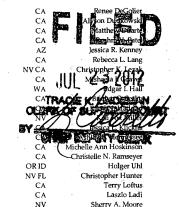
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July 19, 2012

On July 9, 2012 the Nevada Supreme Court held a public hearing on the most recent proposed amendments to the Nevada Foreclosure Mediation Program Rules. McCarthy & Holthus, LLP submitted written comments regarding the proposed amendments to the Court prior to the hearing and also attended and spoke to the Justices regarding our position that the proposals, as drafted, implement numerous unfair burdens upon our Lender clients in the context of foreclosure mediation essentially transforming the process from mediation to a process far more resembling litigation.

Amongst those who also addressed the Court were Verise Campbell, Foreclosure Mediation Program Administrator and Barbara Buckley, former Nevada Assembly Speaker responsible for championing the mediation program and current attorney with the Legal Aid Center of Southern Nevada and member of the FMP Advisory Committee. Both speakers indicated that the proposals were the work product of the FMP's Advisory Committee and that the majority of the provisions were unanimously supported by the Committee, which is comprised of both Lender and Homeowner representatives.

However, our experience at the advisory committee meetings and conversations with advisory committee members indicate a vastly different perspective. The committee frequently feels strong armed and unable to comment in the presence of the advocate and author of the bill and the program manager, both of whom have a clearly vested interest in ensuring that the program continues to seem to have an extremely high success rate. The proposals were not in fact unanimous, and were especially as to the proposed changes to Rule 11, highly contested.

We respectfully urge the Supreme Court to consider the proposed changes to the Rules, which seek to turn Mediation into a forum for litigation and discovery very carefully.

Sincerely,

McCarthy & Holthus, LLP

Seth J. Adams, Esq. Kristin A. Schuler-Hintz, Esq.