

IN THE SUPREME COURT OF THE STATE OF NEVADA

JEFFREY BENKO, a Nevada resident,
et al.,

Appellants,

vs.

QUALITY LOAN SERVICE
CORPORATION, a California
Corporation, et al.,

Respondents.

Supreme Court Case No. 73484

Electronically Filed
May 10 2018 08:20 a.m.
Eighth Judicial District Court
Case No. A-11-649875-1
Elizabeth A. Brown
Clerk of Supreme Court

On Appeal from an Order Dismissing
Case as A Matter of Law and
Directing Judgment in Defendants'
Favor with Prejudice in Connection
with Plaintiffs' Third Amended
Complaint

RESPONDENTS' APPENDIX
(VOLUME 3 of 8)

Kent F. Larsen
Nevada Bar No. 3463
Katie M. Weber
Nevada Bar No. 11736
Smith Larsen & Wixom
1935 Village Center Circle
Las Vegas, Nevada 89134

Lawrence G. Scarborough
Admitted *Pro Hac Vice*
Jessica R. Maziarz
Admitted *Pro Hac Vice*
Kathryn E. Bettini
Admitted *Pro Hac Vice*
Bryan Cave Leighton Paisner LLP
Two North Central Avenue, Suite 2100
Phoenix, Arizona 85004

Attorneys for Respondent California Reconveyance Company

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WHEN RECORDED MAIL TO AND
RECORDING REQUESTED BY:

179-34-614-164
Trustee Corps
30 Corporate Park, Suite 400
Irvine, CA 92606

Inst #: 201007280001789

Fees: \$15.00

N/C Fee: \$25.00

07/28/2010 10:31:27 AM

Receipt #: 442938

Requestor:

FIDELITY NATIONAL DEFAULT S

Recorded By: STN Pgs: 2

DEBBIE CONWAY

CLARK COUNTY RECORDER

The undersigned hereby affirms that there is no Social Security number contained in this document.

Trustee Sale No. NV09003790-10-1 Loan No. REDACTED
APN: 179-34-614-164 Title Order No: 100427843-NV-LPI

ASSIGNMENT OF DEED OF TRUST

For Value Received, the undersigned corporation hereby grants, assigns, and transfers to: **WELLS FARGO BANK, N.A.** all beneficial interest under that certain Deed of Trust dated as of January 27, 2004 executed by **RAYMOND R SANSOTA AND FRANCINE M SANSOTA, HUSBAND AND WIFE**, as Trustor(s), to **UNITED TITLE OF NEVADA** as Trustee, and recorded January 30, 2004, as Instrument No. 03803 in Book 20040130, of Official Records, in the office of the County Recorder of Clark County, NV together with the Promissory Note secured by said Deed of Trust and also all rights accrued or to accrue under said Deed of Trust.

SEE ATTACHED LEGAL EXHIBIT

Dated: 07/16/2010

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC
AS NOMINEE FOR LENDER AND LENDERS
SUCCESSORS OR ASSIGNEES

State of South Carolina
County of York

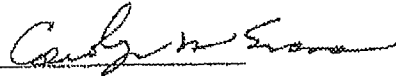
By: John Kennedy, Assistant Secretary

On July 21, 2010 before me, Carolyn M. Evans Notary Public in and for said county, personally appeared John Kennedy who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of South Carolina the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)

CAROLYN M. EVANS
NOTARY PUBLIC
SOUTH CAROLINA
MY COMMISSION EXPIRES 08/18/2019

TC000022

RA000501

Trustee Sale No. NV08003798-10-1 Loan No. REDACTED
APN: 179-34-614-164 Title Order No: 100427843-NV-LPI

EXHIBIT

Parcel I:

Lot Two (2) in Block Fifty-Five (55) of the Plat of OLD VEGAS RANCH UNIT 1 (HIGH NOON), a Common Interest Community, as shown by map thereof on file in Book 106 of Plats, Page 61, in the Office of the County Recorder of Clark County, Nevada.

Together with associated Garage Unit as set forth in the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements of High Noon at Old Vegas Ranch, recorded October 09, 2002 in Book 20021009 as Document No. 00581

Parcel II:

A non-exclusive easement of reasonable ingress, egress and use in, to and over the common elements as set forth and subject to the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for OLD VEGAS RANCH recorded October 3, 2002 in Book 20021003 as Document No. 01559, Official records.

TC000023

RA000502

EXHIBIT 4

APN: 178-34-614-154

RECORDING REQUESTED BY:
LSI Title Company
WHEN RECORDED MAIL TO
Trustee Corps
30 Corporate Park, Suite 400
Irvine, CA 92605

Inst #: 201007280003653
Fees: \$215.00
N/C Fee: \$0.00
07/28/2010 03:28:00 PM
Receipt #: 443898
Requestor:
FIDELITY NATIONAL DEFAULT S
Recorded By: BOL Pgs: 3
DEBBIE CONWAY
CLARK COUNTY RECORDER

The undersigned hereby affirms that there is no Social Security number contained in this document.
Trustee Sale No. NV09003798-10-1
1559 WARD FRONTIER LANE HENDERSON NV 89015
Title Order No: 100427643-NV-LP)

REDACTED

**NOTICE OF BREACH AND DEFAULT AND OF ELECTION TO
CAUSE
SALE OF REAL PROPERTY UNDER DEED OF TRUST**

NOTICE IS HEREBY GIVEN THAT: MTC FINANCIAL dba TRUSTEE CORPS is either the original trustee, the duly appointed substituted trustee, or acting as agent for the trustee or beneficiary under that certain Deed of Trust (together with any modifications thereto, the "Deed of Trust") dated January 27, 2004, executed by RAYMOND R SANBOTA AND FRANCINE M SANBOTA, HUSBAND AND WIFE, as trustor in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ACTING SOLELY AS NOMINEE FOR LENDER AND LENDER'S SUCCESSORS AND ASSIGNS as Beneficiary and CH MORTGAGE COMPANY I, LTD., LIMITED PARTNERSHIP as lender under Deed of Trust recorded on January 30, 2004, as Instrument No. 03803, in Book 20040130 of Official Records in the office of the County recorder of Clark County, Nevada, and that

The Deed of Trust secures the payment of and the performance of certain obligations, including, but not limited to, the obligations set forth in that certain Promissory Note with a face amount of \$128,900.00 (together with any modifications thereto the "Note"), and that

A breach of, and default in, the obligations for which said Deed of Trust is security has occurred in that the Trustor has failed to perform obligations pursuant to or under the Note and/or Deed of Trust, specifically: failed to pay payments which became due; THE INSTALLMENT OF PRINCIPAL AND INTEREST WHICH BECAME DUE ON 12/01/2009 AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL AND INTEREST, ALONG WITH LATE CHARGES, PLUS FORECLOSURE FEES AND COSTS AND ATTORNEY FEES, PLUS ALL OF THE TERMS AND CONDITIONS AS PER THE DEED OF TRUST, PROMISSORY NOTE AND RELATED LOAN DOCUMENTS.

That by reason thereof the present Beneficiary under such Deed of Trust has executed and delivered to said duly appointed Trustee a written Declaration of Default and Demand for Sale and has deposited with said duly appointed Trustee such Deed of Trust and all documents evidencing obligations secured thereby and has declared and does hereby declare all sums secured thereby immediately due and payable and has elected and does hereby elect to cause the trust property to be sold to satisfy the obligations secured thereby.

NOTICE

You may have the right to cure the default hereon and reinstate the one obligation secured by such Deed of Trust above described. Section NRS 107.080 permits certain defaults to be cured upon the payment of the amounts required by that statutory section without requiring payment of that portion of principal and interest which would not be due had no default occurred. Where reinstatement is possible, if the default is not cured within the statutory period set forth in Section NRS 107.080, the right of reinstatement will terminate and the property may thereafter be sold. The Trustor may have the right to bring a court action to assert the nonexistence of a default or any other defense of Trustor to acceleration and Sale.

To determine if reinstatement is possible and the amount, if any, to cure the default, contact:
WELLS FARGO BANK, N.A.
C/O TRUSTEE CORPS.
90 Corporate Park, Suite 400
Irvine, CA 92606
Phone No.: 949-252-8300

Dated: July 27, 2010

MTC FINANCIAL Inc dba Trustee Corps as Agent for the Beneficiary
By: LSI Title Agency, Inc., as Agent

N. Gonzalez
By: Norma Gonzalez

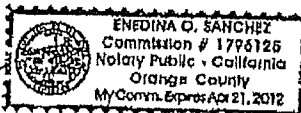
State of California
County of Orange

On July 28, 2010 before me, *Eneida O. Sanchez*, Notary Public in and for said county, personally appeared Norma Gonzalez who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Eneida O. Sanchez*



(Seal)

EXHIBIT 5

APN: 179-34-614-164

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:
Trustee Corps
17100 Gillette Ave
Irvine, CA 92614

Inet #: 201102080003078

Fees: \$16.00

N/C Fee: \$25.00

02/08/2011 03:12:32 PM

Receipt #: 870259

Requestor:

LSI TITLE AGENCY INC.

Recorded By: GILKS Pgs: 2

DEBBIE CONWAY

CLARK COUNTY RECORDER

The undersigned hereby affirms that there is no Social Security number contained in this document

Trustee Sale No. NV09003798-10-1 Title Order No:100427843-NV-LPI Client Reference Number:

REDACTED

NOTICE OF TRUSTEE'S SALE IMPORTANT NOTICE TO PROPERTY OWNER

YOU ARE IN DEFAULT UNDER A DEED OF TRUST AND SECURITY AGREEMENT DATED January 27, 2004. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDINGS AGAINST YOU, YOU SHOULD CONTACT A LAWYER.

On March 9, 2011, at 10:00 AM, MTC FINANCIAL INC dba Trustee Corps, as duly appointed Trustee **WILL SELL AT PUBLIC AUCTION TO THE HIGHEST BIDDER FOR CASH** at the front entrance to Nevada Legal News located at 930 S. 4TH Street, Las Vegas, NV., all right, title and interest conveyed to and now held by it under and pursuant to Deed of Trust Recorded on January 30, 2004, as Instrument No. 03803, in Book 20040130 of the Official Records in the office of the Recorder of Clark County, Nevada, executed by **RAYMOND R SANSOTA AND FRANCINE M SANSOTA, HUSBAND AND WIFE**, as Trustor, Wells Fargo Bank, N.A., as Beneficiary, all that certain property situated in said County and State, and more commonly described as:

AS MORE FULLY DESCRIBED ON SAID DEED OF TRUST

The property heretofore described is being sold "as is". The street address and other common designation, if any, of the real property described above is purported to be:
1559 WARD FRONTIER LANE, HENDERSON, NV 89015

The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown herein. Said will be made, but without covenant or warranty express or implied, regarding title, possession or encumbrances, to pay the remaining unpaid balance of the obligations secured by the property to be sold and reasonably estimated costs, expenses and advances as of the first publication date of this Notice of Trustee's Sale, to wit: \$130,481.31 estimated. Accrued interest and additional advances, if any, will increase the figure prior to sale. The property offered for sale excludes all funds held on account by the property receiver, if applicable.

Beneficiary's bid at sale may include all or part of said amount. In addition to cash, the Trustee will accept, all payable at time of sale in lawful money of the United States a Cashier's check drawn by a state or national bank, a check drawn by a state or federal credit union, or a check drawn by a state or federal savings and loan association, savings association, or savings bank

specified in the applicable sections of the Nevada Administrative Code and authorized to do business in the State of Nevada, or other such funds acceptable to the Trustee.

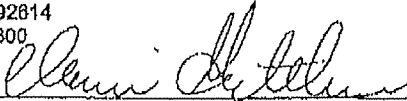
The beneficiary under the Deed of Trust heretofore executed and delivered to the undersigned, a written Declaration of Default and Demand for Sale. The undersigned caused said Notice of Breach and Default and of Election to Cause Sale of Real Property Under Deed of Trust to be recorded in the County where the real property is located and more than three months have elapsed since such recordation.

If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee and the successful bidder shall have no further recourse.

SALE INFORMATION CAN BE OBTAINED ON LINE AT www.lpsasap.com
AUTOMATED SALES INFORMATION PLEASE CALL 714-259-7850

Dated: February 4, 2011

MTC FINANCIAL INC dba Trustee Corps
TS No. NV09003798-10-1
17100 Gillette Ave
Irvine, CA 92614
949-252-8300

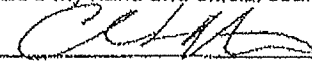

Clarisa Gastelum, Authorized Signature

State of California } ss.
County of Orange } ss.
Claudio Martinez

On February 4, 2011 before me, _____, Notary Public, personally appeared Clarisa Gastelum, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Notary Name

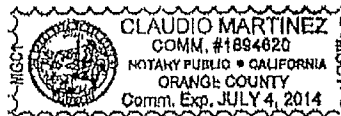


EXHIBIT 6

A.P.N. 179-34-614-164

[Recording Requested By:

[WHEN RECORDED MAIL TO
AND MAIL TAX STATEMENTS TO:]
THE PREM DEFERRED TRUST
8360 W. SAHARA AVE. #150
LAS VEGAS, NV 89117

Inst #: 201103310003069
Fees: \$16.00 N/C Fee: \$0.00
RPTT: \$260.10 Ex: #
03/31/2011 12:05:50 PM
Receipt #: 724308
Requestor:
NATIONAL TITLE COMPANY
Recorded By: OSA Page: 3
DEBBIE CONWAY
CLARK COUNTY RECORDER

(Spouse who is not a party to this recording is not required to sign)

Trustee Sale No. NV09003798-10-1. Loan No. REDACTED Title Order No. 100427843-NV-
LPI

TRUSTEE'S DEED UPON SALE

The undersigned grantor declares:

- 1) The Grantee herein was not the foreclosing beneficiary.
- 2) The amount of the unpaid debt together with costs was: \$133,586.50
- 3) The amount paid by the grantee at the trustee sale was: \$61,000.00
- 4) The documentary transfer tax is: \$ 260.10
- 5) Said property is in the city of: HENDERSON

and MYC FINANCIAL, Inc., dba TRUSTEE CORPS, herein called "Trustee", as Trustee (or as Successor Trustee) of the Deed of Trust hereinafter described, hereby grants and conveys, but without covenant or warranty, express or implied, to THE PREM DEFERRED TRUST, herein called "Grantee", the real property in the County of Clark, State of Nevada, described as follows:

Parcel I:

Lot Two (2) in Block Fifty-Five (55) of the Plat of OLD VEGAS RANCH UNIT 1 (HIGH NOON), a Common Interest Community, as shown by map thereof on file in Book 106 of Plats, Page 81, in the

Office of the County Recorder of Clark County, Nevada.

Together with associated Garage Unit as set forth in the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements of High Noon at Old Vegas Ranch, recorded October 09, 2002 in Book 20021008 as Document No. 00581

Parcel II:

A non-exclusive easement of reasonable ingress, egress and use in, to and over the common elements as set forth and subject to the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for OLD VEGAS RANCH recorded October 3, 2002 in Book 20021003 as Document No. 01658, Official records.

This deed is made pursuant to the authority and powers given to Trustee (or to Successor Trustee) by law and by that certain Deed of Trust dated January 27, 2004, made to RAYMOND R SANSOTA AND FRANCINE M SANSOTA, HUSBAND AND WIFE and recorded on January 30, 2004, as Instrument No. 03803 of Official Records in the office of the Recorder of Clark County,

Nevada, Trustee (or Successor Trustee) having complied with all applicable statutory provisions and having performed all of his duties under the said Deed of Trust. All requirements of law and of said Deed of Trust relating to this sale and to notice thereof having been complied with. Pursuant to the Notice of Trustee's Sale, the above described property was sold by Trustee (or Successor Trustee) at public auction on 03/09/2011 at the place specified in said Notice, to Grantee who was the highest bidder therefor, for \$51,000.00 cash, in lawful money of the United States, which has been paid.

Dated: 03/09/2011

MTG FINANCIAL, INC. dba TRUSTEE CORP


GLORIA SUAREZ

THIS INSTRUMENT IS RECORDED
AS AN ACCOMMODATION ONLY
AND WITHOUT LIABILITY

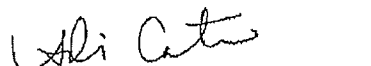
State of CALIFORNIA

County of ORANGE

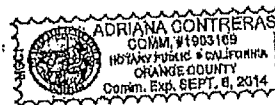
On 3/15/11 before me, Adriana Contreras, a notary public personally appeared Gloria Suarez, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Notary Public in and for said County and State



STATE OF NEVADA
DECLARATION OF VALUE FORM

1. Assessor Parcel Number(s)

a. 170-34-614-164

b.

c.

d.

2. Type of Property:

a. ☐ Vacant Land b. ☒ Single Fam. Res.c. ☐ Condo/Twnhse d. ☐ 2-4 Plexe. ☐ Apt. Bldg f. ☐ Comm'l/Ind'lg. ☐ Agricultural h. ☐ Mobile Homei. ☐ Other

3. a. Total Value/Sales Price of Property

\$51,000.00

b. Deed in Lieu of Foreclosure Only (value of property)

(\$51,000.00)

c. Transfer Tax Value:

\$ 2,000.00

d. Real Property Transfer Tax Due

4. If Exemption Claimed:

a. Transfer Tax Exemption per NRS 375.090, Section

b. Explain Reason for Exemption:

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature:

Gloria Suarez

Capacity: Grantor

Signature:

Gloria Suarez

Capacity: Grantee

SELLER (GRANTOR) INFORMATION
(REQUIRED)

Print Name: Trustee Corps.

Address: 17100 Gillette Avenue

City: Irvine

State: CA Zip: 92614

BUYER (GRANTEE) INFORMATION

COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)

Print Name: National Title Co

Address: 7051 W. Lake Mead Blvd

City: Las Vegas

State: NV

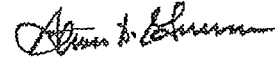
Escrow #: 289226 LP

Blvd 350

State: NV

Zip: 89128

EXHIBIT 7


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Attorneys for Plaintiffs, except for Antoinette Gill

DISTRICT COURT

CLARK COUNTY, NEVADA

JEFFREY BENKO, a Nevada resident; CAMILO MARTINEZ, a California resident; ANA MARTINEZ, a California resident; FRANK SCINTA, a Nevada resident; JACQUELINE SCINTA, a Nevada resident; SUSAN HORTIL, a Nevada resident; RAYMOND SANSOTA, a Ohio resident; FRANCINE SANSOTA, a Ohio resident; SANDRA KUHN, a Nevada resident; JESUS GOMEZ, a Nevada resident; SILVIA GOMEZ, a Nevada resident; DONNA HERRERA, a Nevada resident; ANTOINETTE GILL, a Nevada resident; JESSE HENNIGAN, a Nevada resident; KIM MOORE, a Nevada resident; THOMAS MOORE, a Nevada resident; SUSAN KAILLEN, a Nevada resident; ROBERT MANDARICH, a Nevada resident; JAMES NICO, a Nevada resident and PATRICIA TAGLIAMONTE, a Nevada resident

Plaintiffs,

vs.

QUALITY LOAN SERVICE CORPORATION, a California Corporation; APPLETON PROPERTIES, LLC, a Nevada Limited Liability Company; MTC FINANCIAL, INC. dba TRUSTEE CORPS, a California Corporation;

CASE NO: A-11-649857-C

Honorable Susan W. Scann
Dept. 39

PLAINTIFFS' OPPOSITION TO
DEFENDANTS' JOINT MOTION TO
DISMISS PLAINTIFFS' SECOND
AMENDED COMPLAINT

CLASS ACTIONS

ARBITRATION EXEMPTION
CLAIMED:

Pursuant to NAR 3(A)-

1. Action Concerning Title to Real Property;
2. Class Action; and
3. Action Seeking Equitable and/or Extraordinary Relief

Jury Trial Demanded

1 **B. The Prior QLS Order Is Distinguishable on the Critical Facts**

2 As reiterated throughout this brief, according to the text of the order from Dept. 16 in the
3 QLS matter, the Court limited its determination to the simple fact that QLS did nothing other than
4 record a notice of default (and possibly conduct the sale). The facts at issue here, as pled in the
5 SAC, depict a very different scenario, which itemizes a variety of debt collection activities,
6 including demanding payments, receiving payments, forwarding payments, soliciting from the
7 banks the opportunity to act on their behalf to collect the debts, seeking payment by cashier's
8 checks and/or wire transfers made payable to Defendants, all as collection agents for the lenders,
9 etc.

10 **C. The Prior QLS Order Is Incorrect on Its Face**

11 For example, it seems that there is a glaring legal error on the face of the QLS order from
12 Department 16 that is relied upon by Defendants here. In the "Conclusions of Law," paragraph
13 numbers 2 and 3 thereof, it appears that Judge Williams based his order in substantial part on a
14 determination that the California company, QLS, was not doing business in the State of Nevada
15 pursuant to NRS 80.015. It is inexplicable that the order did not cite or discuss the contrary,
16 dispositive portion of that same statute, with respect to the issue. Specifically, NRS 80.015(4)(b)
17 provides specifically that: "The fact that a person is not doing business in this state within the
18 meaning of this section . . . [d]oes not affect the applicability of any other provision of law with
19 respect to the person and may not be offered as a defense or introduced in evidence in any civil
20 action, . . . involving an alleged violation of chapter 597, 598,⁷ or 598A of NRS." The issue of
21 whether QLS was doing business in the State as set forth in NRS 80.015 is not even allowed to be
22 an issue on this matter, yet it was the basis of Judge Williams' order

23 **D. There Are Numerous and Critical Defects in the Federal Trial Court Orders Relied**
24 **Upon by Defendants**

25 According to all the federal appellate courts, which issue the binding decisions that set the

26

27 ⁷NRS 598.0923(1) defines a deceptive trade practice in the course of a person's
28 business or occupation when he or she knowingly conducts the business or
 occupation without all required state, county, or city licenses.

1 language of NRS 649 is plain, the legislative history helps to show that Nevada never intended to
2 exempt collection agencies from otherwise applicable licensing requirements when carrying out
3 non-judicial foreclosures as part of their debt collection activities.

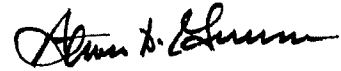
4 **D. The Plain Language and Relevant Legislative History of NRS 107 Support Plaintiffs**

5 Defendants' reading of the plain language of NRS 107.028 is equally mistaken. As an initial
6 matter, although Defendants make much of the language and legislative history of NRS 107.028,
7 they fail to make clear that this provision was added to NRS 107 in May and June 2011 and only
8 went into effect on October 1, 2011—thus, NRS 107.028 only was enacted and took effect *after*
9 most of the misconduct by Defendants that is alleged by Plaintiffs in their SAC.

10 Defendants, whether intentionally or inadvertently, also misdirect the Court in their
11 characterization of Plaintiffs' allegations in the SAC. Plaintiffs do not contend that all trustees
12 under a deed of trust necessarily qualify as collection agencies pursuant to NRS 649.020. Rather,
13 Plaintiffs allege that these Defendants by their alleged, specific activities were in fact collection
14 agencies under Nevada law, and carried out the misconduct complained of in the SAC without the
15 licenses or certificates from the FID required by Nevada law. See SAC, ¶¶ 1-20, 23, 34-38, 42-45,
16 49. These Defendants are not insulated from liability for their misconduct as unlicensed collection
17 agencies by the fact that they may have carried out a tiny portion of those activities acting as
18 trustees under deeds of trust.

19 **1. The Plain Language of NRS 107.028 Favors Plaintiffs Here**

20 The plain language of NRS 107.028, relied on by Defendants, supports Plaintiffs here. The
21 Nevada legislature, by expressly identifying the ten persons (including entities) that may serve as
22 trustees under a deed of trust, clarified and made clear that persons qualifying as licensed collection
23 agencies under NRS 649 could be such trustees. NRS 107.028(1)(i). (It seems significant that
24 Defendants, while contending they are *not* collection agencies, fail to state which entity among the
25 ten express categories listed in NRS 107.028 they are, if *not* the collection agency category!) Under
26 NRS 107.028, collection agencies as defined by NRS 649 can serve as trustees of deeds of trust;
27 thus, while not all trustees under deeds of trust are licensed collection agencies, some of them—
28 such as Defendants here—will be. There is absolutely nothing, however, to suggest that the Nevada



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Attorneys for Defendant MTC FINANCIAL INC.
dba TRUSTEE CORPS

DISTRICT COURT
CLARK COUNTY, NEVADA

JEFFREY BENKO, a Nevada resident;
CAMILO MARTINEZ, a California
resident; ANA MARTINEZ, a California
resident; FRANK SCINTA, a Nevada
resident; JACQUELINE SCINTA, a Nevada
resident; SUSAN HJORTH, a Nevada
resident; RAYMOND SANSOTA, a Ohio
resident; FRANCINE SANSOTA, a Ohio
resident; SANDRA KUHN, a Nevada
resident; JESUS GOMEZ, a Nevada
resident; SILVIA GOMEZ, a Nevada
resident; DONNA HERRERA, a Nevada
resident; ANTOINETTE GILL, a Nevada
resident; JESSE HENNIGAN, a Nevada
resident; KIM MOORE, a Nevada resident;
THOMAS MOORE, a Nevada resident;
SUS KALLEN, a Nevada resident;
ROBERT MANDARICH, a Nevada
resident; JAMES NICO, a Nevada resident
and PATRICIA TAGLIAMONTE, a
Nevada resident

Plaintiffs,

vs.

QUALITY LOAN SERVICE

Case No. A-11-649857-C

Dept. No.: 19
(ELECTRONIC FILING CASE)

**DEFENDANT MTC FINANCIAL INC. dba
TRUSTEE CORPS' OBJECTIONS TO
ADDITIONAL EVIDENCE FILED
BELATEDLY BY PLAINTIFFS
RAYMOND SANSOTA AND FRANCINE
SANSOTA IN SUPPORT OF THEIR
MOTION FOR PARTIAL SUMMARY
JUDGMENT**

**[DECLARATIONS OF GLORIA
JUAREZ AND JERETT T. YAN IN
SUPPORT THEREOF AND MTC
FINANCIAL INC. dba TRUSTEE
CORPS' OBJECTIONS TO SANSOTA'S
SUPPLEMENTAL SEPARATE
STATEMENT FILED CONCURRENTLY
HEREWITH]**

Hearing Date: March 14, 2017
Time: 9:00 a.m.

1 CORPORATION, a California Corporation;
2 APPLETON PROPERTIES, LLC, a Nevada
3 Limited Liability Company; MTC
4 FINANCIAL, INC. dba TRUSTEE CORPS,
5 a California Corporation; MERIDIAN
6 FORECLOSURE SERVICE, a California
7 and Nevada Corporation dba MTDS, Inc.,
8 dba MERIDIAN TRUST DEED SERVICE;
9 NATIONAL DEFAULT SERVICING
10 CORPORATION, a Arizona Corporation;
11 CALIFORNIA RECONVEYANCE
12 COMPANY, a California Corporation; and
13 DOES 1 through 100, inclusive,

14 Defendants.

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23 **I. PRELIMINARY STATEMENT**

24 The memorandum of defendant MTC Financial Inc. dba Trustee Corps ("Trustee Corps")
25 in opposition to the motion for partial summary judgment of plaintiffs Raymond Sansota and
26 Francine Sansota ("Sansota") identified as a central and fatal deficiency of Sansota's 500 page
27 plus motion the utter absence of any evidence demonstrating that Trustee Corps interacted in any
28 fashion with Sansota. In his reply papers, Sansota adds to the already voluminous record in this
matter by improperly attempting to inject new evidence to which Trustee Corps has not had
notice and an opportunity to respond, which supposed evidence in itself is objectionable on a
variety of grounds, and which, with regard to Sansota's newly-raised claim that he received
telephone calls from Trustee Corps, is inadmissible, contrary to his sworn interrogatory
responses, and demonstrably false. Accordingly, Trustee Corps objects to the Court's
consideration of any of such evidence in connection with Sansota's motion for partial summary
judgment.

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II. SANSOTA'S NEW EVIDENCE WAS NOT FILED WITH SANSOTA'S
MOVING PAPERS AND TRUSTEE CORPS HAS NOT HAD A FAIR
OPPORTUNITY TO RESPOND TO IT

Trustee Corps objects to all of the new evidence filed with Sansota's reply papers on the
ground that it has not received fair notice and an opportunity to respond to the additional facts

1 raised therein.¹ Within his 45 page reply memorandum, Sansota filed a new declaration of
2 Nicholas Boylan, a new declaration of Raymond Sansota, and a supplemental separate statement
3 in support of Sansota's motion for partial summary judgment. The Boylan declaration attaches
4 voluminous portions of deposition transcripts, exhibits, and, apparently, a flash drive.² In
5 addition to having been filed after Trustee Corps filed its opposition papers, the new separate
6 statement purports to add at least 13 new facts to which Trustee Corps has not had an opportunity
7 to respond. With the exception of one deposition transcript, all of this evidence was available to
8 Sansota at the time it filed its motion for summary judgment. To the extent that Sansota believed
9 that it needed to provide evidence in support of its motion, such evidence should have been
10 provided with its moving papers. *Corson & Gruman Co. v. N.L.R.B.*, 899 F.2d 47, 50 (D.C. Cir.
11 1990) ("We require petitioners and appellants to raise all of their arguments in the opening brief
12 to prevent "sandbagging" of appellees and respondents and to provide opposing counsel the
13 chance to respond.").

14 It would be fundamentally unfair and a denial of Trustee Corps' right to due process to
15 consider such materials in connection with Sansota's motion. "The reply brief is not intended to
16 be the brief that shows for the first time the movant's evidentiary support for the relief sought in
17 the his or her opening brief. Where a movant injects evidence in a reply brief that should have
18 been included in the opening brief, the movant could fail to afford the nonmovant an opportunity
19 for further response. Under such circumstances, the court has discretion to decline to consider the
20 new evidence." *Lewis v. Gotham Ins. Co.*, 2009 WL 3698028, at *1 (S.D. Cal.). *See also U.S. ex*
21 *rel. Hendow v. Univ. of Phoenix*, 2009 WL 2705851, at *3 (E.D. Cal.) ("[i]t is improper for a
22 moving party to introduce new facts in the reply brief than those presented in the moving papers"
23 when those facts could have been presented in the opening brief). The Court should sustain this
24 objection in full and decline to consider Sansota's belatedly raised evidence introduced for the
25 first time in its reply brief.

26
27 ¹ While Trustee Corps has been able to prepare objections to the new facts, it has not had an opportunity to respond
to Sansota's arguments in his reply papers based on such supposed facts.

28 ² To date, Trustee Corps has been unable to open the contents of the flash drive emailed to it by Sansota's counsel's
office. Its counsel's IT department is being brought in to assist.

1 **III. SANSOTA’S NEW SEPARATE STATEMENT, IN ADDITION TO**
2 **HAVING BEEN IMPROPERLY FILED WITH SANSOTA’S REPLY**
3 **PAPERS, IS ITSELF OBJECTIONALBE ON A VARIETY OF GROUNDS**

4 The additional “facts” set forth in Sansota’s supplemental separate statement (which
5 Sansota incorporates into his reply memorandum as facts supporting the arguments in his motion
6 and to which Trustee Corps has not had an opportunity to respond) are largely inadmissible.
7 Trustee Corps hereby incorporates by reference herein the objections to Sansota’s new evidence
8 raised in its “Objections to the Supplemental Separate Statement in Support of the Reply
9 Memorandum of Raymond Sansota and Francine Sansota in Support of Motion for Partial
10 Summary Judgment,” filed concurrently herewith.

11 **IV. SANSOTA’S NEWLY-RAISED CLAIM THAT TRUSTEE CORPS**
12 **TELEPHONED RAYMOND SANSOTA IS INADMISSIBLE, CONTRARY**
13 **TO HIS SWORN INTERROGATORY RESPONSES, AND BELIED BY HIS**
14 **OWN TELEPHONE RECORDS**

15 In an attempt to establish that Sansota had some kind of an interaction with Trustee Corps
16 (however limited), Sansota includes in his new separate statement portions of the deposition
17 testimony of Raymond Sansota that Sansota asserts demonstrates that alleged fact. In addition to
18 unfairly ambushing Trustee Corps with this supposed fact after Trustee Corps had filed its
19 opposition to Sansota’s motion, the testimony is inadmissible, contrary to Raymond Sansota’s
20 sworn interrogatory responses, and belied by Raymond Sansota’s own telephone records. As set
21 forth in Trustee Corps’ objections to Sansota’s new separate statement, the “facts” set forth in the
22 supplemental separate statement badly misstate Raymond Sansota’s testimony. More importantly
23 for purposes of this objection, the testimony is inadmissible because it lacks foundation and is
24 hearsay. Mr. Sansota could not identify name of the person who supposedly called him and could
25 not even remember if the person calling was male or female. He did not remember the specifics
26 of the alleged conversation. There is no foundation for the testimony, and, to the extent that it
27 purports to recite facts stated by the person at the other end of the call, it is hearsay. No facts are
28 set forth that would permit a finding that the man or woman at the other end of this supposed call

1 could make binding admissions on behalf of Trustee Corps.

2 Mr. Sansota's testimony also contradicts his sworn discovery responses. On August 30,
3 2016, in his response to Request No. 1 of Trustee Corps' first set of requests for admissions,
4 which states "Admit that YOU (YOU or YOUR refers to Raymond Sansota) did not have any
5 telephone calls with anyone at TRUSTEE CORPS from July 14, 2010 through March 15, 2011,"
6 Raymond Sansota responded as follows: "Denied at this time." Declaration of Jerett T. Yan in
7 Support of Defendant MTC Financial Inc. dba Trustee Corps' Objections to Additional Evidence
8 Filed Belatedly by Plaintiffs Raymond Sansota and Francine Sansota ("Yan Decl."), ¶ 3, 4 and
9 Exhs. A and B thereto. On November 16, 2016, *the day before his November 17, 2016 deposition*
10 in Henderson, Nevada, Raymond Sansota served his supplemental responses to Trustee Corps'
11 first set of interrogatories. Yan *Id.* at ¶ 7 and Exh. D thereto. In his supplemental response to
12 Interrogatory No. 1, Mr. Sansota responded in pertinent part: **"Responding Party cannot recall**
13 **or identify at this time specific calls with anyone known by Responding Party to be**
14 **employed by requesting party during the specified period."** Mr. Sansota verified his
15 responses on November 17, 2016, and his counsel personally served them upon counsel for
16 Trustee Corps at the conclusion of Francine Sansota's deposition on November 17. *Id.* at ¶ 7 and
17 Exh. D thereto. In the interim, he provided the testimony relied upon by Sansota in its new
18 evidence. The new evidence (assuming for argument's sake that it is admissible, and it is not) is
19 contrary to his prior sworn discovery responses and should be disregarded.

20 After Mr. Sansota testified about an alleged conversation with someone at Trustee Corps,
21 Trustee Corps subpoenaed his telephone records from Verizon, his service provider. Yan Decl., ¶
22 11 and Exh. G thereto. Verizon responded to the subpoena duces tecum by providing the
23 requested documents. *Id.* at ¶ 13 and Exh. I thereto. The phone records provided by Verizon
24 demonstrate that, during the time that Trustee Corps kept a file regarding the non-judicial
25 foreclosure, no telephone calls were made to Raymond Sansota or Francine Sansota by Trustee
26 Corps. *Id.* at ¶ 14 and Exh. I thereto. Thus, Raymond Sansota's testimony in this regard is
27 demonstrably false.

28 "A party's contradictory testimony is to be construed against him or her on motion for

1 summary judgment unless a reasonable explanation for the contradiction is offered.” *Luciano v.*
2 *Saint Mary's Preferred Health Ins. Co.*, 2016 WL 2740860, at *3 (Nev. May 6, 2016). *See also*
3 *Aldabe v. Adams*, 81 Nev. 280, 285 (1965) *overruled on other grounds by Siragusa v. Brown*, 114
4 Nev. 1384 (1998) (“Though aware that the summary judgment procedure is not available to test
5 and resolve the credibility of opposing witnesses to a fact issue we hold that it may appropriately
6 be invoked to defeat a lie from the mouth of a party against whom the judgment is sought, when
7 that lie is claimed to be the source of a ‘genuine issue of fact for trial.’”). Sansota has offered no
8 explanation for the contradictory testimony regarding the alleged calls from Trustee Corps.
9 Accordingly, to the extent that the Court considers Raymond Sansota’s contradictory testimony
10 regarding the alleged calls, the Court should construe the conflicts in the testimony against
11 Sansota’s claims.

12 **V. CONCLUSION**

13 For the foregoing reasons, Trustee Corps’ objections should be sustained in full.

14 **AFFIRMATION**

15 **Pursuant to NRS 239B.030**

16 * * * * *

17 The undersigned does hereby affirm that this document does not contain the Social
18 Security Number of any person.

19 DATED this 10th day of March, 2017.

20 BROOKS HUBLEY, LLP

21 By: 
22 _____

23 Michael R. Brooks, Esq.
24 1645 Village Center Circle, Suite 60
25 Las Vegas, NV 89134
26 Attorneys for Defendant
27 MTC FINANCIAL INC. dba TRUSTEE
28 CORPS

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the County of Clark, State of Nevada, am over the age of 18 years and not a party to this action. My business address is that of Brooks Hubley, LLP, 1645 Village Center Cir., Ste. 60, Las Vegas, NV 89134.

I HEREBY CERTIFY that on this day, I did service, via the Eight Judicial District Court Case Filing System, a copy of the above and foregoing **DEFENDANT MTC FINANCIAL INC. dba TRUSTEE CORPS' OBJECTIONS TO ADDITIONAL EVIDENCE FILED BELATEDLY BY PLAINTIFFS RAYMOND SANSOTA AND FRANCINE SANSOTA IN SUPPORT OF THEIR MOTION FOR PARTIAL SUMMARY JUDGMENT** to the following: (NOTE: All parties not registered pursuant to Administrative Order 14-2 have been served by mail.):

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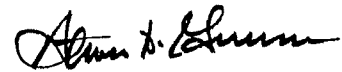
Tiffany & Bosco, P.A.

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Attorneys for Defendant MTC FINANCIAL INC.
dba TRUSTEE CORPS

DISTRICT COURT

CLARK COUNTY, NEVADA

JEFFREY BENKO, a Nevada resident;
CAMILO MARTINEZ, a California
resident; ANA MARTINEZ, a California
resident; FRANK SCINTA, a Nevada
resident; JACQUELINE SCINTA, a Nevada
resident; SUSAN HJORTH, a Nevada
resident; RAYMOND SANSOTA, a Ohio
resident; FRANCINE SANSOTA, a Ohio
resident; SANDRA KUHN, a Nevada
resident; JESUS GOMEZ, a Nevada
resident; SILVIA GOMEZ, a Nevada
resident; DONNA HERRERA, a Nevada
resident; ANTOINETTE GILL, a Nevada
resident; JESSE HENNIGAN, a Nevada
resident; KIM MOORE, a Nevada resident;
THOMAS MOORE, a Nevada resident;
SUS KALLEN, a Nevada resident;
ROBERT MANDARICH, a Nevada
resident; JAMES NICO, a Nevada resident
and PATRICIA TAGLIAMONTE, a
Nevada resident

Plaintiffs,

///

Case No. A-11-649857-C

Dept. No.: XXIX

**MTC FINANCIAL INC. dba TRUSTEE
CORPS' OBJECTIONS TO THE
SEPARATE STATEMENT IN SUPPORT
OF SANSOTA'S PRELIMINARY
OPPOSITION TO TRUSTEE CORPS'
CROSS-MOTION FOR SUMMARY**

Hearing date: March 14, 2017
Time: 9:00 a.m.

1 vs.

2 QUALITY LOAN SERVICE
3 CORPORATION, a California Corporation;
4 APPLETON PROPERTIES, LLC, a Nevada
5 Limited Liability Company; MTC
6 FINANCIAL, INC. dba TRUSTEE CORPS,
7 a California Corporation; MERIDIAN
8 FORECLOSURE SERVICE, a California
9 and Nevada Corporation dba MTDS, Inc.,
10 dba MERIDIAN TRUST DEED SERVICE;
11 NATIONAL DEFAULT SERVICING
12 CORPORATION, a Arizona Corporation;
13 CALIFORNIA RECONVEYANCE
14 COMPANY, a California Corporation; and
15 DOES 1 through 100, inclusive,

16 Defendants.

17 Defendant MTC Financial Inc. dba Trustee Corps ("Trustee Corps") submits the
18 following Objections to Sansota's Separate Statement in Support of Sansota's Motion for Partial
19 Summary Judgment.

20 **I. GENERAL OBJECTIONS**

21 Plaintiffs Raymond Sansota and Francine Sansota (collectively, "Sansota") present
22 virtually no relevant facts in support of their claim. Inasmuch as no class of plaintiffs has been
23 certified, only Sansota's individual claim against Trustee Corps is before the Court. *See*
24 *Partington v. American International Specialty Lines Ins. Co.*, 443 F.3d 334,340 (4th Cir. 2006);
25 *Brown v. Philadelphia Housing Authority*, 350 F.3d 338, 343 (3d Cir. 2003); *Rutan v. Republican*
26 *Party*, 868 F.2d 943, 946-47 (7th Cir. 1989), *aff'd in part and reversed in part on other grounds*,
27 497 U.S. 62, 110 S. Ct. 2729, 111 L. Ed. 2d 52 (1990) ("Because no class of plaintiffs or
28 defendants were certified, only the named plaintiffs and named defendants are before this court. .
29 . . Therefore, we treat plaintiffs' claims as being brought solely by the named plaintiffs against the
30 named defendants."); *Lagos v. Monster Painting, Inc.*, 2013 WL 5937661, at *5 (D. Nev. 2013).
31 As a result, Sansota's motion is subject to the same requirements as any summary judgment
32 motion filed in this Court by an individual plaintiff.

33 Accordingly, only facts related to Trustee Corps' conduct of a non-judicial foreclosure on
34 the Sansota's home located at 1559 Ward Frontier Lane, Henderson, Nevada (the "Property") are

1 relevant to Sansota's partial summary judgment motion. NRS 48.025. Actions that Trustee
2 Corps may or may not have taken with regard to persons who are not before the Court are
3 irrelevant. *See, e.g.*, Material Facts, 34 and 35 (relating to Trustee Corps' handling of Bijan
4 Laghaei's foreclosure). Trustee Corps objects to the consideration of such facts in connection
5 with this motion.

6 Since Sansota did not have any communications with Trustee Corps leading up to the
7 foreclosure of the Property (Declaration of Allan E. Ceran ("Ceran Decl., ¶¶ 7-8 and Exhs. A and
8 B thereto), Trustee Corps' general policies, practices, and procedures are irrelevant. For example,
9 Sansota does not set forth any evidence of that he had discussions with Trustee Corps relating to a
10 forbearance agreement or loan reinstatement. Therefore, the evidence submitted by Sansota
11 relating to Trustee Corps' alleged general policies and practices as to forbearance agreements or
12 loan reinstatements are irrelevant. *See e.g.*, Material Facts, 17-19, 24-29, and 39-49. Similarly,
13 policies and practices that Trustee Corps adopted after March 2011, the date of the non-judicial
14 foreclosure sale of the Property, are irrelevant. *See, e.g.*, Material Facts, 26 (Exhibit "T" is a
15 policy that states on its face that it was adopted in January 2016, years after the events in issue).
16 As set forth below, the Court should disregard all of this evidence as irrelevant.

17 Sansota also relies heavily on testimony that lacks foundation. Witnesses must have
18 personal knowledge of the facts to which they are testifying. NRS 50.025. Many of Sansota's
19 supposed "facts" rely on the testimony of Cathe Cole-Sherburn, the current Vice-President for
20 Operations of Trustee Corps. *See e.g.*, Material Facts 4, 8, 27, 71. However, Ms. Cole-Sherburn
21 did not assume this position until April 5, 2011 (which was after the non-judicial foreclosure sale
22 of the Property) and held no prior positions at Trustee Corps. Declaration of Allan E. Ceran
23 ("Ceran Decl., ¶ 9 and Exh. C thereto. Sansota has not adduced any evidence that establishes Ms.
24 Cole-Sherburn's personal knowledge of any policies, practices, or events related to Trustee Corps
25 that predate her employment. Accordingly, Ms. Cole-Sherburn's testimony as to events, policies,
26 and procedures prior to April 5, 2011 is improper due to lack of personal knowledge. *Kern v.*
27 *Levolor Lorentzen, Inc.*, 899 F.2d 772, 780-81 (9th Cir. 1990) (excluding testimony because the
28 "witness did not hold a position with [defendant company] until after the relevant time period,

1 and therefore lacked personal knowledge concerning the interpretation of a letter [plaintiff
2 employee] received before the witness became affiliated with the company.”). The proffered
3 testimony of Maria Diaz and Terry Johnsen also is subject to a foundation objection. Trustee
4 Corps’ specific objections follow.

5 Sansota additionally relies on contradictory testimony from Raymond Sansota to establish
6 the existence of a phone call from Trustee Corps to Raymond Sansota. “A party’s contradictory
7 testimony is to be construed against him or her on motion for summary judgment unless a
8 reasonable explanation for the contradiction is offered.” *Luciano v. Saint Mary’s Preferred*
9 *Health Ins. Co.*, 2016 WL 2740860, at *3 (Nev. 2016). See also *Aldabe v. Adams*, 81 Nev. 280,
10 285 (1965) *overruled on other grounds by Siragusa v. Brown*, 114 Nev. 1384 (1998) (“Though
11 aware that the summary judgment procedure is not available to test and resolve the credibility of
12 opposing witnesses to a fact issue we hold that it may appropriately be invoked to defeat a lie
13 from the mouth of a party against whom the judgment is sought, when that lie is claimed to be the
14 source of a ‘genuine issue of fact for trial.’”). Mr. Sansota has offered no explanation for the
15 contradictory testimony regarding the alleged calls from Trustee Corps. Accordingly, the Court
16 should construe the conflicts in the testimony against Raymond Sansota’s claims.

17 **II. SPECIFIC OBJECTIONS**

18 19 **ISSUE NO.1: Partial Summary Judgment on Plaintiffs’ First Cause of Action as to Liability** 20 **(Not Damages)**

No.	Material Fact ¹	Response
21 1.	MTC has been continuously conducting 22 business in the State of Nevada since at 23 least as early as 2000. 24 <u>Supporting Evidence</u> 25 Exhibit “D”(Terry Johnsen Deposition), 26 at 19:14-15. Authenticated by Boylan 27 Moving Declaration, at ¶7.	Undisputed.
28 2.	MTC did not obtain a collection agency license from the State of Nevada’s Financial Institutions Division (“FID”)	Undisputed.

¹ Footnotes in 1-13 to “Plaintiffs’ Separate Statement in Support of Motion for Partial Summary Judgment” have been omitted for brevity.

No.	Material Fact ¹	Response
	until April 19, 2012. <u>Supporting Evidence</u> See Exhibit "T", at MTC000338. Authenticated by Exhibit "B" (Cathe Cole-Sherburn Deposition), at 74, 102.	
3.	MTC has continued to renew its collection agency license with the FID from 2012 to the present. <u>Supporting Evidence</u> See Exhibit "T", at MTC000338-MTC000353. Authenticated by Exhibit "B" (Cathe Cole-Sherburn Deposition), at 74, 102.	Undisputed.
4.	From before MTC obtained its Nevada license, the nature of MTC's business operations in the State of Nevada has not materially changed, i.e., it is the same Nevada operations as after MTC obtained its collection agency license from the FID on April 19, 2012 (Senior Vice-President Gloria Juarez swore on January 31, 2017, that there had been no material change since 2002. <u>Supporting Evidence</u> Exhibit "B" (Cathe Cole-Sherburn Deposition), at 29, 99-101; Boylan Moving Declaration, at ¶16; Juarez Deposition, at __ (pages to be submitted upon receipt of transcript). Exhibit "B" is authenticated by Boylan Moving Declaration, at ¶5.	<p><u>Objection: Calls for a Legal Conclusion (NRS 50.265) and Relevance (NRS 48.025):</u> The excerpt cited in Exh. B at 29 is Ms. Cole-Sherburn's response to Sansota's counsel's question as to whether there were any changes in Trustee Corps' business during her tenure (which began after the non-judicial foreclosure sale of the Sansota's property) that would affect the requirement of having a collection agency license in Nevada. She did not testify that Trustee Corps was required to have a collection agency license. What actions require a license is a legal conclusion.</p> <p><u>Objection: Relevance (NRS 48.025):</u> The nature of Trustee Corps' business operations from April 5, 2011 to present is irrelevant to Trustee Corps' interactions with the Sansotas from July 2010 to March 2011.</p> <p><u>Objection: Lack of Foundation (NRS 50.025):</u> Ms. Cole-Sherburn was not employed by Trustee Corp until April 2011. Declaration of Allan E. Ceran ("Ceran Decl."), ¶ 9 and Exh. C thereto. The record does not establish how she has personal knowledge of Trustee Trustee Corps' activities prior to 2011.</p> <p><u>Objection Hearsay: (NRS 51.065)</u> Further, the transcript of Ms. Juarez's deposition is not in the record. Sansota's counsel's statement is inadmissible hearsay.</p>
5.	At her deposition, Ms. Johnsen, a co-owner and vice-president of MTC, testified that MTC's "[t]rustee work" includes "[f]oreclosure" and "[w]hatever	<p><u>Disputed: Misstates Evidence:</u> Ms. Johnsen corrected her statement to state that Trustee Corps conducts judicial foreclosures rather than evictions.</p>

No.	Material Fact ¹	Response
	<p>else goes with it.” By way of example, she stated that MTC does “eviction work” as part of its “trustee work” in the state of Nevada.</p> <p><u>Supporting Evidence</u> Exhibit “D” (Terry Johnsen Deposition), at 20:24-21:11.</p>	<p><u>Objection: Relevance (NRS 48.025):</u> Ms. Johnsen’s characterization of Trustee Corps’ work is irrelevant to Trustee Corps’ specific interactions with the Sansotas.</p>
6.	<p>It is and has been generally MTC’s practice, policy, and procedure to hold its employees to the standards imposed on debt collectors by the federal Fair Debt Collection Practices Act (“FDCPA”) including in all communications with Nevada debtors.</p> <p><u>Supporting Evidence</u> See, e.g., Exhibit “I”, at MTC000312. Authenticated by Exhibit “B” Cathe Cole-Sherburn Deposition), at 73-74, 87-88, 93.</p>	<p><u>Objection: Relevance (NRS 48.025):</u> Ms. Cole-Sherburn identified the policy at MTC 00312 as a 2014 or 2015 version of the policy. While she stated that a version of this policy was in place in 2011, she further stated that the policy is updated “all the time.” Boylan Decl., Exh. B at 89. The record does not establish that Trustee Corps maintained any version of this policy from 2007-2011 or that the version at MTC 00312 has any relevance to Trustee Corps’ policies, practices, or procedures from 2011-2012.</p> <p>Further, Trustee Corps’ current policy of complying with the FDCPA is not relevant because (1) Sansota has adduced any facts indicating that Trustee Corps violated the FDCPA, and (2) the fact that Trustee Corps’ policy is to comply with the FDCPA does not establish that Trustee Corps, as a foreclosure trustee, was obligated to comply or that it did not comply.</p>
7.	<p>Between 2007 through 2012, MTC estimates that it received payments from its clients of \$12,317,679 in fees and \$54,772,022.71 in costs incurred on behalf of MTC’s clients for MTC’s services in the State of Nevada during that period.</p> <p><u>Supporting Evidence</u> See Exhibit “L”, at 2-3. Authenticated as described Boylan <u>Moving Declaration</u>, at ¶18.</p>	<p><u>Objection: Relevance (NRS 48.025):</u> The estimated amount of payments that Trustee Corps received from its clients is irrelevant as to whether Trustee Corps improperly engaged in debt collection activities as to Sansota.</p>
8.	<p>As a general rule, MTC’s fees and costs for its services are added to the loan balance of defaulted debtors in Nevada whose files MTC handles, and become a part of the homeowners’ outstanding debt.</p> <p><u>Supporting Evidence</u> Exhibit “B” (Cathe Cole-Sherburn</p>	<p><u>Disputed: Misstates Evidence</u> The cited excerpt from Ms. Cole-Sherburn’s deposition states that “as a general rule” “fees that are related to the foreclosure process” become part of the outstanding debt. She did not testify as to Wells Fargo’s policies in 2011, which are the only arguably relevant policies to the present motion. Boylan Decl., Exh. B at 107.</p>

No.	Material Fact ¹	Response
	Deposition), at 107:18-23.	<u>Objection: Lack of Foundation (NRS 50.025):</u> There is no foundation for Ms. Cole-Sherburn to testify as to the manner in which Wells Fargo ultimately applied Trustee Corps' fees for conducting the non-judicial sale of Sansota's property.
9.	MTC's fees and costs for its various services in the State of Nevada are governed by MTC's written contracts with its creditor clients. <u>Supporting Evidence</u> Exhibit "B" (Cathe Cole Sherburn Deposition), at 33-34.	Undisputed.
10.	MTC currently has approximately 150 creditor clients, each with its own particular written contract governing MTC's services for it <u>Supporting Evidence</u> Exhibit "B" (Cathe Cole-Sherburn Deposition), at 33-34.	<u>Objection: Relevance (NRS 48.025):</u> Trustee Corps' current practices and relationships with its clients are irrelevant as to its interactions with the Sansotas in 2010-2011.
11.	If MTC's creditor-clients direct MTC to accept checks (i.e., collect money) from Nevada debtors or third-parties as payment on defaulted debts, MTC itself processes the checks and forwards the funds directly to the creditor-clients and then invoices the client for MTC's services. <u>Supporting Evidence</u> Exhibit "B" (Cathe Cole-Sherburn Deposition), at 44.	<u>Objection: Relevance (NRS 48.025):</u> Sansota has not adduced any evidence that he forwarded any checks to Trustee Corps. Therefore, Trustee Corps' policy regarding acceptance of checks is irrelevant. In addition, Ms. Cole-Sherburn's testimony concerns current policy. There is no evidence of Trustee Corps' policy before April 5, 2011.
12.	According to MTC's current Senior Vice-President of Operations, MTC currently provides full service default services <u>and</u> foreclosure services to its clients. The two categories are distinct; full service default services include collection services such as handling deed-in-lieu of foreclosure transactions, senior lien monitoring, negotiating loan	<u>Disputed: Misstates Evidence:</u> The record indicates that Trustee Corps <i>currently</i> provides full default services and foreclosure services. Also, the cited evidence does not indicate that full default services include "collection services"

1	No.	Material Fact ¹	Response
2		forbearance agreements, post-foreclosure sale conveyances, and other services.	<u>Objection: Relevance: (NRS 48.025):</u> Trustee Corps' current services are irrelevant to what services it provided to Wells Fargo with respect to Sansota in 2010-11.
3		<u>Supporting Evidence</u>	
4		Exhibit "B" (Cathe Cole-Sherburn Deposition), at 140:10-147:12.	
5			
6	13.	From at least 2011 to the present, MTC solicits creditor clients for the services, including full default services and foreclosure services, it provides on defaulted loans in the State of Nevada.	<u>Objection: Relevance: (NRS 48.025):</u> What services Trustee Corps has solicited since 2011 is irrelevant to what services it performed with respect to the Sansotas in 2010-2011. Further, Ms. Cole-Sherburn testified only to solicitation since April 5, 2011, after the non-judicial foreclosure sale of Sansota's property. Boylan Decl., Exh. B at 151.
7		<u>Supporting Evidence</u>	
8		Exhibit "B" (Cathe Cole-Sherburn Deposition), at 150:23-151:16.	
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11	14.	From the contracts for the relevant period produced by MTC thus far, MTC expressly contracted with its creditor-clients to, among other services in the State of Nevada, comply with applicable federal, state, and local laws, including those relating to foreclosure, debt collection, and privacy; represented that it had and would maintain all regulatory approvals, authorizations, licenses, permits, or other permissions, consents, and authorities needed to perform its obligations to its client; residential foreclosure, collection, recovery, and all other legal services related to foreclosure of delinquent mortgagors; return telephone calls to defaulted debtors; promptly forward reinstatement or pay-off proceeds received from Nevada debtors on defaulted loans to MTC's creditor-clients; deliver good and marketable title following MTC conducting non-judicial foreclosure sales; attempt to solicit loss mitigation workout options when a Nevada borrower calls MTC; create loss mitigation workouts and send them to borrowers; forward all down payments received from defaulted debtors as part of loss mitigation or forbearance agreements; upon request from Nevada debtors, provide reinstatement and pay-off quotes to Nevada debtors, which would include all amounts owed to	<u>Objection: Relevance (NRS 48.025):</u> None of the cited contracts apply to the foreclosure of the Sansotas' property. The contract with Wells Fargo (MTC001096-1109) is dated October 10, 2011, several months after the non-judicial foreclosure sale of Sansota's property. Further, Trustee Corps' general agreements are not evidence that Trustee Corp's actions with respect to Sansota violated any Nevada statute or that Trustee Corps took any specific action that one of its clients may have authorized it to take.
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No.	Material Fact ¹	Response
	<p>MTC's creditor-clients and MTC's fees and costs; handle eviction proceedings on behalf of MTC's creditor-clients; and initiate and carry out non-judicial foreclosure proceedings in the Nevada relating to defaulted loans.</p> <p><u>Supporting Evidence</u> Boylan Moving Declaration, at ¶15; Exhibits thereto (MTC000485-522, MTC000896-918, MTC001035-1082).</p>	
15.	<p>According to MTC's current Senior Vice-President of Operations, it is one of MTC's duties as a non-judicial foreclosure trustee to collect money from Nevada borrowers and pass it on to MTC's creditor-clients.</p> <p><u>Supporting Evidence</u> Exhibit "B" (Cathe Cole-Sherburn Deposition), at 154-158.</p>	<p><u>Disputed: Misstates Evidence</u> Ms. Cole-Sherburn stated that Trustee Corps processes payments that come in from borrowers for reinstatement and payoff, and forwards the monies to the lenders. Boylan Decl., Exh. B at 154:22-25. The witness repeatedly objected to Mr. Boylan's use of the word collection to describe the processing of payments. <i>See e.g., id.</i> at Exh. B at 155:15-19, 156:11-15.</p>
16.	<p>In collecting money from Nevada debtors to reinstate or pay-off defaulted debts, and passing the money on to MTC's creditor clients, MTC acts as the "middle person" (i.e., agent) in the transaction.</p> <p><u>Supporting Evidence</u> Exhibit "B" (Cathe Cole-Sherburn Deposition), at 159:15-25.</p>	<p><u>Disputed: Misstates Evidence</u> The witness stated that Trustee Corps "serv[es] as the middle person between the borrower and the servicer. So if the borrower tenders funds to us on behalf of the servicer, then we just pass the funds over to the service[r]." Boylan Decl., Exh. B at 159:20-25. The witness makes no use of the term "agent" and repeatedly objected to Mr. Boylan's characterization of Trustee Corps' actions as "collection." <i>See e.g., id.</i> at Exh. B at 155:15-19, 156:11-15.</p>
17.	<p>MTC's creditor clients generally require as part of their contracts with MTC that MTC provide a debt-collector, "mini-Miranda warning", to debtors or otherwise inform borrowers to the effect that MTC is a debt collector.</p> <p><u>Supporting Evidence</u> <i>See</i> Exhibit "B" (Cathe Cole-Sherburn Deposition), at 79-80, 89-90, 124-129.</p>	<p><u>Objection: Relevance (NRS 48.025)</u> In Exh. B at 79-80, Ms. Cole-Sherburn is discussing a policy that was revised in December 2015. Ceran Decl., ¶ 9 and Exh. C thereto (at pp. 77-78). The witness explicitly stated that she did not know whether this policy was in effect prior to 2014. In Exh. B at 89-90, the witness is discussing a policy that was revised in 2014 or 2015. Exh. B at 89. There is no evidence indicating that any of these policies were in place before April 5, 2011. In any event, none of these policies are relevant to the foreclosure on Sansota's property, which took place from 2010-2011.</p>

No.	Material Fact ¹	Response
18.	From at least 2007 to the present, MTC has had an entire department dedicated to handling pay-off and reinstatement of defaulted loans, in response to requests from Nevada borrowers and third parties.	<u>Disputed: Misstates Evidence</u> The cited evidence does not indicate that this group has existed since 2007.
	<u>Supporting Evidence</u> See Exhibit "B" (Cathe Cole-Sherburn Deposition), at 42-44.	<u>Objection: Relevance (NRS 48.025)</u> There is no evidence that Sansota engaged in any communication with Trustee Corps with regard to reinstatement or pay-off. Therefore, the existence of this group has no relevance to Sansota's motion.
19.	MTC's reinstatement and pay-off process includes receiving (i.e. collecting) money from Nevada debtors, depositing the funds in MTC's trust account, and then passing the money on to MTC's creditor-clients.	<u>Objection: Relevance (NRS 48.025)</u> There is no evidence that Sansota engaged in any communication with Trustee Corps with regard to reinstatement or pay-off. Therefore, Trustee Corps' pay-off and reinstatement process have no relevance to Sansota's motion..
	<u>Supporting Evidence</u> Exhibit "B" (Cathe Cole-Sherburn Deposition), at 45.	<u>Objection: Lack of Foundation (NRS 50.025):</u> Further, Ms. Cole-Sherburn began working at Trustee Corps on April 5, 2011 and there is no foundation for testimony relating to Trustee Corps' practices before April 5, 2011.
20.	As part of MTC's pay-off and reinstatement activities, MTC regularly receives checks and thus collects money, from Nevada borrowers and third parties to pay off or reinstate defaulted mortgage loans in the State of Nevada.	<u>Objection: Relevance (NRS 48.025)</u> There is no evidence that Sansota engaged in any communication with Trustee Corps with regard to reinstatement or pay-off. Therefore, Trustee Corps' pay-off and reinstatement activities have no relevance to Sansota's motion.
	<u>Supporting Evidence</u> Exhibit "B" (Cathe Cole-Sherburn Deposition), at 42-44.	<u>Objection: Lack of Foundation (NRS 50.025):</u> Further, Ms. Cole-Sherburn began working at Trustee Corps on April 5, 2011 and there is no foundation for testimony relating to Trustee Corps' practices before April 5, 2011.
21.	As part of MTC's defaulted loan pay off and reinstatement activities, MTC employees communicate – whether by phone or in writing or both – pay off and reinstatement quotes to Nevada borrowers and third parties.	<u>Objection: Relevance (NRS 48.025)</u> There is no evidence that Sansota engaged in any communication with Trustee Corps with regard to reinstatement or pay-off. Therefore, Trustee Corps' pay-off and reinstatement activities have no relevance to Sansota's motion.
	<u>Supporting Evidence</u> Exhibit "B" (Cathe Cole-Sherburn Deposition), at 42-44.	<u>Objection: Lack of Foundation (NRS 50.025):</u> Further, Ms. Cole-Sherburn began working at Trustee Corps on April 5, 2011 and there is no foundation for testimony relating to Trustee Corps' practices before April 5, 2011.

No.	Material Fact ¹	Response
22.	MTC currently has approximately 40 employees located in Red Rock Nevada, alone. <u>Supporting Evidence</u> Exhibit "B" (Cathe Cole-Sherburn Deposition), at 34.	<u>Objection: Relevance (NRS 48.025)</u> There is no evidence that Sansota engaged in any communication with Trustee Corps. The number of Trustee Corps' employees does not tend to prove or disprove any relevant fact in this action. The number of current employees is irrelevant to the events in issue which took place in 2010-2011.
23.	MTC has approximately 15 employees in the State of Nevada who handle calls from Nevada debtors; MTC currently receives approximately 40 such calls a month. In 2011, MTC had approximately triple the number of calls from Nevada debtors, for approximately 100 to 120 such calls per month. <u>Supporting Evidence</u> Exhibit "B" (Cathe Cole-Sherburn Deposition), at 36-38.	<u>Objection: Relevance (NRS 48.025)</u> There is no evidence that Sansota had any telephonic communications with Trustee Corps. The number of employees who handle calls and the volume of calls that Trustee Corps receives are irrelevant to any issue in this case. <u>Objection: Lack of Foundation (NRS 50.025):</u> Further, Ms. Cole-Sherburn began working at Trustee Corps on April 5, 2011 and there is no foundation for testimony relating to Trustee Corp's calls before April 5, 2011.
24.	It is and was, including between 2007-2012, MTC's policy and practice when it receives checks from Nevada borrowers and third-parties for payment on defaulted debts to confirm with MTC's creditor clients whether the checks should be accepted by MTC on the clients' behalf. <u>Supporting Evidence</u> Exhibit "B" (Cathe Cole-Sherburn Deposition), at 44.	<u>Disputed: Misstates Evidence</u> Ms. Cole-Sherburn made no representations as to Trustee Corps' practices prior to April 5, 2011, and has no personal knowledge to make any such representations. Boylan Decl., Exh. B at 44. <u>Objection: Relevance (NRS 48.025)</u> There is no record evidence that Sansota made any payments to Trustee Corps. Therefore, Trustee Corps' procedures regarding the processing of checks are irrelevant.
25.	If MTC receives checks from Nevada debtors or third-parties that are made out to MTC's creditor-clients, MTC generally forwards the checks directly to the creditor-clients for processing. <u>Supporting Evidence</u> Exhibit "B" (Cathe Cole-Sherburn Deposition), at 55-56.	<u>Objection: Relevance (NRS 48.025)</u> There is no record evidence that Sansota made any payments to Trustee Corps. Therefore, Trustee Corps' procedures regarding the processing of checks are irrelevant.
26.	All <u>incoming</u> calls to MTC are greeted by an automated recording containing a statement (i.e., admission) to the effect that MTC is a debt collector and all information obtained may be used for that purpose. <u>Supporting Evidence</u>	<u>Disputed: Misstates Evidence</u> Ms. Cole-Sherburn testified that the policy at MTC00314 was revised in December 2015. Ceran Decl., ¶ 9 and Exh. C thereto. She expressly testified that she did not know whether there was a borrower communication policy in effect at Trustee Corps prior to 2014.

No.	Material Fact ¹	Response
	Exhibit "B" (Cathe Cole-Sherburn Deposition), at 79-80; Exhibit "T" (Cathe Cole-Sherburn Deposition), at MTC000314. Authenticated by Exhibit "B", at 73-74, 87-88, 93.	<u>Objection: Relevance (NRS 48.025)</u> There is no record evidence of any telephone calls made by Sansota to Trustee Corps.
27.	It is MTC's practice and procedure that all <u>outgoing</u> communications – including written communications and communications by phone – from MTC to borrowers and their representatives contain a "verbal mini-Miranda warning," admitting that MTC is a debt collector and seeking to collect on debt. <u>Supporting Evidence</u> Exhibit "T", at MTC000314. Authenticated by Exhibit "B" (Cathe Cole-Sherburn Deposition), at 73-74, 87-88, 93.	<u>Objection: Lack of Foundation (NRS 50.025)</u> Ms. Cole-Sherburn has no personal knowledge of any policies that existed before to April 5, 2011. Ceran Decl., ¶ 9 and Exh. C thereto.
28.	MTC's so-called warning generally consists of a statement disclosing that MTC is a debt collector and that the purpose of the communication - including calls - is to "collect debt" and that "any information . . . obtain[ed] will be used for that purpose." <u>Supporting Evidence</u> Exhibit "T", at MTC000314. [italics omitted]. Authenticated by Exhibit "B" (Cathe Cole-Sherburn Deposition), at 73-74, 87-88, 93.	<u>Objection: Relevance (NRS 48.025)</u> MTC00314 is dated January 2016. The record does not indicate the language used, if any, from 2007 to 2012. <u>Objection: Lack of Foundation (NRS 50.025)</u> Ms. Cole-Sherburn has no personal knowledge of any policies that existed before to April 5, 2011. Ceran Decl., ¶ 9 and Exh. C thereto.
29.	It generally has been MTC's policy, procedure, and practice since at least 2011 for MTC to give Nevada debtors MTC's direct contact information in communications so that Nevada debtors can communicate <u>directly</u> with MTC (rather than its creditor-clients) regarding pay-off or reinstatement of defaulted debts. <u>Supporting Evidence</u> Exhibit "B" (Cathe Cole-Sherburn Deposition), at 94-95.	<u>Objection: Relevance (NRS 48.025)</u> There is no record evidence that Sansota engaged in any communication with Trustee Corps with regard to reinstatement or pay-off. Therefore, Trustee Corps' pay-off and reinstatement activities have no relevance to Sansota's motion. Further, MTC's policies and procedures in effect after March 2011 are irrelevant to MTC's interactions with the Sansotas from July 2010 to March 2011.
30.	MTC received no less than \$1889.41 from its creditor-client, Wells Fargo Bank, N.S., as payment for MTC's services relating to the named Plaintiffs	<u>Disputed: Misstates Evidence</u> The cited evidence indicates that Trustee Corps billed Wells Fargo that amount; it does not indicate that that amount was

No.	Material Fact ¹	Response
	Raymond and Francine Sansota. <u>Supporting Evidence</u> Exhibit "J", at TC000072. Authenticated by Exhibit "B" (Cathe Cole-Sherburn Deposition), at 107.	received from Wells Fargo.
31.	As to the named Plaintiff Sansotas' property in the State of Nevada, MTC sold the property on or about March 9, 2011, to a third-party buyer at a trustee's sale for \$51,000. MTC itself collected and then remitted these funds to its creditor-client, Wells Fargo Bank, N.A., on or about March 14, 2011, to apply them to the names Plaintiff Sansotas' defaulted loan. <u>Supporting Evidence</u> See Exhibit "J", at TC000069-TC000070. Authenticated at Exhibit "B" (Cathe Cole-Sherburn Deposition), at 105-107. See also Exhibit "B" (Cathe Cole-Sherburn Deposition), at 105-108.	<u>Disputed: Misstates Evidence</u> The cited evidence indicates that the funds from the non-judicial foreclosure sale were received by Trustee Corps and forwarded to Wells Fargo with the notation: "Orig to Benef Info: APPLY FUNDS TO LOAN #0192320398 Borrower SANSOTA, RAYMOND R./3RD PARTY."
32.	MTC's own internal records demonstrate that MTC deemed itself "Freddie Mac designated counsel (sic. . . authorized on behalf of Freddie Mac to delegate forbearance plans for all Freddie Mac loans." <u>Supporting Evidence</u> Exhibit "J", at MTC000113. Authenticated by Exhibit "B" (Cathe Cole-Sherburn Deposition), at 105-108.	<u>Objection: Relevance (NRS 48.025)</u> There is no record evidence that Sansota had any communications with Trustee Corps regarding forbearance plans. Therefore, Trustee Corps' designation by Freddie Mac to delegate forbearance plans is irrelevant. <u>Objection: Authentication (NRS 52.015(1))</u> Ms. Cole-Sherburn did not authenticate MTC000113. She expressly disclaimed knowledge of MTC000113 because it predated her tenure at Trustee Corps. Boylan Decl., Exh. B at 137.
33.	MTC's Senior VP of operations indicated that MTC was authorized by its client Federal Home Loan Mortgage Corporation ("FHLMC") to enter into loan forbearance plans on FHLMC's behalf with Nevada debtors relating to their defaulted debt from approximately 2007 through 2010. <u>Supporting Evidence</u> See Exhibit "B", at 136:8-137:5; see also Exhibit "J", at MTC000113. Authenticated by Exhibit "B" (Cathe Cole-Sherburn Deposition), at 105-108.	<u>Disputed: Misstates Evidence</u> Ms. Cole-Sherburn testified that Freddie Mac at one point had a forbearance program. She specifically disclaims knowledge as to whether Trustee Corps participated in the program and testified that Trustee Corps' activities for Freddie Mac were limited to non-judicial foreclosures. Ceran Decl., ¶ 9 and Exh. C thereto. <u>Objection: Relevance (NRS 48.025):</u> There is no record evidence that Sansota had any communications with Trustee Corps regarding forbearance plans. Therefore, Trustee Corps' authorization by Freddie Mac to enter into forbearance plans is irrelevant.

No.	Material Fact ¹	Response
		<u>Objection: Authentication (NRS 52.015(1))</u> No record evidence authenticates MTC000113. Ms. Cole-Sherburn expressly disclaims knowledge of MTC000113 because it predated her tenure at MTC. Boylan Decl., Exh. B at 137.
34.	In the case of Bijan Laghaei, MTC's own documents show that MTC negotiated a forbearance agreement with him in 2009 on behalf of its creditor-client (in its own words, MTC "placed borrower [i.e., Mr. Laghaei] in a forbearance agreement"), FHLMC, relating to Mr. Laghaei's defaulted debt, and received (i.e., collected) funds from Laghaei to reinstate his defaulted loan, which funds MTC sent to its creditor-client as payment on the loan. MTC collected thousands of dollars from Laghaei on behalf of its creditor-client.	<u>Disputed: Misstates Evidence</u> The cited evidence does not support the conclusion that Trustee Corps negotiated a forbearance agreement on behalf of FHLMC. The forbearance agreement states that it is between Mr. Laghaei and Bank of America and that payments are to be made to Bank of America. <u>Objection: Relevance (NRS 48.025)</u> There is no record evidence that Sansota had any communications with Trustee Corps regarding forbearance plans. Trustee Corps' alleged interactions with a third-party debtor are irrelevant. Further, Trustee Corps' interactions with Mr. Laghaei have no relevance to its interactions with Sansota.
	<u>Supporting Evidence</u> Exhibit "J", at MTC000113-MTC000157, especially MTC000113 and MTC000117. Authenticated by Exhibit "B" (Cathe Cole-Sherburn Deposition), at 105-108.	<u>Objection: Authentication (NRS 52.015(1))</u> No record evidence authenticates MTC000113-57. Ms. Cole-Sherburn expressly disclaims knowledge of MTC000113 because it predated her tenure at MTC. Boylan Decl., Exh. B at 137.
35.	MTC charged Laghaei a fee of no less than \$150.00 for its services negotiating a forbearance agreement with him relating to his defaulted debt on behalf of his creditor-clients, FHLMC, in 2009.	<u>Disputed: Misstates Evidence</u> The cited evidence does not support the conclusion Trustee Corps charged Laghaei a fee for "negotiating a forbearance agreement." <u>Objection: Relevance (NRS 48.025)</u> There is no record evidence that Sansota had any communications with Trustee Corps regarding forbearance plans. Therefore, Trustee Corps' alleged fee for work related to Mr. Laghaei's forbearance agreement is irrelevant. Further, MTC's interactions with Mr. Laghaei have no relevance to Trustee Corps' interactions with Sansota.
	<u>Supporting Evidence</u> Exhibit "J", at MTC000113-MTC000157. Authenticated by Exhibit "B" (Cathe Cole-Sherburn Deposition), at 105-108.	<u>Objection: Authentication (NRS 52.015(1))</u> No record evidence authenticates MTC000113-57.

No.	Material Fact ¹	Response
36.	<p>Maria Diaz was employed by MTC from 2009 to 2011.</p> <p><u>Supporting Evidence</u> Exhibit "C", at 11, 42-43. Authenticated by Boylan <u>Moving Declaration</u>, at ¶6.</p>	Undisputed
37.	<p>Ms. Diaz worked for MTC in its Reinstatements Department for approximately 3 months. She admitted that she informed Mr. Boylan when they spoke on the phone that her work in this capacity included handling files in the State of Nevada</p> <p><u>Supporting Evidence</u> Exhibit "C" (Maria Diaz Deposition), at 14-15.</p>	<p><u>Disputed: Misstates Evidence</u> At deposition, Ms. Diaz states that she could not remember whether she handled files in Nevada while working in Trustee Corps' Reinstatement Department. Boylan Decl., Exh. C at 14.</p>
38.	<p>According to Ms. Diaz, MTC's reinstatement work involved homeowners who had not paid their payments on their loans. The reinstatement amounts provided by Ms. Diaz on behalf of MTC to such homeowners were the amount of money that the homeowners were behind on their loans.</p> <p><u>Supporting Evidence</u> Exhibit "C" (Maria Diaz Deposition), at 17-18.</p>	<p><u>Objection: Relevance (NRS 48.025)</u> There is no evidence that Sansota had any communications with Trustee Corps regarding reinstatement, and Ms. Diaz's understanding of "reinstatement work" has no bearing on MTC's interactions with the Sansotas.</p>
39.	<p>As part of her reinstatement work for MTC, Ms. Diaz would communicate with debtors through inbound calls from them to MTC. Ms. Diaz estimated that she received approximately 3 inbound calls regarding reinstatements per day, and that each call was approximately 5 minutes. During these calls, she would speak with debtors about reinstatement amounts so that the debtors would know the amounts they needed to pay to reinstate their defaulted loans. The bulk of the rest of her working time was spent preparing and processing reinstatement quotes.</p> <p><u>Supporting Evidence</u> Exhibit "C" (Maria Diaz Deposition), at 20-22.</p>	<p><u>Objection: Relevance (NRS 48.025)</u> There is no record evidence that Sansota made any calls to Trustee Corps. Trustee Corps' practices related to inbound calls are irrelevant to Sansota's motion.</p>

No.	Material Fact ¹	Response
40.	Ms. Diaz' reinstatement work also involved accounting as she was involved in collecting money from debtors. Ms. Diaz would receive checks from debtors and put them on a deposit slip. This work could take a full 8 hours on her busiest days, and at least around 5 hours on other days. <u>Supporting Evidence</u> Exhibit "C" (Maria Diaz Deposition), at 22-23.	<u>Objection: Calls for Legal Conclusion (NRS 50.265)</u> Ms. Diaz described her work as receiving checks and putting them in a deposit slip. Whether the work constituted "collecting" money as defined by any debt collection statute is a legal conclusion. <u>Objection: Relevance (NRS 48.025)</u> There is no evidence that Sansota had any communications with Trustee Corps regarding reinstatement. Thus, the nature of Ms. Diaz's reinstatement work is irrelevant to Sansota's motion.
41.	According to Ms. Diaz, approximately 840 checks is fair estimate of the number of checks that she collected each day and wrote deposit slips for while employed by MTC in its Reinstatements Department. <u>Supporting Evidence</u> Exhibit "C" (Maria Diaz Deposition), at 24-25.	<u>Objection: Relevance (NRS 48.025)</u> There is no record evidence that Sansota made any payments to Trustee Corps. The number of deposit slips processed by Ms. Diaz is irrelevant to Sansota's motion.
42.	As far as Ms. Diaz recalled, the checks that she received came from different debtors located in all the states that MTC serviced, (including Nevada). <u>Supporting Evidence</u> Exhibit "C" (Maria Diaz Deposition), at 26-28.	<u>Disputed: Misstates evidence</u> Ms. Diaz makes no mention of Nevada, and previously stated that she did not remember whether her work in the Reinstatement Department included Nevada. Boylan Decl., Exh. C at 14. <u>Objection: Relevance (NRS 48.025)</u> There is no record evidence that Sansota made any payments to Trustee Corps. The source of checks for reinstated loans is irrelevant to Sansota's motion.
43.	Ms. Diaz had a basic understanding that her employer, MTC, was collecting money on behalf of a bank with respect to loans they were not paid. <u>Supporting Evidence</u> Exhibit "C" (Maria Diaz Deposition), at 29.	<u>Objection: Relevance (NRS 48.025)</u> There is no record evidence that Ms. Diaz communicated with Sansota. Ms. Diaz's understanding of Trustee Corps' work is not relevant to Sansota's motion.
44.	While employed by MTC in its Reinstatements Department, Ms. Diaz would give the names and phone numbers of debtors that called her	<u>Objection: Relevance (NRS 48.025)</u> There is no evidence that Sansota had any communications with Trustee Corps regarding reinstatement. The manner in

No.	Material Fact ¹	Response
	<p>regarding reinstatement to her supervisor so that she could return their calls.</p> <p><u>Supporting Evidence</u> Exhibit "C" (Maria Diaz Deposition), at 31-32.</p>	<p>which Trustee Corps responded in general to inquiries about reinstatement is irrelevant to Sansota's motion.</p>
45.	<p>The information Ms. Diaz provided when preparing reinstatement documents to give debtors included a "breakdown" of how much money a particular debtor owed on the lender or bank. It would also include the name and address of the particular debtors. Ms. Diaz would use MTC's computer system or database to prepare reinstatement documents, print them out, and then mail the documents to the debtors (or give the documents to someone else at MTC to mail).</p> <p><u>Supporting Evidence</u> Exhibit "C" (Maria Diaz Deposition), at 37-39.</p>	<p><u>Objection: Relevance (NRS 48.025)</u> There is no evidence that Sansota had any communications with Trustee Corps regarding reinstatement. The manner in which Trustee Corps responded in general to inquiries about reinstatement is irrelevant to Sansota's motion.</p>
46.	<p>Ms. Diaz estimated that she may have prepared as many as 80 reinstatement documents (or quotes) on average per day. The reinstatement template that she used in preparing these documents had a phone number on it for the recipient debtors to call MTC. Those who called the number usually wanted to know what the amount was to reinstate their defaulted loans.</p> <p><u>Supporting Evidence</u> Exhibit "C" (Maria Diaz Deposition), at 40-41.</p>	<p><u>Objection: Relevance (NRS 48.025)</u> There is no evidence that Sansota had any communications with Trustee Corps regarding reinstatement. The manner in which Trustee Corps responded in general to inquiries about reinstatement is irrelevant to Sansota's motion.</p>
47.	<p>As part of her reinstatement work for MTC, Ms. Diaz would also prepare separate pay-off documentation for every working day. Some of the checks that she received from debtors were to pay off the entire defaulted debt; some were simply to reinstate the defaulted loan. Ms. Diaz estimated that she typically received perhaps 5 reinstatements and 2 pay-off checks per working day.</p>	<p><u>Objection: Relevance (NRS 48.025)</u> There is no evidence that Sansota had any communications with Trustee Corps regarding reinstatement. The manner in which Ms. Diaz performed her daily responsibilities is irrelevant to Sansota's motion.</p>

No.	Material Fact ¹	Response
	<u>Supporting Evidence</u> Exhibit "C" (Maria Diaz Deposition), at 45-47.	
48.	The reinstatement work Ms. Diaz performed for MTC also involved processing checks for third-party foreclosures or funds. Her understanding of "third-party deposits" is that they were "checks from someone other than the homeowner who is in default on the loan." In her experience, such checks typically were from foreclosures conducted by MTC. She would collect these checks and fill out deposit slips to deposit the money into MTC's account. <u>Supporting Evidence</u> Exhibit "C" (Maria Diaz Deposition), at 47-50.	<u>Objection: Relevance (NRS 48.025)</u> There is no evidence that Sansota had any communications with Trustee Corps regarding reinstatement. The manner in which Ms. Diaz performed her daily responsibilities is irrelevant to Sansota's motion. Ms. Diaz' understanding of third-party deposits is also irrelevant.
49.	Ms. Diaz was involved while employed by MTC in sending to Wells Fargo Bank, N.A., the funds reflected in Exhibits 2 and 5 at her deposition. According to Ms. Diaz, these funds reflected that MTC collected money from a third party, and the money that was collected on that loan was then wire transferred by her on behalf of MTC to the lender or creditor (Wells Fargo, N.A.). <u>Supporting Evidence</u> Exhibit "C" (Maria Diaz Deposition), at 73-75; <i>see also</i> Exhibits "G" and "J" hereto. Authenticated by Exhibit "D" (Terry Johnsen Deposition), at 42, 51-53, and Exhibit "B" (Cathe Cole-Sherburn Deposition), at 105-107.	<u>Disputed: Misstates Evidence</u> Ms. Diaz repeatedly stated that she had no recollection of MTC000069. Boylan Decl., Exh. C at 74. <u>Objection: Authentication (NRS 52.015(1))</u> Ms. Johnsen did not offer any testimony regarding the identity of "Exhibit 1." Boylan Decl., Exh. D at 42, 51-53. Ms. Diaz stated that she had no recollection of MTC000069. <i>Id.</i> at Exh. C at 74. Ms. Cole-Sherburn stated that she had never seen MTC000069 before. Boylan Decl., Exh. B at 105.
50.	Terry Johnsen is co-owner and Vice-President of MTC and has held that position for over twenty years. She holds 50% of MTC's shares. <u>Supporting Evidence</u> Exhibit "D" (Terry Johnsen Deposition), at 5-7.	Undisputed.
51.	Ms. Johnsen has her own office at MTC and typically works at least four hours per day, five days per week.	Undisputed.

No.	Material Fact ¹	Response
	<u>Supporting Evidence</u> Exhibit "D" (Terry Johnsen Deposition), at 8.	
52.	Ms. Johnsen testified that she has oversight responsibility at MTC for its banking, human resources, and payroll activities. <u>Supporting Evidence</u> Exhibit "D" (Terry Johnsen Deposition), at 8-9.	<u>Disputed: Misstates Evidence</u> Ms. Johnsen's human resources responsibilities consist entirely of overseeing payroll. Boylan Decl., Exh. E at 1.
53.	MTC's various management teams report to Ms. Johnsen and her husband and co-owner, Rande Johnsen. <u>Supporting Evidence</u> Exhibit "D" (Terry Johnsen Deposition), at 9:1-5, 10:24-11:1.	Undisputed.
54.	According to Ms. Johnsen, Gloria Juarez is in charge of legal compliance and human resources at MTC, and has held that position for over 14 years. <u>Supporting Evidence</u> Exhibit "D" (Terry Johnsen Deposition), at 9:14-19.	Undisputed.
55.	As co-owners of MTC, Mr. and Mrs. Johnsen share the power to hire and fire MTC's management team. <u>Supporting Evidence</u> Exhibit "D" (Terry Johnsen Deposition), at 11:4-12.	<u>Objection: Relevance (NRS 48.025)</u> Mr. and Ms. Johnsens' authority with respect to personnel decisions is not relevant to any of Trustee Corps' interactions with Sansota.
56.	Ms. Johnsen testified at her deposition that she and her husband, Mr. Johnsen, have the ultimate authority at MTC over its legal compliance in the State of Nevada, and have since at least 2007. <u>Supporting Evidence</u> Exhibit "D" (Terry Johnsen Deposition), at 16:16-21.	Undisputed.
57.	At her deposition, Ms. Johnsen testified that MTC obtained its collection agency license from the FID in Nevada, "[j]ust to have" it and for no other reason. She	<u>Objection: Relevance (NRS 48:025)</u> Trustee Corps' reason for obtaining a collection agency license in April 2012 is irrelevant to Sansota's motion.

No.	Material Fact ¹	Response
	<p>later stated that MTC applied to obtain its collection agency license in 2011 because MTC was “[j]ust expanding our business” in Nevada.</p> <p><u>Supporting Evidence</u> Exhibit “D” (Terry Johnsen Deposition), at 16:22-17:3;18:11-21; 19:11-13.</p>	
58.	<p>At her deposition, Ms. Johnsen testified that she attended at least one meeting of MTC’s management team in 2011 or before at which there was discussion of whether MTC should obtain a collection license from the FID.</p> <p><u>Supporting Evidence</u> Exhibit “D” (Terry Johnsen Deposition), at 25:9-27:12.</p>	<p><u>Disputed: Misstates Evidence</u> Ms. Johnsen corrected her transcript to state that she was not at a meeting. Boylan Decl., Exh. E.</p> <p><u>Objection: Relevance (NRS 48.025)</u> Whether Trustee Corps considered obtaining a collection license in 2011 or prior is irrelevant to Sansota’s motion.</p>
59.	<p>MTC counsel represented to the Discovery Commissioner that MTC obtained its collection agency license because MTC “was considering doing foreclosures for homeowners associations and they [i.e., MTC] thought they would need a loan collector’s license for that.” MTC counsel represented that MTC “determined that there would be a conflict of interest with their lender clients so they just threw up their hands and said we’re not going to do that [i.e., foreclosures for HOAs]. In the meantime they [i.e., MTC] got their license [from the FID], and they kept it.”</p> <p><u>Supporting Evidence</u> Exhibit “F”, at 122:19-123:5. Authenticated by Boylan <u>Moving Declaration</u> at ¶9.</p>	<p><u>Objection: Relevance (NRS 48.025)</u> The reason that Trustee Corps obtained its collection license in April 2012 is irrelevant to Sansota’s motion.</p> <p><u>Objection: Oath or Affirmation (NRS 50.035)</u> Trustee Corps’ counsel’s unsworn statement in the context of a Court hearing is not evidence.</p>
60.	<p>MTC counsel represented to the Discovery Commissioner that discussions within MTC regarding obtaining a collection agency license from the FID “may have happened as early as 2009, 2010.”</p> <p><u>Supporting Evidence</u> Exhibit “F” (Terry Johnsen Deposition), at 123:12-13.</p>	<p><u>Objection: Relevance (NRS 48.025)</u> The reason that Trustee Corps obtained its collection license in April 2012 is irrelevant to Sansota’s motion.</p> <p><u>Objection: Oath or Affirmation (NRS 50.035)</u> Trustee Corps’ counsel’s unsworn statement in the context of a Court hearing is not evidence.</p>

No.	Material Fact ¹	Response
61.	Ms. Johnsen described MTC's business activities in the state of Nevada as "[f]oreclosure trustee work." <u>Supporting Evidence</u> Exhibit "D" (Terry Johnsen Deposition), at 17:7-22.	<u>Objection: Relevance (NRS 48.025)</u> Ms. Johnsen's characterization of Trustee Corps' business activities in Nevada is irrelevant to Sansota's motion.
62.	According to Ms. Johnsen at her deposition, MTC's "management team" has authority over MTC employees who are involved in loan modifications or loan workouts. In July 2016, Cathe Cole-Sherburn, MTC's manager over operations was the particular member of MTC's management team who was in charge of MTC employees involved in loan modifications or loan workouts. <u>Supporting Evidence</u> Exhibit "D" (Terry Johnsen Deposition), at 24:5-20.	<u>Objection: Relevance (NRS 48.025)</u> There is no record evidence that Trustee Corps had communications with Sansota regarding loan modifications or workouts. Also, the identity of the person responsible for loan modifications and workouts in 2016 is irrelevant to the circumstances surrounding the foreclosure of Sansota's property in 2010-11.
63.	According to Ms. Johnsen, MTC's current management team in July 2016 was comprised of Cathe Cole-Sherburn, Gloria Juarez, Victor Hudgens, and Robert Ruelas. Each of these is a vice-president of MTC. <u>Supporting Evidence</u> Exhibit "D" (Terry Johnsen Deposition), at 29:6-24.	<u>Objection: Relevance (NRS 48.025)</u> The current composition of Trustee Corps' management team is irrelevant to the circumstances surrounding the foreclosure of Sansota' property in 2010-11.
64.	According to Ms. Johnsen, Ms. Cole-Sherburn is in charge of MTC's operations. Ms. Johnsen testified that she does not know of any limit on Ms. Cole-Sherburn's authority over MTC's operations. <u>Supporting Evidence</u> Exhibit "D" (Terry Johnsen Deposition), at 30:14-25.	<u>Disputed: Misstates Evidence</u> Ms. Johnsen stated that Ms. Cole-Sherburn's area of responsibility is "operations", and that there are no limitations to her authority with respect to "operations". She did not state that Ms. Cole-Sherburn is in charge of all of Trustee Corps' operations in general. <u>Objection: Relevance (NRS 48.025)</u> The powers and authorities of Trustee Corps' current management team are irrelevant to the circumstances surrounding the foreclosure of Sansota' property in 2010-11.
65.	As reflected in Exhibit 1 at her deposition, Ms. Johnsen testified that she is a co-owner of MTC is involved at least approximately once per working day in receiving or transferring funds on	<u>Disputed: Misstates Evidence</u> Ms. Johnsen estimated the number of times per day she signs wire transfers as "maybe once," not at least once.

No.	Material Fact ¹	Response
	<p>behalf of MTC, including funds received from defaulted debtors.</p> <p><u>Supporting Evidence</u> Exhibit "D" (Terry Johnsen Deposition), at 45:1-46:15, 47:16-25; <i>see also</i> Exhibit "G", authenticated by Exhibit "D" (Terry Johnsen Deposition), at 42, 51-53.</p>	<p><u>Objection: Relevance (NRS 48.025)</u> There is no record evidence of Sansota transferring funds to Trustee Corps. Thus, the frequency with which Ms. Johnsen currently is involved in transferring funds received from defaulted debtors is irrelevant to Sansota's motion.</p>
66.	<p>Ms. Johnsen testified that only she and her husband, Rande Johnsen, as co-owners of MTC have signature authority over MTC's bank accounts.</p> <p><u>Supporting Evidence</u> Exhibit "D" (Terry Johnsen Deposition), at 47:4-13.</p>	<p><u>Objection: Relevance (NRS 48.025)</u> The identities of the persons at Trustee Corps who have signature authority over its bank accounts are irrelevant to any issue raised by Sansota's motion.</p>
67.	<p>At her deposition, Ms. Johnsen testified that her best estimate of the amount of money MTC collected each year between 2007 and 2012 on behalf of lender clients and related to defaulted debtors is at least more than \$7 million.</p> <p><u>Supporting Evidence</u> Exhibit "D" (Terry Johnsen Deposition), at 64:17-66:18.</p>	<p><u>Objection: Relevance (NRS 48.025)</u> Ms. Johnsen's estimate of how much Trustee Corps collected on behalf of lender clients is irrelevant to any issue raised by Sansota's motion. Moreover, there is no record evidence that the estimated amounts reflect monies relating to activities in Nevada, as opposed to the other states in which Trustee Corps operates.</p> <p><u>Objection: Lack of Foundation (NRS 50.025):</u> The record does not establish a foundation for the testimony of this witness with respect to her knowledge of such amounts.</p>
68.	<p>At her deposition, Ms. Johnsen testified that MTC has a phone bank (i.e., a location where MTC employees operate MTC's phones) in each of MTC's four offices, including one in the state of Nevada. Ms. Johnsen estimated that MTC's Nevada office had more than 10 employees working its phone bank in July 2016. She estimated that MTC's employees handling its phones in the State of Nevada made more than 100 phone calls on behalf of MTC per month. She confirmed that these calls included communications with debtors who are in default on their loans.</p> <p><u>Supporting Evidence</u> Exhibit "D" (Terry Johnsen Deposition), at 77:6-78:14, 84:2-18.</p>	<p><u>Objection: Relevance (NRS 48.025)</u> Ms. Johnsen's estimate of the nature of Trustee Corps' phone banks is irrelevant to issues raised by Sansota's motion.</p> <p><u>Objection: Lack of Foundation (NRS 50.025):</u> The record does not establish a foundation for the testimony of this witness with respect to her knowledge of the operations of Trustee Corps' Nevada office during the relevant time period, 2010-2011. It also does not establish that the phone calls concerned issues relating to properties in Nevada, as opposed to properties in the other states in which Trustee Corps operates.</p>

No.	Material Fact ¹	Response
69.	Ms. Johnsen testified at her deposition that as reflected in Exhibit 4 at TC00069, MTC would remit or send funds collected by MTC to its lender clients (whether the money was collected for reinstatement or pay-off of the loans or through sale of property at non-judicial foreclosure).	<u>Disputed: Misstates Evidence</u> Ms. Johnsen stated that she did not recognize TC00069. Boylan Decl., Exh. D at 124. Ms. Cole-Sherburn also did not recognize TC00069. Boylan Decl., Exh. B at 105. <u>Objection: Authentication (NRS 52.015(1))</u> No record evidence authenticates TC00069.
	<u>Supporting Evidence</u> Exhibit "D" (Terry Johnsen Deposition), at 124:3-125:14; <i>see also</i> Exhibit "H", at TC000069. Authenticated by Exhibit "B" (Cathe Cole-Sherburn Deposition), at 105-107.	
70.	Ms. Johnsen testified that the cashier's check reflected in Exhibit 4 at TC000071 is the money MTC collected, put in its trust account in March 2011, and then transferred to its lender client, Wells Fargo, N.A., on March 14, 2011, relating to the Plaintiff Sansotas.	<u>Disputed: Misstates Evidence</u> Ms. Johnsen confirmed that TC000071 is a copy of two cashier's checks for a total of \$51,000 that Trustee Corps received, deposited in its trust account, and transferred to Wells Fargo. Ms. Johnsen's testimony does not connect MTC00071 to Sansota. No evidence indicates that Sansota paid, received, or were otherwise affected by the funds in MTC000071.
	<u>Supporting Evidence</u> Exhibit "D", at 127:5-19; <i>see also</i> Exhibit "H", at TC000071. Authenticated by Exhibit "D" (Terry Johnsen Deposition), at 114, 127.	
71.	Ms. Cole testified at her deposition that MTC may have applied for its collection agency license from the FID as early as 2009.	<u>Objection: Lack of foundation (NRS 50.025)</u> Ms. Cole-Sherburn was not employed by Trustee Corp in 2009, and the record does not establish how she has personal knowledge of this alleged application.
	<u>Supporting Evidence</u> Exhibit "B" (Cathe Cole-Sherburn Deposition), at 23-24.	<u>Objection: Relevance (NRS 48.025)</u> Applications by Trustee Corps for a collection agency license in 2009 are not relevant to any issue relating to Trustee Corps' interaction with Sansota. In any event, Sansota's evidence indicates that Trustee Corps applied for a collection agency license in 2012. Boylan Decl., Exh. I at MTC000336.
72.	Ms. Juarez testified at her deposition that she would match the check to the loan number of the defaulted Nevada debt, and advise the banking client that the funds were remitted on the defaulted loan.	<u>Disputed: Ambiguous</u> The statement does not specify the nature of the checks to which it refers.
	<u>Supporting Evidence</u> Exhibit "1" (Gloria Juarez Deposition), at pp. 30-31. Authenticated by Boylan	<u>Objection: Relevance (NRS 48.025)</u> Sansotas have not alleged that they made any payments to Trustee Corps. How Ms. Juarez handled money for Trustee Corps is irrelevant to the issues raised in Sansota's motion.

No.	Material Fact ¹	Response
	<u>Reply Declaration</u> , at ¶2.	
73.	Ms. Juarez testified at her deposition that the same applies to the millions of dollars MTC collected as agent for its clients on Nevada as this was admitted to her testimony, as MTC's Senior Vice-President of accounting, and employee of MTC since 2002.	Undisputed that Ms. Juarez has been an employee of Trustee Corps since 2002 and is currently Trustee Corps's Senior-Vice President of Accounting and HR.
	<u>Supporting Evidence</u> Exhibit "1" (Gloria Juarez Deposition), at pp 11-12, 38.	<u>Disputed: Ambiguous</u> The statement does not specify what "the same" means.
		<u>Objection: Relevance (NRS 48.025)</u> Sansotas have not alleged that they made any payments to Trustee Corps. How Ms. Juarez handled money for Trustee Corps is irrelevant to the issues raised in Sansota's motion.
74.	According to Ms. Juarez, for one period of a limited example, 2008 to 2011, the number of incoming checks to MTC with respect to Nevada defaulted loans was at least 300 checks per month, or about 50-65 checks per week. About 30% of the checks, or least 75 to 100 checks were directly from Nevada borrowers. In 2008-2011, MTC collected more than \$100,000.00 dollars each month with respect to defaulted Nevada debts. All of these checks were with respect to MTC's clients' defaulted loans.	<u>Objection : Relevance (NRS 48.025)</u> Sansota has not alleged that they made any payments to Trustee Corps. How many incoming checks Trustee Corps processed with respect to defaulted Nevada loans and the amounts of those checks is irrelevant to the issues raised in Sansota's motion.
	<u>Supporting Evidence</u> Exhibit "1", (Gloria Juarez Deposition), at pp. 35, 36, 37, 38 and 39.	
75.	Ms. Juarez would endorse the checks payable to MTC with a stamp.	<u>Objection: Relevance (NRS 48.025)</u> Sansota has not alleged that they made any payments to Trustee Corps. How Ms. Juarez handled money for Trustee Corps is irrelevant to the issues raised in Sansota's motion.
	<u>Supporting Evidence</u> Exhibit "1" (Gloria Juarez Deposition), at pp. 33-34.	
76.	At his deposition, Mr. Rande Johnsen stated clearly that foreclosure is a means and method of collecting on defaulted debts (which is the business MTC performs as the agent of and on behalf of its lender clients).	<u>Objection: Relevance (NRS 48.025)</u> Mr. Johnsen's opinion of the purposes of foreclosures is irrelevant to the issues raised in Sansota's motion.
	<u>Supporting Evidence</u> Exhibit "2" (Rande Johnsen Deposition), at pp. 42-45.	<u>Objection: Calls for a Legal Conclusion (NRS 50.265):</u> To the extent that Plaintiff seeks to rely on Mr. Johnsen's statements to demonstrate that foreclosure is "collection" within the

No.	Material Fact ¹	Response
	Authenticated by Boylan <u>Reply Declaration</u> , at ¶3.	meaning of NRS 649.020, such testimony calls for a legal conclusion.
		<u>Disputed: Misstates Evidence</u> Mr. Johnsen repeatedly objected to the characterization of foreclosure as debt collection and as a collection mechanism, stating "I don't know how it functions as debt collection" Boylen Decl., Exh. 2 at 44:22; see also Id. at 45:8-12.
77.	Rande Johnsen, MTC's owner and Chief Executive, recently admitted that he began studying for the Nevada test to be MTC's collection agency manager for Nevada in about 2009, and actually took the test in about 2009 to 2010. <u>Supporting Evidence</u> Exhibit "2" (Rande Johnsen Deposition), at pp. 73-34.	<u>Objection: Relevance (NRS 48.025)</u> Mr. Johnsen's preparation for a debt collection manager test is irrelevant to the issues raised in Sansota's motion.
78.	Although he attempted evasion and qualification, Rande Johnsen essentially admitted in his testimony that MTC's fees and costs are added to the debtors obligation to the lender. <u>Supporting Evidence</u> Exhibit "2" (Rande Johnsen Deposition), at p. 88.	<u>Objection: Relevance (NRS 48.025)</u> Sansota has not alleged that he paid any fees or costs associated with Trustee Corp's foreclosure of their property. Whether Trustee Corps' fees and costs are generally added to debtors' obligations to lenders is irrelevant to Sansota's motion. <u>Objection: Lack of Foundation (NRS 50.025):</u> The record does not establish a foundation for the testimony of this witness with respect to how any individual lender treated or applied Trustee Corps' fees and costs.
79.	Plaintiff Raymond Sansota testified at his deposition that MTC was conducting business as an unlicensed claim collection agency by telephoning the Sansotas and asking for payments on the defaulted mortgage loan held by MTC's client, Wells Fargo Bank. <u>Supporting Evidence</u> Exhibit "3" (Raymond Sansota Deposition), at pp. 28, 34, 35, 37, 40, 43, and 44. Authenticated by Boylan <u>Reply Declaration</u> , at ¶15.	<u>Disputed: Misstates Evidence</u> Raymond Sansota made no statements regarding whether Trustee Corps was conducting business as an unlicensed claim collection agency. Any such statements would be inadmissible legal conclusions. NRS 50.265 Raymond Sansota does not claim that Trustee Corps called him asking for payments on the defaulted mortgage loan held by Wells Fargo. He claims to have received a call at in the fall of 2010 from an entity he names as "MTC" asking for \$1,500. He variously describes the purpose of the payment as to "correct some kind of problem with the property", a "collection fee" or

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No.	Material Fact ¹	Response
		having to do with the property. Boylan Reply Decl. Exh. 3 at 36-38, 43. Raymond Sansota's testimony contradicts his sworn statement in response to interrogatories in which he stated that he could not "recall or identify at this time specific calls with anyone known by Responding Party to be employed by requesting party during the specified period." Declaration of Jerett T. Yan in Support of Defendant MTC Financial Inc. dba Trustee Corps': (1) Cross-Motion for Summary Judgment or, in the Alternative, Partial Summary Judgment Against Plaintiffs Raymond Sansota and Francine Sansota; and (2) Opposition to Motion for Partial Summary Judgment of Plaintiffs Raymond Sansota and Francine Sansota ("Yan Decl.") ¶ 7, Exh. D. Mr. Sansota's phone records also indicate that he received no calls from Trustee Corps during the relevant period. Yan Decl. ¶ 14, Exh. I. As Mr. Sansota offers no reasonable explanation for the contradictory statements, his statements should be construed against him. <i>Luciano v. Saint Mary's Preferred Health Ins. Co.</i> , 2016 WL 2740860, at *3 (Nev. 2016). <u>Objection: Hearsay (NRS 51.065)</u> Any testimony by Mr. Sansota about statements of the caller are inadmissible to prove the truth of the matter asserted therein. <u>Objection: Lacks Foundation</u> Mr. Sansota testimony at deposition lacks foundation. He was unable to remember who he spoke with, or even the gender of the caller, much less the specifics of the conversation. There is no basis for a conclusion that the caller's statements could bind Trustee Corps. Boylen Reply Decl., Exh. 3 at 34-36.

No.	Material Fact ¹	Response
80.	<p>MTC omitted the testimony of Raymond Sansota indicating that he became aware in 2020 of the beginning of MTC's claim collection/foreclosure activity against him based on a collection phone call from MTC in 2010. And, before he relocated to Ohio in 2010, he was aware based on that telephone communication that MTC process to take his home was going forward.</p> <p><u>Supporting Evidence</u> Exhibit "3", (Raymond Sansota Deposition), at pp. 28-29, 34-38, 47-78.</p>	<p><u>Disputed: Misstates Evidence</u> At deposition on November 17, 2016, Raymond Sansota responded to the question "When did you learn that your property had been sold at a foreclosure sale?" by stating "Just – well, I would say several months ago." Declaration of Allan E. Ceran in Support of Defendant MTC Financial's Opposition to Plaintiff's Motion for Summary Judgment ("Ceran Decl."), Exh. A at 32-33.</p> <p>Similarly, in response to the question "So do you remember when you found out that your house was being foreclosed on?" Mr. Sansota responded "It was years after, way after we left." Ceran Decl., Exh. A at 31.</p> <p>He further stated that he had just started at a job in Ohio when he received the alleged call. Boylen Reply Decl., Exh. 3 at 43.</p> <p>He made no changes to these statements after the deposition, instead, confirming its veracity. Yan Decl., Exh. J.</p> <p>Raymond Sansota's testimony also contradicts his sworn statement in response to interrogatories. Yan Decl., ¶ 7, Exh. D. Mr. Sansota's phone records also indicate that he received no calls from Trustee Corps during the relevant period. Yan Decl. ¶ 14, Exh. I. As he offers no reasonable explanation for the contradictory statements, his statements should be construed against him. <i>Luciano v. Saint Mary's Preferred Health Ins. Co.</i>, 2016 WL 2740860, at *3 (Nev. 2016).</p>
81.	<p>MTC Admissions regarding collection activities, in the voice of CEO, Rande Johnsen.</p> <p><u>Supporting Evidence</u> Exhibit "4" is a flash-drive which contains live video and audio recording from a seminar presented by Rande Johnsen entitled "To Foreclose or not to</p>	<p><u>Objection: Authentication (NRS 52.015(1) and Lacks Foundation (NRS 50.025)</u> There is no record evidence demonstrating what the contents of this flash drive are and no foundation for Mr. Boylan's statements regarding it.</p> <p>Sansota states that this flash-drive contains a presentation by Rande Johnsen "who self-</p>

No.	Material Fact ¹	Response
	Foreclose?" Authenticated by Boylan Reply Declaration, at ¶7.	identifies by voice". Boylen Reply Decl. ¶ 5. To the extent that Sansota relies on NRS 52.065 to authenticate this evidence, he is in error. NRS 52.065 merely states: "A voice, whether heard firsthand or through mechanical or electronic transmission or recording, is sufficiently identified by opinion based upon hearing the voice at any time under circumstances connecting it with the alleged speaker." It has no relevance here. There is no record evidence demonstrating that the voice on the flash-drive is that of Rande Johnsen.
		<u>Objection: Relevance (NRS 48.025)</u> Statements allegedly made in a presentation regarding Trustee Corps' activities have no bearing on any matter raised in Sansota's motion. There is no evidence connecting these alleged practices with Trustee Corps' operations in Nevada from July 2010 to March 2011, much less to the foreclosure involving Sansota.
		<u>Objection: Hearsay (NRS 51.065)</u> Any statements on this flash drive are inadmissible hearsay without exception and cannot be introduced to support the truth of the matters asserted. No record evidence supports Sansota's contention that the speaker is Rande Johnsen.
		<u>Objection: Oath or Affirmation (NRS 50.035)</u> Any purported testimony on this flash drive is unsworn and not evidence.
83.	MTC admissions regarding activities of collections in foreclosure, the tools of foreclosure reflecting the element of coercion as a means of collection and stating that foreclosure gets the homeowners attention, forces a limited timeframe and that most people give up. Admits that those conducting foreclosure must be familiar with debt collection laws, such as the FDCPA. Identified various collection	<u>Objection: Authentication (NRS 52.015(1) and Lacks Foundation (NRS 50.025)</u> There is no indication as to what this presentation is. Plaintiff's counsel stated at the deposition of Rande Johnsen that he found this presentation on the internet. Boylen Decl. Exh. 2 at 127. When shown Exhibit 6 at his deposition, Mr. Johnsen denied any knowledge of the presentation. Id. at 126.

No.	Material Fact ¹	Response
	<p>methodologies and alternatives and strategies such as reinstatement, payoff and short payoff, forbearance or repayment plan, modification, dead in lieu of foreclosure and workouts.</p> <p><u>Supporting Evidence</u> Exhibit "6" contains true and accurate copies of the Power Point pages from a seminar presented by Rande Johnsen, MTC's Chief Executive, controlling person and owner of MTC, entitled "Insider Secrets From A Foreclosure Trustee Investing In Junior Liens".</p> <p>Authenticated by Boylan Reply Declaration, at ¶12; Exhibit "2", (Rande Johnsen Deposition) at pp. 125, 126, 127, 131, 132, 133, 144, 149, 150, 151.</p>	<p><u>Objection: Relevance (NRS 48.025)</u> Statements allegedly made in a presentation regarding Trustee Corps' activities have no bearing on any matter raised in Sansota's motion. There is no evidence connecting these alleged practices with Trustee Corps' operations in Nevada from July 2010 to March 2011, much less to the foreclosure involving Sansota.</p> <p><u>Objection: Hearsay (NRS 51.065)</u> The statements in the presentation cannot be used to prove the truth of the matters asserted (i.e. the nature of Trustee Corps' business practices). They are not admissions because Plaintiff has provided no evidence as to who made these statements. Mr. Johnsen, who Plaintiff alleges gave the presentation, denied knowledge of it. Boylen Reply Decl. Exh. 2 at 126.</p>
84.	<p>At his deposition, Rande Johnsen admitted that MTC receives money from Nevada debtors on defaulted loans for purposes of reinstating the loans that are in default with MTC's clients.</p> <p><u>Supporting Evidence</u> Exhibit "2", (Rande Johnsen Deposition) at p. 79.</p>	<p><u>Disputed: Evidence Not in Record</u> Page 79 of Rande Johnsen's deposition is not in the record. There is no record evidence indicating that Mr. Johnsen made any such statement.</p>
85.	<p>The Sansotas never entered into any type of contract with Defendant MTC Financial Inc. dba Trustee Corps.</p> <p><u>Supporting Evidence</u> Raymond Sansota Declaration, at ¶2.</p>	<p><u>Disputed: Misstates Evidence</u> Sansota entered into the Deed of Trust with regard to their property, which authorized the trustee to take actions in accordance with the Deed of Trust in the event of default. Johnsen Decl., Exh. A. Trustee Corps was the trustee under the deed of trust at the time of the sale. Boylen Decl., Exh. H at TC000038.</p>

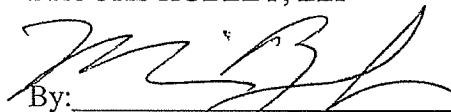
ISSUE NO. 2: Whether Trustee Corps conducted business as an Unlicensed Collection Agent in Nevada Prior to April 19, 2012

No.	Material Fact	Response
	Nos. 1 through 71 above are incorporated herein by reference.	Responses to Nos. 1 through 71 are incorporated herein by reference.

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DATED this 10th day of March, 2017.

BROOKS HUBLEY, LLP



By: _____

Michael R. Brooks, Esq.
1645 Village Center Circle, Suite 60
Las Vegas, NV 89134
Attorneys for Defendant
*MTC FINANCIAL INC. dba TRUSTEE
CORPS*

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the County of Clark, State of Nevada, am over the age of 18 years and not a party to this action. My business address is that of Brooks Hubley, LLP, 1645 Village Center Cir., Ste. 60, Las Vegas, NV 89134.

I HEREBY CERTIFY that on this day, I did service, via the Eight Judicial District Court Case Filing System, a copy of the above and foregoing **MTC FINANCIAL INC. dba TRUSTEE CORPS' OBJECTIONS TO THE SEPARATE STATEMENT IN SUPPORT OF SANSOTA'S PRELIMINARY OPPOSITION TO TRUSTEE CORPS' CROSS-MOTION FOR SUMMARY** to the following: (NOTE: All parties not registered pursuant to Administrative Order 14-2 have been served by mail.):

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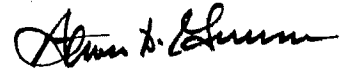
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Via U.S. Mail to:

Antoinette Gill
4754 Deer Forest
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PRO SE

Dated this 10th day of March, 2017.


An employee of BROOKS HUBLEY, LLP



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Attorneys for Defendant MTC FINANCIAL INC.
dba TRUSTEE CORPS

DISTRICT COURT

CLARK COUNTY, NEVADA

JEFFREY BENKO, a Nevada resident;
CAMILO MARTINEZ, a California
resident; ANA MARTINEZ, a California
resident; FRANK SCINTA, a Nevada
resident; JACQUELINE SCINTA, a Nevada
resident; SUSAN HJORTH, a Nevada
resident; RAYMOND SANSOTA, a Ohio
resident; FRANCINE SANSOTA, a Ohio
resident; SANDRA KUHN, a Nevada
resident; JESUS GOMEZ, a Nevada
resident; SILVIA GOMEZ, a Nevada
resident; DONNA HERRERA, a Nevada
resident; ANTOINETTE GILL, a Nevada
resident; JESSE HENNIGAN, a Nevada
resident; KIM MOORE, a Nevada resident;
THOMAS MOORE, a Nevada resident;
SUS KALLEN, a Nevada resident;
ROBERT MANDARICH, a Nevada
resident; JAMES NICO, a Nevada resident
and PATRICIA TAGLIAMONTE, a
Nevada resident

Plaintiffs,

///

Case No. A-11-649857-C

Dept. No.: XXIX

**MTC FINANCIAL INC. dba TRUSTEE
CORPS' OBJECTIONS TO THE
SUPPLEMENTAL SEPARATE
STATEMENT IN SUPPORT OF THE
REPLY MEMORANDUM OF RAYMOND
SANSOTA AND FRANCINE SANSOTA IN
SUPPORT OF MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Hearing date: March 14, 2017
Time: 9:00 a.m.

1 vs.

2 QUALITY LOAN SERVICE
3 CORPORATION, a California Corporation;
4 APPLETON PROPERTIES, LLC, a Nevada
5 Limited Liability Company; MTC
6 FINANCIAL, INC. dba TRUSTEE CORPS,
7 a California Corporation; MERIDIAN
8 FORECLOSURE SERVICE, a California
9 and Nevada Corporation dba MTDS, Inc.,
10 dba MERIDIAN TRUST DEED SERVICE;
11 NATIONAL DEFAULT SERVICING
12 CORPORATION, a Arizona Corporation;
13 CALIFORNIA RECONVEYANCE
14 COMPANY, a California Corporation; and
15 DOES 1 through 100, inclusive,

16 Defendants.

17 Defendant MTC Financial Inc. dba Trustee Corps ("Trustee Corps") submits the
18 following Objections to the new evidence submitted in Supplemental Separate Statement in
19 Support of the Reply Memorandum of Raymond Sansota and Francine Sansota (jointly,
20 "Sansota") in Support of Motion for Partial Summary Judgment Against Defendant MTC. It
21 previously served its Objections to Nos. 1 through 71 of Sansota's original Separate Statement.

No.	Material Fact	Response
72.	Ms. Juarez testified at her deposition that she would match the check to the loan number of the defaulted Nevada debt, and advise the banking client that the funds were remitted on the defaulted loan. <u>Supporting Evidence</u> Exhibit "1" (Gloria Juarez Deposition), at pp. 30-31. Authenticated by Boylan Reply Declaration, at ¶2.	<u>Disputed: Ambiguous</u> The statement does not specify the nature of the checks to which it refers. <u>Objection: Relevance (NRS 48.025)</u> Sansota has not alleged that he made any payments to Trustee Corps. How Ms. Juarez handled money for Trustee Corps is irrelevant to the issues raised in Sansota's motion.
73.	Ms. Juarez testified at her deposition that the same applies to the millions of dollars MTC collected as agent for its clients on Nevada as this was admitted to her testimony, as MTC's Senior Vice-President of accounting, and employee of MTC since 2002. <u>Supporting Evidence</u>	Undisputed that Ms. Juarez has been an employee of Trustee Corps since 2002 and is currently Trustee Corps's Senior-Vice President of Accounting and HR. <u>Disputed: Ambiguous</u> The statement does not specify what "the same" means.

1		Exhibit "1" (Gloria Juarez Deposition), at pp 11-12, 38.	<u>Objection: Relevance (NRS 48.025)</u> Sansota has not alleged that he made any payments to Trustee Corps. How Ms. Juarez handled payments made to Trustee Corps is irrelevant to the issues raised in Sansota's motion.
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5	74.	According to Ms. Juarez, for one period of a limited example, 2008 to 2011, the number of incoming checks to MTC with respect to Nevada defaulted loans was at least 300 checks per month, or about 50-65 checks per week. About 30% of the checks, or least 75 to 100 checks were directly from Nevada borrowers. In 2008-2011, MTC collected more than \$100,000.00 dollars each month with respect to defaulted Nevada debts. All of these checks were with respect to MTC's clients' defaulted loans.	<u>Objection : Relevance (NRS 48.025)</u> Sansota has not alleged that he made any payments to Trustee Corps. How many incoming checks Trustee Corps processed with respect to defaulted Nevada loans and the amounts of those checks is irrelevant to the issues raised in Sansota's motion.
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12		<u>Supporting Evidence</u> Exhibit "1", (Gloria Juarez Deposition), at pp. 35, 36, 37, 38 and 39.	
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14	75.	Ms. Juarez would endorse the checks payable to MTC with a stamp.	<u>Objection: Relevance (NRS 48.025)</u> Sansota has not alleged that he made any payments to Trustee Corps. How Ms. Juarez handled money for Trustee Corps is irrelevant to the issues raised in Sansota's motion.
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16		<u>Supporting Evidence</u> Exhibit "1" (Gloria Juarez Deposition), at pp. 33-34.	
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18	76.	At his deposition, Mr. Rande Johnsen stated clearly that foreclosure is a means and method of collecting on defaulted debts (which is the business MTC performs as the agent of and on behalf of its lender clients).	<u>Objection: Relevance (NRS 48.025)</u> Mr. Johnsen's opinion of the purposes of foreclosures is irrelevant to the issues raised in Sansota's motion.
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21		<u>Supporting Evidence</u> Exhibit "2" (Rande Johnsen Deposition), at pp. 42-45. Authenticated by Boylan Reply Declaration, at ¶3.	<u>Objection: Calls for a Legal Conclusion (NRS 50.265):</u> To the extent that Plaintiff seeks to rely on Mr. Johnsen's statements to demonstrate that foreclosure is "collection" within the meaning of NRS 649.020, such testimony calls for a legal conclusion.
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24			<u>Disputed: Misstates Evidence</u> Mr. Johnsen repeatedly disagreed with the characterization of foreclosure as debt collection and as a collection mechanism, stating "I don't know how it functions as debt collection" Boylen Reply Decl., Exh. 2 at 44:22; <i>see also id.</i> at 45:8-12.
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1	77.	Rande Johnsen, MTC's owner and Chief Executive, recently admitted that he began studying for the Nevada test to be MTC's collection agency manager for Nevada in about 2009, and actually took the test in about 2009 to 2010.	<u>Objection: Relevance (NRS 48.025)</u> Mr. Johnsen's preparation for a debt collection manager test is irrelevant to the issues raised in Sansota's motion.
2		<u>Supporting Evidence</u> Exhibit "2" (Rande Johnsen Deposition), at pp. 73-34.	
3	78.	Although he attempted evasion and qualification, Rande Johnsen essentially admitted in his testimony that MTC's fees and costs are added to the debtors obligation to the lender.	<u>Objection: Relevance (NRS 48.025)</u> Sansota has not alleged that he paid any fees or costs associated with Trustee Corps' foreclosure of their property. Whether Trustee Corps' fees and costs are generally added to debtors' obligations by lenders is irrelevant to Sansota's motion.
4		<u>Supporting Evidence</u> Exhibit "2" (Rande Johnsen Deposition), at p. 88.	
5			<u>Objection: Lack of Foundation (NRS 50.025):</u> The record does not establish a foundation for the testimony of this witness with respect to how any individual lender treated or applied Trustee Corps' fees and costs.
6	79.	Plaintiff Raymond Sansota testified at his deposition that MTC was conducting business as an unlicensed claim collection agency by telephoning the Sansotas and asking for payments on the defaulted mortgage loan held by MTC's client, Wells Fargo Bank.	<u>Disputed: Misstates Evidence</u> Raymond Sansota made no statements regarding whether Trustee Corps was conducting business as an unlicensed claim collection agency. Any such statements would be inadmissible legal conclusions. NRS 50.265
7		<u>Supporting Evidence</u> Exhibit "3" (Raymond Sansota Deposition), at pp. 28, 34, 35, 37, 40, 43, and 44. Authenticated by Boylan Reply Declaration, at ¶5.	Raymond Sansota does not claim that Trustee Corps called him asking for payments on the defaulted mortgage loan held by Wells Fargo. He claims to have received a call at in the fall of 2010 from an entity he names as "MTC" asking for \$1,500. He variously describes the purpose of the payment as to "correct some kind of problem with the property", a "collection fee" or having to do with the property. Boylan Reply Decl. Exh. 3 at 36-38, 43.
8			Raymond Sansota's testimony contradicts both his phone records and his sworn statement in response to interrogatories. See Defendant MTC Financial Inc. dba Trustee Corps' Objections to Additional Evidence Filed Belatedly by Plaintiffs Raymond Sansota and Francine Sansota in Support of Their Motion for Partial Summary Judgment

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		(“Trustee Corps’ Objections”); Yan Decl. ¶ 7, 14, Exh. D, I. As he offers no reasonable explanation for the contradictory statements, his statements should be construed against him. <i>Luciano v. Saint Mary's Preferred Health Ins. Co.</i> , 2016 WL 2740860, at *3 (Nev. 2016).
		<u>Objection: Hearsay (NRS 51.065)</u> Any testimony by Mr. Sansota about statements of the caller are inadmissible to prove the truth of the matter asserted therein.
		<u>Objection: Lacks Foundation (NRS 50.025)</u> Mr. Sansota testimony at deposition lacks foundation. He was unable to remember who he spoke with, or even the gender of the caller, much less the specifics of the conversation. There is no basis for a conclusion that the caller’s statements could bind Trustee Corps. Boylen Reply Decl., Exh. 3 at 34-36.

1	80.	MTC omitted the testimony of Raymond Sansota indicating that he became aware in 2020 of the beginning of MTC's claim collection/foreclosure activity against him based on a collection phone call from MTC in 2010. And, before he relocated to Ohio in 2010, he was aware based on that telephone communication that MTC process to take his home was going forward.	<u>Disputed: Misstates Evidence</u> At deposition on November 17, 2016, Raymond Sansota responded to the question "When did you learn that your property had been sold at a foreclosure sale?" by stating "Just – well, I would say several months ago." Declaration of Allan E. Ceran in Support of Defendant Trustee Corps' Opposition to Plaintiff's Motion for Summary Judgment ("Ceran Decl."), Exh. A at 32-33.
2		<u>Supporting Evidence</u> Exhibit "3", (Raymond Sansota Deposition), at pp. 28-29, 34-38, 47-78.	Similarly, in response to the question "So do you remember when you found out that your house was being foreclosed on?" Mr. Sansota responded "It was years after, way after we left." Ceran Decl., Exh. A at 31.
3			He further stated that he had just started at a job in Ohio when he received the alleged call. Boylen Reply Decl., Exh. 3 at 43.
4			He made no changes to these statements after the deposition, instead, confirming its veracity. Declaration of Jerett T. Yan in Support of Defendant MTC Financial Inc. dba Trustee Objections to Additional Evidence Filed Belatedly by Plaintiffs Raymond Sansota and Francine Sansota in Support of Their Motion for Partial Summary Judgment, Exh. J.
5			Raymond Sansota's testimony also contradicts both his phone records and his sworn statement in response to interrogatories. <i>See</i> TrusteeCorps' Objections; Yan Decl. ¶ 7, 14 Exh. D, I. As he offers no reasonable explanation for the contradictory statements, his statements should be construed against him. <i>Luciano v. Saint Mary's Preferred Health Ins. Co.</i> , 2016 WL 2740860, at *3 (Nev. 2016).
6	81.	MTC Admissions regarding collection activities, in the voice of CEO, Rande Johnsen.	<u>Objection: Authentication (NRS 52.015(1) and Lacks Foundation (NRS 50.025)</u> There is no record evidence demonstrating what the contents of this flash drive are and no foundation for Mr. Boylan's statements regarding it.
7		<u>Supporting Evidence</u> Exhibit "4" is a flash-drive which contains live video and audio recording from a seminar presented by Rande Johnsen entitled "To Foreclose or not to Foreclose?" Authenticated by Boylan Reply Declaration, at ¶7.	Sansota states that this flash-drive contains a presentation by Rande Johnsen "who self-identifies by voice". Boylen Reply Decl. ¶ 5. To the extent that Sansota relies on NRS

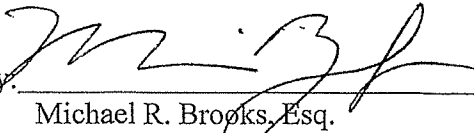
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		52.065 to authenticate this evidence, he is in error. NRS 52.065 merely states: "A voice, whether heard firsthand or through mechanical or electronic transmission or recording, is sufficiently identified by opinion based upon hearing the voice at any time under circumstances connecting it with the alleged speaker." It has no relevance here. There is no record evidence demonstrating that the voice on the flash-drive is that of Rande Johnsen.
		<u>Objection: Relevance (NRS 48.025)</u> Statements allegedly made in a presentation regarding Trustee Corps' activities have no bearing on any matter raised in Sansota's motion. There is no evidence connecting these alleged practices with Trustee Corps' operations in Nevada from July 2010 to March 2011, or to the foreclosure involving Sansota.
		<u>Objection: Hearsay (NRS 51.065)</u> Any statements on this flash drive are inadmissible hearsay without exception and cannot be introduced to support the truth of the matters asserted. No record evidence supports Sansota's contention that the speaker is Rande Johnsen.
		<u>Objection: Oath or Affirmation (NRS 50.035)</u> Any purported testimony on this flash drive is unsworn and not evidence.
83.	MTC admissions regarding activities of collections in foreclosure, the tools of foreclosure reflecting the element of coercion as a means of collection and stating that foreclosure gets the homeowners attention, forces a limited timeframe and that most people give up. Admits that those conducting foreclosure must be familiar with debt collection laws, such as the FDCPA. Identified various collection methodologies and alternatives and strategies such as reinstatement, payoff and short payoff, forbearance or repayment plan, modification, dead in lieu of foreclosure and workouts.	<u>Objection: Authentication (NRS 52.015(1) and Lacks Foundation (NRS 50.025)</u> There is no indication as to what this presentation is. Plaintiff's counsel stated at the deposition of Rande Johnsen that he found this presentation on the internet. Boylen Reply Decl. Exh. 2 at 127. When shown Exhibit 6 at his deposition, Mr. Johnsen denied any knowledge of the presentation. <i>Id.</i> at 126.
	<u>Supporting Evidence</u> Exhibit "6" contains true and accurate	<u>Objection: Relevance (NRS 48.025)</u> Statements allegedly made in a presentation regarding Trustee Corps's activities have no bearing on any matter raised in Sansota's motion. There is no evidence connecting these alleged practices with Trustee Corps' operations in Nevada from July 2010 to March 2011, or to the foreclosure involving

1	copies of the Power Point pages from a	Sansota.
2	seminar presented by Rande Johnsen,	
3	MTC's Chief Executive, controlling	
4	person and owner of MTC, entitled	
5	"Insider Secrets From A Foreclosure	
6	Trustee Investing In Junior Liens".	
7	Authenticated by Boylan Reply	<u>Objection: Hearsay (NRS 51.065)</u>
8	Declaration, at ¶12; Exhibit "2", (Rande	The statements in the presentation cannot be
9	Johnsen Deposition) at pp. 125, 126,	used to prove the truth of the matters
10	127, 131, 132, 133, 144, 149, 150, 151.	asserted (<i>i.e.</i> the nature of Trustee Corps'
11		business practices). They are not admissions
12		because Plaintiff has provided no evidence
13		as to who made these statements. Mr.
14		Johnsen, who Plaintiff alleges gave the
15		presentation, denied knowledge of it.
16		Boylan Reply Decl. Exh. 2 at 126.
17	84. At his deposition, Rande Johnsen	<u>Disputed: Evidence Not in Record</u>
18	admitted that MTC receives money	Page 79 of Rande Johnsen's deposition is not
19	from Nevada debtors on defaulted loans	in the record. There is no record evidence
20	for purposes of reinstating the loans that	indicating that Mr. Johnsen made any such
21	are in default with MTC's clients.	statement.
22	<u>Supporting Evidence</u>	
23	Exhibit "2", (Rande Johnsen	
24	Deposition) at p. 79.	
25	85. The Sansotas never entered into any	<u>Disputed: Misstates Evidence</u>
26	type of contract with Defendant MTC	Sansota entered into the Deed of Trust with
27	Financial Inc. dba Trustee Corps.	regard to their property, which authorized the
28	<u>Supporting Evidence</u>	trustee to take actions in accordance with the
	Raymond Sansota Declaration, at ¶2.	Deed of Trust in the event of default.
		Johnsen Decl., Exh. A. Trustee Corps was
		the trustee under the deed of trust at the time
		of the sale. Boylen Decl., Exh. H at
		TC000038.

DATED this 10th day of March, 2017.

BROOKS HUBLEY, LLP

By: 
Michael R. Brooks, Esq.
1645 Village Center Circle, Suite 60
Las Vegas, NV 89134
Attorneys for Defendant
MTC FINANCIAL INC. dba TRUSTEE
CORPS

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the County of Clark, State of Nevada, am over the age of 18 years and not a party to this action. My business address is that of Brooks Hubley, LLP, 1645 Village Center Cir., Ste. 60, Las Vegas, NV 89134.

I HEREBY CERTIFY that on this day, I did service, via the Eight Judicial District Court Case Filing System, a copy of the above and foregoing **MTC FINANCIAL INC. dba TRUSTEE CORPS' OBJECTIONS TO THE SUPPLEMENTAL SEPARATE STATEMENT IN SUPPORT OF THE REPLY MEMORANDUM OF RAYMOND SANSOTA AND FRANCINE SANSOTA IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT** to the following: (NOTE: All parties not registered pursuant to Administrative Order 14-2 have been served by mail.):

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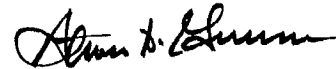
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Via U.S. Mail to:

Antoinette Gill
4754 Deer Forest
Las Vegas, NV 89139
PRO SE

Dated this 10th day of March, 2017.


An employee of BROOKS HUBLEY, LLP



CLERK OF THE COURT

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9 Attorneys for DEFENDANT MTC FINANCIAL
10 INC. dba TRUSTEE CORPS

11 DISTRICT COURT

12 CLARK COUNTY, NEVADA

13
14 JEFFREY BENKO, a Nevada resident;
15 CAMILO MARTINEZ, a California
resident; ANA MARTINEZ, a California
16 resident; FRANK SCINTA, a Nevada
resident; JACQUELINE SCINTA, a Nevada
17 resident; SUSAN HJORTH, a Nevada
resident; RAYMOND SANSOTA, a Ohio
18 resident; FRANCINE SANSOTA, a Ohio
resident; SANDRA KUHN, a Nevada
19 resident; JESUS GOMEZ, a Nevada
resident; SILVIA GOMEZ, a Nevada
20 resident; DONNA HERRERA, a Nevada
resident; ANTOINETTE GILL, a Nevada
21 resident; JESSE HENNIGAN, a Nevada
resident; KIM MOORE, a Nevada resident;
22 THOMAS MOORE, a Nevada resident;
SUS KALLEN, a Nevada resident;
23 ROBERT MANDARICH, a Nevada
resident; JAMES NICO, a Nevada resident
24 and PATRICIA TAGLIAMONTE, a
Nevada resident

25 Plaintiffs,

26 vs.

27 ///

Case No. A-11-649857-C

Dept. No.: XXIX

(ELECTRONIC FILING CASE)

**DECLARATION OF JERETT T. YAN IN
SUPPORT OF DEFENDANT MTC
FINANCIAL INC. dba TRUSTEE CORPS'
OBJECTIONS TO ADDITIONAL
EVIDENCE FILED BELATEDLY BY
PLAINTIFFS RAYMOND SANSOTA AND
FRANCINE SANSOTA IN SUPPORT OF
THEIR MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Hearing date: March 14, 2017
Time: 9:00 a.m.

**DECLARATION OF JERETT T. YAN ISO
OBJECTIONS TO SANSOTAS' ADD'L
EVIDENCE ISO THEIR MSJ**

1 QUALITY LOAN SERVICE
2 CORPORATION, a California Corporation;
3 APPLETON PROPERTIES, LLC, a Nevada
4 Limited Liability Company; MTC
5 FINANCIAL, INC. dba TRUSTEE CORPS,
6 a California Corporation; MERIDIAN
7 FORECLOSURE SERVICE, a California
8 and Nevada Corporation dba MTDS, Inc.,
9 dba MERIDIAN TRUST DEED SERVICE;
10 NATIONAL DEFAULT SERVICING
11 CORPORATION, a Arizona Corporation;
12 CALIFORNIA RECONVEYANCE
13 COMPANY, a California Corporation; and
14 DOES 1 through 100, inclusive,

15 Defendants.

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DECLARATION OF JERETT T. YAN

I, Jerett T. Yan, declare:

1. I am a member in good standing with the State Bar of California and an associate of Burke, Williams & Sorensen, LLP ("Burke"), counsel for defendant MTC Financial, Inc. dba Trustee Corps Inc. ("Trustee Corps") in this matter. I am one of the lawyers at Burke responsible for Trustee Corps' representation. I have personal knowledge of the facts set forth herein. If called as a witness, I would and could competently testify thereto.

2. As set forth on Trustee Corps' comment log for the Transaction File with regard to plaintiffs Raymond Sansota and Francine Sansota (the "Transaction File"), Trustee Corps opened its Transaction File on July 14, 2010 upon receiving a referral of the matter from its client. Declaration of Rande Johnsen in Support of Defendant MTC Financial Inc. dba Trustee Corps': (1) Cross-Motion for Summary Judgment or, in the Alternative, Partial Summary Judgment Against Plaintiffs Raymond Sansota and Francine Sansota; and (2) Opposition to Motion for Partial Summary Judgment of Plaintiffs Raymond Sansota and Francine Sansota ("Johnsen Decl."), ¶ 20 and Exh. P thereto (at page 12 and bearing control number TC000084).

3. The Transaction File remained open until March 14, 2011, when Trustee Corps received the proceeds from the sale at public auction of the Sansotas' property. Johnsen Decl. ¶ 20 and Exh. P thereto (at page 2 and bearing control number TC000074).

1 4. On July 12, 2016, Trustee Corps served "MTC Financial Inc. dba Trustee Corps'
2 First Set of Requests for Admission to Plaintiff Raymond Sansota" ("RFA, Set One") on Raymond
3 Sansota. Request for Admission No. 1 states: "Admit that YOU (YOU or YOUR refers to
4 Raymond Sansota) did not have any telephone calls with anyone at TRUSTEE CORPS from July
5 14, 2010 through March 15, 2011." Request for Admission No. 7 stated: "Admit that YOU never
6 had a telephone call with anyone at TRUSTEE CORPS asking for payment of a debt from July 14,
7 2010 through the present." A true and correct copy of RFA, Set One is attached hereto as Exhibit A
8 and incorporated by reference herein.

9 5. Raymond Sansota served his "Plaintiff Raymond Sansota's Responses to Defendant
10 MTC Financial Inc.'s First Set of Requests for Admissions" (RFA Responses") on August 30,
11 2016. In response to Request for Admission No. 1, Raymond Sansota stated "Denied at this time."
12 In response to Request for Admission No. 7, Raymond Sansota stated "Denied at this time." A true
13 and correct copy of the RFA Responses is attached hereto as Exhibit B and incorporated by
14 reference herein.

15 6. On July 12, 2016 Trustee Corps served "MTC Financial Inc. dba Trustee Corps'
16 First Set of Interrogatories to Plaintiff Raymond Sansota" (Interrogatories, Set One") on Raymond
17 Sansota concurrently with RFA, Set One. Interrogatory No. 1 states: "If YOUR (YOU or YOUR
18 refers to Raymond Sansota) response to request for admission no. 1 of TRUSTEE CORPS' First Set
19 of Requests for Admission is anything other than an unqualified admission, state all facts which
20 support YOUR response." Interrogatory No. 13 states: "If YOUR (YOU or YOUR refers to
21 Raymond Sansota) response to request for admission no. 7 of TRUSTEE CORPS' First Set of
22 Requests for Admission is anything other than an unqualified admission, state all facts which
23 support YOUR response." A true and correct copy of Interrogatories, Set One is attached hereto as
24 Exhibit C, and incorporated by reference herein.

25 7. Raymond Sansota served his "Plaintiff Raymond Sansota's Supplemental Responses
26 to Defendant MTC Financial Inc.'s Interrogatories, Set One" ("Supplemental Responses") on
27 Trustee Corps on or about November 16, 2016. In response to Interrogatory No. 1, Raymond
28 Sansota stated: **"Responding Party cannot recall or identify at this time specific calls with**

1 anyone known by Responding Party to be employed by requesting party during the specified
2 period." In response to Interrogatory No. 13, Raymond Sansota stated: "Responding Party
3 cannot recall or otherwise identify at this time any phone call with someone employed by
4 requesting party in which a request for payment of Responding Party's debt was made
5 during the relevant period." A true and correct copy of the Supplemental Responses and the
6 Verification thereto served on Trustee Corps on November 17, 2016 at the conclusion of the
7 deposition of Francine Sansota (along with Mr. Boylan's confirmatory email) are attached hereto as
8 Exhibit D and incorporated by reference herein.

9 8. As set forth in the Declaration of Gloria Juarez, filed concurrently herewith, during
10 the period that the Transaction File was active, *i.e.*, July 14, 2010 to March 14, 2011, Trustee
11 Corps' telephone provider was AT&T, and the telephone numbers used by Trustee Corps were
12 (949) 252-8300, (800) 201-1622, (800) 845-2178, and (800) 995-8688 (collectively "Trustee
13 Corps' Numbers"). Declaration of Gloria Juarez in Support of Defendant MTC Financial Inc. dba
14 Trustee Corps': (1) Cross-Motion for Summary Judgment or, in the Alternative, Partial Summary
15 Judgment Against Plaintiffs Raymond Sansota and Francine Sansota; and (2) Opposition to Motion
16 for Partial Summary Judgment of Plaintiffs Raymond Sansota and Francine Sansota, ¶ 1. These
17 numbers were displayed when calls emanated from them inasmuch as Trustee Corps did not
18 choose, or direct AT&T to utilize, any "blocking" feature in order to prevent the display of its
19 telephone numbers on the telephones to which the calls from those numbers were directed. *Id.*

20 9. In his responses to Trustee Corps' written discovery, Raymond Sansota stated that
21 from 2007 to present Verizon was his telephone service provider and that his telephone number was
22 (702) 249-7894. Plaintiff Raymond Sansota's Responses to Defendant MTC Financial Inc.'s
23 Interrogatories, Set Two, Response to Interrogatory No. 23. A true and correct copy of Raymond
24 Sansota's responses to Defendant MTC Financial Inc.'s Interrogatories, Set Two are attached hereto
25 as Exhibit E and incorporated by reference herein.

26 10. In his responses to Trustee Corps' written discovery, Francine Sansota stated that
27 from 2007 to present Verizon was her telephone service provider and that her telephone number
28 was (702) 539-5811. Plaintiff Francine Sansota's Responses to Defendant MTC Financial Inc.'s

DECLARATION OF JERETT T. YAN ISO
OBJECTIONS TO SANSOTAS' ADD'L
EVIDENCE ISO THEIR MSJ

1 Interrogatories, Set Two, Response to Interrogatory No. 23. A true and correct copy of Francine
2 Sansota's responses to Defendant MTC Financial Inc.'s Interrogatories, Set Two, are attached
3 hereto as Exhibit F and incorporated by reference herein.

4 11. On January 30, 2017, Trustee Corps served a subpoena duces tecum upon Cellco
5 Partnership dba Verizon Wireless ("Verizon") on January 30, 2017 ("Subpoena"). The Subpoena
6 sought "[a]ny and all cellular telephone logs, including but not limited to, incoming and outgoing
7 logs, call duration, missed call logs and/or blocked number requests and information for Plaintiffs,
8 RAYMOND SANSOTA and FRANCINE SANSOTA" from January 1, 2007 through December
9 31, 2012. A true and correct copy of the Subpoena is attached hereto as Exhibit G and incorporated
10 by reference herein.

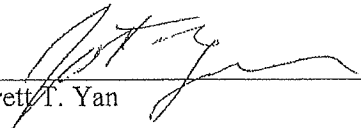
11 12. On March 2, 2017, Trustee Corps received Verizon's response to the Subpoena. It
12 included a declaration from George Martin, custodian of records for Verizon, certifying that the
13 records Verizon disclosed in response to the Subpoena are true and accurate copies of records
14 created from the information maintained by Verizon in the actual course of business, that it is
15 Verizon's ordinary practice to maintain such records, and that the records were made within a
16 reasonable time of the transactions stated therein (the "Verizon Records"). A true and correct copy
17 of Mr. Martin's Declaration is attached hereto as Exhibit H, bearing control number VzW00001,
18 and incorporated by reference herein.

19 13. In order to determine whether Trustee Corps made any telephone calls to either
20 Raymon Sansota or Francine Sansota during the time that the Transaction File remained open, I
21 reviewed the Verizon Records for the period June 16, 2010 to March 15, 2011 (the "Verizon
22 Records Excerpts"). A true and correct copy of the Verizon Records Excerpts, listing all incoming
23 and outgoing calls from (702) 249-7894 and (702) 539-5811 (collectively, the "Sansota Numbers")
24 from June 16, 2010 to March 15, 2011, is attached hereto as Exhibit I, bearing control number
25 VzW000453 to VzW000650 and incorporated by reference herein.

26 14. I have reviewed the Verizon Records Excerpts, and there are no incoming calls from
27 any of the Trustee Corps Numbers to the Sansota Numbers or outgoing calls from the Sansota
28 Numbers to the Trustee Corps Numbers from June 16, 2010 to March 15, 2011.

1 15. After reviewing the transcript of his deposition taken on November 17, 2016,
2 Raymond Sansota made no changes to the transcript and certified that it was true and correct.
3 Attached hereto as Exhibit J and incorporated by reference herein is the Raymond Sansota's
4 certification.

5 I declare under penalty of perjury under the laws of Nevada that the foregoing is true and
6 correct and that this declaration is executed this 10th day of March, 2017 at Oakland, California.

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10 Jerett T. Yan
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DECLARATION OF JERETT T. YAN ISO
OBJECTIONS TO SANSOTAS' ADD'L
EVIDENCE ISO THEIR MSJ

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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of BROOKS HUBLEY, LLP, and that on March __, 2017, that a true copy of the **DECLARATION OF JERETT T. YAN IN SUPPORT OF DEFENDANT MTC FINANCIAL INC. dba TRUSTEE CORPS': (1) CROSS-MOTION FOR SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT AGAINST PLAINTIFFS RAYMOND SANSOTA AND FRANCINE SANSOTA; AND (2) OPPOSITION TO MOTION FOR PARTIAL SUMMARY JUDGMENT OF PLAINTIFFS RAYMOND SANSOTA AND FRANCINE SANSOTA** was E-Served, e-mailed and/or by placing an original or true copy thereof in a sealed envelope, with sufficient postage affixed thereto, in the United States mail at Las Vegas, addressed to:

- Bryan Cave, LLP – Jessica R. Maziarz, Julie Martin, Kathryn Brown, Lawrence G. Scarborough, Lisa Kirkeby, Mary Ann Vila, and Sarah Burwick
- Christopher Legal Group - Shawn Christopher, Esq.
- Law Office of Nicholas A. Boylan, APC – Nicholas A. Boylan, Esq., Marina Vaisman
- McCarthy & Holthus - Kristin A. Schuler-Hintz, Esq., Thomas N. Beckom, Esq.
- Smith Larsen & Wixom – Elise Fossum, Katie Weber, and Kent F. Larsen, Esq.
- Tiffany & Bosco, P.A. - Gregory L. Wilde, Esq., Kevin S. Soderstrom, Esq.

Via U.S. Mail to:

Antoinette Gill
4754 Deer Forest
Las Vegas, NV 89139
PRO SE


An employee of BROOKS HUBLEY, LLP

EXHIBIT A

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9 Attorneys for Defendant, MTC FINANCIAL INC.
10 dba TRUSTEE CORPS (erroneously named herein
as MTC FINANCIAL, INC. dba TRUSTEE
11 CORPS)

12
13 **DISTRICT COURT**
14 **CLARK COUNTY, NEVADA**
15

16 JEFFREY BENKO, a Nevada resident;
CAMILO MARTINEZ, a California
17 resident; ANA MARTINEZ, a California
resident; FRANK SCINTA, a Nevada
18 resident; JACQUELINE SCINTA, a Nevada
resident; SUSAN HJORTH, a Nevada
19 resident; RAYMOND SANSOTA, a Ohio
resident; FRANCINE SANSOTA, a Ohio
20 resident; SANDRA KUHN, a Nevada
resident; JESUS GOMEZ, a Nevada
21 resident; SILVIA GOMEZ, a Nevada
resident; DONNA HERRERA, a Nevada
22 resident; ANTOINETTE GILL, a Nevada
resident; JESSE HENNIGAN, a Nevada
23 resident; KIM MOORE, a Nevada resident;
THOMAS MOORE, a Nevada resident;
24 SUS KALLEN, a Nevada resident;
ROBERT MANDARICH, a Nevada
25 resident; JAMES NICO, a Nevada resident
and PATRICIA TAGLIAMONTE, a
26 Nevada resident

27 Plaintiffs,
28 ///

Case No. A-11-649857-C

Dept. No.: XXIX

**MTC FINANCIAL INC. dba TRUSTEE
CORPS' FIRST SET OF REQUESTS FOR
ADMISSION TO PLAINTIFF RAYMOND
SANSOTA**

1 vs.

2 QUALITY LOAN SERVICE
3 CORPORATION, a California Corporation;
4 APPLETON PROPERTIES, LLC, a Nevada
5 Limited Liability Company; MTC
6 FINANCIAL, INC. dba TRUSTEE CORPS,
7 a California Corporation; MERIDIAN
8 FORECLOSURE SERVICE, a California
9 and Nevada Corporation dba MTDS, Inc.,
10 dba MERIDIAN TRUST DEED SERVICE;
11 NATIONAL DEFAULT SERVICING
12 CORPORATION, a Arizona Corporation;
13 CALIFORNIA RECONVEYANCE
14 COMPANY, a California Corporation; and
15 DOES 1 through 100, inclusive,

16 Defendants.

17
18 **REQUESTS FOR ADMISSION**

19 **PROPOUNDING PARTY:** DEFENDANT MTC FINANCIAL INC. dba
20 TRUSTEE CORPS ("TRUSTEE CORPS")
21 **RESPONDING PARTY:** PLAINTIFF RAYMOND SANSOTA
22 **SET NUMBER:** ONE

23 **PRELIMINARY STATEMENT**

24 **YOU ARE HEREBY REQUESTED**, pursuant to Nevada Rule of Civil Procedure
25 ("NRCP") 36, to admit the truth of each of the following requests in writing, under oath, and
26 within thirty (30) days of service hereof.

27 If you fail to comply with the provisions of NRCP 36 with respect to these requests for
28 admissions, each of the matters of which an admission is requested will be deemed admitted.

29 **REQUEST FOR ADMISSION NO. 1:**

30 Admit that YOU (YOU or YOUR refers to Raymond Sansota) did not have any telephone
31 calls with anyone at TRUSTEE CORPS from July 14, 2010 through March 15, 2011.

32 ///

1 **REQUEST FOR ADMISSION NO. 2:**

2 Admit that there is no electronic mail between YOU and anyone at TRUSTEE CORPS
3 from July 14, 2010 through March 15, 2011.

4 **REQUEST FOR ADMISSION NO. 3:**

5 Admit that there is no written correspondence between YOU and anyone at TRUSTEE
6 CORPS from July 14, 2010 through March 15, 2011.

7 **REQUEST FOR ADMISSION NO. 4:**

8 Admit that TRUSTEE CORPS never sent YOU a debt collection letter from July 14, 2010
9 through the present.

10 **REQUEST FOR ADMISSION NO. 5:**

11 Admit that TRUSTEE CORPS never sent YOU an electronic debt collection letter from
12 July 14, 2010 through the present.

13 **REQUEST FOR ADMISSION NO. 6:**

14 Admit that TRUSTEE CORPS never offered YOU a FORECLOSURE PREVENTION
15 ALTERNATIVE (FORECLOSURE PREVENTION ALTERNATIVE means a permanent loan
16 modification, temporary loan modification, short sale approval, or forbearance agreement).

17 **REQUEST FOR ADMISSION NO. 7:**

18 Admit that YOU never had a telephone call with anyone at TRUSTEE CORPS asking for
19 payment of a debt from July 14, 2010 through the present.

20 **REQUEST FOR ADMISSION NO. 8:**

21 Admit that YOU never had a meeting with anyone at TRUSTEE CORPS from July 14,
22 2010 through March 15, 2011.

23 **REQUEST FOR ADMISSION NO. 9:**

24 Admit that YOU never had a meeting with anyone at TRUSTEE CORPS asking for
25 payment of a debt from July 14, 2010 through the present.

26 **REQUEST FOR ADMISSION NO. 10:**

27 Admit that YOU have no damages arising out of the claims pleaded in YOUR operative
28 complaint.

1 **REQUEST FOR ADMISSION NO. 11:**

2 Admit that YOU have had no communication with TRUSTEE CORPS between March
3 15, 2011 and prior to the filing of the lawsuit.

4
5 DATED: 12th day of July, 2016.

6 GREENSPOON MARDER
7 3993 Howard Hughes Pkwy., #400
8 Las Vegas, NV 89169

9 By: /s/ Phillip A. Silvestri, Esq.
10 Phillip A. Silvestri, Esq.
11 Neal D. Gidvani, Esq.
12 Attorneys for Defendant, MTC FINANCIAL
13 INC. dba TRUSTEE CORPS
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1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of GREENSPOON MARDER,
3 and that on July 12, 2016, that I served a true copy of **MTC FINANCIAL INC. dba TRUSTEE**
4 **CORPS' FIRST SET OF REQUESTS FOR ADMISSION TO PLAINTIFF RAYMOND**
5 **SANSOTA** via electronic service, and/or by placing an original or true copy thereof in a sealed
6 envelope, with sufficient postage affixed thereto, in the United States mail at Las Vegas,
7 addressed to:

- 8 • Brooks Hubley LLP - Michael R. Brooks, Esq., Shaun M. Rose, Shantel Llanos, and Efile
9 @ Brooks Hubley, LLP
10 • Bryan Cave, LLP – Jessica R. Maziarz, Julie Martin, Kathryn Brown, Lawrence G.
11 Scarborough, Lisa Kirkeby, Mary Ann Vila, and Sarah Burwick
12 • Christopher Legal Group - Shawn Christopher, Esq.
13 • Law Office of Nicholas A. Boylan, APC – Nicholas A. Boylan, Esq., Marina Vaisman
14 • McCarthy & Holthus - Kristin A. Schuler-Hintz, Esq., Thomas N. Beckom, Esq.
15 • Smith Larsen & Wixom – Elise Fossum, Katie Weber, and Kent F. Larsen, Esq.
16 • Tiffany & Bosco, P.A. - Gregory L. Wilde, Esq., Kevin S. Soderstrom, Esq.

17 Via U.S. Mail to:

18 Antoinette Gill
19 4754 Deer Forest
20 Las Vegas, NV 89139
21 PRO SE

22 /s/ Phillip A. Silvestri, Esq.
23 An employee of GREENSPOON MARDER
24
25
26
27
28

EXHIBIT B

1 Nicholas A. Boylan, Esq.
2 Nevada Bar No. 5878
3 **LAW OFFICE OF NICHOLAS A. BOYLAN, APC**
4 444 West "C" Street, Suite 405
5 San Diego, CA 92101
6 Phone: (619) 696-6344
7 Fax: (619) 696-0478
8 nablawfirm@gmail.com

9 Shawn Christopher, Esq.
10 Nevada Bar No. 6252
11 **CHRISTOPHER LEGAL GROUP**
12 2520 Saint Rose Parkway, Suite 316
13 Henderson, NV 89074
14 Phone: (702) 737-3125
15 Fax: (702) 458-5412
16 sc@christopherlegal.com

17 Attorneys for Plaintiffs, except for Antoinette Gill

18 **DISTRICT COURT**

19 **CLARK COUNTY, NEVADA**

20 JEFFREY BENKO, a Nevada resident;
21 CAMILO MARTINEZ, a California
22 resident;
23 ANA MARTINEZ, a California resident;
24 FRANK SCINTA, a Nevada resident;
25 JACQUELINE SCINTA, a Nevada
26 resident; SUSAN HJORTH, a Nevada
27 resident; RAYMOND SANSOTA, a Ohio
28 resident; FRANCINE SANSOTA, a Ohio
resident;
SANDRA KUHN, a Nevada resident;
JESUS GOMEZ, a Nevada resident;
SILVIA GOMEZ, a Nevada resident;
DONNA HERRERA, a Nevada resident;
ANTOINETTE GILL, a Nevada resident;
JESSE HENNIGAN, a Nevada resident;
KIM MOORE, a Nevada resident;
THOMAS MOORE, a Nevada resident;
SUSAN KALLEN, a Nevada resident;
ROBERT MANDARICH, a Nevada
resident, JAMES NICO, a Nevada resident
and PATRICIA TAGLIAMONTE, a
Nevada resident

CASE NO: A-11-649857-C

Dept. 29

**PLAINTIFF RAYMOND
SANSOTA'S RESPONSES TO
DEFENDANT MTC FINANCIAL
INC.'S FIRST SET OF REQUEST
FOR ADMISSIONS**

1 Plaintiffs,
2 v.

3 QUALITY LOAN SERVICE
4 CORPORATION, a California
5 Corporation; APPLETON PROPERTIES,
6 LLC, a Nevada Limited Liability
7 Company; MTC FINANCIAL, INC. dba
8 TRUSTEE CORPS, a California
9 Corporation; MERIDIAN
10 FORECLOSURE SERVICE, a California
11 and Nevada Corporation dba MTDS, Inc.,
12 dba MERIDIAN TRUST DEED
13 SERVICE; NATIONAL DEFAULT
14 SERVICING CORPORATION, a Arizona
15 Corporation; CALIFORNIA
16 RECONVEYANCE COMPANY, a
17 California Corporation; and DOES 1
18 through 100, inclusive,

19 Defendants.

20 **PROPOUNDING PARTY:** DEFENDANT MTC FINANCIAL INC.
21 **RESPONDING PARTY:** PLAINTIFF RAYMOND SANSOTA
22 **SET NUMBER:** ONE

23 **GENERAL OBJECTIONS**

24 Each and every request for admission is generally objected to by Responding
25 Party for the reasons set forth herein. Unless otherwise noted, these general
26 objections form a part of the response, as though fully set forth therein, to each and
27 every request for admission and are set forth herein to avoid duplication and
28 repetition by restating them in the response to each request. Failure to incorporate
any of these general objections specifically should not be construed as a waiver of the
objection and is not a waiver of any objection. Responding Party incorporates the
following General Objections into the responses to each and every request:

1
PLAINTIFF RAYMOND SANSOTA'S RESPONSES TO DEFENDANT MTC FINANCIAL, INC.'S
REQUESTS FOR ADMISSIONS, SET ONE

1 privilege, Responding Party objects on that ground. No such information, if
2 any, will be provided.

- 3 2. Attorney Work Product Protection: To the extent that the requesting party
4 interprets any of the interrogatories to call for information protected as
5 attorney work product, the Responding Party objects on that ground. No such
6 information, if any, will be provided.

7 Subject to these foregoing objections, Responding Party responds to all
8 these interrogatories as follows:

9
10 **INTERROGATORY NO. 1:**

11 If YOUR (YOU or YOUR refers to Francine Sansota) response to request for
12 admission no. 1 of TRUSTEE CORPS' First Set of Requests for Admission is
13 anything other than an unqualified admission, state all facts which support YOUR
14 response.

15 **SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 1:**

16 Responding Party denied the request at this time because further investigation,
17 including through discovery, and analysis is needed before Responding Party can
18 admit or deny this request. Many phone calls occurred over a period of time, related
19 to the debt and/or foreclosure. The period of time at issue in the request is between 5
20 and 6 years ago. During that time, memories fade, and records or other documents
21 (including those that were not in Responding Party's possession, custody, or control)
22 may be lost or become unavailable. It is therefore possible that Responding Party
23 may no longer recall a telephone call (or calls) that he may have had with those at
24 requesting party. Responding Party may also not have realized at the time he spoke
25 with someone that the person was in fact associated with requesting party.
26 Responding Party cannot recall or identify at this time specific calls with anyone
27 known by Responding Party to be employed by requesting party during the specified
28 period.

- 1 1. Attorney/Client Privilege: To the extent that the requesting party interprets any
2 of the requests to call for information protected by the attorney/client privilege,
3 Responding Party objects on that ground. No such information, if any, will be
4 provided.
- 5 2. Attorney Work Product Protection: To the extent that the requesting party
6 interprets any of the requests to call for information protected as attorney work
7 product, the Responding Party objects on that ground. No such information, if
8 any, will be provided.
- 9

10 Subject to these foregoing objections, Responding Party responds to all
11 these requests as follows:

12 **REQUEST FOR ADMISSION NO. 1:**

13 Admit that YOU (YOU or YOUR refers to Raymond Sansota) did not have
14 any telephone calls with anyone at TRUSTEE CORPS from July 14, 2010 through
15 March 15, 2011.

16
17 **RESPONSE TO REQUEST FOR ADMISSION NO.1:**

18 Denied at this time.

19
20 **REQUEST FOR ADMISSION NO. 2:**

21 Admit that there is no electronic mail between YOU and anyone at TRUSTEE
22 CORPS from July 14, 2010 through March 15, 2011.

23
24 **RESPONSE TO REQUEST FOR ADMISSION NO.2:**

25 Admit.

1 **REQUEST FOR ADMISSION NO. 3:**

2 Admit that there is no written correspondence between YOU and anyone at
3 TRUSTEE CORPS from July 14, 2010 through March 15, 2011.

4
5 **RESPONSE TO REQUEST FOR ADMISSION NO.3:**

6 Denied.

7
8 **REQUEST FOR ADMISSION NO. 4:**

9 Admit that TRUSTEE CORPS never sent YOU a debt collection letter from
10 July 14, 2010 through the present.

11
12 **RESPONSE TO REQUEST FOR ADMISSION NO.4:**

13 Denied.

14
15 **REQUEST FOR ADMISSION NO. 5:**

16 Admit that TRUSTEE CORPS never sent YOU an electronic debt collection
17 letter from July 14, 2010 through the present.

18
19 **RESPONSE TO REQUEST FOR ADMISSION NO.5:**

20 Objection, vague and incomprehensible with respect to an "electronic" letter.
21 However, subject to the objection, see response to Requests for Admission No. 2.

22
23 **REQUEST FOR ADMISSION NO. 6:**

24 Admit that TRUSTEE CORPS never offered YOU a FORECLOSURE
25 PREVENTION ALTERNATIVE (FORECLOSURE PREVENTION
26 ALTERNATIVE means a permanent loan modification, temporary loan
27 modification, short sale approval, or forbearance agreement).

1
2 **RESPONSE TO REQUEST FOR ADMISSION NO.6:**

3 Denied at this time, subject to further investigation. Responding Party cannot
4 truthfully admit or deny the matter at this time, because, despite Responding Party
5 having made reasonable inquiry, the information known or readily obtainable by
6 Responding Party is insufficient to enable Responding Party to admit or deny it.
7 Further investigation, including depositions and other discovery, may be needed
8 before Responding Party has sufficient information to admit or deny the matter.
9

10 **REQUEST FOR ADMISSION NO. 7:**

11 Admit that YOU never had a telephone call with anyone at TRUSTEE CORPS
12 asking for payment of a debt from July 14, 2010 through the present.
13

14 **RESPONSE TO REQUEST FOR ADMISSION NO.7:**

15 Denied at this time.
16

17 **REQUEST FOR ADMISSION NO. 8:**

18 Admit that YOU never had a meeting with anyone at TRUSTEE CORPS from
19 July 14, 2010 through March 15, 2011.
20

21 **RESPONSE TO REQUEST FOR ADMISSION NO.8:**

22 Assuming that the request means an in-person meeting, Admit.
23

24 **REQUEST FOR ADMISSION NO. 9:**

25 Admit that YOU never had a meeting with anyone at TRUSTEE CORPS
26 asking for payment of a debt from July 14, 2010 through the present.
27

1 RESPONSE TO REQUEST FOR ADMISSION NO.9

2 Assuming that the request means an in-person meeting, Admit.

3
4 REQUEST FOR ADMISSION NO. 10:

5 Admit that YOU have no damages arising out of the claims pleaded in YOUR
6 operative complaint.

7
8 RESPONSE TO REQUEST FOR ADMISSION NO.10:

9 Denied.

10
11 REQUEST FOR ADMISSION NO. 11:

12 Admit that YOU have had no communication with TRUSTEE CORPS
13 between March 15, 2011 and prior to the filing of the lawsuit.

14
15 RESPONSE TO REQUEST FOR ADMISSION NO.11:

16 Admit.

17
18 Dated: August 30, 2016 LAW OFFICE OF NICHOLAS A. BOYLAN,
19 APC

20 By: /s/ Nicholas A. Boylan
21 Nicholas A. Boylan, Esq.
22 Attorney for Plaintiffs
23
24
25
26
27

EXHIBIT C

1 Richard J. Reynolds, Esq.
Nevada Bar No. 11864
2 E-mail: rreynolds@bwslaw.com
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3 1851 East First Street, Suite 1550
Santa Ana, CA 92705-4067
4 Tel: 949.863.3363 Fax: 949.863.3350

5 Phillip A. Silvestri (SBN 11276)
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6 Neal D. Gidvani (SBN 11382)
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7 GREENSPOON MARDER
3993 Howard Hughes Pkwy., #400
8 Las Vegas, NV 89169
Tel: 702.978.4249 Fax: 954.333.4256

9 Attorneys for Defendant, MTC FINANCIAL INC.
10 dba TRUSTEE CORPS (erroneously named herein
as MTC FINANCIAL, INC. dba TRUSTEE
11 CORPS)

12
13 **DISTRICT COURT**
14 **CLARK COUNTY, NEVADA**
15

16 JEFFREY BENKO, a Nevada resident;
CAMILO MARTINEZ, a California
17 resident; ANA MARTINEZ, a California
resident; FRANK SCINTA, a Nevada
18 resident; JACQUELINE SCINTA, a Nevada
resident; SUSAN HJORTH, a Nevada
19 resident; RAYMOND SANSOTA, a Ohio
resident; FRANCINE SANSOTA, a Ohio
20 resident; SANDRA KUHN, a Nevada
resident; JESUS GOMEZ, a Nevada
21 resident; SILVIA GOMEZ, a Nevada
resident; DONNA HERRERA, a Nevada
22 resident; ANTOINETTE GILL, a Nevada
resident; JESSE HENNIGAN, a Nevada
23 resident; KIM MOORE, a Nevada resident;
THOMAS MOORE, a Nevada resident;
24 SUS KALLEN, a Nevada resident;
ROBERT MANDARICH, a Nevada
25 resident; JAMES NICO, a Nevada resident
and PATRICIA TAGLIAMONTE, a
26 Nevada resident

27 Plaintiffs,
28

///

Case No. A-11-649857-C

Dept. No.: XXIX

**MTC FINANCIAL INC. dba TRUSTEE
CORPS' FIRST SET OF
INTERROGATORIES TO PLAINTIFF
RAYMOND SANSOTA**

1 vs.
2 QUALITY LOAN SERVICE
3 CORPORATION, a California Corporation;
4 APPLETON PROPERTIES, LLC, a Nevada
5 Limited Liability Company; MTC
6 FINANCIAL, INC. dba TRUSTEE CORPS,
7 a California Corporation; MERIDIAN
8 FORECLOSURE SERVICE, a California
9 and Nevada Corporation dba MTDS, Inc.,
10 dba MERIDIAN TRUST DEED SERVICE;
11 NATIONAL DEFAULT SERVICING
12 CORPORATION, a Arizona Corporation;
13 CALIFORNIA RECONVEYANCE
14 COMPANY, a California Corporation; and
15 DOES 1 through 100, inclusive,
16
17 Defendants.

12 **PROPOUNDING PARTY:** DEFENDANT MTC FINANCIAL INC. dba TRUSTEE
13 CORPS ("TRUSTEE CORPS")
14 **RESPONDING PARTY:** PLAINTIFF RAYMOND SANSOTA
15 **SET NUMBER:** ONE

16
17 **PRELIMINARY STATEMENT**

18 TO PLAINTIFF RAYMOND SANSOTA ("Responding Party") and his counsel of
19 record:

20 In accordance with Rule 33 of the Nevada Rules of Civil Procedure ("NRCP"), Defendant
21 MTC FINANCIAL, INC dba TRUSTEE CORPS ("TRUSTEE CORPS") hereby request that this
22 Responding Party, answer in writing and under oath, within thirty (30) days from the date of
23 service hereof, the following Interrogatories.

24 If an interrogatory is objected to, in whole or in part, or if information responsive to an
25 interrogatory is withheld due to privilege or other grounds, please set forth fully each objection,
26 describe generally the information which is withheld., and set forth the facts upon which you rely
27 as the as the basis for such objection.

28 ///

1 If you are unable to fully answer an interrogatory, you must answer that interrogatory to
2 the fullest extent possible, specifying the reason for your inability to answer the remainder and
3 stating whatever information, knowledge or belief you have concerning the unanswerable portion.

4 If information responsive to an interrogatory was previously provided pursuant to NRCP
5 16.1, please disclose this and indicate where in that prior response or case conference report the
6 information is located,

7 Pursuant to NRCP 26(e), you must supplement a previously provided response an
8 interrogatory to include information thereafter acquired, as follows:

9 1) A party is under a duty seasonably to supplement his response with respect to any
10 question directly addressed to (A) the identity and location of persons having knowledge of
11 discoverable matters, and (B) the identity of each person expected to be called as an expert
12 witness at trial, the subject matter on which he is expected to testify, and the substance of his
13 testimony.

14 2) A party is under a duty seasonably to amend a pilot response if he obtains
15 information upon the basis of which (A) he knows that the response was incorrect when made, or
16 (B) he knows that the response though correct when made is no longer true and the circumstances
17 are such that a failure to amend the response is in substance knowing concealment.

18 3) A duty to supplement responses may be imposed by order of the court, agreement
19 of the parties, and no later than 45 days prior to trial through new requests for supplementation of
20 prior responses.

21 4) No later than 45 days before trial, each party shall also supplement all prior
22 answers to interrogatories under Rule 33.

23
24 **INTERROGATORY NO. 1:**

25 If YOUR (YOU or YOUR refers to Raymond Sansota) response to request for admission
26 no. 1 of TRUSTEE CORPS' First Set of Requests for Admission is anything other than an
27 unqualified admission, state all facts which support YOUR response.

28 ///

1 **INTERROGATORY NO. 2:**

2 If YOUR response to request for admission no. 1 of TRUSTEE CORPS' First Set of
3 Requests for Admission is anything other than an unqualified admission, identify all PERSONS
4 (PERSON includes a natural person, firm, association, organization, partnership, business, trust,
5 limited liability company, corporation, or public entity and includes the PERSON's address,
6 telephone number, and e-mail address) with knowledge regarding YOUR response.

7 **INTERROGATORY NO. 3:**

8 If YOUR response to request for admission no. 2 of TRUSTEE CORPS' First Set of
9 Requests for Admission is anything other than an unqualified admission, state all facts which
10 support YOUR response.

11 **INTERROGATORY NO. 4:**

12 If YOUR response to request for admission no. 2 of TRUSTEE CORPS' First Set of
13 Requests for Admission is anything other than an unqualified admission, identify all PERSONS
14 with knowledge regarding YOUR response.

15 **INTERROGATORY NO. 5:**

16 If YOUR response to request for admission no. 3 of TRUSTEE CORPS' First Set of
17 Requests for Admission is anything other than an unqualified admission, state all facts which
18 support YOUR response.

19 **INTERROGATORY NO. 6:**

20 If YOUR response to request for admission no. 3 of TRUSTEE CORPS' First Set of
21 Requests for Admission is anything other than an unqualified admission, identify all PERSONS
22 with knowledge regarding YOUR response.

23 **INTERROGATORY NO. 7:**

24 If YOUR response to request for admission no. 4 of TRUSTEE CORPS' First Set of
25 Requests for Admission is anything other than an unqualified admission, state all facts which
26 support YOUR response.

27 ///

28 ///

1 **INTERROGATORY NO. 8:**

2 If YOUR response to request for admission no. 4 of TRUSTEE CORPS' First Set of
3 Requests for Admission is anything other than an unqualified admission, identify all PERSONS
4 with knowledge regarding YOUR response.

5 **INTERROGATORY NO. 9:**

6 If YOUR response to request for admission no. 5 of TRUSTEE CORPS' First Set of
7 Requests for Admission is anything other than an unqualified admission, state all facts which
8 support YOUR response.

9 **INTERROGATORY NO. 10:**

10 If YOUR response to request for admission no. 5 of TRUSTEE CORPS' First Set of
11 Requests for Admission is anything other than an unqualified admission, identify all PERSONS
12 with knowledge regarding YOUR response.

13 **INTERROGATORY NO. 11:**

14 If YOUR response to request for admission no. 6 of TRUSTEE CORPS' First Set of
15 Requests for Admission is anything other than an unqualified admission, state all facts which
16 support YOUR response.

17 **INTERROGATORY NO. 12:**

18 If YOUR response to request for admission no. 6 of TRUSTEE CORPS' First Set of
19 Requests for Admission is anything other than an unqualified admission, identify all PERSONS
20 with knowledge regarding YOUR response.

21 **INTERROGATORY NO. 13:**

22 If YOUR response to request for admission no. 7 of TRUSTEE CORPS' First Set of
23 Requests for Admission is anything other than an unqualified admission, state all facts which
24 support YOUR response.

25 **INTERROGATORY NO. 14:**

26 If YOUR response to request for admission no. 7 of TRUSTEE CORPS' First Set of
27 Requests for Admission is anything other than an unqualified admission, identify all PERSONS
28 with knowledge regarding YOUR response.

1 **INTERROGATORY NO. 15:**

2 If YOUR response to request for admission no. 8 of TRUSTEE CORPS' First Set of
3 Requests for Admission is anything other than an unqualified admission, state all facts which
4 support YOUR response.

5 **INTERROGATORY NO. 16:**

6 If YOUR response to request for admission no. 8 of TRUSTEE CORPS' First Set of
7 Requests for Admission is anything other than an unqualified admission, identify all PERSONS
8 with knowledge regarding YOUR response.

9 **INTERROGATORY NO. 17:**

10 If YOUR response to request for admission no. 9 of TRUSTEE CORPS' First Set of
11 Requests for Admission is anything other than an unqualified admission, state all facts which
12 support YOUR response.

13 **INTERROGATORY NO. 18:**

14 If YOUR response to request for admission no. 9 of TRUSTEE CORPS' First Set of
15 Requests for Admission is anything other than an unqualified admission, identify all PERSONS
16 with knowledge regarding YOUR response.

17 **INTERROGATORY NO. 19:**

18 If YOUR response to request for admission no. 10 of TRUSTEE CORPS' First Set of
19 Requests for Admission is anything other than an unqualified admission, state all facts which
20 support YOUR response.

21 **INTERROGATORY NO. 20:**

22 If YOUR response to request for admission no. 10 of TRUSTEE CORPS' First Set of
23 Requests for Admission is anything other than an unqualified admission, identify all PERSONS
24 with knowledge regarding YOUR response.

25 **INTERROGATORY NO. 21:**

26 If YOUR response to request for admission no. 11 of TRUSTEE CORPS' First Set of
27 Requests for Admission is anything other than an unqualified admission, state all facts which
28 support YOUR response.

1 **INTERROGATORY NO. 22:**

2 If YOUR response to request for admission no. 11 of TRUSTEE CORPS' First Set of
3 Requests for Admission is anything other than an unqualified admission, identify all PERSONS
4 with knowledge regarding YOUR response.

5
6 DATED: 12th day of July, 2016.

7 GREENSPOON MARDER
8 3993 Howard Hughes Pkwy., #400
9 Las Vegas, NV 89169

10 By: /s/ Phillip A. Silvestri, Esq.
11 Phillip A. Silvestri, Esq.
12 Neal D. Gidvani, Esq.
13 Attorneys for Defendant, MTC FINANCIAL
14 INC. dba TRUSTEE CORPS
15
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27
28

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of GREENSPOON MARDER,
3 and that on July 12, 2016, that I served a true copy of **MTC FINANCIAL INC. dba TRUSTEE**
4 **CORPS' FIRST SET OF INTERROGATORIES TO PLAINTIFF RAYMOND SANSOTA**
5 via electronic service, and/or by placing an original or true copy thereof in a sealed envelope,
6 with sufficient postage affixed thereto, in the United States mail at Las Vegas, addressed to:

- 7 • Brooks Hubley LLP - Michael R. Brooks, Esq., Shaun M. Rose, Shantel Llanos, and Efile
8 @ Brooks Hubley, LLP
9 • Bryan Cave, LLP – Jessica R. Maziarz, Julie Martin, Kathryn Brown, Lawrence G.
10 Scarborough, Lisa Kirkeby, Mary Ann Vila, and Sarah Burwick
11 • Christopher Legal Group - Shawn Christopher, Esq.
12 • Law Office of Nicholas A. Boylan, APC – Nicholas A. Boylan, Esq., Marina Vaisman
13 • McCarthy & Holthus - Kristin A. Schuler-Hintz, Esq., Thomas N. Beckom, Esq.
14 • Smith Larsen & Wixom – Elise Fossum, Katie Weber, and Kent F. Larsen, Esq.
15 • Tiffany & Bosco, P.A. - Gregory L. Wilde, Esq., Kevin S. Soderstrom, Esq.

16 Via U.S. Mail to:

17 Antoinette Gill
18 4754 Deer Forest
19 Las Vegas, NV 89139
20 PRO SE

21 /s/ Phillip A. Silvestri, Esq.
22 An employee of GREENSPOON MARDER
23
24
25
26
27
28

EXHIBIT D

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Attorneys for Plaintiffs, except for Antoinette Gill

DISTRICT COURT

CLARK COUNTY, NEVADA

JEFFREY BENKO, a Nevada resident;
CAMILO MARTINEZ, a California
resident; ANA MARTINEZ, a California
resident; FRANK SCINTA, a Nevada
resident; JACQUELINE SCINTA, a
Nevada resident; SUSAN HJORTH, a
Nevada resident; RAYMOND
SANSOTA, a Ohio resident; FRANCINE
SANSOTA, a Ohio resident; SANDRA
KUHN, a Nevada resident; JESUS
GOMEZ, a Nevada resident; SILVIA
GOMEZ, a Nevada resident; DONNA
HERRERA, a Nevada resident;
ANTOINETTE GILL, a Nevada resident;
JESSE HENNIGAN, a Nevada resident;
KIM MOORE, a Nevada resident;
THOMAS MOORE, a Nevada resident;
SUSAN KALLEN, a Nevada resident;
ROBERT MANDARICH, a Nevada
resident, JAMES NICO, a Nevada resident
and PATRICIA TAGLIAMONTE, a
Nevada resident

CASE NO: A-11-649857-C

Dept. 19

**PLAINTIFF RAYMOND
SANSOTA'S SUPPLEMENTAL
RESPONSES TO DEFENDANT
MTC FINANCIAL INC.'S
INTERROGATORIES, SET ONE**

**PLAINTIFF RAYMOND SANSOTA'S SUPPLEMENTAL RESPONSES TO DEFENDANT MTC FINANCIAL
INC.'S INTERROGATORIES, SET ONE**

1 Plaintiffs,
2 v.
3 QUALITY LOAN SERVICE
4 CORPORATION, a California
5 Corporation; MTC FINANCIAL, INC.
6 dba TRUSTEE CORPS, a California
7 Corporation; MERIDIAN
8 FORECLOSURE SERVICE, a California
9 and Nevada Corporation dba MTDS, Inc.,
10 dba MERIDIAN TRUST DEED
11 SERVICE; NATIONAL DEFAULT
12 SERVICING CORPORATION, a Arizona
13 Corporation; CALIFORNIA
14 RECONVEYANCE COMPANY, a
15 California Corporation; and DOES 1
16 through 100, inclusive,
17 Defendants.

14 **PROPOUNDING PARTY:** DEFENDANT MTC FINANCIAL INC. dba
15 TRUSTEE CORPS ("TRUSTEE CORPS")
16 **RESPONDING PARTY:** PLAINTIFF RAYMOND SANSOTA
17 **SET NUMBER:** ONE

18 **GENERAL OBJECTIONS**

19 Each and every interrogatory is generally objected to by Responding Party for
20 the reasons set forth herein. Unless otherwise noted, these general objections form a
21 part of the response, as though fully set forth therein, to each and every interrogatory
22 and are set forth herein to avoid duplication and repetition by restating them in the
23 response to each interrogatory. Failure to incorporate any of these general objections
24 specifically should not be construed as a waiver of the objection and is not a waiver
25 of any objection. Responding Party incorporates the following General Objections
26 into the responses to each and every interrogatory:

- 27 1. Attorney/Client Privilege: To the extent that the requesting party interprets any
28 of the interrogatories to call for information protected by the attorney/client

1 **INTERROGATORY NO. 2:**

2 If YOUR response to request for admission no. 1 of TRUSTEE CORPS' First
3 Set of Requests for Admission is anything other than an unqualified admission,
4 identify all PERSONS (PERSON includes a natural person, firm, association,
5 organization, partnership, business, trust, limited liability company, corporation, or
6 public entity and includes the PERSON's address, telephone number, and e-mail
7 address) with knowledge regarding YOUR response.

8 **SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 2:**

- 9 1. Plaintiff Raymond Sansota, who may be contacted through his counsel of
10 record;
11 2. Plaintiff Francine Sansota, who may be contacted through her counsel of
12 record;
13 3. All individuals associated with CH Mortgage Company I, Ltd., whose
14 names and addresses are unknown at this time but equally available to
15 requesting party;
16 4. All individuals involved with Wells Fargo Bank, whose names and
17 addresses are unknown at this time but equally available to requesting
18 party;
19 5. Rande Johnsen, who may be contacted through counsel for requesting
20 party;
21 6. Cathe Cole-Sherburn, who may be contacted through counsel for requesting
22 party;
23 7. Victor Hutchins, who may be contacted through counsel for requesting
24 party;
25 8. Ravi Jain Technijian, who may be contacted through counsel for requesting
26 party;
27 9. Carlos Marin Del Real, who may be contacted through counsel for
28 requesting party;

1 10.Juan Carrillo, whose current address is unknown at this time but equally
2 available to requesting party;
3 11.John Kennerty, whose current address is unknown at this time but equally
4 available to requesting party;
5 12.Clarisa Gastelum, who may be contacted through counsel for requesting
6 party;
7 13.Norma Gonzalez, whose current address is unknown at this time but
8 equally available to requesting party;
9 14.Gloria Juarez who may be contacted through counsel for requesting party;
10 15.Yancy Flores who may be contacted through counsel for requesting party;
11 16.Freddy Alvidrez, who may be contacted through counsel for requesting
12 party;
13 17.Heather Ebner, whose current address is unknown at this time but equally
14 available to requesting party;
15 18.Ryan Kronbetter, whose current address is unknown at this time but
16 equally available to requesting party;
17 19.Annette Miller, whose current address is unknown at this time but equally
18 available to requesting party;
19 20.Natalie Resendez, whose address Responding Party has been informed
20 by requesting party is 2000 Palmyra #33, Orange, CA 92868;
21 21.Fegiel Lopez-Arreola, whose current address is unknown at this time but
22 equally available to requesting party;
23 22.The Prem Deferred Trust, whose current address is unknown at this time
24 but equally available to requesting party;
25 23.Terry Johnsen, whose contact information is known to counsel for
26 requesting party;
27 24.Carlos Quezada, who may be contacted through counsel for requesting
28 party;

1 25.Maria Diaz, whose address Responding Party has been informed by
2 requesting party is 829 E. Hunter Ave., Santa Ana, CA 92701;
3 26.Rose Velasquez, who may be contacted through counsel for requesting
4 party;
5 27.Bukeka Anderson, who may be contacted through counsel for requesting
6 party;
7 28.Rebecca Denise Fauble, whose current address is unknown at this time but
8 equally available to requesting party;
9 29.Brandon Snyder, whose current address is unknown at this time but equally
10 available to requesting party;
11 30.Jennifer Payne, whose current address is unknown at this time but equally
12 available to requesting party;
13 31.Esteban Romero, who may be contacted through counsel for requesting
14 party;
15 32.Bobby Padilla, who may be contacted through counsel for requesting party;
16 33.Jorge Gonzalez, who may be contacted through counsel for requesting
17 party;
18 34.Sandy Muro, who may be contacted through counsel for requesting party;
19 35.Bonita Salazar, who may be contacted through counsel for requesting party;
20 36.Kimberly Cortopassi, who may be contacted through counsel for requesting
21 party;
22 37.Allison Yamami, who may be contacted through counsel for requesting
23 party;
24 38.Lizeth Del Rio, who may be contacted through counsel for requesting party;
25 39.Enrique Tapia, who may be contacted through counsel for requesting party;
26 40.Arian Oregon, who may be contacted through counsel for requesting party;
27 41.Gina Aragon, whose contact information is apparently known to counsel for
28 requesting party;

1 42. Erin Allinder, whose contact information is apparently known to counsel
2 for requesting party;
3 43. Mario Ambriz, whose contact information is apparently known to counsel
4 for requesting party;
5 44. Vinny Amezcua, whose contact information is apparently known to counsel
6 for requesting party;
7 45. Jose Arriaga, whose contact information is apparently known to counsel for
8 requesting party;
9 46. Joseph Barragan, whose contact information is apparently known to
10 counsel for requesting party;
11 47. Elise Berg, whose contact information is apparently known to counsel for
12 requesting party;
13 48. Alecsandra Bogdan, whose contact information is apparently known to
14 counsel for requesting party;
15 49. Manuel Camacho, whose contact information is apparently known to
16 counsel for requesting party;
17 50. Nicole Collins-Canis, whose contact information is apparently known to
18 counsel for requesting party;
19 51. Leanna Crowe, whose contact information is apparently known to counsel
20 for requesting party;
21 52. Michelle Diggs, whose contact information is apparently known to counsel
22 for requesting party;
23 53. Mary Fifita, whose contact information is apparently known to counsel for
24 requesting party;
25 54. Emily Flores, whose contact information is apparently known to counsel
26 for requesting party;
27 55. Johnnelle Gomez, whose contact information is apparently known to
28 counsel for requesting party;

- 1 56. Mike Henry, whose contact information is apparently known to counsel for
2 requesting party;
- 3 57. Mark Horn, whose contact information is apparently known to counsel for
4 requesting party;
- 5 58. Jonathan Jimenez, whose contact information is apparently known to
6 counsel for requesting party;
- 7 59. Jessica Juarez, whose contact information is apparently known to counsel
8 for requesting party;
- 9 60. Catherine Le, whose contact information is apparently known to counsel
10 for requesting party;
- 11 61. Ivy Lee, whose contact information is apparently known to counsel for
12 requesting party;
- 13 62. Amy Lemus, whose contact information is apparently known to counsel for
14 requesting party;
- 15 63. Amanda Martinez, whose contact information is apparently known to
16 counsel for requesting party;
- 17 64. Claudio Martinez, whose contact information is apparently known to
18 counsel for requesting party;
- 19 65. Horatio Montoya, whose contact information is apparently known to
20 counsel for requesting party;
- 21 66. Erika Moran, whose contact information is apparently known to counsel
22 for requesting party;
- 23 67. Douglas Nunez, whose contact information is apparently known to counsel
24 for requesting party;
- 25 68. Miguel Ochoa, whose contact information is apparently known to counsel
26 for requesting party;
- 27 69. Eric Pedroza, whose contact information is apparently known to counsel
28 for requesting party;

- 1 70. Maria Ruiz, whose contact information is apparently known to counsel for
2 requesting party;
3 71. Carol Sanchez, whose contact information is apparently known to counsel
4 for requesting party;
5 72. Kelley Schnell, whose contact information is apparently known to counsel
6 for requesting party; and
7 73. Nancy Velasquez, whose contact information is apparently known to
8 counsel for requesting party.
9

10 **INTERROGATORY NO. 6:**

11 If YOUR response to request for admission no. 3 of TRUSTEE CORPS' First
12 Set of Requests for Admission is anything other than an unqualified admission,
13 identify all PERSONS with knowledge regarding YOUR response.

14 **SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 6:**

- 15 1. Plaintiff Raymond Sansota, who may be contacted through his counsel of
16 record;
17 2. Plaintiff Francine Sansota, who may be contacted through her counsel of
18 record;
19 3. All individuals associated with CH Mortgage Company I, Ltd., whose
20 names and addresses are unknown at this time but equally available to
21 requesting party;
22 4. All individuals involved with Wells Fargo Bank, whose names and
23 addresses are unknown at this time but equally available to requesting
24 party;
25 5. Rande Johnsen, who may be contacted through counsel for requesting
26 party;
27 6. Cathe Cole-Sherburn, who may be contacted through counsel for requesting
28 party;

- 1 7. Victor Hutchins, who may be contacted through counsel for requesting
2 party;
- 3 8. Ravi Jain Technijian, who may be contacted through counsel for requesting
4 party;
- 5 9. Carlos Marin Del Real, who may be contacted through counsel for
6 requesting party;
- 7 10. Juan Carrillo, whose current address is unknown at this time but equally
8 available to requesting party;
- 9 11. John Kennerty, whose current address is unknown at this time but equally
10 available to requesting party;
- 11 12. Clarisa Gastelum, who may be contacted through counsel for requesting
12 party;
- 13 13. Norma Gonzalez, whose current address is unknown at this time but
14 equally available to requesting party;
- 15 14. Gloria Juarez who may be contacted through counsel for requesting party;
- 16 15. Yancy Flores who may be contacted through counsel for requesting party;
- 17 16. Freddy Alvidrez, who may be contacted through counsel for requesting
18 party;
- 19 17. Heather Ebner, whose current address is unknown at this time but equally
20 available to requesting party;
- 21 18. Ryan Kronbetter, whose current address is unknown at this time but
22 equally available to requesting party;
- 23 19. Annette Miller, whose current address is unknown at this time but equally
24 available to requesting party;
- 25 20. Natalie Resendez, whose address Responding Party has been informed
26 by requesting party is 2000 Palmyra #33, Orange, CA 92868;
- 27 21. Fegiel Lopez-Arreola, whose current address is unknown at this time but
28 equally available to requesting party;

1 22.The Prem Deferred Trust, whose current address is unknown at this time
2 but equally available to requesting party;
3 23.Terry Johnsen, whose contact information is known to counsel for
4 requesting party;
5 24.Carlos Quezada, who may be contacted through counsel for requesting
6 party;
7 25.Maria Diaz, whose address Responding Party has been informed by
8 requesting party is 829 E. Hunter Ave., Santa Ana, CA 92701;
9 26.Rose Velasquez, who may be contacted through counsel for requesting
10 party;
11 27.Bukeka Anderson, who may be contacted through counsel for requesting
12 party;
13 28.Rebecca Denise Fauble, whose current address is unknown at this time but
14 equally available to requesting party;
15 29.Brandon Snyder, whose current address is unknown at this time but equally
16 available to requesting party;
17 30.Jennifer Payne, whose current address is unknown at this time but equally
18 available to requesting party;
19 31.Esteban Romero, who may be contacted through counsel for requesting
20 party;
21 32.Bobby Padilla, who may be contacted through counsel for requesting party;
22 33.Jorge Gonzalez, who may be contacted through counsel for requesting
23 party;
24 34.Sandy Muro, who may be contacted through counsel for requesting party;
25 35.Bonita Salazar, who may be contacted through counsel for requesting party;
26 36.Kimberly Cortopassi, who may be contacted through counsel for requesting
27 party;
28 37.Allison Yamami, who may be contacted through counsel for requesting

1 party;
2 38.Lizeth Del Rio, who may be contacted through counsel for requesting party;
3 39.Enrique Tapia, who may be contacted through counsel for requesting party;
4 40.Arian Oregon, who may be contacted through counsel for requesting party;
5 41.Gina Aragon, whose contact information is apparently known to counsel for
6 requesting party;
7 42.Erin Allinder, whose contact information is apparently known to counsel
8 for requesting party;
9 43.Mario Ambriz, whose contact information is apparently known to counsel
10 for requesting party;
11 44.Vinny Amezcua, whose contact information is apparently known to counsel
12 for requesting party;
13 45.Jose Arriaga, whose contact information is apparently known to counsel for
14 requesting party;
15 46. Joseph Barragan, whose contact information is apparently known to
16 counsel for requesting party;
17 47. Elise Berg, whose contact information is apparently known to counsel for
18 requesting party;
19 48.Alecsandra Bogdan, whose contact information is apparently known to
20 counsel for requesting party;
21 49. Manuel Camacho, whose contact information is apparently known to
22 counsel for requesting party;
23 50. Nicole Collins-Canis, whose contact information is apparently known to
24 counsel for requesting party;
25 51. Leanna Crowe, whose contact information is apparently known to counsel
26 for requesting party;
27 52. Michelle Diggs, whose contact information is apparently known to counsel
28 for requesting party;

- 1 53. Mary Fifita, whose contact information is apparently known to counsel for
2 requesting party;
- 3 54. Emily Flores, whose contact information is apparently known to counsel
4 for requesting party;
- 5 55. Johnnelle Gomez, whose contact information is apparently known to
6 counsel for requesting party;
- 7 56. Mike Henry, whose contact information is apparently known to counsel for
8 requesting party;
- 9 57. Mark Horn, whose contact information is apparently known to counsel for
10 requesting party;
- 11 58. Jonathan Jimenez, whose contact information is apparently known to
12 counsel for requesting party;
- 13 59. Jessica Juarez, whose contact information is apparently known to counsel
14 for requesting party;
- 15 60. Catherine Le, whose contact information is apparently known to counsel
16 for requesting party;
- 17 61. Ivy Lee, whose contact information is apparently known to counsel for
18 requesting party;
- 19 62. Amy Lemus, whose contact information is apparently known to counsel for
20 requesting party;
- 21 63. Amanda Martinez, whose contact information is apparently known to
22 counsel for requesting party;
- 23 64. Claudio Martinez, whose contact information is apparently known to
24 counsel for requesting party;
- 25 65. Horatio Montoya, whose contact information is apparently known to
26 counsel for requesting party;
- 27 66. Erika Moran, whose contact information is apparently known to counsel
28 for requesting party;

- 1 67. Douglas Nunez, whose contact information is apparently known to counsel
2 for requesting party;
3 68. Miguel Ochoa, whose contact information is apparently known to counsel
4 for requesting party;
5 69. Eric Pedroza, whose contact information is apparently known to counsel
6 for requesting party;
7 70. Maria Ruiz, whose contact information is apparently known to counsel for
8 requesting party;
9 71. Carol Sanchez, whose contact information is apparently known to counsel
10 for requesting party;
11 72. Kelley Schnell, whose contact information is apparently known to counsel
12 for requesting party; and
13 73. Nancy Velasquez, whose contact information is apparently known to
14 counsel for requesting party.
15

16 **INTERROGATORY NO. 8:**

17 If YOUR response to request for admission no. 4 of TRUSTEE CORPS' First
18 Set of Requests for Admission is anything other than an unqualified admission,
19 identify all PERSONS with knowledge regarding YOUR response.

20 **SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 8:**

- 21 1. Plaintiff Raymond Sansota, who may be contacted through his counsel of
22 record;
23 2. Plaintiff Francine Sansota, who may be contacted through her counsel of
24 record;
25 3. All individuals associated with CH Mortgage Company I, Ltd., whose
26 names and addresses are unknown at this time but equally available to
27 requesting party;
28 4. All individuals involved with Wells Fargo Bank, whose names and

- 1 addresses are unknown at this time but equally available to requesting
2 party;
- 3 5. Rande Johnsen, who may be contacted through counsel for requesting
4 party;
- 5 6. Cathe Cole-Sherburn, who may be contacted through counsel for requesting
6 party;
- 7 7. Victor Hutchins, who may be contacted through counsel for requesting
8 party;
- 9 8. Ravi Jain Technijian, who may be contacted through counsel for requesting
10 party;
- 11 9. Carlos Marin Del Real, who may be contacted through counsel for
12 requesting party;
- 13 10. Juan Carrillo, whose current address is unknown at this time but equally
14 available to requesting party;
- 15 11. John Kennerty, whose current address is unknown at this time but equally
16 available to requesting party;
- 17 12. Clarisa Gastelum, who may be contacted through counsel for requesting
18 party;
- 19 13. Norma Gonzalez, whose current address is unknown at this time but
20 equally available to requesting party;
- 21 14. Gloria Juarez who may be contacted through counsel for requesting party;
- 22 15. Yancy Flores who may be contacted through counsel for requesting party;
- 23 16. Freddy Alvidrez, who may be contacted through counsel for requesting
24 party;
- 25 17. Heather Ebner, whose current address is unknown at this time but equally
26 available to requesting party;
- 27 18. Ryan Kronbetter, whose current address is unknown at this time but
28 equally available to requesting party;

1 19. Annette Miller, whose current address is unknown at this time but equally
2 available to requesting party;
3 20. Natalie Resendez, whose address Responding Party has been informed
4 by requesting party is 2000 Palmyra #33, Orange, CA 92868;
5 21. Fegiel Lopez-Arreola, whose current address is unknown at this time but
6 equally available to requesting party;
7 22. The Prem Deferred Trust, whose current address is unknown at this time
8 but equally available to requesting party;
9 23. Terry Johnsen, whose contact information is known to counsel for
10 requesting party;
11 24. Carlos Quezada, who may be contacted through counsel for requesting
12 party;
13 25. Maria Diaz, whose address Responding Party has been informed by
14 requesting party is 829 E. Hunter Ave., Santa Ana, CA 92701;
15 26. Rose Velasquez, who may be contacted through counsel for requesting
16 party;
17 27. Bukeka Anderson, who may be contacted through counsel for requesting
18 party;
19 28. Rebecca Denise Fauble, whose current address is unknown at this time but
20 equally available to requesting party;
21 29. Brandon Snyder, whose current address is unknown at this time but equally
22 available to requesting party;
23 30. Jennifer Payne, whose current address is unknown at this time but equally
24 available to requesting party;
25 31. Esteban Romero, who may be contacted through counsel for requesting
26 party;
27 32. Bobby Padilla, who may be contacted through counsel for requesting party;
28 33. Jorge Gonzalez, who may be contacted through counsel for requesting

1 party;
2 34.Sandy Muro, who may be contacted through counsel for requesting party;
3 35.Bonita Salazar, who may be contacted through counsel for requesting party;
4 36.Kimberly Cortopassi, who may be contacted through counsel for requesting
5 party;
6 37.Allison Yamami, who may be contacted through counsel for requesting
7 party;
8 38.Lizeth Del Rio, who may be contacted through counsel for requesting party;
9 39.Enrique Tapia, who may be contacted through counsel for requesting party;
10 40.Arian Oregon, who may be contacted through counsel for requesting party;
11 41.Gina Aragon, whose contact information is apparently known to counsel for
12 requesting party;
13 42.Erin Allinder, whose contact information is apparently known to counsel
14 for requesting party;
15 43.Mario Ambriz, whose contact information is apparently known to counsel
16 for requesting party;
17 44.Vinny Amezcua, whose contact information is apparently known to counsel
18 for requesting party;
19 45.Jose Arriaga, whose contact information is apparently known to counsel for
20 requesting party;
21 46. Joseph Barragan, whose contact information is apparently known to
22 counsel for requesting party;
23 47. Elise Berg, whose contact information is apparently known to counsel for
24 requesting party;
25 48.Alecsandra Bogdan, whose contact information is apparently known to
26 counsel for requesting party;
27 49. Manuel Camacho, whose contact information is apparently known to
28 counsel for requesting party;

1 50. Nicole Collins-Canis, whose contact information is apparently known to
2 counsel for requesting party;
3 51. Leanna Crowe, whose contact information is apparently known to counsel
4 for requesting party;
5 52. Michelle Diggs, whose contact information is apparently known to counsel
6 for requesting party;
7 53. Mary Fifita, whose contact information is apparently known to counsel for
8 requesting party;
9 54. Emily Flores, whose contact information is apparently known to counsel
10 for requesting party;
11 55. Johnnelle Gomez, whose contact information is apparently known to
12 counsel for requesting party;
13 56. Mike Henry, whose contact information is apparently known to counsel for
14 requesting party;
15 57. Mark Horn, whose contact information is apparently known to counsel for
16 requesting party;
17 58. Jonathan Jimenez, whose contact information is apparently known to
18 counsel for requesting party;
19 59. Jessica Juarez, whose contact information is apparently known to counsel
20 for requesting party;
21 60. Catherine Le, whose contact information is apparently known to counsel
22 for requesting party;
23 61. Ivy Lee, whose contact information is apparently known to counsel for
24 requesting party;
25 62. Amy Lemus, whose contact information is apparently known to counsel for
26 requesting party;
27 63. Amanda Martinez, whose contact information is apparently known to
28 counsel for requesting party;

- 1 64. Claudio Martinez, whose contact information is apparently known to
2 counsel for requesting party;
3 65. Horatio Montoya, whose contact information is apparently known to
4 counsel for requesting party;
5 66. Erika Moran, whose contact information is apparently known to counsel
6 for requesting party;
7 67. Douglas Nunez, whose contact information is apparently known to counsel
8 for requesting party;
9 68. Miguel Ochoa, whose contact information is apparently known to counsel
10 for requesting party;
11 69. Eric Pedroza, whose contact information is apparently known to counsel
12 for requesting party;
13 70. Maria Ruiz, whose contact information is apparently known to counsel for
14 requesting party;
15 71. Carol Sanchez, whose contact information is apparently known to counsel
16 for requesting party;
17 72. Kelley Schnell, whose contact information is apparently known to counsel
18 for requesting party; and
19 73. Nancy Velasquez, whose contact information is apparently known to
20 counsel for requesting party.
21

22 **INTERROGATORY NO. 12:**

23 If YOUR response to request for admission no. 6 of TRUSTEE CORPS' First
24 Set of Requests for Admission is anything other than an unqualified admission,
25 identify all PERSONS with knowledge regarding YOUR response.

26 **SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 12:**

- 27 1. Plaintiff Raymond Sansota, who may be contacted through his counsel of
28 record;

- 1 2. Plaintiff Francine Sansota, who may be contacted through her counsel of
2 record;
- 3 3. All individuals associated with CH Mortgage Company I, Ltd., whose
4 names and addresses are unknown at this time but equally available to
5 requesting party;
- 6 4. All individuals involved with Wells Fargo Bank, whose names and
7 addresses are unknown at this time but equally available to requesting
8 party;
- 9 5. Rande Johnsen, who may be contacted through counsel for requesting
10 party;
- 11 6. Cathe Cole-Sherburn, who may be contacted through counsel for requesting
12 party;
- 13 7. Victor Hutchins, who may be contacted through counsel for requesting
14 party;
- 15 8. Ravi Jain Technijian, who may be contacted through counsel for requesting
16 party;
- 17 9. Carlos Marin Del Real, who may be contacted through counsel for
18 requesting party;
- 19 10. Juan Carrillo, whose current address is unknown at this time but equally
20 available to requesting party;
- 21 11. John Kennerty, whose current address is unknown at this time but equally
22 available to requesting party;
- 23 12. Clarisa Gastelum, who may be contacted through counsel for requesting
24 party;
- 25 13. Norma Gonzalez, whose current address is unknown at this time but
26 equally available to requesting party;
- 27 14. Gloria Juarez who may be contacted through counsel for requesting party;
- 28 15. Yancy Flores who may be contacted through counsel for requesting party;

- 1 16.Freddy Alvidrez, who may be contacted through counsel for requesting
2 party;
- 3 17.Heather Ebner, whose current address is unknown at this time but equally
4 available to requesting party;
- 5 18.Ryan Kronbetter, whose current address is unknown at this time but
6 equally available to requesting party;
- 7 19.Annette Miller, whose current address is unknown at this time but equally
8 available to requesting party;
- 9 20.Natalie Resendez, whose address Responding Party has been informed
10 by requesting party is 2000 Palmyra #33, Orange, CA 92868;
- 11 21.Fegiel Lopez-Arreola, whose current address is unknown at this time but
12 equally available to requesting party;
- 13 22.The Prem Deferred Trust, whose current address is unknown at this time
14 but equally available to requesting party;
- 15 23.Terry Johnsen, whose contact information is known to counsel for
16 requesting party;
- 17 24.Carlos Quezada, who may be contacted through counsel for requesting
18 party;
- 19 25.Maria Diaz, whose address Responding Party has been informed by
20 requesting party is 829 E. Hunter Ave., Santa Ana, CA 92701;
- 21 26.Rose Velasquez, who may be contacted through counsel for requesting
22 party;
- 23 27.Bukeka Anderson, who may be contacted through counsel for requesting
24 party;
- 25 28.Rebecca Denise Fauble, whose current address is unknown at this time but
26 equally available to requesting party;
- 27 29.Brandon Snyder, whose current address is unknown at this time but equally
28 available to requesting party;

1 30.Jennifer Payne, whose current address is unknown at this time but equally
2 available to requesting party;
3 31.Esteban Romero, who may be contacted through counsel for requesting
4 party;
5 32.Bobby Padilla, who may be contacted through counsel for requesting party;
6 33.Jorge Gonzalez, who may be contacted through counsel for requesting
7 party;
8 34.Sandy Muro, who may be contacted through counsel for requesting party;
9 35.Bonita Salazar, who may be contacted through counsel for requesting party;
10 36.Kimberly Cortopassi, who may be contacted through counsel for requesting
11 party;
12 37.Allison Yamami, who may be contacted through counsel for requesting
13 party;
14 38.Lizeth Del Rio, who may be contacted through counsel for requesting party;
15 39.Enrique Tapia, who may be contacted through counsel for requesting party;
16 40.Arian Oregon, who may be contacted through counsel for requesting party;
17 41.Gina Aragon, whose contact information is apparently known to counsel for
18 requesting party;
19 42.Erin Allinder, whose contact information is apparently known to counsel
20 for requesting party;
21 43.Mario Ambriz, whose contact information is apparently known to counsel
22 for requesting party;
23 44.Vinny Amezcua, whose contact information is apparently known to counsel
24 for requesting party;
25 45.Jose Arriaga, whose contact information is apparently known to counsel for
26 requesting party;
27 46. Joseph Barragan, whose contact information is apparently known to
28 counsel for requesting party;

- 1 47. Elise Berg, whose contact information is apparently known to counsel for
2 requesting party;
- 3 48. Alecsandra Bogdan, whose contact information is apparently known to
4 counsel for requesting party;
- 5 49. Manuel Camacho, whose contact information is apparently known to
6 counsel for requesting party;
- 7 50. Nicole Collins-Canis, whose contact information is apparently known to
8 counsel for requesting party;
- 9 51. Leanna Crowe, whose contact information is apparently known to counsel
10 for requesting party;
- 11 52. Michelle Diggs, whose contact information is apparently known to counsel
12 for requesting party;
- 13 53. Mary Fifita, whose contact information is apparently known to counsel for
14 requesting party;
- 15 54. Emily Flores, whose contact information is apparently known to counsel
16 for requesting party;
- 17 55. Johnnelle Gomez, whose contact information is apparently known to
18 counsel for requesting party;
- 19 56. Mike Henry, whose contact information is apparently known to counsel for
20 requesting party;
- 21 57. Mark Horn, whose contact information is apparently known to counsel for
22 requesting party;
- 23 58. Jonathan Jimenez, whose contact information is apparently known to
24 counsel for requesting party;
- 25 59. Jessica Juarez, whose contact information is apparently known to counsel
26 for requesting party;
- 27 60. Catherine Le, whose contact information is apparently known to counsel
28 for requesting party;

- 1 61. Ivy Lee, whose contact information is apparently known to counsel for
2 requesting party;
- 3 62. Amy Lemus, whose contact information is apparently known to counsel for
4 requesting party;
- 5 63. Amanda Martinez, whose contact information is apparently known to
6 counsel for requesting party;
- 7 64. Claudio Martinez, whose contact information is apparently known to
8 counsel for requesting party;
- 9 65. Horatio Montoya, whose contact information is apparently known to
10 counsel for requesting party;
- 11 66. Erika Moran, whose contact information is apparently known to counsel
12 for requesting party;
- 13 67. Douglas Nunez, whose contact information is apparently known to counsel
14 for requesting party;
- 15 68. Miguel Ochoa, whose contact information is apparently known to counsel
16 for requesting party;
- 17 69. Eric Pedroza, whose contact information is apparently known to counsel
18 for requesting party;
- 19 70. Maria Ruiz, whose contact information is apparently known to counsel for
20 requesting party;
- 21 71. Carol Sanchez, whose contact information is apparently known to counsel
22 for requesting party;
- 23 72. Kelley Schnell, whose contact information is apparently known to counsel
24 for requesting party; and
- 25 73. Nancy Velasquez, whose contact information is apparently known to
26 counsel for requesting party.
27
28

1 **INTERROGATORY NO. 13:**

2 If YOUR response to request for admission no. 7 of TRUSTEE CORPS' First
3 Set of Requests for Admission is anything other than an unqualified admission, state
4 all facts which support YOUR response.

5 **SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 13:**

6 Responding Party denied the request at this time because further investigation,
7 including through discovery, and analysis is needed before Responding Party can
8 admit or deny this request. Many phone calls occurred over a period of years, related
9 to the debt and/or foreclosure. The period of time at issue in the request includes time
10 over 6 years ago. During that time, memories fade, and records or other documents
11 (including those that were not in Responding Party's possession, custody, or control)
12 may be lost or become unavailable. It is therefore possible that Responding Party
13 may no longer recall a telephone call (or calls) that he may have had with those at
14 requesting party. Responding Party may also no longer recall being asked by
15 requesting party in a telephone call for payment of a debt. Responding Party may also
16 not have realized at the time he spoke with someone that the person was in fact
17 associated with requesting party. Responding Party cannot recall or otherwise
18 identify at this time any phone call with someone employed by requesting party in
19 which a request for payment of Responding Party's debt was made during the
20 relevant period.

21
22 **INTERROGATORY NO. 14:**

23 If YOUR response to request for admission no. 7 of TRUSTEE CORPS' First
24 Set of Requests for Admission is anything other than an unqualified admission,
25 identify all PERSONS with knowledge regarding YOUR response.

26 **SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 14:**

- 27 1. Plaintiff Raymond Sansota, who may be contacted through his counsel of
28 record;