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9 *In Association With:*

10 Julie C. Lim, Esq. SBN 237817
11 **LAW OFFICES OF JULIE C. LIM**
12 714 West Olympic Blvd., Suite 900
13 Los Angeles, California 90015
14 Telephone: (213) 765-0018
15 Facsimile: (213) 765-0158
16 julie@limlawfirm.com

17 Attorneys for Plaintiff
18 Regina Manantan

19 **SUPERIOR COURT OF CALIFORNIA**

20 **COUNTY OF SAN MATEO – REDWOOD CITY COURT**

21 REGINA MANANTAN,
22
23 Plaintiff,

24 vs.

25 WELLS FARGO BANK, N.A. D/B/A
26 AMERICA'S SERVICING COMPANY,
27 U.S. BANK, N.A., AS TRUSTEE,
28 SUCCESSOR-IN-INTEREST TO BANK
BANK OF AMERICA, N.A. AS
TRUSTEE FOR MORGAN STANLEY
MORTGAGE LOAN TRUST 2007-7 AX,
QUALITY LOAN SERVICE
CORPORATION, MOAB INVESTMENT
GROUP, LLC and DOES 1 through 50,
Inclusive,

Defendants.

) Case No.: CIV 535902
) Case Assigned To :
) Honorable Jonathan E. Karesh, Judge
) Department 20
)
) **NOTICE OF TAKING THE DEPOSITION**
) **OF JOFFREY LONG AND REQUEST FOR**
) **PRODUCTION OF DOCUMENTS**
)
) Date of Deposition: October 30, 2017
) Time: 1:30 p.m.
) Location: 714 West Olympic Blvd., Suite 900
) Los Angeles, CA 90015
)
) MSC Date: November 16, 2017
) Time: 9 :30 a.m.
) Dep't: 20
) Trial Date: November 27, 2017
)
) *Case Filed : October 20, 2015*



1 **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that pursuant to California Code of Civil Procedure Sections
3 2025.010, 2034.010 et seq., Plaintiff Regina Manantan, by and through counsel shall take the
4 deposition of expert witness Joffrey Long before a deposition officer authorized to administer
5 oaths in the State of California on October 30, 2017 at 1:30 p.m. The location that the deposition
6 will be held is the Law Office of Julie C. Lim at 714 West Olympic Boulevard, Suite 900 Los
7 Angeles, California 90015.
8

9 **PLEASE TAKE NOTICE** that the deposition(s) will continue from day to day,
10 excluding Sundays and legal holidays, until completed.
11

12 **NOTICE IS FURTHER GIVEN** that this noticing party reserves the right to use the
13 testimony including the video recording of the deposition testimony at trial pursuant to Section
14 2025.620(d) of the Code of Civil Procedure.

15 Pursuant to Code of Civil Procedure, section 2034.430, reasonable and customary fees
16 stated in defendant's designation of experts will be tendered at the time of each expert's
17 deposition.
18

19 **PLEASE TAKE FURTHER NOTICE** that pursuant Code of Civil Procedure section
20 2025.010(b), 2025.220 et seq., the deponent is requested and required to produce deposition
21 documents and things no later than three business days prior to the date noticed for the expert's
22 deposition, and his entire file concerning the evaluation, consultation, examination, and
23 interaction with defendant, and its employees, and defendants' attorneys and his research,
24 investigation and evaluation of the issues requested for his expert opinion.
25

26 This request is intended to include, but is not limited to, all correspondence to and from
27 counsel for defendants, all records, reports, notes, videos, photographs, computer simulations,
28


1 animations, power point presentations, reconstructions, and results thereof and all other
2 documents which constitutes the expert's file herein.

3 The expert is further requested to bring with him at the time and place set forth above, all
4 documents relating to any court order disqualifying him as an expert or limiting his testimony in
5 litigation pending before a state or federal court.
6

7 Dated: October 14, 2017

LAW OFFICES OF JULIE C. LIM

8
9 By: _____


Julie C. Lim, Esq.
Timothy L. McCandless, Esq.
Attorney for Plaintiff
REGINA MANANTAN

PROOF OF SERVICE

Case Name: Regina Manantan v. Wells Fargo Bank, N.A. et al.
Superior Court No.: CIV535902

I am over the age of eighteen and not a party to the within action. My business address is 714 West Olympic Boulevard, Suite 900, Los Angeles, California 90015, and know of the facts stated below are based upon my own personal knowledge.

On October 16, 2017, I served true and complete copies of the documents entitled **NOTICE TO TAKE DEPOSITION OF JOFFREY LONG AND REQUEST FOR PRODUCTION OF DOCUMENTS** by the following:

() BY MAIL

() As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.

() By Personal Service:

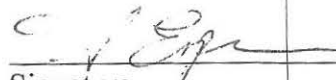
(X) By Overnight Courier: I caused the above-referenced document(s) to be delivered to an overnight courier service for delivery to the above address(es).

() By Facsimile Machine: I caused the above-referenced document(s) to be transmitted to the above-named persons at the following telephone number(s) see attached Proof of Service list.

(X) By Email Transmission: I caused the above-referenced document(s) to be transmitted to the persons listed in the attached Proof of Service lists.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct on this 16th day of October 2017. Executed at Los Angeles, California.

Alejandra Espinosa
Print Name


Signature

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SERVICE LIST FOR
Regina Manantan v. Wells Fargo Bank, N.A.
San Mateo Superior Court Case No. CIV535902

SERVICE UPON:

Laszlo Ladi, Esq. (By FEDEX)
ll@severson.com
SEVERSON & WERSON
A Professional Corporation
One Embarcadero Center, Suite 2600
San Francisco, California 94111
Attorneys for Defendant Wells Fargo Bank, N.A.
D/B/A America's Servicing Company
Telephone: (415) 398-3344
Facsimile : (415) 677-5545

Severson
& Werson

A Professional Corporation

EXHIBIT 51

EXHIBIT 2
WIT: Long
DATE: 11-3-17
Josh Manea, CSR 13754



September 18, 2015

REGINA B MANANTAN
911 HADDOCK ST
FOSTER CITY, CA 94404

Account Information	
Fax:	(866) 453-6315
Telephone:	(800) 842-7654
Correspondence:	PO Box 10335 Des Moines, IA 50306
Hours of Operation:	Mon - Fri 6am-10pm, Sat 8am-2pm Ct
Loan Number:	1127135582
Property Address:	911 Haddock St Foster City CA 94404

002

Subject: Your request for mortgage assistance

Dear Regina B Manantan:

We're responding to your recent request for mortgage assistance. At this time, we are unable to move forward with an evaluation of your current situation.

What you need to know about foreclosure

If your mortgage has been or will be referred to foreclosure, that process may move forward now.

We're here for you

If you have any questions about the information in this letter, please call us at (800) 842-7654.

Home Preservation Department
America's Servicing Company

Where appropriate, America's Servicing Company is required by the Fair Debt Collection Practices Act to inform you that, as your account servicer, we are attempting to collect a debt, and any information obtained will be used for that purpose. However, if you are a customer involved in an active bankruptcy case or you received a discharge in a bankruptcy case where the account was not otherwise reaffirmed or excepted from discharge, then this notice is being provided to you for informational purposes only. **THIS IS NOT A BILL OR A REQUEST FOR PAYMENT AS TO ANY SUCH CUSTOMER(S).**

We may report information about your account to credit reporting agencies. Late payments, missed payments, or other defaults on your account may be reflected in your credit report.

With respect to those accounts secured by property located in the State of California, the state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov.

Wells Fargo Home Mortgage, doing business as America's Servicing Company, is a division of Wells Fargo Bank, N.A.
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Account Information

Loan number: 1127135582

Property address: 911 Haddock St
Foster City CA 94404

If we do not hear from you, we will not be able to help you. Please keep in mind that the sooner you reach out to us, the more options may be available to you. Call me today at the phone number below.

Sincerely,

ERICA CARRILLO

ERICA CARRILLO

Home Preservation Specialist
America's Servicing Company
Ph: 1-877-685-2354 ext. 29760
Fax: 1-866-590-8910

Get free counseling to help manage expenses and avoid foreclosure.

Reach out to a local HUD-approved, non-profit housing counseling agency if you're struggling to keep up with monthly expenses, or want help to avoid foreclosure. At no cost, a counselor will work closely with you, providing the information and assistance you need. To find an agency near you, go to www.hud.gov/offices/hsg/sfh/hcc/fc. Or call 1-800-569-4287 (TDD 1-800-877-8339). You can also call the HOPE hotline 1-888-995-HOPE (4673).

Be sure you avoid anyone who asks for a fee for counseling or a loan modification, or asks you to sign over the deed to your home, or to make your mortgage payments to anyone other than America's Servicing Company.

Where appropriate America's Servicing Company is required to inform you that, as your account servicer, we are attempting to collect a debt and any information obtained will be used for that purpose.

With respect to those accounts secured by property located in the State of California, the state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov.

We may report information about your account to credit reporting agencies. Late payments, missed payments, or other defaults on your account may be reflected in your credit report.

Please note: this letter is being sent in response to your request for assistance. In order to assist you with this request, we must be able to contact you. Therefore, any previous request to cease communication with you has been waived for these purposes. If this is incorrect, please contact us immediately.

Wells Fargo Home Mortgage, doing business as America's Servicing Company, is a division of Wells Fargo Bank, N.A.
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Joffrey G. Long

FEE SCHEDULE EFFECTIVE 03/05/2016
(For consultation, testimony, deposition,
arbitration, trial and public hearings)

HOURLY RATES:

\$380.00 per hour Research, Consultation, Non-Court, and Non-Deposition Time

\$580.00 per hour Testimony & Deposition Time

\$ 38.00 per 1/10 hour telephone charge

\$190.00 per hour travel / waiting time

TRAVEL TIME, COSTS AND EXPENSES

Travel time, round trip, and required waiting time will be charged at \$190.00 per hour for the time actually incurred. All related travel costs and expenses actually incurred will be charged in addition to travel time.

INITIAL RETAINERS:

\$ 4,000.00

ADDITIONAL RETAINER REQUIRED PRIOR TO TESTIMONY (unused portions, if any, refundable)

Prior to requesting testimony at deposition, arbitration, trial or public hearings, an additional minimum retainer of \$ 4,000.00 is required which amount may be increased subject to consultant's review of the status of the account to determine the hours expended to date, the hours reasonably expected to be incurred to accomplish the required testimony (including further preparation time), and all costs and expenses previously or expected to be incurred including travel time. The additional minimum retainer may be increased to an amount sufficient to cover the estimated time, costs and expenses prior to testimony being given. Note: Consultant will not make appearances until retainer(s) is/are appropriately increased.

Client is responsible to secure payment from opposing counsel for consultant's testimony time at deposition. Checks presented by opposing counsel in advance of the deposition shall be credited to client's retainer account maintained with counsel and shall be promptly paid to Consultant upon performance of the services for which it was rendered. Client will be charged for any deposition time not paid by opposing counsel.

Counsel and not the client is primarily responsible for the payment of all consultant's fees, costs and expenses. Should either party be required to enforce the terms of this Fee Schedule, the prevailing party shall be entitled to attorney's fees and costs and expenses reasonably incurred. The venue shall be Los Angeles County.

Consultant agrees to keep confidential any private or confidential information, material or documents provided to consultant in this matter. Information, material, or documents provided in the course of this matter will only be used by consultant for the purpose of this engagement and will not be disclosed, given or made available to any person or entity, except as may be required by law.

CHECKS SHOULD BE MADE PAYABLE TO SOUTHWEST BANCORP
Federal I.D. #95-3988618

(Page 1 of 2)

EXHIBIT	4
WIT:	Long
DATE:	11-3-17
Josh Manea, CSR 13754	

Counsel has read and approved of the fee schedule described above and agrees to be bound thereby.

Signed: [Signature] Date: 10/17/17
Signature of legal counsel

Signed: _____ Date: _____
Signature of client (Optional)

Signed: [Signature] Date: 10/17/17
Signature of consultant
Joffrey G. Long

Note: If possible, please provide the full name of the case / matter, your law firm case number, or any other number / code you prefer to have included with invoices, etc.

Full name of case / matter: Regina Manantar v. Wells Fargo, et al.
San Mateo Superior Court no. EIV 535902

Your law firm case number or any codes or reference numbers you prefer to have included with invoices:

Opinions

- ✓ After the denial dated March, 2015 for the October, 2014 RMA, there was no complete application submitted. The September documents provided, and the Sept. 17, 2017 RMA did not constitute a complete submission, and as of 10/2/17, there continued to be no complete application, and no evidence or documentation of a material change in circumstances was provided.
- ✓ Loan Servicer met the standard of care in servicing the loan, receiving documents, and responding to the borrower's various requests for mortgage assistance
- ✓ I intend to offer a generalized overview at trial of how loan servicing works.
 - A. LOAN SERVICERS CAN'T ACQUIRE THE PROP.
 - B. L.S. DOESN'T DETERMINE STANDARDS FOR MODIFICATION, AS TO QUALIFYING.
- ✓ I intend to offer a generalized overview at trial of how bankruptcy affects foreclosure.
- ✓ It's highly unusual for borrowers to file so many bankruptcies. It is commonplace for borrowers to use various methods to stop the foreclosure process. One of the common methods of stopping foreclosure is to file repetitive bankruptcies. Another method of stopping foreclosure is to continue to file and re-file multiple requests for assistance or modification to delay the foreclosure process.
- ✓ When a borrower submits a request for mortgage assistance or other items relative to getting mortgage assistance at the last minute, or only 16 days prior to a trustees sale, it leaves no margin for error, and may not allow sufficient time for the employees of the loan servicer to perform work related to receipt of documents.
- ✓ It is not unusual for ~~Special~~ **SINGLE** Points of Contact to change.

