 34683 (800) 346-9152  
CMAS 10479835 form5/ERRMFL1



\*10479835\*

EXHIBIT

D-2

B

UNANIMOUS JOINT CONSENT OF THE EXECUTIVE COMMITTEE  
OF THE BOARD OF DIRECTORS OF  
CITIMORTGAGE, INC.

February 5, 2009

By unanimous action the Executive Committee of the Board of Directors of CitiMortgage, Inc. (the "Corporation") hereby consents to the actions set forth herein and adopts the following resolution, all in lieu of a meeting of the Executive Committee.

**WHEREAS**, the Corporation is the owner of certain mortgages and deeds of trust; and

**WHEREAS**, the Corporation now finds it desirable to authorize agents to process on its behalf the preparation, execution and recording of documents of satisfaction and reconveyance (collectively, the "Releases"), as well as those of assignment (the "Assignments"), in connection with said mortgages and deeds of trust; it is hereby

**RESOLVED**, that each of the employees of Nationwide Title Clearing, Inc. ("NTC") listed below be, and they hereby are, named and appointed as Assistant Secretaries and Vice Presidents of the Corporation solely for the purpose of acting as duly authorized signatories on its behalf, such that any of the listed personnel may, solely in their capacity as authorized signatories, execute any and all reasonable and necessary documents required in connection with processing the Releases and Assignments:

Elsa McKinnon	Sue Bankowski	Barbara Kaney
Tom McKinnon	Alan Graham	Cheryl Maxon
Bryan Bly	Bill Welton	Michael Lance
Vilmaree Castro	Courtney Pelletier	Lorinda Turner
Crystal Moore	John Giberson	Margie Radoll
Chris Jones	Dhurata Doko	John Hillman
Dave Pearson	Donna Kaney	Erika Lance

**FURTHER RESOLVED**, that the authority hereby granted to the listed employees of NTC shall include specifically, but without limitation, the execution of any documents that obligate the Corporation to indemnify the Public Trustee of the City and County of Denver, Colorado (the "Public Trustee") pursuant to C.R.S. §38-39-102(3.5)(a) for any and all damages, costs, liabilities and reasonable attorney fees incurred by the Public Trustee as a result of action taken in reliance on a Request for Release submitted by or on behalf of the Corporation;

**FURTHER RESOLVED**, that the Assistant Secretaries and Vice Presidents hereby appointed are not authorized to act as officers or employees of the Corporation in any respect other than as specifically authorized above;

EXHIBIT

D-3

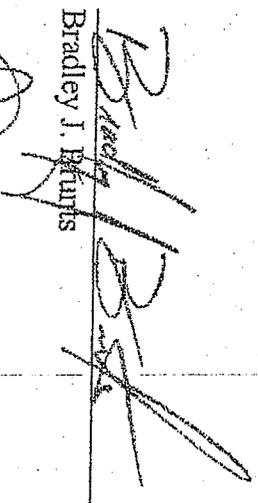
**FURTHER RESOLVED**, that the appointment of the listed employees of NTC as Assistant Secretaries and Vice Presidents of the Corporation pursuant to these resolutions be, and it hereby is, specifically conditioned on the receipt by the Corporation of a duly executed Indemnity Agreement by Nationwide Title Clearing, Inc. in a form substantially identical to that attached to these resolutions; and be it

**FURTHER RESOLVED**, that in the event the Corporation should seek to terminate the appointment and authorization described above, it shall do so by serving written notice of such termination on NTC at 2100 Alternate 19 North, Palm Harbor, Florida 34683, and such termination shall become effective only upon its receipt by NTC.

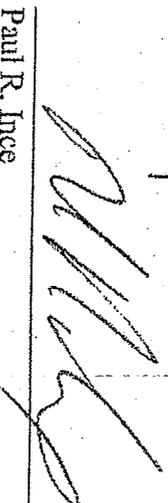
and the appointment of the listed employees of NTC as Assistant Secretaries and Vice Presidents of the Corporation pursuant to these resolutions be, and it hereby is, specifically conditioned on the receipt by the Corporation of a duly executed Indemnity Agreement by Nationwide Title Clearing, Inc. in a form substantially identical to that attached to these resolutions;

that in the event the Corporation should seek to terminate the appointment and authorization described above, it shall do so by serving written notice of such termination on NTC at 2100 Alternate 19 North, Palm Harbor, Florida 34683, and such termination shall become effective only upon its receipt by NTC.

The undersigned, being all the members of the Executive Committee of the Board of Directors of Citimortgage, Inc., hereby consent in writing to the above actions and do hereby approve the same.

  
Bradley J. Purvis

  
Sanjiv Das

  
Paul R. Ince

and the appointment of the said employees as officers and directors of the Corporation pursuant to the authority conferred upon the undersigned by the Board of Directors of the Corporation, and the undersigned hereby consent to the appointment of the said employees as officers and directors of the Corporation, and the undersigned hereby consent to the appointment of the said employees as officers and directors of the Corporation.

and in the event the Corporation should sell or otherwise dispose of its assets, the undersigned hereby consent to the appointment of the said employees as officers and directors of the Corporation, and the undersigned hereby consent to the appointment of the said employees as officers and directors of the Corporation.

CFN 20071211821  
DR BK 26124 Ps 07181 (1pg)  
RECORDED 12/24/2007 09:54:57  
HARVEY RUIWIK, CLERK OF COURT  
HAMI-DADE COUNTY, FLORIDA  
LAST PAGE

When Recorded Return To:  
EMC MORTGAGE CORPORATION  
C/O NYC 2100 Alt. 19 North  
Palm Harbor, FL 34683

EMC Tracking #: 0022757785  
Inv #:  
MTN #: 100022100227577855  
Effective Date: 12/03/2007

ASSIGNMENT OF MORTGAGE

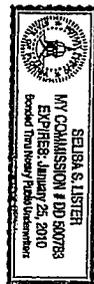
FOR GOOD AND VALUABLE CONSIDERATION, the sufficiency of which is hereby acknowledged, the undersigned, HOMEBANC MORTGAGE CORPORATION, WHOSE ADDRESS IS 2002 SUMMIT BLVD NE, STE 100, ATLANTA, GA 30319-1476, (ASSIGNOR), by these presents does convey, grant, sell, assign, transfer and set over the described mortgage together with the certain note(s) described therein together with all interest secured thereby, all liens, and any rights due or to become due thereon to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., WHOSE ADDRESS IS P.O. BOX 2026, FLINT, MI 48501-2026, ITS SUCCESSORS OR ASSIGNS, (ASSIGNEE). Said Mortgage was made by FRANK MESSICA and was recorded in Official Records of the Clerk of the Circuit Court of DADE County, Florida, in Book 23285, Page 2901 or Instr # 2005R0387965 upon the property situated in said State and County as more fully described in said mortgage.

Dated: 12/14/2007  
HOMEBANC MORTGAGE CORPORATION

By:   
BRYAN BLY AUTHORIZED SIGNER  
Whose address is: 2002 SUMMIT BLVD NE, STE 100, ATLANTA, GA 30319-1476

STATE OF FLORIDA COUNTY OF PINELLAS  
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements personally appeared BRYAN BLY well known to me to be the AUTHORIZED SIGNER of HOMEBANC MORTGAGE CORPORATION, a corporation, and that she/he acknowledged executing the same freely and voluntarily under authority duly vested in them by said corporation. WITNESS my hand and official seal in the County and State last aforesaid THIS 14TH DAY OF DECEMBER IN THE YEAR 2007

  
SELISA S. LISTER Notary Public  
My commission expires: 01/25/2010



Document Prepared By: J. Lesinski/NTC, 2100 Alt. 19 North, Palm Harbor, FL 34683 (800)346-9152  
 WELL EMCHE 8288338 CJI1687324 MTN  
100022100227577855 MERS PHONE 1-888-679-MERS



ASSIGNMENT PROCESS FLOW CHART

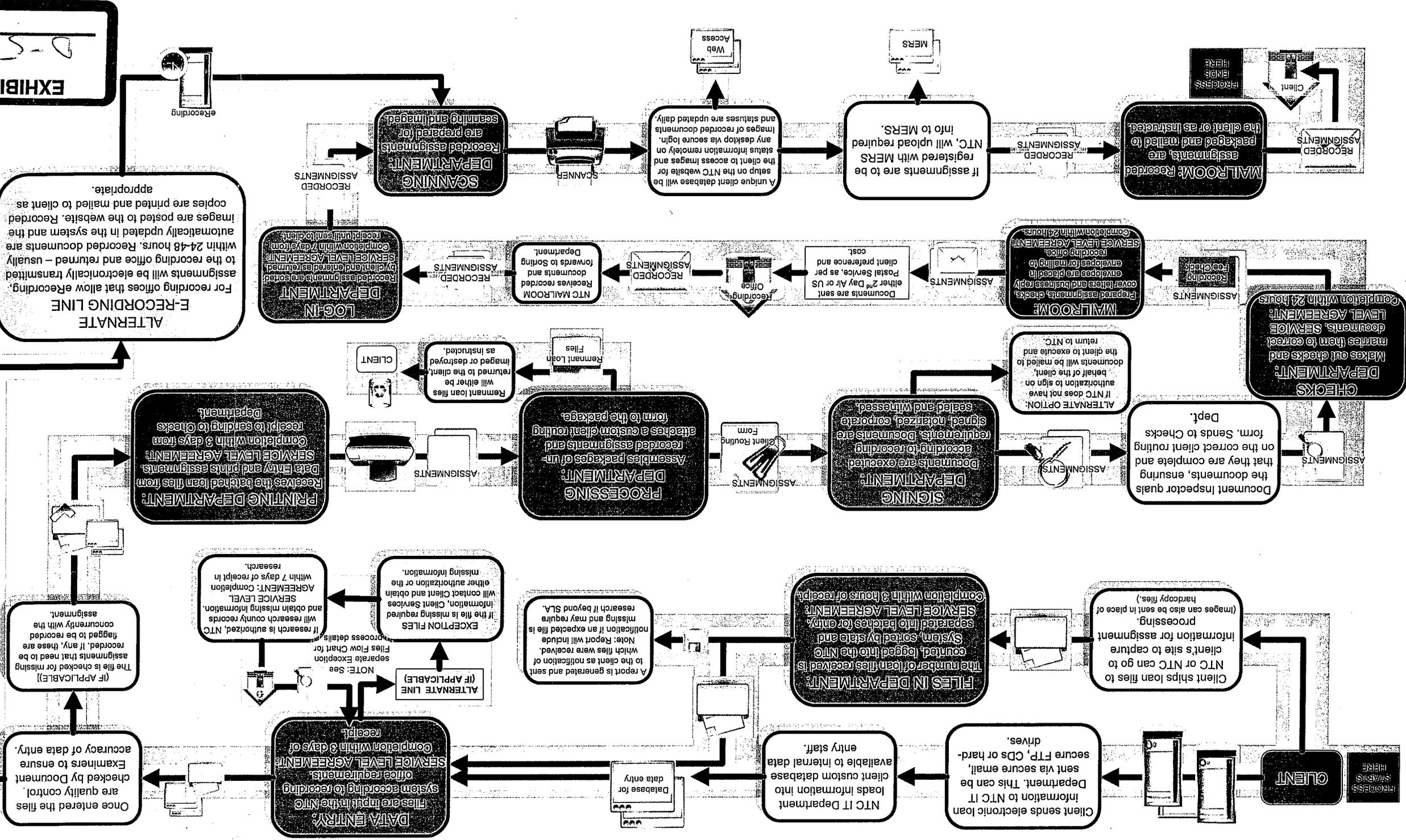


EXHIBIT  
D-5