

CASE HIGHLIGHTS

US DISTRICT COURT OF NEW JERSEY CASE NO. Case_2-16-cv-05301

The filing of a fraudulent mortgage and the awarding of a deceptive, illegal foreclosure of my home of 34-years was facilitated by the defendants and their cohorts in a systematic and systemic process.

The Plaintiff has identified former employees of the defendants and others who were involved in, or ware of, components of this fraud. In addition to these and other witnesses, several documents have been presented to Federal and State authorities that corroborate the defendants' fraud. The defendants have dragged this action out for 12 years by breaking commitments, failing to show up for Court hearings, filing false legal documents, withholding documents and more.

Rather than attempt a responsible and fair resolution, the defendants have evaded mediation and engaged in hyper-aggressive legal tactics to evade responsibility for their actions.

Highlights of this case have been prepared for the Federal Mediator. Over 4,000 pages have been filed in [US Case 2:16 cv-05301](#) . Some of the key findings of this case include:

The Defendants' actions were laden with fraud. From failing to record mortgage payments, to processing a fraudulent mortgage, to failing to file the corrected mortgage, to renegeing on a subsequent modification to correct the fraudulent mortgage, the Defendants' have committed serial fraud since 2005.

THE MORTGAGE WAS FRAUDULENT.

- My financial records and financial analysis presented to the NJ Court in 2014 prove that the mortgage was fraudulent. As you know, I studied finance and economics at leading universities in the US and Europe. I hold a Kellogg MBA in Finance and Economics followed by 35 years of career success. I have served as a FINRA Arbitrator since 2009 and currently serve as a FINA Arbitrator Chair. My analysis is sound and shows that about \$208K was arbitrarily added to the mortgage principal.
- The mortgage with Fremont was only taken to escape fraud by Litton Loan, a known predator that purchased my mortgage.
- The Fremont advance was at least \$80,000 short.
- Witnesses include former Fremont employees involved in the process and who tried to fix the problem. Also, a colleague who recommended the Fremont mortgage representative and the Fremont mortgage representative's wife have been identified as witnesses.
- The mortgage was signed in 2006 and not filed with the Essex County Hall of Records until after the spring of 2010. I have a copy of my property records from the Essex County Hall of Records that I personally reviewed and copied in 2010.
- The mortgage is not financially nor operationally consistent with the rates, terms and conditions presented (LIBOR, ADR, First Position, etc.)
- The attorney¹ who signed the fraudulent mortgage was charged with theft by deception² and was disciplined by a State of New Jersey licensing authority³ after taking a victim's home in Jersey City. . ["The New Jersey Office of Attorney Ethics found Danny guilty of the following misconduct"](#)⁴. He used the address of 2 title companies, one run by his wife and the other run by his stepson, respectively. According to NJ State records, the title companies may not have been authorized to operate on the date that he signed the fraudulent mortgage.

REPEATEDLY OFFERED TO FIX THE PROBLEM, REPEATEDLY FAILED TO DO SO

- Fremont promised to file the modification that corrected the fraudulent mortgage.
- Litton Loan. Confirmed modification, accepted payments, renegeed, foreclosed, then cashed payment checks. I did not see a foreclosure complaint until April 2017.

PROOF OF ADDITIONAL FRAUD

I have other evidence & witnesses that prove fraud in the defendants' effort to steal my property.

- Attorneys falsely presented change of court date to stop litigation.
- Attorneys and State of NJ withheld foreclosure documents and proceedings
- Foreclosure awarded without my knowledge despite being contested by my former attorney
- My former attorney withdrew after recommitting to my case and before the foreclosure
- My former attorney did not formally withdraw with the Court until 3 months after the foreclosure
- Judge forced a law firm, that had withdrawn and signed the false court document, to represent me over my objections. I was representing myself (acting Pro Se).
- Judge barred me from hearing when I was acting Pro Se
- The foreclosure case file is filled with inappropriate and likely illegal documents.
- A stream of consciousness demonstrated through the defendants' actions support intent or, at the very least, gross negligence.
- I have identified and located several former employees of Litton Loan, Fremont, Goldman Sachs and HSBC and Ocwen who worked on my mortgage or were aware of fraud and deception with my mortgage.

There is more incriminating evidence in the 4,000+ pages filed with the U.S. District Court.

PRECEDENTS (see p. 3331, [US Case 2:16 cv-05301](#))

- \$21M Award: [David Brash v. PHH Mortgage Corp.](#) (Case No. 4-09-cv-00146-(CDL)), a jury in the U.S. District Court of Georgia (11th District) awarded \$21M to the Plaintiff
- \$11.5M Award: [Sealy Davis v. Ocwen Federal Bank, et al.](#) 212th District Court, Galveston, Texas. (2005). \$11.5 million verdict. Unfair debt collection of a mortgage loan in servicing loan. [Click for PRNewswire release](#) & [Mortgage Damage Awards](#)
- Ocwen \$2.1B Federal & State settlement <http://www.bizjournals.com/southflorida/news/2013/12/19/regulators-slap-mortgage-giant-ocwen.html>
- HSBC \$479M Federal settlement
- Goldman Sachs \$5B Federal settlement

DAMAGES

- During 12+ years of this action, I lost contracts and Federal revenue exceeding hundreds of millions; well documented. Commercial revenue has not yet been projected.
- Health was impacted including multiple hospitalizations; will be corroborated by multiple doctors and health professionals
- Pain and suffering due to inhuman and excessive financial and legal attacks

FOR A 2014 EXPLANATION VISIT <http://www.fifix.org/Private-for-Mediation.html>

¹ Decision by the SUPREME COURT OF NEW JERSEY, Disciplinary Review Board Docket No. DRB 14-273, District Docket No. XIV-2013-0359E, http://drblookupportal.judiciary.state.nj.us/DocumentHandler.ashx?document_id=1059667

² Jersey City Journal, by [Ron Zeitlinger](#) Jan. 15, 2008 http://www.nj.com/hudson/index.ssf/2008/01/not_again_disbarred_lawyer_acc.html

³ Avvo Lawyer Directory <https://www.avvo.com/attorneys/07040-nj-daniel-roy-1571828.html#resume>

Temporary Suspension issued in NJ, 2016 ♦ updated on Oct 17, 2016

Temporary suspension means an attorney lost his or her license to practice during a disciplinary investigation. The suspension typically expires when the investigation is resolved.

Reprimanded issued in NJ, 2015 ♦ updated on Oct 17, 2016

This means the attorney did something wrong, but the Bar did not suspend the lawyer. Typically in this case the lawyer's poor behavior is exposed to the public in hopes that he or she will not repeat the behavior.

⁴ The Committee to Expose Dishonest and Incompetent Judges, Attorneys and Public Officials , [Click to Download](#)