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JUL 05 2012

Dear Justices,

We are writing in response to your May 16, 2012 Order inviting comments regarding the proposed Foreclosure Mediation Rules ("FMR"). In particular, we are writing to express our interest in pursuing an online "portal" for document exchange purposes within the mediation program. Such a portal would streamline document production and facilitate efficient review of homeowners' financial information. We believe that such a portal would result in more mediations being satisfactorily resolved.

TRACIE K. LINDEMAN  
*R. Malone*  
 DEPUTY CLERK

Since the inception of the Foreclosure Mediation Program in 2009, the biggest hurdle that mediators, homeowners and lenders alike have had to deal with is failures in the document exchange process. All too often documents fail to reach their intended recipient, resulting in a failed or inefficient mediation. Additionally, most lenders have specific documents that are required to facilitate review, that are unique to individual entities or loans. Often times these documents are not provided or available at the time of mediation, again resulting in failed or inefficient mediations.

To combat these issues, the Advisory Committee, of which each of us are members, proposed numerous rule changes that address the timeline and methods for exchange of documents. While these rules will help address many issues experienced by the participants in the mediation program, we believe that an online portal is a necessary step in the evolution of our program.

Many of our respective clients/companies currently utilize, or are in the process of beginning utilization of, online document exchange portals. Such portals allow the lender to review and request documents and ensure that each document that is requested has been received. Utilizing such a portal will allow the lender to adequately review a borrower's financial information and make a determination regarding eligibility in a far more efficient manner. It will also eliminate a common complaint in the mediation program, and the industry in general, that lenders have 'lost' documents borrowers have submitted.

In discussing the portal at our most-recent Advisory Committee meeting, the FMP expressed concern about the potential cost of the system. All members of the committee agreed that a per-mediation fee would eliminate the cost burden on the FMP while still providing a system at a price that would be affordable to each of the program participants.

Given the potential benefits of the portal, as well as the unanimous support of the members of the Advisory Committee, and the FMP, we respectfully request that the Court issue direction to finalize evaluation of the various portals the FMP has been reviewing, and begin utilizing the portal in the most expeditious manner possible.

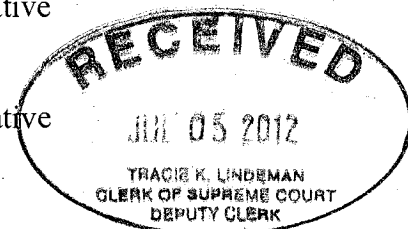
Sincerely,

*Rande Johnsen*  
 Trustee Representative

*Phillip Silvestri*  
 Lender Attorney Representative

*Joel Sarmeiento*  
 Lender Representative

*Marianne Pepe*  
 Lender Representative



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