

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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CONSUMER FINANCIAL PROTECTION )  
BUREAU, )  
1700 G Street, NW )  
Washington, DC 20552 )

THE STATE OF ALABAMA, )  
Alabama Attorney General's Office )  
501 Washington Avenue )  
Montgomery, AL 36130 )

THE STATE OF ALASKA, )  
Alaska Attorney General's Office )  
1031 W. 4<sup>th</sup> Avenue, Ste. 200 )  
Anchorage, AK 99501 )

THE STATE OF ARIZONA, )  
Arizona Attorney General's Office )  
1275 W. Washington )  
Phoenix, AZ 85007 )

THE STATE OF ARKANSAS, )  
Office of the Attorney General )  
323 Center Street, Suite 200 )  
Little Rock, AK 72201 )

THE STATE OF CALIFORNIA, )  
California Attorney General's Office )  
455 Golden Gate Avenue, Ste. 11000 )  
San Francisco, CA 94102-7007 )

THE STATE OF COLORADO, )  
Colorado Attorney General's Office )  
Ralph L. Carr Colorado Judicial Center )  
1300 Broadway, 7th Floor )  
Denver, CO 80203 )

THE STATE OF CONNECTICUT, )  
Office of the Connecticut Attorney General )  
55 Elm Street, P.O. Box 120 )  
Hartford, CT 06141-0120 )

THE STATE OF DELAWARE, )  
Delaware Attorney General's Office )  
820 N. French Street )  
Wilmington, DE 19801 )

THE STATE OF FLORIDA, )  
Department of Legal Affairs )  
Office of the Attorney General )  
3507 E. Frontage Road, Suite 325 )  
Tampa, FL 33607 )

THE STATE OF GEORGIA, )  
Georgia Department of Law )  
40 Capitol Square, S.W. )  
Atlanta, GA 30334 )

THE STATE OF HAWAII, )  
Department of the Attorney General )  
425 Queen Street )  
Honolulu, HI 96813 )

THE STATE OF IDAHO, )  
Office of the Idaho Attorney General )  
700 W. Jefferson St. )  
P.O. Box 83720 )  
Boise, ID 83720-0010 )

THE STATE OF ILLINOIS, )  
Office of the Illinois Attorney General )  
500 South Second Street )  
Springfield, IL 62706 )

THE STATE OF INDIANA, )  
Indiana Office of the Attorney General )  
302 West Washington St., IGCS 5th Fl. )  
Indianapolis, IN 46204 )

THE STATE OF IOWA, )  
Iowa Attorney General's Office )  
1305 E. Walnut St. )  
Des Moines, IA 50319 )

THE STATE OF KANSAS, )  
Office of the Kansas Attorney General )  
120 SW 10th Avenue, 2nd Floor )  
Topeka, KS 66612 )

)  
THE COMMONWEALTH )  
OF KENTUCKY, )  
Office of the Attorney General of Kentucky )  
State Capitol, Suite 118 )  
700 Capital Avenue )  
Frankfort, KY 40601-3449 )  
)  
THE STATE OF LOUISIANA, )  
Louisiana Attorney General's Office )  
1885 N. Third Street )  
Baton Rouge, LA 70802 )  
)  
THE STATE OF MAINE, )  
Maine Attorney General's Office )  
Burton Cross Office Building, 6th Floor )  
111 Sewall Street )  
Augusta, ME 04330 )  
)  
THE STATE OF MARYLAND, )  
Office of the Attorney General of Maryland )  
200 Saint Paul Place )  
Baltimore, MD 21202 )  
)  
THE COMMONWEALTH )  
OF MASSACHUSETTS, )  
Massachusetts Attorney General's Office )  
One Ashburton Place )  
Boston, MA 02108 )  
)  
THE STATE OF MICHIGAN, )  
Michigan Department of Attorney General )  
525 W. Ottawa Street )  
PO Box 30755 )  
Lansing, MI 48909 )  
)  
THE STATE OF MINNESOTA, )  
Minnesota Attorney General's Office )  
445 Minnesota Street, Suite 1200 )  
St. Paul, MN 55101-2130 )  
)  
THE STATE OF MISSISSIPPI, )  
Mississippi Attorney General's Office )  
Post Office Box 22947 )  
Jackson, MS 39225-2947 )  
)

THE STATE OF MISSOURI, )  
Missouri Attorney General's Office )  
PO Box 899 )  
Jefferson City, MO 65102 )

THE STATE OF MONTANA, )  
Montana Department of Justice )  
215 N. Sanders )  
Helena, MT 59624 )

THE STATE OF NEBRASKA, )  
Office of the Attorney General )  
2115 State Capitol )  
Lincoln, NE 68509-8920 )

THE STATE OF NEVADA, )  
Nevada Office of the Attorney General )  
100 North Carson Street )  
Carson City, NV 89701 )

THE STATE OF NEW HAMPSHIRE, )  
New Hampshire Department of Justice )  
33 Capitol Street )  
Concord, NH 03301 )

THE STATE OF NEW JERSEY, )  
New Jersey Attorney General's Office )  
124 Halsey Street – 5th Floor )  
P.O. Box 45029 )  
Newark, NJ 07101 )

THE STATE OF NEW MEXICO, )  
Office of the New Mexico Attorney General )  
PO Drawer 1508 )  
Santa Fe, NM 87504-1508 )

THE STATE OF NEW YORK, )  
Office of the New York State )  
Attorney General )  
120 Broadway )  
New York, NY 10271 )

THE STATE OF NORTH CAROLINA, )  
North Carolina Department of Justice )  
P.O. Box 629 )  
Raleigh, NC 27602 )

THE STATE OF NORTH DAKOTA,  
Office of the Attorney General  
Gateway Professional Center  
1050 E Interstate Ave, Ste. 200  
Bismarck, ND 58503-5574

THE STATE OF OHIO,  
Ohio Attorney General's Office  
30 E. Broad St., 15th Floor  
Columbus, OH 43215

THE STATE OF OREGON,  
Oregon Department of Justice  
1515 SW 5th Avenue, Ste. 410  
Portland, OR 97201

THE COMMONWEALTH  
OF PENNSYLVANIA,  
Office of the Attorney General  
16th Floor, Strawberry Square  
Harrisburg, PA 17120

THE STATE OF RHODE ISLAND,  
Rhode Island Department  
of Attorney General  
150 South Main Street  
Providence, RI 02903

THE STATE OF SOUTH CAROLINA,  
South Carolina Attorney General's Office  
1000 Assembly Street, Room 519  
Columbia, SC 29201

THE STATE OF SOUTH DAKOTA,  
South Dakota Attorney General's Office  
1302 E. Highway 14, Suite 1  
Pierre, SD 57501

THE STATE OF TENNESSEE,  
Office of the Tennessee Attorney General  
425 Fifth Avenue North  
Nashville, TN 37243-3400

THE STATE OF TEXAS, )  
Texas Attorney General's Office )  
401 E. Franklin Avenue, Suite 530 )  
El Paso, TX 79901 )

THE STATE OF UTAH, )  
Division of Consumer Protection )  
Utah Attorney General's Office )  
350 North State Street, #230 )  
Salt Lake City, UT 84114-2320 )

THE STATE OF VERMONT, )  
Office of the Attorney General )  
109 State Street )  
Montpelier, VT 05609 )

THE COMMONWEALTH OF VIRGINIA, )  
Office of the Virginia Attorney General )  
900 East Main Street )  
Richmond, VA 23219 )

THE STATE OF WASHINGTON, )  
Washington State Attorney General's Office )  
1250 Pacific Avenue, Suite 105 )  
PO Box 2317 )  
Tacoma, WA 98402-4411 )

THE STATE OF WEST VIRGINIA, )  
West Virginia Attorney General's Office )  
State Capitol, Room 26E )  
Charleston, WV 25305-0220 )

THE STATE OF WISCONSIN, )  
Wisconsin Department of Justice )  
Post Office Box 7857 )  
Madison, WI 53707-7857 )

THE STATE OF WYOMING, and )  
Wyoming Attorney General's Office )  
123 State Capitol Bldg. )  
Cheyenne, WY 82002 )

THE DISTRICT OF COLUMBIA, )  
Office of the Attorney General )  
441 Fourth Street, N.W. )  
Washington, DC 20001 )

	)
	)
Plaintiffs,	)
	)
v.	)
	)
	)
OCWEN FINANCIAL CORPORATION,	)
	)
and OCWEN LOAN SERVICING, LLC,	)
	)
Defendants.	)
_____	)

**COMPLAINT**

Now comes the Consumer Financial Protection Bureau (the “CFPB” or “Bureau”), and the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, West Virginia, Wisconsin, Wyoming, the Commonwealths of Kentucky, Massachusetts, Pennsylvania and Virginia, and the District of Columbia (collectively, “Plaintiff States”) by and through their undersigned attorneys, and respectfully allege as follows:

**INTRODUCTION**

1. This is a civil action filed jointly by the Bureau and the Plaintiff States against Ocwen Financial Corporation and Ocwen Loan Servicing, LLC (collectively, “Defendants” or “Ocwen”), for misconduct related to the servicing of single family residential mortgages, including by Homeward Residential, Inc. (“Homeward”) and Litton Loan Servicing, LP (“Litton”) before their acquisition by Ocwen Financial Corporation. Ocwen, Homeward, and

Litton are collectively referred to herein as the “Servicers.”

2. As described in the allegations below, the Servicers’ misconduct resulted in premature and unauthorized foreclosures, violation of homeowners’ rights and protections, and the use of false and deceptive affidavits and other documents.

### **THE PARTIES**

3. This action is brought by the Bureau, an independent agency of the United States created by the Consumer Financial Protection Act of 2010 (CFPA), 12 U.S.C. § 5491(a) et seq. The Bureau is authorized to take appropriate enforcement action to address violations of Federal consumer financial law, including the CFPA, and has independent litigating authority. *See* 12 U.S.C. §§ 5511(c)(4); 5512(a); 5531(a); and 5564(a). Sections 1031 and 1036(a) of the CFPA, 12 U.S.C. §§ 5531 and 5536(a), prohibit unfair, deceptive, or abusive acts or practices, or other violations of Federal consumer financial law, by any covered person or service provider.

4. This action is also brought by the Plaintiff States pursuant to consumer protection enforcement authority conferred on them by state law and pursuant to *parens patriae* and common law authority. The Attorneys General are authorized to seek injunctive relief, restitution for consumers, and civil penalties for violation of the consumer protection laws of their States.

5. Defendant Ocwen Financial Corporation is a publicly traded Florida corporation headquartered in Atlanta, Georgia, that provides residential mortgage servicing services. It engages in a variety of businesses related to residential mortgage servicing, and focuses on loan servicing, specialty servicing, and mortgage services. Ocwen Financial Corporation transacts or has transacted business in this district and throughout the United States. On December 27, 2012, Ocwen Financial Corporation acquired and became the successor in interest to Homeward, a

servicer of residential mortgages and a Delaware corporation. Ocwen Financial Corporation is a successor corporation to Homeward and is liable for the illegal practices, including those of Homeward, alleged in this Complaint. On September 1, 2011, Ocwen acquired and became the successor in interest to Litton, a servicer of residential mortgages and a Delaware limited partnership. Ocwen Financial Corporation is a successor corporation to Litton and is liable for the illegal practices, including those of Litton, alleged in this Complaint.

6. Defendant Ocwen Loan Servicing, LLC is a limited liability company and wholly owned subsidiary servicing company of Ocwen Financial Corporation. It is located in Palm Beach, Florida. Ocwen Loan Servicing, LLC transacts or has transacted business in this district and throughout the United States.

#### **JURISDICTION AND VENUE**

7. This Court has subject matter jurisdiction over this action because it is “brought under Federal consumer financial law,” 12 U.S.C. § 5565(a)(1), presents a federal question, 28 U.S.C. § 1331, and is brought by an agency of the United States, 28 U.S.C. § 1345.

8. Pursuant to 28 U.S.C. § 1367, this Court has supplemental jurisdiction over the subject matter of the claims asserted by the Plaintiff States in this action because those claims are so related to the claims asserted by the Bureau that they form part of the same case or controversy, and because those claims arise out of the same transactions or occurrences as the action brought by the Bureau under Sections 1031 and 1036(a) of the CFPB, 12 U.S.C. §§ 5531 and 5536(a).

9. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b) and (c) and 12 U.S.C. § 5564(f).

## **THE MORTGAGE SERVICING INDUSTRY**

10. The single family mortgage servicing industry consists of financial services and other firms that service mortgages for residential properties designed to house one- to four-family dwellings.

11. For more than thirty years, mortgages typically have been “pooled” to create an investment vehicle, often denominated as a trust, and interests in the trusts have been sold to investors that own interests in payment streams generated by principal and interest payments by the borrowers.

12. A “servicer” is responsible for mortgage administration activities, known as servicing activities, which generally include collecting payments from mortgagors; applying payments made in an agreed-upon order to the mortgagor’s indebtedness; distributing payments after allowable deductions to the investment trust entities for distribution to investors; making advances to cover delinquent mortgage payments and other costs, such as the costs of protecting and maintaining properties that collateralize mortgage loans when mortgagors fail to do so; pursuing collections from delinquent mortgagors; and pursuing either loss mitigation or foreclosure, as appropriate, to minimize the loss to investors and others when mortgagors become delinquent on mortgage payments.

13. A servicer who does not originate a mortgage loan may become the servicer by purchasing the “mortgage servicing rights” or by entering into a contract with the “master servicer” to act on its behalf as “subservicer.” Such transfers can occur at various stages of repayment of the mortgage, including where the borrower is delinquent in payments and may seek loss mitigation assistance from the servicer to avoid foreclosure on the loan.

### **THE SERVICERS' MORTGAGE SERVICING MISCONDUCT**

14. Ocwen services home mortgage loans secured by residential properties owned by individual citizens of the Plaintiff States and of the United States.

15. Ocwen is a “covered person” engaged “in offering or providing a consumer financial product or service,” as those terms are defined in the CFPA, 12 U.S.C. § 5481(6), and is subject to the CFPA’s prohibition on unfair, deceptive and abusive acts or practices, 12 U.S.C. §§ 5531 and 5536(a).

16. Ocwen is engaged in trade or commerce in each of the Plaintiff States and is subject to the consumer protection laws of the States in the conduct of their debt collection, mortgage servicing, loss mitigation and foreclosure activities. The consumer protection laws of the Plaintiff States include laws prohibiting unfair or deceptive practices.

17. Ocwen specializes in default servicing where borrowers are more likely to encounter hardships or difficulties making payments. Ocwen also frequently acquires mortgage servicing rights through transfers, involving the acquisition of data, information, and documents retained by the prior servicer about borrowers’ loans. In 2011 and 2012, respectively, Ocwen acquired and became the successor in interest to Litton and Homeward, and is liable for their illegal mortgage servicing and foreclosure processing conduct.

18. Ocwen personnel frequently interact with borrowers who are delinquent or are at risk of becoming delinquent on their mortgage loans, who have complaints or inquiries about their mortgages, or who require loss mitigation assistance. Ocwen personnel also frequently handle inquiries from borrowers whose loans have been transferred to Ocwen from another servicer.

19. Ocwen regularly reviews mortgage loans for potential loss mitigation or loan

modification options, and conducts or manages foreclosures.

20. In the course of their mortgage servicing activities, the Servicers have engaged in the following acts and practices:

- a. failing to timely and accurately apply payments made by borrowers and failing to maintain accurate account statements;
- b. charging unauthorized fees for default-related services;
- c. imposing force-placed insurance when the Servicers knew or should have known that borrowers already had adequate coverage;
- d. providing false or misleading information in response to borrower complaints;
- e. providing false or misleading information to borrowers regarding loans that have been transferred from other servicers;
- f. failing to provide accurate and timely information to borrowers who seek information about loss mitigation services, including loan modifications;
- g. falsely advising borrowers that they must be at least 60 days delinquent in loan payments to qualify for a loan modification;
- h. misrepresenting to borrowers that loss mitigation programs would provide relief from the initiation of foreclosure or further foreclosure efforts;
- i. providing false or misleading information to consumers about the status of the loss mitigation review, including while referring loans to foreclosure;
- j. providing false or misleading information to consumers about the status of foreclosure proceedings where the borrower was in good-faith actively pursuing a loss mitigation alternative offered by the Servicers;

k. failing to properly calculate borrowers' eligibility for loan modification programs and improperly denying loan modification relief to eligible borrowers;

l. failing to properly process borrowers' applications for loan modifications, including failing to account for documents submitted by borrowers and failing to respond to borrowers' reasonable requests for information and assistance, and as a result, denying loan modifications to consumers who were eligible;

m. providing false or misleading reasons for denial of loan modifications;

n. with respect to transferred loans, failing to honor in-process trial modifications agreed to by prior servicers;

o. with respect to transferred loans with in-process trial and permanent modifications, deceptively seeking to collect payments from the consumer under the mortgage's original unmodified terms;

p. preparing, executing, notarizing, and presenting false and misleading documents, filing false and misleading documents with courts and government agencies, or otherwise using false or misleading documents as part of the foreclosure process (including, but not limited to, affidavits, declarations, certifications, substitutions of trustees, and assignments); and

q. preparing, executing, notarizing, and filing affidavits in foreclosure proceedings, whose affiants lacked personal knowledge of the assertions in the affidavits and did not review any information or documentation to verify the assertions in such affidavits. This practice of repeated false attestation of information in affidavits is popularly known as "robosigning."

**COUNT I**

**VIOLATIONS OF STATE LAW PROHIBITING  
UNFAIR AND DECEPTIVE CONSUMER PRACTICES  
WITH RESPECT TO LOAN SERVICING**

21. The allegations in paragraphs 1 through 20 above are incorporated herein by reference.

22. The loan servicing conduct of the Servicers, as described above, constitutes unfair or deceptive practices in violation of the consumer protection laws of each State.

23. The Servicers' unlawful conduct has resulted in injury to the States and citizens of the States who have had home loans serviced by the Servicers. The harm sustained by such citizens includes payment of improper fees and charges, unreasonable delays and expenses to obtain loss mitigation relief, improper denial of loss mitigation relief, and loss of homes due to improper, unlawful, or undocumented foreclosures. The harm to the States includes the subversion of their legal process and the sustained violations of their laws. The States have had to incur substantial expenses in their investigations and attempts to obtain remedies for the Servicers' unlawful conduct.

**COUNT II**

**VIOLATIONS OF STATE LAW PROHIBITING  
UNFAIR AND DECEPTIVE CONSUMER PRACTICES  
WITH RESPECT TO FORECLOSURE PROCESSING**

24. The allegations in paragraphs 1 through 20 above are incorporated herein by reference.

25. The foreclosure processing conduct of the Servicers, as described above, constitutes unfair or deceptive practices in violation of the consumer protection laws of each State.

26. The Servicers' unlawful conduct has resulted in injury to the States and citizens of the States who have had home loans serviced by the Servicers. The harm sustained by such citizens includes payment of improper fees and charges, unreasonable delays and expenses to obtain loss mitigation relief, improper denial of loss mitigation relief, and loss of homes due to improper, unlawful, or undocumented foreclosures. The harm to the States includes the subversion of their legal process and the sustained violations of their laws. The States have had to incur substantial expenses in their investigations and attempts to obtain remedies for the Servicers' unlawful conduct.

**COUNT III**

**VIOLATIONS OF THE CONSUMER FINANCIAL PROTECTION ACT OF 2010**  
**12 U.S.C. § 5481 ET SEQ. (CFPA)**  
**WITH RESPECT TO LOAN SERVICING**

27. The allegations in paragraphs 1 through 20 above are incorporated herein by reference.

28. The loan servicing conduct of the Servicers, as described above, constitutes unfair and deceptive acts or practices in violation of Sections 1031(a) and 1036 of the CFPA, 12 USC §§ 5531(a) and 5536.

**COUNT IV**

**VIOLATIONS OF THE CONSUMER FINANCIAL PROTECTION ACT OF 2010**  
**12 U.S.C. § 5481 ET SEQ. (CFPA)**  
**WITH RESPECT TO FORECLOSURE PROCESSING**

29. The allegations in paragraphs 1 through 20 above are incorporated herein by reference.

30. The foreclosure processing conduct of the Servicers, as described above, constitutes unfair and deceptive acts or practices in violation of Sections 1031(a) and 1036 of the

CFPA, 12 USC §§ 5531(a) and 5536.

**PRAYER FOR RELIEF**

WHEREFORE, the Bureau, pursuant to Sections 1054 and 1055 of the CFPA, 12 U.S.C. §§ 5564 and 5565, and the Plaintiff States, pursuant to their consumer protection laws, respectfully request that judgment be entered in their favor and against Ocwen for each violation charged in the complaint, and request that the Court:

- A. Permanently enjoin Ocwen from committing future violations;
- B. Award such relief as the Court finds necessary to redress injury to consumers;
- C. Award such relief as the Court finds necessary to disgorge Ocwen of unlawful gains;
- D. Award the Bureau and the Plaintiff States the costs of bringing this action; and
- E. Award additional relief as the Court may determine to be just and proper.

Dated: December 19, 2013

Respectfully submitted,

Attorneys for Plaintiff  
Consumer Financial Protection Bureau

Lucy Morris  
Deputy Enforcement Director  
Consumer Financial Protection Bureau

s/ Cara Petersen  
Cara Petersen  
Assistant Litigation Deputy  
Consumer Financial Protection Bureau  
1700 G Street NW  
Washington, DC 20552  
cara.petersen@cfpb.gov  
202-435-7493  
DC Bar No. 476990

/s/ Kirsten Ivey-Colson  
Kirsten Ivey-Colson  
Enforcement Attorney  
Consumer Financial Protection Bureau  
1700 G Street NW  
Washington, DC 20552  
kirsten.ivey-colson@cfpb.gov  
202-435-7354  
DC Bar No. 470102

Date 12/10/13

For the State of Alabama:

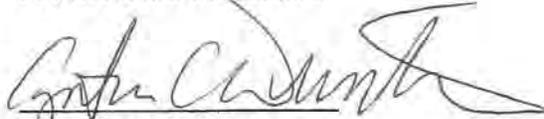


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Noel S. Barnes  
Assistant Attorney General  
501 Washington Avenue  
PO Box 300152  
Montgomery, Alabama 36130  
[nbarnes@ago.state.al.us](mailto:nbarnes@ago.state.al.us)  
(334) 353-9196

Date 12/12/13

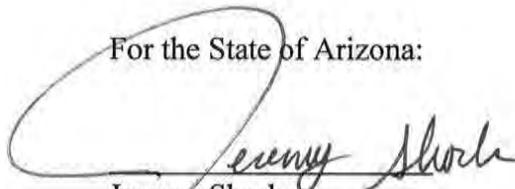
For the State of Alaska:



Cynthia C. Drinkwater  
Sr. Assistant Attorney General  
Alaska Department of Law  
1031 W. 4<sup>th</sup> Avenue, Ste. 200  
Anchorage, AK 99501  
Cynthia.Drinkwater@alaska.gov  
(907) 269-5200

Date 12/12/13

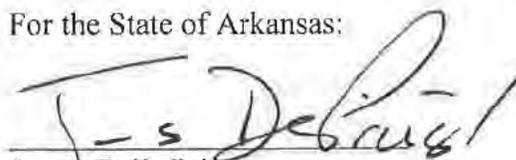
For the State of Arizona:

A handwritten signature in cursive script, appearing to read "Jeremy Shorbe", is written over a horizontal line.

Jeremy Shorbe  
Assistant Attorney General  
400 W. Congress Street, Suite S315  
Tucson, Arizona 85701  
Jeremy.Shorbe@azag.gov  
(520) 628-6504

Date 12/12/13

For the State of Arkansas:



James B. DePriest

Deputy Attorney General

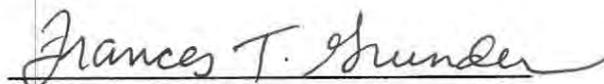
323 Center Street, Suite 500

[jim.depriest@arkansasag.gov](mailto:jim.depriest@arkansasag.gov)

(501)682-5028

Date: December 12, 2013

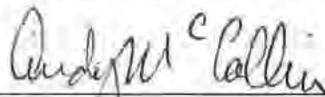
For the State of California:

A handwritten signature in cursive script that reads "Frances T. Grunder". The signature is written in black ink and is positioned above a horizontal line.

Frances T. Grunder  
Senior Assistant Attorney General  
Office of the Attorney General  
455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102  
Frances.Grunder@doj.ca.gov  
415-703-5500

Date: December 13, 2013

For the State of Colorado, *ex rel.*  
John W. Suthers, Attorney General:

A handwritten signature in cursive script, appearing to read "Andy McCallin", written over a horizontal line.

Andy McCallin  
First Assistant Attorney General  
Consumer Protection Section  
Ralph L. Carr Colorado Judicial Center  
1300 Broadway – 7<sup>th</sup> Floor  
Denver, Colorado 80203  
Andrew.McCallin@State.CO.US  
(720) 508-6215

Date: December 12, 2013

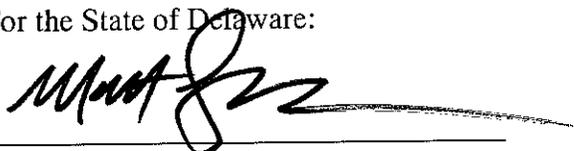
For the State of Connecticut:

A handwritten signature in black ink, appearing to read "Joseph J. Chambers", written over a horizontal line.

Joseph J. Chambers  
Assistant Attorney General  
P.O. Box 120  
55 Elm Street  
Hartford, CT 06141-0120  
(860) 808-5270  
joseph.chambers@ct.gov

Date: 12/13/13

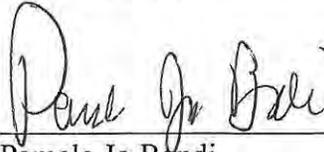
For the State of Delaware:

A handwritten signature in black ink, appearing to read "Matt Lintner", is written over a horizontal line.

Matthew F. Lintner  
Director, Fraud and Consumer Protection Div.  
820 N. French Street, 5<sup>th</sup> Floor  
Wilmington, DE 19801  
Matthew.Lintner@state.de.us  
(302) 577-8935

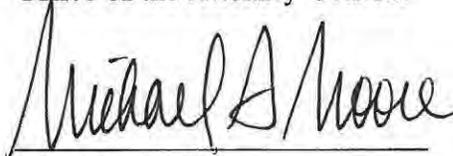
December 16<sup>th</sup>, 2013.

For the State of Florida:



Pamela Jo Bondi  
Attorney General  
The Capitol PL-01  
Tallahassee, FL 32399-1050  
Tel: 850-245-0140  
Fax: 850-413-0632

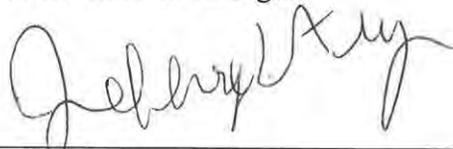
Office of the Attorney General



Victoria A. Butler  
Assistant Attorney General  
Bureau Chief  
Michael G. Moore  
Senior Assistant Attorney General  
Tampa, Consumer Protection Division  
Office of the Attorney General, Pam Bondi  
3507 E. Frontage Road, Suite 325  
Tampa, FL 33607  
Tel: 813-287-7950  
Fax: 813-281-5515

Date December 16, 2013

For the State of Georgia:

A handwritten signature in cursive script, appearing to read "Jeffrey W. Stump".

---

Jeffrey W. Stump  
Senior Assistant Attorney General  
Georgia Department of Law  
40 Capitol Square, SW  
Atlanta, Georgia 30334  
jstump@law.ga.gov  
(404) 656-3337

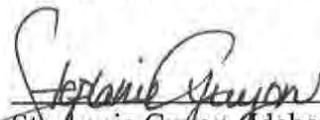
Date 12/11/13

For the State of Hawaii:

  
Deborah Day Emerson  
Supervising Deputy Attorney General  
425 Queen Street, Honolulu HI 96813  
Deborah.D.Emerson@Hawaii.Gov  
(808) 586-1180

Date 12-10-13

For the State of Idaho

Handwritten signature of Stephanie Guyon in cursive script.

Stephanie Guyon (Idaho Bar No. 5989)

Deputy Attorney General

P.O. Box 83720

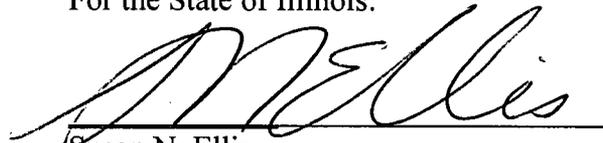
Boise, ID 83720-0010

[stephanie.guyon@ag.idaho.gov](mailto:stephanie.guyon@ag.idaho.gov)

(208) 334-4135

Date 12/10/13

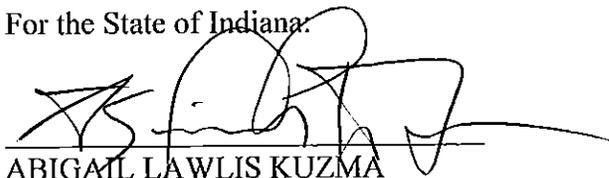
For the State of Illinois:

A handwritten signature in black ink, appearing to read "S. N. Ellis", written over a horizontal line.

Susan N. Ellis  
Bureau Chief, Consumer Fraud  
Office of the Illinois Attorney General  
100 West Randolph Street  
Chicago, IL 60601  
sellis@atg.state.il.us  
312-814-3000

Date 12-11-13

For the State of Indiana:

A handwritten signature in black ink, appearing to read 'Abigail Lawlis Kuzma', written over a horizontal line.

ABIGAIL LAWLIS KUZMA  
Director and Chief Counsel  
Consumer Protection Division  
Indiana Office of the Attorney General  
302 West Washington St., IGCS 5<sup>th</sup> Fl.  
Abigail.Kuzma@atg.in.gov  
Tel: 317-234-6843

Date: 12/17/13

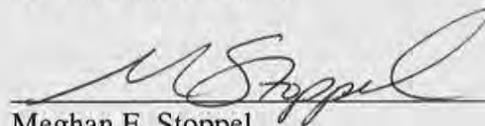
For the State of Iowa:

*Patrick Madigan*

Patrick Madigan  
Assistant Attorney General  
Iowa Attorney General's Office  
1305 East Walnut Street  
Des Moines, IA 50319  
Patrick.Madigan@Iowa.gov  
(515) 281-5926

Date 12/13/13

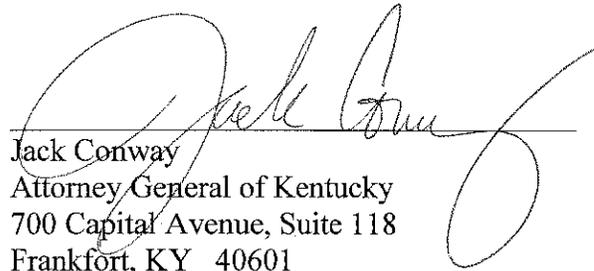
For the State of Kansas:

A handwritten signature in black ink, appearing to read 'M Stoppel', written over a horizontal line.

Meghan E. Stoppel  
Assistant Attorney General  
Office of the Kansas Attorney General  
120 SW 10<sup>th</sup> Avenue, 2nd Floor  
Topeka, Kansas 66612  
Meghan.Stoppel@ksag.org  
(785) 296-3751

Date 12-10-2013

**For the Commonwealth of Kentucky:**

A handwritten signature in cursive script, appearing to read "Jack Conway", is written over a horizontal line.

Jack Conway  
Attorney General of Kentucky  
700 Capital Avenue, Suite 118  
Frankfort, KY 40601  
susan.britton@ag.ky.gov  
502-696-5643

Date: December 13, 2013

For the State of Louisiana:

A handwritten signature in black ink, appearing to read "James D. Caldwell", written in a cursive style.

James D. "Buddy" Caldwell  
Louisiana Attorney General  
Post Office Box 94005  
Baton Rouge, Louisiana 70804-9005  
E-mail: Caldwellb@ag.state.la.us  
Phone Number: 225-326-6705

Date 12/12/13

For the State of Maine

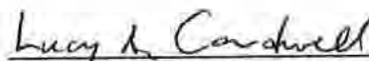


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LINDA J. CONTI  
Assistant Attorney General  
Office of the Attorney General  
6 State House Station  
Augusta, Maine 04333-0006  
Linda.conti@maine.gov  
(207) 626-8591

Date December 13, 2013

For the State of Maryland:



Lucy A. Cardwell  
Assistant Attorney General  
Consumer Protection Division  
Office of the Maryland Attorney General  
200 St. Paul Place  
Baltimore, MD 21202  
lcardwell@oag.state.md.us  
410-576-6337

Date December 17, 2013

For the Commonwealth of Massachusetts:



---

Glenn S. Kaplan  
Assistant Attorney General  
One Ashburton Place, 18<sup>th</sup> Floor  
Boston, MA 02108  
[Glenn.Kaplan@state.ma.us](mailto:Glenn.Kaplan@state.ma.us)  
617-963-2453  
D.C. Bar No. 429052

Date 12-13-13

For the State of Michigan:

A handwritten signature in black ink, appearing to read "D.J. Pascoe", written over a horizontal line.

D.J. Pascoe  
Assistant Attorney General  
Corporate Oversight Division  
P.O. Box 30755  
Lansing, MI 48909  
pascoed1@michigan.gov  
(517) 373-1160

Date: December 13, 2013

For the State of Minnesota:

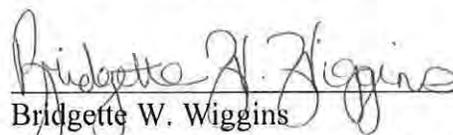
LORI SWANSON  
Attorney General  
State of Minnesota

A handwritten signature in black ink, appearing to read "Nathan Brennaman", written over a horizontal line.

NATHAN BRENNAMAN  
Deputy Attorney General  
445 Minnesota Street, Suite 1200  
St. Paul, Minnesota 55101-2130  
nate.brennaman@ag.state.mn.us  
(651) 757-1415 (Voice)

Date: December 12, 2013

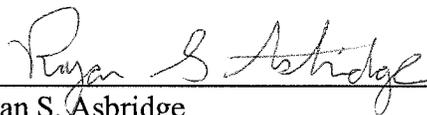
For the State of Mississippi:

A handwritten signature in cursive script, appearing to read "Bridgette W. Wiggins", is written over a horizontal line.

Bridgette W. Wiggins  
Special Assistant Attorney General  
Consumer Protection Division  
Post Office Box 22947  
Jackson, MS 39225  
bwill@ago.state.ms.us  
(601) 359-4279

Date 12/10/2013

For the State of Missouri:

A handwritten signature in cursive script, reading "Ryan S. Asbridge", is written over a horizontal line.

Ryan S. Asbridge  
Assistant Attorney General  
P.O. Box 899, Jefferson City, MO 65102  
ryan.asbridge@ago.mo.gov  
573-751-7677

Date: December 17, 2013

For the State of Montana:

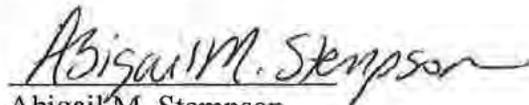


---

Chuck Munson  
Assistant Attorney General  
215 N. Sanders  
P.O. Box 201401  
Helena, MT 59620  
cmunson@mt.gov  
(406) 444-2026

Date December 13, 2013

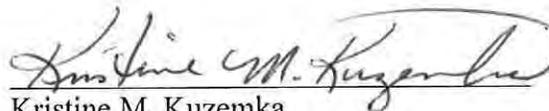
For the State of Nebraska:



Abigail M. Stempson  
Assistant Attorney General  
Chief, Consumer Protection Division  
2115 State Capitol  
Lincoln, NE 68509-8920  
abigail.stempson@nebraska.gov  
(402) 471-2683

Date 12/13/13

For the State of Nevada:

A handwritten signature in cursive script, appearing to read "Kristine M. Kuzemka", written over a horizontal line.

Kristine M. Kuzemka  
Senior Deputy Attorney General  
555 E. Washington Avenue, Suite 3900  
kkuzemka@ag.nv.gov  
(702) 486-3420

Date Dec. 12, 2013

For the State of New Hampshire:

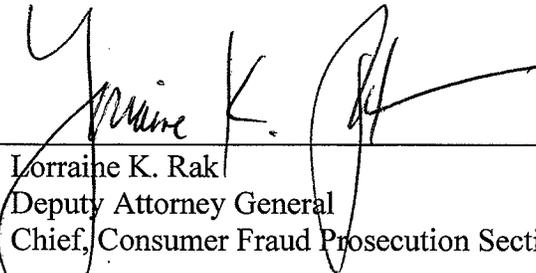
A handwritten signature in black ink, appearing to read "Ann M. Rice", is written over a solid horizontal line.

Ann M. Rice  
Deputy Attorney General  
33 Capitol Street, Concord, NH 03301  
Ann.Rice@doj.nh.gov  
603-271-1238

Date: December 12, 2013

JOHN J. HOFFMAN  
ACTING ATTORNEY GENERAL OF NEW JERSEY

By: \_\_\_\_\_

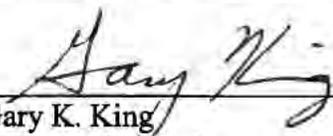


Lorraine K. Rak  
Deputy Attorney General  
Chief, Consumer Fraud Prosecution Section

124 Halsey Street – 5<sup>th</sup> Floor  
P.O. Box 45029  
Newark, New Jersey 07101  
[Lorraine.Rak@dol.lps.state.nj.us](mailto:Lorraine.Rak@dol.lps.state.nj.us)  
(973) 877-1280

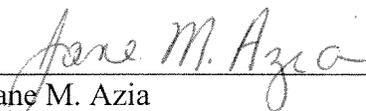
Date 12/13/13

For the State of New Mexico

  
\_\_\_\_\_  
Gary K. King  
Attorney General  
408 Galisteo Street  
Santa Fe, NM 87501  
Gking@nmag.gov  
(505) 827-5843

December 10, 2013

For the State of New York

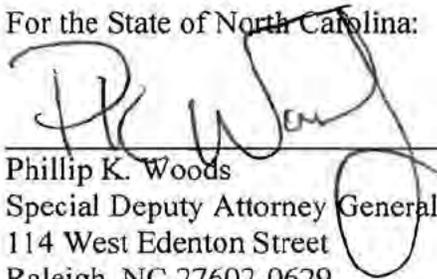


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Jane M. Azia  
Bureau Chief  
Bureau of Consumer Frauds & Protection  
Office of the New York State Attorney  
General  
120 Broadway  
New York, NY 10271  
[Jane.azia@ag.ny.gov](mailto:Jane.azia@ag.ny.gov)  
(212) 416-8727

December 11, 2013

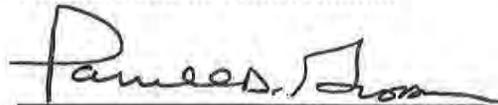
For the State of North Carolina:

A handwritten signature in black ink, appearing to read "P. Woods", is written over a horizontal line. The signature is stylized and somewhat cursive.

Phillip K. Woods  
Special Deputy Attorney General  
114 West Edenton Street  
Raleigh, NC 27602-0629  
Email: [pwoods@ncdoj.gov](mailto:pwoods@ncdoj.gov)  
Telephone: (919) 716-6052

Date December 10, 2013

For the State of North Dakota

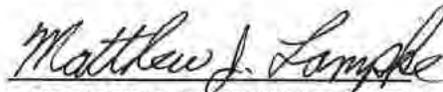


Parrell D. Grossman (NDBI #04684)  
Assistant Attorney General  
Director, Consumer Protection & Antitrust  
Division  
Office of Attorney General  
Gateway Professional Center  
1050 East Interstate Ave. Ste. 200  
Bismarck, ND 58503-5574  
[pgrossman@nd.gov](mailto:pgrossman@nd.gov)  
(701)328-5570

Date: December 11, 2013

For the State of Ohio

MIKE DeWINE  
The Attorney General of Ohio



MATTHEW J. LAMPKE (0067973)  
Mortgage Foreclosure Counsel  
30 East Broad Street, 15th Floor  
Columbus, Ohio 43215  
(614) 466-8569 - Telephone  
(866) 403-3979 - Facsimile  
Matthew.Lampke@OhioAttorneyGeneral.gov

Trial Counsel for Ohio

Date 12/12/2013

For the State of Oregon:

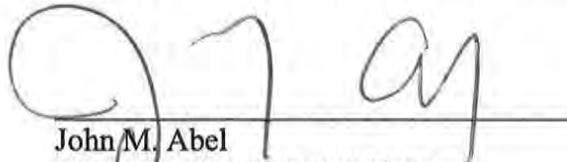


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Simon C. Whang,  
Assistant Attorney General  
Financial Fraud/Consumer Protection Sectn.  
Oregon Department of Justice  
1515 SW Fifth Ave Ste 410  
Portland, OR 97201  
simon.c.whang@doj.state.or.us  
971-673-1880

Date 12-13-13

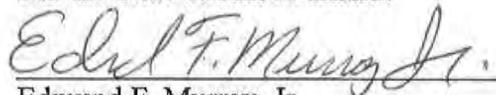
For the Commonwealth of Pennsylvania  
KATHLEEN G. KANE, Attorney General:

A handwritten signature in black ink, appearing to read 'J M Abel', is written over a horizontal line.

John M. Abel  
Senior Deputy Attorney General  
Pennsylvania Office of Attorney General  
Bureau of Consumer Protection  
15<sup>th</sup> Floor, Strawberry Square  
Harrisburg, PA 17120  
jabel@attorneygeneral.gov  
Tel: 717-783-1439  
Fax: 717-705-3795

December 13, 2013

For the State of Rhode Island:



Edmund F. Murray, Jr.

Special Assistant Attorney General

Rhode Island Department of Attorney General

150 South Main Street

Providence, Rhode Island 02903

(401) 274-4400 ext. 2401

[emurray@riag.ri.gov](mailto:emurray@riag.ri.gov)

Date 12/13/13

For the State of South Carolina:



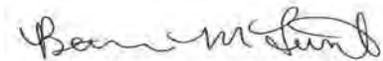
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C. Havird Jones, Jr.  
Assistant Deputy Attorney General  
PO Box 11549  
Columbia, SC, 29211  
SJones@scag.gov  
803-734-3654

Date: December 10, 2013

On Behalf of the State of South Dakota:

MARTY J. JACKLEY  
ATTORNEY GENERAL



---

Bethanna M. Feist  
South Dakota Attorney General's Office  
1302 E. Highway 14, Suite 1  
Pierre, SD 57501-8501  
Telephone: (605) 773-3215  
Facsimile: (605) 773-4106  
Email: Bethanna.Feist@state.sd.us

Date: 2/13/13

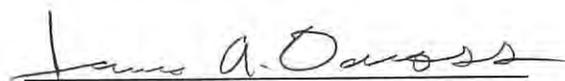
For the State of Tennessee:

A handwritten signature in black ink, appearing to read "R E Cooper, Jr.", written over a horizontal line.

Robert E. Cooper, Jr.  
Attorney General and Reporter  
Office of the Tennessee Attorney General  
425 Fifth Avenue North  
Nashville, Tennessee 37243-3400  
bob.cooper@ag.tn.gov  
(615) 741-3491  
DC Bar No. 393721 (inactive)

Date December 13, 2013

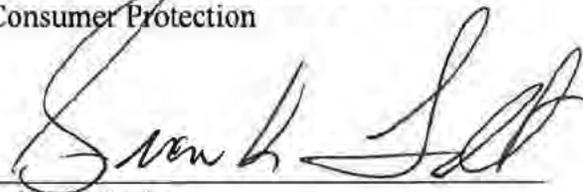
For the State of Texas:

A handwritten signature in black ink that reads "James A. Daross". The signature is written in a cursive style and is positioned above a horizontal line.

James A. Daross  
Regional Managing Attorney  
Consumer Protection Division  
Office of the Attorney General of Texas  
401 E. Franklin Ave., Suite 530  
El Paso, Texas 79901  
[james.daross@texasattorneygeneral.gov](mailto:james.daross@texasattorneygeneral.gov)  
915-834-5801 (Direct)  
915-834-5800 (Main)  
915-542-1546 (FAX)  
Texas Bar No. 05391500

Date December 16, 2013

For the State of Utah and the Division of  
Consumer Protection

A handwritten signature in black ink, appearing to read "Brian L. Tarbet", written over a horizontal line.

Brian L. Tarbet  
Utah Attorney General (Acting)  
350 North State Street, Suite 230  
Salt Lake City, Utah 84114  
[btarbet@utah.gov](mailto:btarbet@utah.gov)  
(801) 538-1191

Date 12/10/13

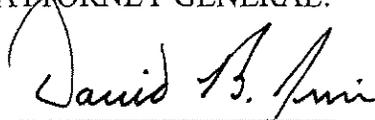
For the State of Vermont:



\_\_\_\_\_  
Elliot Burg  
Assistant Attorney General  
Vermont Attorney General's Office  
109 State Street  
Montpelier, VT 05609  
eburg@atg.state.vt.us  
(802) 828-2153

Date December 12, 2013

For the COMMONWEALTH of VIRGINIA,  
*EX REL.* KENNETH T. CUCCINELLI, II,  
ATTORNEY GENERAL:



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DAVID B. IRVIN (VSB #23927)  
Senior Assistant Attorney General  
MARK S. KUBIAK (VSB #73119)  
Assistant Attorney General  
Office of Virginia Attorney General  
900 East Main Street  
Richmond, Virginia 23219  
Telephone: 804-786-4047

Date 12/10/2013

STATE OF WASHINGTON  
ROBERT W. FERGUSON  
ATTORNEY GENERAL

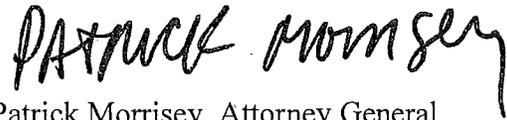


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DAVID W. HUEY, WSBA # 31380  
Senior Counsel  
1250 Pacific Avenue, Suite 105  
PO Box 2317  
Tacoma, WA 98401-2317  
DavidH3@atg.wa.gov  
(253)593-5057

Date 12/13/2013

For the State of West Virginia

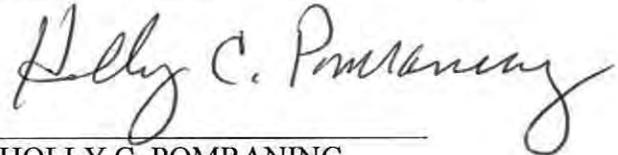
A handwritten signature in black ink that reads "PATRICK MORRISSEY". The signature is written in a cursive, slightly slanted style.

Patrick Morrissey, Attorney General  
State Capitol Bldg. 1, Room 26-E  
Charleston, WV 25305-0220  
Patrick.J.Morrissey@wvago.gov  
304-558-2021

Date 12-11-13

For the State of Wisconsin:

J.B. VAN HOLLEN  
Attorney General

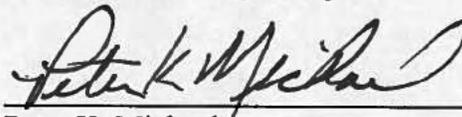
A handwritten signature in cursive script that reads "Holly C. Pomraning". The signature is written in black ink and is positioned above a horizontal line.

---

HOLLY C. POMRANING  
Assistant Attorney General  
Wisconsin Department of Justice  
Post Office Box 7857  
Madison, Wisconsin 53707-7857  
Email: pomraninghc@doj.state.wi.us  
Tel: 608-266-5410

Date 12/10/13

For the State of Wyoming:

A handwritten signature in cursive script, appearing to read "Peter K. Michael", written over a horizontal line.

Peter K. Michael  
Attorney General  
123 Capitol Building  
Cheyenne, WY 82002  
Peter.michael@wyo.gov  
(307) 777-7841

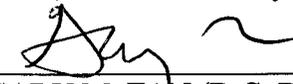
Dated: December 11, 2013

Respectfully submitted,

IRVIN B. NATHAN  
Attorney General for the District of Columbia

ELLEN A. EFROS  
Deputy Attorney General  
Public Interest Division

  
BENNETT RUSHKOFF (D.C. Bar #386925)  
Chief, Public Advocacy Section

  
GARY M. TAN (D.C. Bar # 987796)  
Assistant Attorney General  
Office of the Attorney General  
441 4<sup>th</sup> Street, N.W., Suite 600 South  
Washington, DC 20001  
Telephone: (202) 727-6241  
Email: Gary.Tan@dc.gov

Attorneys for the District of Columbia

CLERK-S OFFICE  
UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

CO-932  
Rev. 4/96

NOTICE OF DESIGNATION OF RELATED CIVIL CASES PENDING  
IN THIS OR ANY OTHER UNITED STATES COURT

Civil Action No. \_\_\_\_\_  
(To be supplied by the Clerk)

NOTICE TO PARTIES:

Pursuant to Rule 40.5(b)(2), you are required to prepare and submit this form at the time of filing any civil action which is related to any pending cases or which involves the same parties and relates to the same subject matter of any dismissed related cases. This form must be prepared in sufficient quantity to provide one copy for the Clerk-s records, one copy for the Judge to whom the cases is assigned and one copy for each defendant, so that you must prepare 3 copies for a one defendant case, 4 copies for a two defendant case, etc.

NOTICE TO DEFENDANT:

Rule 40.5(b)(2) of this Court requires that you serve upon the plaintiff and file with your first responsive pleading or motion any objection you have to the related case designation.

NOTICE TO ALL COUNSEL

Rule 40.5(b)(3) of this Court requires that as soon as an attorney for a party becomes aware of the existence of a related case or cases, such attorney shall immediately notify, in writing, the Judges on whose calendars the cases appear and shall serve such notice on counsel for all other parties.

\_\_\_\_\_

The plaintiff, defendant or counsel must complete the following:

I. RELATIONSHIP OF NEW CASE TO PENDING RELATED CASE(S).

A new case is deemed related to a case pending in this or another U.S. Court if the new case: [Check appropriate box(es) below.]

- (a) relates to common property
- (b) involves common issues of fact
- (c) grows out of the same event or transaction
- (d) involves the validity or infringement of the same patent
- (e) is filed by the same pro se litigant

2. RELATIONSHIP OF NEW CASE TO DISMISSED RELATED CASE(ES)

A new case is deemed related to a case dismissed, with or without prejudice, in this or any other U.S. Court, if the new case involves the same parties and same subject matter.

Check box if new case is related to a dismissed case:

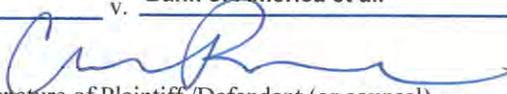
3. NAME THE UNITED STATES COURT IN WHICH THE RELATED CASE IS FILED (IF OTHER THAN THIS COURT):

4. CAPTION AND CASE NUMBER OF RELATED CASE(E-S). IF MORE ROOM IS NEED PLEASE USE OTHER SIDE.

United States of America et al. v. Bank of America et al. C.A. No. 12cv00361

December 19, 2013

DATE

  
Signature of Plaintiff/Defendant (or counsel)