

LAW OFFICE
Patrick James Martin

CHARTERED
115 RIDGE STREET
RENO, NEVADA 89501-1937
(775) 329-1571
Fax: (775) 329-1575
e-mail: patmartinreno@sbcglobal.net
www.pjmlawoffice.com

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MAR 16 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

March 15, 2010

VIA FEDERAL EXPRESS

Supreme Court of Nevada
201 S. Carson Street, Suite 250
Carson City, Nevada

**RE: RULES FOR FORECLOSURE MEDIATIONS, ADKT NO. 435/
PHILLIP A. OLSEN, ESQ. LETTER DATED MARCH 12, 2010**

I respectfully submit my wholehearted endorsement of Mr. Olsen's recommendations and suggestions.

I now add a suggestion of my own. I respectfully request that the Court adopt a rule or procedure to address the following situation:

If the Administrator or Supervisors of the Foreclosure Mediation Program decide to stop assigning cases to a Mediator, for any reason, that decision should be communicated immediately, in writing, to the Mediator with reasons stated.

This would be a common courtesy to The Mediator. It is cowardly and unseemly to simply black list the Mediator (i.e. not assign cases). In this way, the Mediator can avoid investing any more time "staying up" with, and studying for the Program. There is no need to create any kind of "appeal" procedure - most Mediators (if not wanted or needed) would probably be happy to get back to their ordinary means of making their contribution to the legal system.

Finally, I respectfully submit an impression I wrote of the Program's working back on January 13, 2010 for what interest it might be to The Court.

"All six cases had these characteristics:

1. Nice personable first class big firm lawyer shows up with no authority and no documents.
2. Contacts "someone" who has the computer software to plug in the numbers to see if the Property Owners qualify for HAMP. The computer says they "do" or they "don't" If it is "do" then it is just for the trial period.

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10-34228

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3. The "someone" (whom I have caused to identify themselves by name, title, lender/service, etc) is clearly working out of some sort of "bullpen" and in 5 of 6 cases was very polite and pleasant BUT had **no authority to do anything other than run the number for HAMP yes or no qualification.** The sixth person (Hood from JP Morgan Chase) was NOT pleasant.

4. I have developed a rather jaundiced view (possibly from limited experience, lack of expertise, and senility) of all this and here is a knee-jerk Pat Martinism:

I think that the lenders are giving MHA and The Nevada Legislature and the Supreme Court as Administrator the proverbial "finger." (with considerable finesse - it does not look like a finger - more like a friendly wave).

One of my "nice" very smooth talking lender experts in his bullpen control tower frankly told me:

We would just as soon have \$100,000.00 in a foreclosure sale NOW than wait 30-40 years to collect \$400,000.00 - \$500,000.00."

This impression is based on the very limited number of cases assigned to me (6 cases were assigned to me in November with extremely short "fuses" i.e. "Completed by" dates forced a "crash" effort in my office to get them scheduled). I believe I have read just about everything "published" by anyone (including The Program, Wall Street Journal, New York Times (Weekend Edition Etc.)) and I have no reason to change my view established in January.

Respectfully submitted,



PATRICK JAMES MARTIN

PJM/ams

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PATRICK JAMES MARTIN,
B.S. (ACCT.), M.S. (TAXATION),
J.D., C.P.A.

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