In the Matter of: Clinton E. Kirby VS. Bank of America

Michele Sjolander 01/25/2012

Job #: 4329



(818)988-1900

1	IN THE UNITED STATES DISTRICT COURT
2	FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
3	HATTIESBURG DIVISION
4	
5	CLINTON E. KIRBY AND)
6	MARTHA B. KIRBY,)) ORGE NO. 2 00 GV 00102 DGD IND
7	PLAINTIFFS,) CASE NO. 2:09-CV-00182-DCB-JMR)
8	VS.)
9	BANK OF AMERICA, N.A.,) AS SUCCESSOR IN INTEREST)
10	TO COUNTRYWIDE BANK, FSB;) BAC HOME LOAN SERVICING,)
11	L.P., F/K/A COUNTRYWIDE) HOME LOAN SERVICING LP;) RECONTRUST COMPANY, N.A.;)
12	FEDERAL NATIONAL MORTGAGE)
13 14	ASSOCIATION A/K/A FANNIE) MAE; AND MORTGAGE) ELECTRONIC REGISTRATION) SYSTEMS, INC.,)
15) DEFENDANTS.)
16	
17	DEPOSITION OF MICHELE SJOLANDER
18	WEDNESDAY, JANUARY 25, 2012
19	
20	
21	
22	
23	FILE NO. 4329
24	REPORTED BY: COLLEEN CRISSMAN, C.S.R. 10683
25	

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1	DEPOSITION OF MICHELE SJOLANDER, TAKEN ON BEHALF OF THE	1	VAN NUYS, CALIFORNIA; WEDNESDAY, JANUARY 25, 2012;	
2	PLAINTIFFS, AT 9:41 A.M., WEDNESDAY, JANUARY 25, 2012, AT	2	9:41 A.M.	
3	14520 SYLVAN STREET, VAN NUYS, CALIFORNIA, BEFORE COLLEEN	3	202	
4	CRISSMAN, C.S.R. NO. 10683.	4	000	
5	APPEARANCES OF COUNSEL	5 6	MICHELE SJOLANDER,	
7	FOR PLAINTIFFS:	7	having been first duly sworn by the reporter,	
8	CLINTON KIRBY, IN PROPRIA PERSONA	8	was examined and testified as follows:	
9	24323 JACKSON ÁVENUE APARTMENT 714	9	was examined and testified as follows.	
10	MURRIETA, LOUISIANA 92562 (601) 466-0442	10	MR. HEMBREE: Usual stipulations?	
11	(601) 160 0112	11	MR. KIRBY: I don't know what the usual	
12		12	stipulations are.	
13	FOR DEFENDANTS:	13	MR. HEMBREE: The deposition is taken pursuant	
14	MC GLINCHEY STAFFORD PLLC	14	to the Rules of Federal Procedure.	
15	BY: GEORGE DEWEY HEMBREE, III, ESQ. 200 SOUTH LAMAR STREET	15	MR. KIRBY: Sure, pursuant to the Rules of	
16	CITY CENTRE SOUTH, SUITE 1100 JACKSON, MISSISSIPPI 39201	16	Federal Procedure that I have here.	
17	(601) 960-8425	17	MR. HEMBREE: Any objections other than to the	
18		18	form of the question is reserved for trial.	
19		19	MR. KIRBY: Objectiond other than to form	
20		20	reserved for trial, is that what you said?	
21		21	MR. HEMBREE: Uh-huh.	
22		22	MR. KIRBY: Yes, I do believe that's what it	
23		23	says.	
24		24	MR. HEMBREE: And she would like to read and	
25		25	sign.	
	Page 3			Page 5
1	Page 3 INDEX	1	MR. KIRBY: She'd like to read and sign you say?	Page 5
1		1 2	MR. KIRBY: She'd like to read and sign you say? Okay. Are you here as her attorney?	Page 5
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1	America, et al., beginning at 9:41 A.M., on Wednesday,	1	Q All right. So let me give you this. This is	
2	January 25, 2012. This deposition is taking place at my	2	the document. I'm not planning on exhibiting it to the	
3	office.	3	deposition, just because it's already in the record. I'm	
4	Counsel, will you please state your appearances	4	just going to refer to it. So can you read the title of	
5	for the record.	5	that document?	
6	MR. HEMBREE: Dewey Hembree, Bank of America.	6	A Clinton E. Kirby and Martha B. Kirby	
7	THE REPORTER: Counsel Mr. Kirby?	7	Q Well, no, the title down below.	
8	MR. KIRBY: I'm sorry. Clinton Kirby, pro se.	8	A "Declaration of Michele Sjolander."	
9	THE REPORTER: And the witness has been sworn.	9	Q Right. So I just want you to understand we're	
10	Please proceed.	10	going to be referring to this often, going through it;	
11	·	11	okay?	
12	EXAMINATION	12	A Uh-huh.	
13	BY MR. KIRBY:	13	Q All right. Let me see. Let me switch pages.	
14	Q All right. So let's just go through the basics	14	Okay. So we've got your name. What is your business	
15	here. Have you ever had a deposition taken before?	15	address?	
16	A Yes.	16	A 4500 Park Granada, Calabasas, California.	
17	Q I mean, can you how many? Multiple?	17	Q Do you know the zip code, not that it's that	
18	A Five.	18	important?	
19	Q Five.	19	A No.	
20	A This is my fifth.	20	Q You don't know it offhand, okay.	
21	Q This would be your fifth. Do you know what	21	And so who is your employer?	
22	cases those were, or do you remember?	22	A Bank of America.	
23	A There were a few Bank of America cases and one	23	Q Which aspect of Bank of America? Is there more	
24	for my own Weyerhaeuser Mortgage.	24	than one Bank of America organization? I mean, which	
25	Q And obviously you understand you're under oath?	25	particular Bank of America organization?	
	Page 7	23	particular Dank of America organization.	Page 9
1	·	1	A I work under the mortgage business of Bank of	1 age 9
1	A Yes.	1	A I work under the mortgage business of Bank of America, secondary marketing.	1 age 9
2	A Yes. Q And that means you're sworn to tell the truth?	2	America, secondary marketing.	1 age 9
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	Page 10			Page 12
1	Q Three or four. And those are all Bank of	1	Q So have you held any other positions within Bank	
2	America cases?	2	of America?	
3	A Yes.	3	A Bank of America, no.	
4	Q So what do you do just on a day-to-day basis at	4	Q Right.	
5	Bank of America?	5	A This is the position.	
6	A I work in their loan delivery and operations	6	Q Right, no. Okay. You got that. Now, of	
7	group. I am I oversee the settlements area, loan	7	course well, let me just put it this way so just	
8	delivery, which creates the securities. I have	8	let me get one more time. The total amount of time	
9	eligibility, which is the eligibility of the loans going	9	you've been at the company is just since April of 2009?	
10	into the security. I have an operations crew that	10	A For Bank of America, yes.	
11	oversees the collateral operations, and master file audit	11	Q For Bank of America, yes?	
12	which audits the files, a bond group, and a wiring group.	12	A I was previously with Countrywide. I was part	
13	Q Okay. So how many groups is that? You	13	of the merger.	
14	mentioned several groups. Let me just make a note of	14	Q That's what I'm getting to here. So previously	
15	that.	15	before immediately before Bank of America took over	
16	A Well, one group is really under all of	16	Countrywide or there was a merger, what did you do for	
17	operations.	17	Countrywide?	
18	Q Right. So there's an operations group?	18	A I had the same responsibilities.	
19	A Yes. And that's located in Simi Valley.	19	Q Same responsibilities with these groups	
20	Q And that's in Simi Valley, okay.	20	A Yes.	
21	A And then I have a couple of groups a few	21	Q and whatnot?	
22	groups in Calabasas, which is loan delivery, settlements,	22	So was it basically just a name change from	
23	and eligibility. And I just inherited, actually,	23	Countrywide to Bank of America? Is that kind of	
24	transaction management.	24	A It was a merger.	
25	Q Loan delivery, settlements, and what was the	25	Q Right. But, I mean, as far as your	
	Page 11			Page 13
1	last one?	1	responsibilities and your job and	
2	A Eligibility.	2	A Yes. I think it was doing the same job.	
3	Q And the one you inherited?	3	Q Right. So what is when did you start working	
4	A Transaction management.			
5		4	at Countrywide?	
6	Q Okay, transaction management. So who is your	4 5	at Countrywide? A 1998, yes, 1998.	
Ö	Q Okay, transaction management. So who is your supervisor?		•	
7			A 1998, yes, 1998.	
	supervisor?	5 6	A 1998, yes, 1998. Q '98. So what can you just break down for me	
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	Page 14			Page 16
1	a wiring group wiring, FHA wiring, and I did not have	1	Countrywide. Is that what I'm to understand?	
2	bonds at that time, so FHA wiring.	2	A The main	
3	I then stopped trading and ran the settlements	3	Q I mean versus what you do now? I'm sorry. Let	
4	group, the loan delivery group, and took over what we	4	me just	
5	call an eligibility group, which was to write rules	5	A Yes. My main functions have not changed. I am	
6	against the master contracts that we have with the	6	continuing in the same position, just I'm dealing with	
7	agencies and to ensure that we pool loans that are	7	more higher issues.	
8	eligible for securities.	8	Q Right. But I know you said you stopped trading.	
9	Q And that was	9	Maybe I should put the question that way. Is there	
.0	A That was probably the year 2000.	10	anything that you used to do, you know, before your	
.1	Q Oh, that was all in 2000?	11	current position that you	
.2	A Uh-huh.	12	A As a vice president, I did trade.	
.3	Q That was as senior vice president?	13	Q Okay.	
4	A That was my senior vice president role.	14	A When I became a senior vice president, I did not	
.5	Then I did get promoted into an executive vice	15	trade any longer.	
6	president 2003, maybe 2004, oversaw the same duties, but	16	Q Okay.	
7	my job expanded in the amount of people I had and the	17	A I instead ran the operations group and ran the	
8	eligibility work that I did, and I started in contracts,	18	operations for secondary market.	
9	working with the contracts with the agencies. Then I	19	Q And is that the only thing that you used to do	
0	became managing director for Countrywide.	20	that you that you don't do anymore?	
1	Q Was that in the same year?	21	A As a function of a day-to-day job, yes.	
2	A That has to be that was probably '07, '08.	22	Q Okay. Now, does that mean that you do trade	
3	Q Managing director of which now?	23	sometimes, or	
4	A Same position.	24	A I do not trade anymore on the market.	
5	Q I guess I don't follow you.	25	Q What would you do sort of on an ad hoc basis,	
	Page 15			Page 17
1	A I just	1	which you seem to be maybe saying? I'm sorry. Were you	
2	Q You're saying same duties, but different title?	2	going	
3	A Yep, uh-huh.	3	MR. HEMBREE: I'm trying to understand what	
4	Q And that was 2000?			
5	Q And that was 2000?	4	you're saying.	
	A And my duties, of course, expanded as my titles		you're saying. THE WITNESS: Me too.	
6	· ·	4 5		
6	A And my duties, of course, expanded as my titles	4	THE WITNESS: Me too.	
6 7	A And my duties, of course, expanded as my titles expanded in the realm of meeting with having people below me.	4 5 6 7	THE WITNESS: Me too. MR. KIRBY: She just said day-to-day she does basically the same thing. And I was just trying to	
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	Page 18			Page 20
1	A Yes.	1	and the MBFCC to ensure that the trades are settled on	C
2	Q or all of those?	2	the market. My eligibility group writes rules in what we	
3	A Yes, I am an officer.	3	call Mustang Engine.	
4	Q I see that you became a managing director in	4	Q I'm sorry. What was that?	
5	2007. Are you still also a director of some sort?	5	A We create rules in what we call Mustang, which	
6	A I was I am not I am no longer holding the	6	is an eligibility engine, a rules engine, against the	
7	title of managing director.	7	selling guides of Fannie and Freddie and our master	
8	Q Okay. But do you perform any of the duties of a	8	commitments.	
9	managing director?	9	And then in my Simi Valley group, I have a	
10	A I perform the duties of a senior vice president	10	master file audit group. They audit the loans that fail	
11	for Bank of America.	11	the eligibility rules from the Mustang Engine, and they	
12	Q Okay. And as far as a managing agent or some	12	go into the loans and actually look at the data against	
13	other type of agent, do you function in that capacity at	13	the system against the documents.	
14	all?	14	I have a collateral deficiency group which, if	
15	A I'm an officer for Bank of America.	15	there is a deficiency that is found on the collateral,	
16	Q Okay. So I think I covered that. So how	16	they will work with the borrower or the title company or	
	many how many people are in these different groups?	17	the branch to cure the deficiency.	
17	A Currently?		There is a bond group that we created securities	
18	Q Let's start with currently.	18	for affordable home programs and a wiring group that	
19		19	would wire the up-front MIP premium on government loans.	
20	A Currently I have approximately 50 people. Q 50 people. And, I mean, are those 50 people	20	I think that covers it.	
21	total in all groups?	21	Q Now, the master file audit group, the collateral	
22		22		
23		23	deficiency, the bond group, and the wiring group, those are all in Simi Valley?	
24	Q Okay. There was well, I'll come back to	24	•	
25	that.	25	A Yes.	
	Page 10			Dogo 21
1	Page 19	1	O. How often well no actually can you explain	Page 21
1	So, again, the teams can you just go over the	1	Q How often well, no, actually, can you explain	Page 21
2	So, again, the teams can you just go over the teams that you not so much what you do now, but the	2	this Mustang Engine some more? I'm not sure that I	Page 21
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2 3 4	So, again, the teams can you just go over the teams that you not so much what you do now, but the teams that you oversaw as executive vice president in 2006, 2007? And I just want to make sure that I have	2 3 4	this Mustang Engine some more? I'm not sure that I follow what that is. An engine? A It's a system that would take the data elements	Page 21
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1	A I have monthly I mean, I have weekly group	1	A In preparation for putting this together, I went	
2	weekly meetings with different groups. And I have I	2	through our collateral our AS-400, which is our	
3	used to have quarterly meetings to talk to my associates.	3	servicing system, and researched the collateral tracking	
4	Q Are those established meeting times, or are they	4	for your loan, reviewed when the loan was actually	
5	just	5	received into our collateral processing group, and then	
6	A Established. I mean, I'm always on the floor	6	moved from collateral processing to Fannie processing,	
7	speaking with my associates as well.	7	because the loan was sold, and from there to our Fannie	
8	Q Right. And that would be the people in these	8	vault.	
9	groups?	9	I also went through the investor numbers to see	
10	A Yes.	10	how the loan moved through the investors. It went from	
11	Q All right. Let's go back to the declaration	11	our Countrywide Bank to Countrywide Home Loans to	
12	that you have there in front of you. Do you what can	12	Investor 10 and then into a Fannie Mae investor.	
13	you tell me about the circumstances of the preparation of	13	I researched the note. I looked at the note. I	
14	this declaration?	14	ensured that the endorsements were complete. I also went	
15	A I don't understand what you're asking.	15	and looked at the deed. I looked at your HUD-1. I	
16	Q Well, I'm just saying did you write it? Did	16	researched all of the system, everything that was on the	
17	you you know, were you involved in writing it?	17	system. I ensured that there was no collateral	
18	A Yes.	18	deficiencies on your loan and that all of the	
19	Q Yes. Did you write it and present it to	19	documentations were complete.	
20	someone, and then there was editing? Or, you know, did	20	Q Now, can you explain what Investor 10 is?	
21	it go like that?	21	A When a loan is moved from what we would call our	
22	A For the most part, I did all of the background	22	Countrywide Bank, which is the first endorsement stamp,	
23	work on it, all of the investigation work and spoke to an	23	and goes into what we call Countrywide Home Loans, Inc.,	
24	attorney about what my findings were. He put this	24	it moves investor numbers, so it will move from our bank	
25	together. I edited it, went through it, read it a couple	25	investor to our CHL investor, and so I ensured that that	
	Page 23			Page 25
1	of times for a couple revisions of what the statements	1	loan that the loan was moved through the correct	
2	should state.	2	channels to match the endorsement.	
3	Q Right.	3	Q And that was done in preparation for the	
4	A And then the final version I received, I	4	declaration?	
5	accepted it and signed it.	5	A Yes.	
6	Q Okay. So the documents that are exhibited to	6	Q Okay. So are you an officer for any other	
7	the declaration, you have Exhibit A, I think, through D.	7	corporation?	
8	A Uh-huh.	8	A I was an officer for Countrywide Home loans,	
9	Q Are those documents accurate as they	9	Inc. I was an officer for Countrywide Bank FSB.	
10	A Yes. Exhibit B and C and D were supplied by	10	Q Okay. But not currently, just an officer for	
11	myself.	11	any other corporation now?	
12	Q Okay.	12	A Well, those entities now merged into Bank of	
13	MR. HEMBREE: And just for the record, I believe	13	America.	
14	Exhibit D is not the complete exhibit.	14	Q Right.	
15	THE WITNESS: Correct.	15	A So I'm now an officer of Bank of America.	
16	MR. KIRBY: No. That's correct. It's 170 odd	16	Q But no other corporation	
17	pages. I just didn't print out the blank pages.	17	A I could	
18	Q Now, is there anything that you would change	18	Q now?	
19	about this, if you were signing it today, this	19	A I no. I am an officer of Bank of America.	
20	declaration or any, you know	20	Q Okay. Okay. Now, the declaration states that	
21	A No.	21	your responsibilities I believe this is in paragraph	
22	Q any declaration at all?	22	2, just if you want to follow along that you oversee	
23	No, all right. What books, records, and	23	the eligibility and delivery of loans for sale in the	
24	documents did you have access to in preparation for	24	secondary market.	
25	putting this declaration together?	25	Can you explain in layman's terms what that	

	Page 26			Page 28
1	means exactly? I mean, I think we've you've referred	1	explain what that is exactly and who the traders are? I	
2	to it some, but, you know, what what is eligibility	2	mean, other than yourself, what	
3	and what is delivery, you know? How does that job work,	3	A I'm no longer a trader.	
4	you know, like I say, just to someone who has no idea	4	Q Right, right.	
5	about any of this?	5	A A trader is someone that works on the on the	
6	A As I said, I oversee the eligibility, which is	6	market and sells or looks at our position of mortgages	
7	to ensure that the loan is eligible to be pooled into a	7	and of securities that we can sell and goes and sells	
8	mortgage-backed security. There are different types of	8	them out on the secondary market.	
9	loans that are created, and I have to ensure that these	9	Q So those are Bank of America employees?	
10	loans are eligible to be put into individual securities,	10	A Yes, they are.	
11	FICO, DTI, coupon, paid through date to ensure it's	11	Q Let me okay. Now, you also this is also	
12	current, no collateral deficiencies. So eligibility	12	paragraph 2 of the declaration. You said that you have	
13	really does encompass the whole loan including the	13	oversight and collateral operations involving the files	
14	collateral and the data elements of the loan.	14	that contain original promissory notes. What are	
15	Loan delivery is the aspect of creating the	15	collateral operations?	
16	security. We take a group of loans, investment loans,	16	A Collateral operations would be our master file	
17	and we group them together with similar attributes, and	17	audit department and the collateral deficiency	
18	we create a mortgage-backed security.	18	department.	
19	Q Okay. Now, in doing that, what would your role	19	Q But what do they what do they do?	
20	be just on a typical day in overseeing eligibility and	20	A As I stated before, the master file audit	
21	delivery? You know, just how would that what would	21	department looks at files that are failing eligibility	
22	you do during the typical day?	22	rules and ensures that the data that is in our system	
23	A When I'm in my Calabasas office on a typical	23	matches the data that is on the documents. Our	
24	day, I will look and see what kind of trades that we have	24	collateral deficiency department works with the branches	
25	on and do we have these particular loans that can fill	25	or the borrowers to cure any defects it's found on	
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	Page 27			Page 29
1	•	1	collateral.	Page 29
1	the trades to create a security. The traders put on trades for various amounts	1 2	collateral. Q So how does I guess the question is: How	Page 29
2	the trades to create a security.	1 2 3		Page 29
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2 3 4	the trades to create a security. The traders put on trades for various amounts and coupons, and we look at the inventory to ensure that	2 3 4	Q So how does I guess the question is: How does the endorsement of a note involve collateral	Page 29
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2 O Van de sout in 2007? A All of it did, yes. 4 A lif it did, yes. 5 A All of it did, yes. 5 A All of it did, yes. 6 Q All of it, day. I art see. Now, you mentioned 5 documents that you had reviewed. The AS-400, that is a - can you just reflected. The AS-400, that is a - can you just reflected. The AS-400, that is a - can you just reflected. The AS-400, that is a - can you just reflected. The AS-400, that is a - can you just reflected. The AS-400, that is a - can you just reflected. The AS-400, that is a - can you just reflected. The AS-400, that is a - can you just reflected. The AS-400 and the imaging system, what - can you describe data? 7 A A servicing system, olay. Now, when you looked at 10 careful file documents and 10 careful file documents are imaging after the cloning of a 10 careful file documents are imaging after the cloning of a 10 careful file documents are imaging after the cloning of a 10 careful file documents are imaging after the cloning of a 10 careful file documents are imaging after the cloning of a 10 careful file documents are imaging after the cloning of a 10 careful file documents are imaging after the cloning of a 10 careful file documents are imaging after the cloning of a 10 careful file documents are imaging after the cloning of a 10 careful file documents are imaging after the cloning of a 10 careful file documents are imaging after the cloning of a 10 careful file documents are imaging after the cloning of a 10 careful file documents are imaging after the cloning of a 10 careful file documents are imaging after the cloning of a 10 careful file documents are imaging after the cloning of a 10 careful file documents are imaging after a 10 careful file documents are imaging after the potential file as you file as 10 careful file documents are imaging after a 10 careful file documents are imaging after a 10 careful file documents are imaging after the potential file as you file as 10 careful file documents are imaging a part and a 10 careful file documents are imaging a 10 careful		Page 30			Page 32
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Simil Valley. And where were the documents that 4 you were booking at? A It but time, they were brought into my office. Q Do you have my idea where they were brought 15 A It but thin, they were brought into my office. Q Do you have my idea where they were brought 17 Form? 17 Form? 18 A They were printed off the system. Q But imaging, I mean, I'm imagining a seamer of some sort. Is that what it is? A It is not my area. I cannot tell you. Q Okay. Okay. Well, you brought up if you have access to records from the imaging system? A Form one of my associates. Q Is that a computer system? A As I said, the collateral tracking is printed 3 off the As-400, which is our servicing system. The 1 investor number commitment was printed off - it's a 5 web-based application from secondary marketing. It's 6 printed off of that. The note was printed off or our 1 imaging system. And I think in this case I asked for a 2 copy of the note showing the endorsements, because in our 2 imaging system it does not - the note is actually imaged 4 imaging system if does not - the note is actually imaged 5 prior to my endorsement stamp being in place. So I had 6 my associate contact the bank, which is Recontrust, to 7 get a copy of the original note to show my endorsement 9 Q So if a copy is made of a note that you got from 18 A Composition of the system to be able to view the documents that are 19 A Form our bank, it does. In our imaging system, 10 Q Did you make a request for access in this case? 11 A Form our bank, it does. In our imaging system, 12 A Form our bank, it does. In our imaging system, 13 A Composition of the system through my ID. 14 Contraction of the system through my ID. 15 Q Did you make a request for a certain period 15 of endorsement - in '07, the note is imaged prior to an 15 and observed the system. 16 Q And where would you see that? 18 Du access is reviewed	11	those?	11	loan, and they are put in our imaging system, and we can	
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Page 31 printed off of that. The note was printed off of our imaging system. And I think in this case I asked for a copy of the note showing the endorsements, because in our imaging system it does not the note is actually imaged imaging system it does not the note is actually imaged imaging system it does not the note is actually imaged imaging system something that you want? A Not without access. Q Does this request for access, does it give you I mean, what does that do for you? A Allows me to get into the system through my ID. Q So if a copy is made of a note that you got from get a copy of the original note to show my endorsement? Is that what you're saying? A From our bank, it does. In our imaging system, at endorsement in 'O', the note is imaged prior to an endorsement in 'O', the note is imaged prior to an endorsement lening placed on the note. So if you look in our imaging system, you wouldn't see the chain of title of endorsement. Q And where would you see that? A On the original note. Q Which is which is where? A In this case, it was in the Fannie Mae vault in Similar length and the imaging system. A So they're printed off in AS-400 imaging system. A S-400 and the imaging system are two different Page 3 as a senior vice president or executive vice president, in well, you're an executive vice president in '07, senior vice president on Even vou can't just go pull up in the imaging system something that you want? A Not without access. A Not without access, and senior vice president in '07, senior vice president on '07. A No	24	investor number commitment was printed off it's a	24	for access.	
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A AS-400 and the imaging system are two different 25 you have to fill out a request for access, a request for	24				
	25		25	you nave to fill out a request for access, a request for	

-	Page 34			Page 36
1	access, once granted, could be granted until a review?	1	oversight of; is that correct?	C
2	Is that what I understand? If you don't understand the	2	A I have oversight of other systems, as well, that	
3	question, I'll try to clarify.	3	are underneath me.	
4	A Please.	4	Q And those are the wiring and the okay.	
5	Q Okay. I imagine, when you said you had to fill	5	So I think we kind of covered this here. Let's	
6	out a request for access, that if you wanted to go to the	6	say okay. So when you talk in the declaration in	
7	imaging system or AS-400, you would each time you	7	paragraph 4 on page 2, you mentioned that it was the	
8	wanted to do that you would have to go fill out a request	8	routine practice for all of the origination documents	
9	for access form and but so you're shaking your	9	such as loan disclosures, applications, credit reports,	
10	head no. That's not what you have to do?	10	and the promissory note to be scanned and placed into an	
11	A Once you're granted access in the particular	11	electronic file. Now, how do I mean, how do you know	
12	system, you're granted access in that system. There	12	that?	
13	are and I can't say what exactly what the review	13	A How do I know that it's placed into an	
14	period is. Some are monthly. Some are quarterly. You	14	electronic file, because I view the file on imaging.	
15	review access of your associates to make sure that they	15	Q All right. But I guess what I'm asking you is:	
16	can still have access of those systems.	16	You're not in charge of scanning it and making the	
17	So we go into an approval process on at least	17	electronic file?	
18	a on certain systems monthly. On certain systems I	18	A That is a true statement.	
19	can't break them down for you quarterly and review our	19	Q Do you know where that scanning is done?	
20	associates to make sure that they're still allowed to	20	A Currently?	
21	have access.	21	Q Let's say in 2007.	
22	Q What sort of situation might arise to cut off	22	A 2007 I do not know where it was done.	
23	someone's access or limit their access?	23	Q Okay. What about now?	
24	A They change their department.	24	A It's done in Texas.	
25	Q I mean, that's is that it? Or is there	25	Q Texas, okay.	
	D 05			
	Page 35			Page 37
1	Page 35 anything else that would, you know	1	A In our vault in Texas.	Page 37
1	-	1 2	A In our vault in Texas. Q And that's Richardson, Texas; is that	Page 37
	anything else that would, you know			Page 37
2	anything else that would, you know A I review to ensure that they're still reporting	2	Q And that's Richardson, Texas; is that	Page 37
2	anything else that would, you know A I review to ensure that they're still reporting to me, that they're still in the same position and that	2	Q And that's Richardson, Texas; is thatA Fort Worth.	Page 37
2 3 4	anything else that would, you know A I review to ensure that they're still reporting to me, that they're still in the same position and that that position still requires access to the system.	2 3 4	Q And that's Richardson, Texas; is thatA Fort Worth.Q Fort Worth. Is that a Bank of American	Page 37
2 3 4 5	anything else that would, you know A I review to ensure that they're still reporting to me, that they're still in the same position and that that position still requires access to the system. Q All right. But just to get back, and I hate to	2 3 4 5	Q And that's Richardson, Texas; is that A Fort Worth. Q Fort Worth. Is that a Bank of American location, or what	Page 37
2 3 4 5 6	anything else that would, you know A I review to ensure that they're still reporting to me, that they're still in the same position and that that position still requires access to the system. Q All right. But just to get back, and I hate to belabor this, but you you would have had standing	2 3 4 5	Q And that's Richardson, Texas; is that A Fort Worth. Q Fort Worth. Is that a Bank of American location, or what A Yes, it is.	Page 37
2 3 4 5 6 7	anything else that would, you know A I review to ensure that they're still reporting to me, that they're still in the same position and that that position still requires access to the system. Q All right. But just to get back, and I hate to belabor this, but you you would have had standing access to the relevant systems at the time that you A Yes, I had access. Q had access to these documents?	2 3 4 5 6 7	Q And that's Richardson, Texas; is that A Fort Worth. Q Fort Worth. Is that a Bank of American location, or what A Yes, it is. Q Who does that? I guess so so what I'm saying	Page 37
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	Page 38			Page 40
1	Q Oh, this is at Fort Worth. So you have so	1	A We would travel together.	
2	you've seen the process yourself?	2	Q Oh, okay. So, again, as part of these audits	
3	A Yes.	3	you kind of touched on this, but maybe if I I'm trying	
4	Q Okay. Was that did you ever work in that	4	to think how to phrase this. Do you know what controls	
5	department, or was that how did you come to be there?	5	are in place to prevent unauthorized input of data in the	
6	A I am I have oversight of the collateral	6	system, in the imaging system and that sort of thing?	
7	vaults. And I visit the sites that have the imaging to	7	A That's out of my scope.	
8	ensure that our files are imaged properly and that we are	8	Q I mean, but if you so if you if you found	
9	in compliance to the guides.	9	that unauthorized data were being input, you would just	
10	Q And how often do you travel?	10	make a note of that on an audit report?	
11	A Every six months.	11	A If I find a deficiency in the data, I will then	
12	Q Every six months. And where do you go? Do you	12	work to cure the deficiency.	
13	go to all of the facilities?	13	Q But so you don't you don't I mean, do you	
14	A I go to our Tampa facility, which we have a	14	have a checklist of what you're looking for?	
15	collateral vault in Tampa, Florida. We have a vault in	15	A When I when I am visiting the vault sites, I	
16	Texas, Fort Worth, Texas, and we have a vault in	16	have a checklist that I go through, yes.	
17	Jacksonville.	17	Q And the vaults, again, are where the original	
18	Q Jacksonville?	18	files are imaged or scanned as you're talking about?	
19	A Florida, and we have a vault in Simi Valley,	19	A Where they are scanned and where they are held	
20	California, which is my location.	20	for safekeeping.	
21	Q So you say four?	21	Q Okay. Okay. We've covered some of this	
22	A Currently we have four sites.	22	already. So just let me	
23	Q Two in Florida, one in Texas, and one in	23	A It's okay.	
24	California. Okay. And so on these biannual visits, do	24	Q Okay. At these scanning facilities and just	
25	you ever, yourself, do any scanning, or do you I mean,	25	to be clear, we're talking about four vaults that also do	
	Page 39			Page 41
				0
1	what do your visits consist of? I'm sorry. What would	1	the scanning?	C
1 2	what do your visits consist of? I'm sorry. What would you do when you go there?	1 2	the scanning? A No. We have four vaults.	C
	•			C
2	you do when you go there?	2	A No. We have four vaults.	C
2	you do when you go there? A I audit the facility. I ensure that the	2	A No. We have four vaults. Q I'm sorry. I misunderstood that.	C
2 3 4	you do when you go there? A I audit the facility. I ensure that the collateral is stored in a locked locked location. I	2 3 4	A No. We have four vaults.Q I'm sorry. I misunderstood that.A We have four vaults, and scanning is currently	C
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	Page 42			Page 44
1	Q Well, no.	1	America site in Tampa, or I'm going to Recontrust site in	
2	A I can't	2	Florida, Tampa"?	
3	Q I'm not saying	3	A Both.	
4	A The description they do not report to me.	4	Q Okay. Okay. We covered that. We covered that.	
5	All I can say is I've seen it. This is what happens. It	5	Paragraph 5, you mentioned that, after the origination	
6	goes through a machine. You can see the images on a	6	file is created, a more limited collateral file is	
7	computer screen, and it shoots out. It is if you	7	created. I think you said sometime after. Can you give	
8	you would have to talk to imaging for really what it does	8	me some idea of, you know, how long a time goes between	
9	and what it's about.	9	the origination file creation and the collateral file	
10	Q I'm sorry.	10	creation, how much time elapses?	
11	A It's okay. It just doesn't report to me.	11	A It is not my area, out of my scope.	
12	Q I was just trying to ascertain the nature of the	12	Q So, I mean, you don't I mean, the reason I	
13	machine.	13	ask is just because it's in the declaration.	
14	A And I'm not that machine savvy.	14	A Right. As the collateral comes into the door,	
15	Q Okay. So you see a process happening.	15	it is scanned, and the origination file is scanned, and	
16	A Uh-huh.	16	the collateral is pulled out. The collateral then is	
17	Q And whether it's a scanner or not, you don't	17	sent over to the bank, currently.	
18	know. And are there multiple machines that do this, or	18	Q All right. What about in 2007?	
19	is it just one? I mean, is there a is there a wing	19	A 2007, the branch created the collateral file, so	
20	devoted to the scanning, or is it just one machine?	20	after the loan funds, the branch would receive it from	
21	A In our Florida facility, I I can't even tell	21	the title company. They would take the collateral file,	
22	you how many machines. I don't know.	22	create a collateral package, and then create their credit	
23	Q But more than one?	23	file and take copies from what's in the collateral file	
24	A Yes, maybe two.	24	and put it into the credit file.	
25	Q Maybe two. And all of these vaults, those	25	Q And that was all done at the branch. What do	
	Page 43			Page 45
1	Page 43 are I'm just trying to understand. Those are who	1	you mean by the branch?	Page 45
1	•	1 2	you mean by the branch? A Whoever closed the loan, that branch.	Page 45
	are I'm just trying to understand. Those are who			Page 45
2	are I'm just trying to understand. Those are who owns the vaults? I mean, what company is over the	2	A Whoever closed the loan, that branch.	Page 45
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	Page 46			Page 48
1	riders, a copy of power of attorney, and a copy of the	1	A A loan, to the best of my knowledge this is	
2	deed of trust.	2	not none of these areas report to me, so this is to	
3	Q And that's it?	3	the best of my knowledge.	
4	A That is it.	4	A loan funds. The branch receives the	
5	Q Now, you say typically. Does that mean	5	collateral, the mortgage file back, breaks it up into two	
6	sometimes it has other documents or sometimes it doesn't,	6	sections, makes a copy of the collateral, puts it in the	
7	or does that	7	origination file. That goes off to imaging. Collateral	
8	A Sometimes, if there's no power of attorney, it	8	file gets sent over to at that time it was Countrywide	
9	would not be in the file.	9	Bank, which was our custodian. The custodian would then	
10	Q And what is the power of attorney for? I mean,	10	receive the collateral and log it in.	
11	just what would that have to do with?	11	Q And two things. The custodian you're talking	
12	A Well, if in your loan, you do not have a	12	about, who was that for this particular case?	
13	power of attorney. If some people have a power of	13	A For this case, the custodian was Countrywide	
14	attorney, and the power of attorney signs for them to	14	Bank Recontrust. I'm not sure what their the entity.	
15	close the mortgage, in that case, a copy of the power of	15	It could have been Treasury Bank. Their name has changed	
16	attorney would have to be in the collateral file.	16	through the course of my	
17	Q Wait. Wait. You're saying you're saying,	17	Q Which entity's name has changed?	
18	that last part about if someone needed a power of	18	A The custodian's name.	
19	attorney to sign a note, you mean at closing? Is that	19	Q Oh, so all right. I think we'll get to that in	
20	what you mean?	20	a minute. But so and you say it was logged in, and	
21	A Uh-huh.	21	then what would happen?	
22	Q Oh, okay. Do you need to take a break?	22	A Can I refer to an exhibit?	
23	A No. I'm fine.	23	Q Sure. Sure.	
			A You refer to Exhibit B. You can see a send from	
24	Q So you said, in 2007, the collateral file was created at the branch. Do you have any idea from your	24	the branch into collateral processing on 9-4.	
25	Page 47	25	the branch into conactar processing on 7-4.	Page 49
_	•	_	O. Dista	1 age 49
1	review of this particular case what that branch was?	1	Q Right.	
2	A No.	2	A Collateral processing then received it and sent	
3	Q No. Okay. But now collateral files are created	3	it this loan was pooled into a Fannie Mae security and	
4	at the scanning facilities, Fort Worth and Tampa?		and the second s	
5		4	sent it to FP, which is known as Fannie Mae processing.	
	A Uh-huh.	4 5	The loan was then processed through Fannie Mae's	
6	Q Okay. I mean, that's a "yes"?	5 6	The loan was then processed through Fannie Mae's custodial eligibility, went from the Fannie Mae	
6 7	Q Okay. I mean, that's a "yes"? A Yes.		The loan was then processed through Fannie Mae's custodial eligibility, went from the Fannie Mae processing to FV, which is the Fannie Mae vault.	
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	Page 50			Page 52
1	facility, yes, it would be logged back in. You would see	1	Q Okay.	8
2	a release to FV, which is the Fannie Mae vault, because	2	A This is completely out of my scope of	
3	it has to go back to Fannie	3	Q Okay. But just just to clarify, is it your	
4	Q So	4	understanding I mean, I understand it's not your	
5	A the original location.	5	department. I mean, have you ever seen this process	
6	Q If it were put back in, we would see REL to FV?	6	happen, this I mean, I know you said you've seen the	
7	A Yes.	7	scanning of the documents, but as far as the collateral	
8	Q Okay. Now, what are these are these users	8	file in the manila folder being scanned, have you ever	
9	here in this what is this one, two, three, four, fifth	9	witnessed that?	
10	column?	10	A Yes. I walked through this process, yes. I've	
11	A Yes.	11	seen it received into collateral I've not seen the	
12	Q Are those people's names?	12	send from the branch to collateral processing, but if	
13	A Some they are their IDs, or Carousel is a	13	receiving from collateral processing, yes, I've seen it	
14	system. Hotman is a system. The others are IDs of who	14	received in. I've seen it then scanned, you know, to go	
15	logged it in and who processed the collateral.	15	into the Fannie Mae processing. I've been in the Fannie	
16	Q So SS pound sign SS YED, that's what is that?	16	Mae processing room. I have watched the loan be	
17	Do you know what that is?	17	reviewed, how it goes through that procedure. And in	
18	A That is showing that the collateral's reviewed	18	this case, it was reviewed without a deficiency. The	
19	without a deficiency. It was then certified, and then it	19	loan was then certified and then sent to the Fannie Mae	
20	was sent to the Fannie Mae's vault for safekeeping.	20	vault, and I walked through the Fannie Mae vault.	
21	Q And this appears to have been done	21	Q And so all I'm asking is and just since you	
22	electronically; is that correct? I mean, it's all it	22	say you saw it, I mean, so the manila folder goes through	
23	took place, I guess, at 9:03:15 and then 9:03:15 for the	23	a machine? Is that how it happened? I mean, how is	
24	other one and then 9:03:16. That was automated, I take	24	this	
25	it?	25	A It is wanded in. Each processor has a wand at	
_	Page 51			Page 53
1	A Each collateral file has a bar code, and as it	1	their desk. And as they're certifying, they wand it in	
2	goes through the different facilities, it is logged in or	2	to ensure that all of the collateral documents stay with	
3	bar coded in so that we can track where the file is at	3	that file.	
4	all times.	4	Q All right. But I guess the question is: If	
5	Q Well, and that brings me back to a question I	5	it's people wanding are you talking about like the	
6	was going to ask you a minute ago. When you talk about a	6	security guard type wands? Is that	
7	collateral file, are you talking about something I	7	A Well, the Hotman is a machine that it goes	
8	mean, an actual folder? You know, what does it look	8	through. That's our original machine that it will go	
9	like?	9	through, so that is a machine. And then the other is the	
10	A A manila folder.	10	receives are reviewed without defi's is wanding. And as	
11	Q Just a run-of-the-mill manila folder?	11	I said, it's not my area. I can't I don't know.	
12	A It starts out that way.	12	Q Would one of the wanding people look inside to	
13	Q How would it have been at the time it ran	13	see if it were certified, if you know?	
14	through this?	14	A You would to certify the collateral, you need	
15	A It would have a bar code at the bottom.	15	to review the collateral to ensure that you have original	
16	Q On the folder?	16	documentation. So they will have to look inside the file	
17	A On the folder. It would have a bar code, a tab	17	to ensure your original signature, all of the note the	
18	at the top with the loan number, the name of the	18	pages of the note are initialed, that the correct	
19	borrower, and then inside each document has the bar code	19	documentation is in there and that that that the	
20	that matches the bottom of the document.	20	information that is on the note matches the data that was	
21	Q So essentially what I understand you to say is	21	transmitted in my loan delivery system to them for the	
22	that the bar codes on the outside on the folder, on the	22	security.	
23	file folder are	23	Q Okay. And I'm just I mean, that could be	
24	A As I said, this is not my department. I did	24	done in the space of a minute or, you know, in two	
25	not this is not my department.	25	seconds?	

	Page 54			Page 56
1	A As you can see, it went into Fannie Mae	1	and Without Recourse"? Or, I mean, just exactly as it	
2	processing on 9-6. It was processed from 9-7 to 9-10.	2	appears with the signatures and everything?	
3	So during those three days, it went through these	3	A Exactly how it appears.	
4	procedures.	4	Q Okay. So that is an endorsement rubber stamp,	
5	Q Right. But I'm saying, on 9-7, everything on	5	okay. Is the note endorsed at the same time the	
6	9-7 happened at 9:03?	6	collateral file is created? And maybe that's not a good	
7	A And that is it is probably reviewed on it	7	way to phrase it.	
8	came in at 9-6 in the afternoon. It was probably	8	A The endorsement stamp is placed when the	
9	reviewed, and then at that time, they wanded it in to	9	collateral file is received into collateral processing.	
10	saying it was reviewed without deficiency and reviewed	10	Q So branch collateral documents, they get the	
11	without deficiency and certified is the same thing. It's	11	package from the branch, stamp the endorsement, and then	
12	just showing us that we certified it for that pool. And	12	that's how it's done; is that correct?	
13	then they sent it over to be received into the other	13	A That is correct.	
14	to the vault.	14	Q Okay. So where in well, in general, would	
15	Q And what system is this Exhibit B to the	15	the endorsement all take place at the at the	
16	declaration? What system is that?	16	custodian, at the custodian's place of business?	
17	A The AS-400 system.	17	A The endorsement stamp is placed when it's	
18	Q AS-400, okay. All right. Okay.	18	received into collateral processing, yes.	
19	What time is it?	19	Q Which is at the custodian's?	
20	THE REPORTER: 10:57.	20	A Which is in the	
21	MR. KIRBY: I think I need a break. Could we go	21	Q The Tampa the four locations?	
22	off the record?	22	A That's one of the four locations, yes. In this	
23	(Recess taken.)	23	case, it was received into Simi Valley, California.	
24	THE REPORTER: Back on the record.	24	Q Okay. So let's see. So what happens after the	
25	///	25	note is put in the collateral file? Where does the	
_	Page 55	_	•	Page 57
1	BY MR. KIRBY:	1	collateral file go?	Č
2	Q Now, how is it or what's the routine process	2	A In this case, the note the collateral file	
3	by which notes get endorsed? I mean, how and let's	3	went right to Fannie Mae processing.	
4	say in 2007. How are notes endorsed?	4	Q And what is Fannie Mae processing?	
5	A When the collateral is received from the branch	5	A Your loan the loan was already in a Fannie	
6	into collateral processing, an endorsement stamp is	6	Mae security, and so it was sent to Fannie Mae's	
7	placed on the note.	7	processing group for it to be certified and reviewed and	
8	Q Okay. And can you I mean, what kind of stamp	8	certified for the security.	
	are you talking about?	9	Q And that is a again, we're talking about	
9 10	A A facsimile stamp.	10	2007. The Fannie Mae processing, is that a Fannie Mae	
	Q But I guess a physical description, is it can	11	operation, or is that a Countrywide? Again, we're	
11	you describe the stamp? I mean, what does it look like	12	talking about 2007. Is that a Countrywide department?	
L2	is what I'm asking?		A In 2007, Fannie Mae processing was run by	
13	A It looks like a stamp on a note.	13	Countrywide associates.	
14		14	Q Okay. And I think we touched on this before,	
L5	Q But, I mean, I'm talking about the thing that you hold, the part that you hold. Is it I mean, is	15	but let me just make sure. Now, I think this is somewhat	
L6		16	·	
17	this a rubber stamp?	17	different. I know we talked about access requests, but	
1 ^	A Yes.	18	so this particular collateral file went to Simi Valley.	
	Lite not one of those green and intime thin 4.9	19	And, I mean is that correct?	
19	Q It's not one of those gray self-inking kinds?	ا ہے ا	A Yes.	
L9 20	You know what I'm talking about?	20	O And who would then be a second of	
19 20 21	You know what I'm talking about? A It's a rubber stamp.	21	Q And who would then have access to that	
18 19 20 21 22	You know what I'm talking about? A It's a rubber stamp. Q A rubber stamp. And it has on the rubber	21 22	collateral file?	
19 20 21 22	You know what I'm talking about? A It's a rubber stamp. Q A rubber stamp. And it has on the rubber side, it has this information in the endorsement?	21 22 23	collateral file? A Only associates of the bank.	
19 20 21 22	You know what I'm talking about? A It's a rubber stamp. Q A rubber stamp. And it has on the rubber	21 22	collateral file?	

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Q So when you say the bank in this context, you're	1	A Through one elevator, which is a I don't get	
referring to Recontrust?	2	in. I mean, I personally cannot get in.	
A Yes, I am. And when I said the bank, I was	3	Q Uh-huh.	
referring to the custodian. I apologize for that.	4	A I need to have someone that has access. I do	
Q Oh, okay. I follow you. Sorry. So who will	5	not have access.	
have access to the note, you know, separate from the	6	Q Oh, so you're saying that, when I asked you who	
collateral file? Do you understand what I'm saying?	7	has access to the collateral file, you said Recontrust	
A No, I don't.	8	employees. I mean, you're not a Recontrust employee?	
Q What I'm saying, obviously, the note is within	9	A No, I'm not.	
the collateral file. If Recontrust employees have access	10	Q No, okay. So you have to be	
to the collateral file, would they always have access to	11	A And I'd like to clarify that. Not all	
just the note by itself?	12	Recontrust associates could have access to the vault. If	
A The note is in the collateral file.	13	they do not report to me, I do not know who has access	
Q Okay. I'm not making myself clear. Is the	14	and who doesn't. I know it is limited	
note at this point, when it's in Recontrust's	15	Q Okay.	
possession, and it's been logged in, as you said, for	16	A and background checks. There are	
storage, safekeeping, is it then still in a manila file	17	Q Right.	
folder?	18	A There are measures that they have to go through.	
A Yes.	19	Q But the times that you have been there, and been	
Q So if someone wanted to take the note out, they	20	in the vault, you've been escorted by one of these	
could? I mean, it's just a file folder?	21	cleared people?	
A You could not leave the vault with collateral in		A Yes.	
your hand. You are there are measures, security	23	Q Okay. Okay. Now, just to clarify what okay.	
measures, cameras in the vault.	24	What is Recontrust? I know you you've said it's a	
Q Is there some sort of guards or anything like	25	custodian, but what and what does that mean exactly?	
Page 59			Page 61
that?	1	What is Recontrust's relationship to Bank of America as	
A Security guards?			
		A Recontrust is Bank of America's custodian. If	
A No.	4	you want to know the legal, you would have to talk to	
Q No. Are there any other, you know, safekeeping	5		
	6	•	
	7		
		, and the second se	
		•	
A It is a there are it is under the			
		•	
	ا ت	versus Countrywide Bank FSB; when you say Countrywide	
	177		
A I don't. I mean, I could	17 18		
A I don't. I mean, I could Q Okay. And you've been to this particular vault?	18	Bank, you mean Countrywide Bank FSB?	
A I don't. I mean, I could Q Okay. And you've been to this particular vault? A Yes.	18 19	Bank, you mean Countrywide Bank FSB? A Like I said, you would need to talk to someone	
 A I don't. I mean, I could Q Okay. And you've been to this particular vault? A Yes. Q I mean, can you describe it, just in your own 	18 19 20	Bank, you mean Countrywide Bank FSB? A Like I said, you would need to talk to someone in legal to talk about the legal entities and how that	
A I don't. I mean, I could Q Okay. And you've been to this particular vault? A Yes. Q I mean, can you describe it, just in your own terms, just in your own words, what it looks like, what	18 19 20 21	Bank, you mean Countrywide Bank FSB? A Like I said, you would need to talk to someone in legal to talk about the legal entities and how that works.	
A I don't. I mean, I could Q Okay. And you've been to this particular vault? A Yes. Q I mean, can you describe it, just in your own terms, just in your own words, what it looks like, what we would see if we went to it?	18 19 20 21 22	Bank, you mean Countrywide Bank FSB? A Like I said, you would need to talk to someone in legal to talk about the legal entities and how that works. Q I understand. I understand. Okay. Let me see.	
A I don't. I mean, I could Q Okay. And you've been to this particular vault? A Yes. Q I mean, can you describe it, just in your own terms, just in your own words, what it looks like, what	18 19 20 21	Bank, you mean Countrywide Bank FSB? A Like I said, you would need to talk to someone in legal to talk about the legal entities and how that works.	
	Q So when you say the bank in this context, you're referring to Recontrust? A Yes, I am. And when I said the bank, I was referring to the custodian. I apologize for that. Q Oh, okay. I follow you. Sorry. So who will have access to the note, you know, separate from the collateral file? Do you understand what I'm saying? A No, I don't. Q What I'm saying, obviously, the note is within the collateral file. If Recontrust employees have access to the collateral file, would they always have access to just the note by itself? A The note is in the collateral file. Q Okay. I'm not making myself clear. Is the note at this point, when it's in Recontrust's possession, and it's been logged in, as you said, for storage, safekeeping, is it then still in a manila file folder? A Yes. Q So if someone wanted to take the note out, they could? I mean, it's just a file folder? A You could not leave the vault with collateral in your hand. You are there are measures, security measures, cameras in the vault. Q Is there some sort of guards or anything like Page 59 that? A Security guards? Q Right. A No. Q No. Are there any other, you know, safekeeping security apparatuses around the A It is a true contained vault. Q Oh, it's an actual vault. So when you say Fannie vault, you mean literally what you picture in your mind of a vault of steel doors?	Q So when you say the bank in this context, you're referring to Recontrust? A Yes, I am. And when I said the bank, I was referring to the custodian. I apologize for that. Q Oh, okay. I follow you. Sorry. So who will have access to the note, you know, separate from the collateral file? Do you understand what I'm saying? A No, I don't. Q What I'm saying, obviously, the note is within the collateral file. Would they always have access to the collateral file, would they always have access to just the note by itself? A The note is in the collateral file. Q Okay. I'm not making myself clear. Is the note — at this point, when it's in Recontrust's possession, and it's been logged in, as you said, for storage, safekeeping, is it then still in a manila file folder? A Yes. Q So if someone wanted to take the note out, they could? I mean, it's just a file folder? A You could not leave the vault with collateral in your hand. You are — there are measures, security measures, cameras in the vault. Q Is there some sort of guards or anything like Page 59 that? A Security guards? Q Right. A No. Q No. Are there any other, you know, safekeeping security apparatuses around the — A It is a ruc contained vault. Q Oh, it's an actual vault. So when you say Fannie vault, you mean literally what you picture in your mind of a vault of steel doors? A It is a — there are— it is under the guidelines of the custodial guides of what a vault has to be, fire rated.	Q So when you say the bank in this context, you're referring to Recontrust? A Yes, I am. And when I said the bank, I was referring to the custodian. I apologize for that. Q Oh, clay, I follow you. Sorry. So who will have access to the note, you know, separate from the collateral file. Po you understand what I'm saying? A No, I don't. Q What I'm saying, obviously, the note is within the collateral file. If Recontrust employees have access to the collateral file. If Recontrust employees have access to the collateral file. If Recontrust employees have access to the collateral file. If Recontrust employees have access to the collateral file. What I'm saying, obviously, the note is within the collateral file. What I'm say have access to interest the note by itself? A The note is in the collateral file. Q Okay. The not making myself clear. Is the mote out, when it is in Recontrust's possession, and it's been logged in, as you said, for storage, safekeeping, is it then still in a manila file folder? A You could not leave the want with collateral in your hand. You are —there are measures, security measures, cameras in the vault. A Security guards? Q Right. A No. Page 59 that? A Security guards? Q Right. A No. Page 59 that? A Recontrust is a make of America's custodian. If you want to know what has a cess and what for a washing it was a fell folder? A Security guards? Q Right. A No. Page 59 that? A Recontrust is a make of America's custodian. If you want to know the legal, you would have to talk to some one legal. Security apparatuses around the — A It is a true contained vault. Q Oh, I understand, but your understanding is that it is a true contained vault. Q Oh, I understand, but your understanding is that it is a true contained vault. A Recontrust is Bank of America's custodian. If you want to know the legal, you would have to talk to some one legal. Security apparatuses around the — A It is a true contained vault. Q Oh, I understand, but your understanding is that it is a true contain

	Page 62			Page 64
1	do you know, if you wanted a collateral file, what you	1	when the file is removed from or released or taken out of	
2	would have to do to get that from Recontrust?	2	Recontrust?	
3	A You would you would have to request for a	3	A The source elements?	
4	release of the collateral.	4	Q Right.	
5	Q I mean, did you do that in this case?	5	A Yes.	
6	A No.	6	Q Okay. Now, you were saying that Recontrust used	
7	Q Have you ever done that?	7	to be called Treasury Bank?	
8	A No.	8	A Yes.	
9	Q Okay. So you request a release, and then, I	9	Q And that was in during your time at	
0	mean, do you know beyond that?	10	Countrywide it had been called that?	
.1	A It's completely out of my scope.	11	A Yes.	
.2	Q Okay. All right. And even though you just said	12	Q But you don't have any do you have any idea	
.3	that, let me just in case you know, once a collateral	13	of when that changed?	
4	file is released, do you know how it's transferred to	14	A No.	
.5	wherever it goes?	15	Q Okay. Would there be any way to tell if the	
.6	A It's completely out of my scope.	16	collateral file that has the note that we're talking	
.7	Q Okay. So you wouldn't have any idea whether	17	about, would there be a way to tell if that was ever held	
8	it's mailed or FedEx'd or anything like that? Do you	18	by an entity other than Recontrust?	
.9	have any idea about that?	19	A It stayed in the same spot from 2007 till 2011.	
0	A It is completely out of my scope.	20	Q And you're saying that based on the information	
1	Q Okay. And as far as being able to tell when a	21	there in Exhibit B?	
2	particular collateral file initially arrives at	22	A Yes.	
	Recontrust, how would you how would you be able to	23	Q Okay. Now, in paragraph 7, you say that you've	
3	tell that?		reviewed the promissory note where it says, "I have	
4	A I have reporting from we have reporting that	24	reviewed the promissory note as it exists now." I mean,	
5		25	reviewed the promissory note as it exists now. Thean,	Daga 6
1	Page 63 shows us that the loan was received into Recontrust.		what you kind of touched on this earlier, but what	Page 63
1	shows us that the loan was received into Recondust.		what you kind of touched on this earner, but what	
	O Is that comothing other than Exhibit D that we	1	avaatly ware you raviousing when you	
	Q Is that something other than Exhibit B that we	2	exactly were you reviewing when you	
3	were looking at earlier?	2	A I reviewed Exhibit A.	
3 4	were looking at earlier? A Yes.	2 3 4	A I reviewed Exhibit A.Q Exhibit A. And who provided that to you, or how	
3 4 5	were looking at earlier? A Yes. Q What I mean, is that another program, or	2	A I reviewed Exhibit A. Q Exhibit A. And who provided that to you, or how was that provided to you?	
3 4 5 6	were looking at earlier? A Yes. Q What I mean, is that another program, or A It's all derived off of the same coding of the	2 3 4 5	A I reviewed Exhibit A. Q Exhibit A. And who provided that to you, or how was that provided to you? A It was brought in to me by one of my associates.	
3 4 5 6 7	were looking at earlier? A Yes. Q What I mean, is that another program, or A It's all derived off of the same coding of the loan being logged into the Hotman machine.	2 3 4 5 6 7	A I reviewed Exhibit A. Q Exhibit A. And who provided that to you, or how was that provided to you? A It was brought in to me by one of my associates. May I say, not the original.	
3 4 5 6	were looking at earlier? A Yes. Q What I mean, is that another program, or A It's all derived off of the same coding of the loan being logged into the Hotman machine. Q So if there is a different I mean, okay. Let	2 3 4 5	A I reviewed Exhibit A. Q Exhibit A. And who provided that to you, or how was that provided to you? A It was brought in to me by one of my associates. May I say, not the original. Q Right, not the original. Presumably because, at	
3 4 5 6 7 8	were looking at earlier? A Yes. Q What I mean, is that another program, or A It's all derived off of the same coding of the loan being logged into the Hotman machine. Q So if there is a different I mean, okay. Let me rephrase that.	2 3 4 5 6 7 8 9	A I reviewed Exhibit A. Q Exhibit A. And who provided that to you, or how was that provided to you? A It was brought in to me by one of my associates. May I say, not the original. Q Right, not the original. Presumably because, at the time you were reviewing it, the original, as we saw	
3 4 5 6 7 8	were looking at earlier? A Yes. Q What I mean, is that another program, or A It's all derived off of the same coding of the loan being logged into the Hotman machine. Q So if there is a different I mean, okay. Let me rephrase that. If there are two sources of the date of when the	2 3 4 5 6 7 8	A I reviewed Exhibit A. Q Exhibit A. And who provided that to you, or how was that provided to you? A It was brought in to me by one of my associates. May I say, not the original. Q Right, not the original. Presumably because, at the time you were reviewing it, the original, as we saw in Exhibit B, had been released back in April of 2011.	
3 4 5 6 7 8 9	were looking at earlier? A Yes. Q What I mean, is that another program, or A It's all derived off of the same coding of the loan being logged into the Hotman machine. Q So if there is a different I mean, okay. Let me rephrase that. If there are two sources of the date of when the collateral file arrives at Recontrust, can you explain	2 3 4 5 6 7 8 9	A I reviewed Exhibit A. Q Exhibit A. And who provided that to you, or how was that provided to you? A It was brought in to me by one of my associates. May I say, not the original. Q Right, not the original. Presumably because, at the time you were reviewing it, the original, as we saw in Exhibit B, had been released back in April of 2011. A The exhibit, yes. The original had been	
3 4 5 6 7 8 9	were looking at earlier? A Yes. Q What I mean, is that another program, or A It's all derived off of the same coding of the loan being logged into the Hotman machine. Q So if there is a different I mean, okay. Let me rephrase that. If there are two sources of the date of when the collateral file arrives at Recontrust, can you explain why you chose that one?	2 3 4 5 6 7 8 9	A I reviewed Exhibit A. Q Exhibit A. And who provided that to you, or how was that provided to you? A It was brought in to me by one of my associates. May I say, not the original. Q Right, not the original. Presumably because, at the time you were reviewing it, the original, as we saw in Exhibit B, had been released back in April of 2011. A The exhibit, yes. The original had been released to the attorneys.	
3 4 5 6 7 8 9 .0 .1	were looking at earlier? A Yes. Q What I mean, is that another program, or A It's all derived off of the same coding of the loan being logged into the Hotman machine. Q So if there is a different I mean, okay. Let me rephrase that. If there are two sources of the date of when the collateral file arrives at Recontrust, can you explain why you chose that one? A There is not two sources of the date. The date	2 3 4 5 6 7 8 9 10	A I reviewed Exhibit A. Q Exhibit A. And who provided that to you, or how was that provided to you? A It was brought in to me by one of my associates. May I say, not the original. Q Right, not the original. Presumably because, at the time you were reviewing it, the original, as we saw in Exhibit B, had been released back in April of 2011. A The exhibit, yes. The original had been	
3 4 5 6 7 8 9 .0 .1 .2	were looking at earlier? A Yes. Q What I mean, is that another program, or A It's all derived off of the same coding of the loan being logged into the Hotman machine. Q So if there is a different I mean, okay. Let me rephrase that. If there are two sources of the date of when the collateral file arrives at Recontrust, can you explain why you chose that one?	2 3 4 5 6 7 8 9 10 11 12	A I reviewed Exhibit A. Q Exhibit A. And who provided that to you, or how was that provided to you? A It was brought in to me by one of my associates. May I say, not the original. Q Right, not the original. Presumably because, at the time you were reviewing it, the original, as we saw in Exhibit B, had been released back in April of 2011. A The exhibit, yes. The original had been released to the attorneys.	
3 4 5 6 7 8 9 0 1 2 3 4	were looking at earlier? A Yes. Q What I mean, is that another program, or A It's all derived off of the same coding of the loan being logged into the Hotman machine. Q So if there is a different I mean, okay. Let me rephrase that. If there are two sources of the date of when the collateral file arrives at Recontrust, can you explain why you chose that one? A There is not two sources of the date. The date	2 3 4 5 6 7 8 9 10 11 12 13	A I reviewed Exhibit A. Q Exhibit A. And who provided that to you, or how was that provided to you? A It was brought in to me by one of my associates. May I say, not the original. Q Right, not the original. Presumably because, at the time you were reviewing it, the original, as we saw in Exhibit B, had been released back in April of 2011. A The exhibit, yes. The original had been released to the attorneys. Q And that and so when you when you were	
3 4 5 6 7 8 9 .0 .1 .2 .3 .4 .5	were looking at earlier? A Yes. Q What I mean, is that another program, or A It's all derived off of the same coding of the loan being logged into the Hotman machine. Q So if there is a different I mean, okay. Let me rephrase that. If there are two sources of the date of when the collateral file arrives at Recontrust, can you explain why you chose that one? A There is not two sources of the date. The date is derived off of one source. In other words, this log	2 3 4 5 6 7 8 9 10 11 12 13 14	A I reviewed Exhibit A. Q Exhibit A. And who provided that to you, or how was that provided to you? A It was brought in to me by one of my associates. May I say, not the original. Q Right, not the original. Presumably because, at the time you were reviewing it, the original, as we saw in Exhibit B, had been released back in April of 2011. A The exhibit, yes. The original had been released to the attorneys. Q And that and so when you when you were I mean, obviously you signed this according to this as	
3 4 5 6 7 8 9 .0 .1 .2 .3 .4 .5 .6	were looking at earlier? A Yes. Q What I mean, is that another program, or A It's all derived off of the same coding of the loan being logged into the Hotman machine. Q So if there is a different I mean, okay. Let me rephrase that. If there are two sources of the date of when the collateral file arrives at Recontrust, can you explain why you chose that one? A There is not two sources of the date. The date is derived off of one source. In other words, this log is in it's just there are different types of reporting	2 3 4 5 6 7 8 9 10 11 12 13 14 15	A I reviewed Exhibit A. Q Exhibit A. And who provided that to you, or how was that provided to you? A It was brought in to me by one of my associates. May I say, not the original. Q Right, not the original. Presumably because, at the time you were reviewing it, the original, as we saw in Exhibit B, had been released back in April of 2011. A The exhibit, yes. The original had been released to the attorneys. Q And that and so when you when you were I mean, obviously you signed this according to this as on November 1st, 2011; correct? I mean, that's what	
3 4 5 6 7 8 9 .0 .1 .2 .3 .4 .5 .6 .7	were looking at earlier? A Yes. Q What I mean, is that another program, or A It's all derived off of the same coding of the loan being logged into the Hotman machine. Q So if there is a different I mean, okay. Let me rephrase that. If there are two sources of the date of when the collateral file arrives at Recontrust, can you explain why you chose that one? A There is not two sources of the date. The date is derived off of one source. In other words, this log is in it's just there are different types of reporting that we can look at. I looked at that one because this	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A I reviewed Exhibit A. Q Exhibit A. And who provided that to you, or how was that provided to you? A It was brought in to me by one of my associates. May I say, not the original. Q Right, not the original. Presumably because, at the time you were reviewing it, the original, as we saw in Exhibit B, had been released back in April of 2011. A The exhibit, yes. The original had been released to the attorneys. Q And that and so when you when you were I mean, obviously you signed this according to this as on November 1st, 2011; correct? I mean, that's what it yeah. Okay.	
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3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 18 19 19 19 19 19 19 19 19 19 19 19 19 19	were looking at earlier? A Yes. Q What I mean, is that another program, or A It's all derived off of the same coding of the loan being logged into the Hotman machine. Q So if there is a different I mean, okay. Let me rephrase that. If there are two sources of the date of when the collateral file arrives at Recontrust, can you explain why you chose that one? A There is not two sources of the date. The date is derived off of one source. In other words, this log is in it's just there are different types of reporting that we can look at. I looked at that one because this is on a loan level report. In my course of business, I do not look at individual loans. I look at the loans as a whole to ensure that the loans are getting going you know, getting processed into collateral processing.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A I reviewed Exhibit A. Q Exhibit A. And who provided that to you, or how was that provided to you? A It was brought in to me by one of my associates. May I say, not the original. Q Right, not the original. Presumably because, at the time you were reviewing it, the original, as we saw in Exhibit B, had been released back in April of 2011. A The exhibit, yes. The original had been released to the attorneys. Q And that and so when you when you were I mean, obviously you signed this according to this as on November 1st, 2011; correct? I mean, that's what it yeah. Okay. So you were not looking at the original note when you when you performed this review referred to in paragraph 7? A I believe, when I performed this review, the	
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	Page 66			Page 68
1	Q the copy that the attorney sent you and the	1	knowledge of the transfer inputs the action taken	
2	copy that was in the system? Is that what you said?	2	regarding that collateral file."	
3	A Yes.	3	Have you ever witnessed that going on?	
4	Q But not the actual original paper note?	4	A The loan is scanned into collateral tracking	
5	A Nope.	5	system?	
6	Q And do you know which attorney it was that had	6	Q No. This second sentence of paragraph 8. It	
7	this that sent this to you?	7	says, "At the time that a collateral file is transferred,	
8	A I would have to look at my e-mail.	8	an individual with personal knowledge of the transfer	
9	MR. HEMBREE: Just I've let it go as far as	9	inputs the action taken regarding that collateral file	
10	communications with attorneys, but at some point I'm	10	including the date and time of the action into the	
11	going to have to object on privilege if we get too far	11	tracking system."	
12	into privilege.	12	A Have I seen that happen?	
13	MR. KIRBY: I understand.	13	Q Yeah. I mean, have you been there?	
14	MR. HEMBREE: But no problem so far.	14	A Yes, from my audits.	
15	MR. KIRBY: Okay.	15	Q Okay. Now, is there is there a specific	
16	Q Okay. So when you reviewed these copies, where	16	person or group that would be responsible for inputting	
17	were you when you did that?	17	that information?	
18	A My Simi Valley office.	18	A You would have to talk to the bank or	
19	Q So do you know for certain when	19	Recontrust.	
20	The endorsement that you, you know that you	20	Q Okay. But are you ever in contact with the	
21	said was on the note at the time you reviewed it for the	21	people that do that?	
	declaration, do you know when that endorsement came to be	22	A On my audits, yes.	
22	placed on the note in this case?	23	Q But other than the audits?	
	A I stated in the declaration that the endorsement	24	A No.	
24	was placed at the time that it was received into	25	Q So you're not in charge of that process?	
25 —	Page 67	25	Q 50 you're not in charge of that process:	Page 69
1	collateral processing.	1	A Correct.	rage 07
1 2	Q And so what date is that?			
	2 That 30 what date is that:	1 2	() Now I'm met I'm reading this question met	
	A It was received into collateral processing on	2	Q Now, I'm just I'm reading this question just	
3	A It was received into collateral processing on	3	to make sure I don't ask it again.	
4	9-5 on the file was received at Recontrust on	3 4	to make sure I don't ask it again. A It's okay.	
4 5	9-5 on the file was received at Recontrust on September 5th, and September 6th the file was received in	3 4 5	to make sure I don't ask it again. A It's okay. Q So on September 5th, according to Exhibit B, as	
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4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	9-5 on the file was received at Recontrust on September 5th, and September 6th the file was received in Recontrust unit. Q Okay. So you're saying that the endorsement was placed on the note at I mean, when was it, what date would you say? A I'm saying MR. HEMBREE: I seem to recall that it's in here. THE WITNESS: It is in here. MR. HEMBREE: I couldn't begin to tell you where. THE WITNESS: On September 5th. BY MR. KIRBY: Q Okay. On September 5th, for certain, or it does say I mean, September 5th, 2007, for certain? A As I said in the declaration, consistent with the routine practices, these endorsements would have been placed on the note on or about September 5th of 2007.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	to make sure I don't ask it again. A It's okay. Q So on September 5th, according to Exhibit B, as we've been over, the branch and you said CP on Exhibit B means? A Collateral processing. Q Collateral processing. And do you have any idea what was happening to these documents between August 21st when the note was signed and September 4th when it was sent from the branch according to this? A As I said, these departments did not report to me. Q So you wouldn't have any idea where those documents were for those two weeks? A These departments don't report to me. Q But I understand that those departments don't report to you, but are you saying that you don't have any idea what I mean, you know where the note goes between the branch and the collateral between the branch and the custodian?	

	Page 70			Page 72
1	there's two weeks between those you know, between the	1	very patient.	
2	signing of the note and the sending out of it by the	2	So your declaration indicates I think it's	
3	branch. And I was just and, you know, I'm just	3	paragraph 10, but also throughout, but I think I'm	
4	asking. If you don't know, that's fine. And you seem to	4	talking particularly about paragraph 10, that it's the	
5	be indicating that you don't know. But I'm just	5	routine practice for notes to be I mean, for	
6	A There's a rescission period that goes on. The	6	endorsements to be placed on notes on the day the	
7	branch also has to take the file and pull out all of the	7	collateral file is received at Recontrust, but the	
8	collateral documents. This loan funded, I think, on	8	endorsements themselves are not dated. So is there any	
9	August 21st, which is probably towards the end of the	9	way to know absolutely for sure that it was done on that	
10	month, which is when a branch is most is busiest, so	10	particular day?	
11	I'm sure that it went in the line of being through the	11	A No. However, the loan would have not passed	
12	processor to get processed and the collateral being put	12	certification if there was no endorsements applied on	
13	into the file and sent off.	13	September 7th of 2007.	
14	Q And just so just because we've talked about	14	Q And what would have happened on September 7th?	
15	so many vault locations, you said earlier that this	15	A Instead of it being reviewed without deficiency,	
16	particular note was sent to the Simi Valley vault?	16	it would have been reviewed with a deficiency showing	
17	A Yes.	17	stating that there was no endorsement on the note.	
L /	Q From the branch?	18	Q Okay. You had said this earlier, but I just	
19	A Yes.	19	I just want to make sure. So what you had said earlier	
20	Q Does that have anything to do with it being a	20	was that, according to Exhibit B to the declaration, the	
21	Fannie Mae collateral file?	21	note was received into the Fannie vault on September	
22	A In 2007 we did not have Fort Worth open, and it	22	10th. Is that correct?	
23	was not a correspondent lending loan, so I know it did	23	A Yes.	
24	not go to Tampa.	24	Q And then it was released on April 22nd. Nothing	
25	Q Okay.	25	else happened to it during that time. Is that I mean,	
	Page 71	23	ense imprened to it during that time. Is that I mean,	Page 73
1	A All noncorrespondent lending loans were	,	there it sat is I guess what I'm asking.	1 450 75
1	processed through Simi Valley at that time.	1	A In safekeeping, yes.	
2	Q Okay. So my understanding is and please	2		
3	correct me if I'm wrong. Well, let me phrase it as a	3	Q Okay. All right. Now, this is something you touched on a minute ago. I'm going to try to phrase it	
4		4	in a way that makes sense. Who and let's just deal	
5	question.	5	·	
6	It's employees at Recontrust that stamp the	6	with Countrywide in 2007.	
7	endorsements on the notes in general, including this one;	7	Who is allowed to be an endorser as you were? I	
8	is that right?	8	mean, who let me leave it at that and see if that	
9	A Yes.	9	makes sense to you.	
L 0	Q And you've seen that taking place?	10	A I don't know what you're asking.	
L1 	A Yes.	11	Q What I'm saying is: Are there people other than	
L2	Q In Simi Valley?	12	you at Countrywide in 2007 whose names would appear on a	
L3	A Yes.	13	note as an endorsement?	
L4 	Q Is there some type of manual or set of	14	A For Countrywide Home Loans, Inc.?	
L5	instructions?	15	Q Yes.	
L6	A They have my power of attorney.	16	A In 2007, I was the endorser for Countrywide Home	
L 7	Q Well, okay. That's not what I'm asking. But I	17	Loans, Inc.	
L 8	do want to know about that. But what I'm saying: Is	18	Q Okay. And, I mean, can you explain why you, in	
	there some sort of manual or instructions or	19	particular? I mean, how is that established?	
L 9		20	A Just lucky.	
	A If you want to know the desk procedures, you			
20	would have to speak with an associate of Recontrust.	21	Q I mean, I know this is going to sound silly, but	
20 21	would have to speak with an associate of Recontrust. Q Okay. Okay. Sorry. I'm just reading the notes		was there some competition for it? Did they come to you	
19 20 21 22	would have to speak with an associate of Recontrust. Q Okay. Okay. Sorry. I'm just reading the notes again. Now, I'm going to try to explain this. I may	21	was there some competition for it? Did they come to you and say, "Ms. Sjolander, we choose you?" I mean, how did	
20 21 22	would have to speak with an associate of Recontrust. Q Okay. Okay. Sorry. I'm just reading the notes	21 22	was there some competition for it? Did they come to you	

	Page 74			Page 76
1	Q Okay. And did you know that going in; you know,	1	document.	
2	if you take this job, you're going to be the endorser?	2	Q Okay. But just to clarify, once again, you	
3	Was that explained to you at some point?	3	don't actually know the legal mechanism by which these	
4	A I knew that my previous boss was the endorser,	4	people with the stamps operate under this power of	
5	yes.	5	attorney?	
6	Q Oh, okay. Now, we covered this, that other	6	A As I said, I would have to go back through all	
7	people stamped your signature and the other her name	7	of the documentation that surrounds the power of	
8	is oh, it's Laurie Meder?	8	attorney, and Recontrust has desk procedures, and it	
9	A Meder.	9	would be their procedures for them to assign that, to	
10	Q Okay. So other people have a stamp with her	10	place the stamp on the collateral.	
11	name and your name on it, and how do those people have	11	Q And this was a procedure in 2007, what we're	
12	the authority to put her name and your name on a note for	12	talking here is 2007?	
13	it to be an effective endorsement?	13	A Correct.	
L4	A With my name, they have a power of attorney.	14	Q And to the present?	
15	Q And what does the power of attorney say?	15	A No.	
16	A The power of attorney allows them to place my	16	Q Okay. Let me see.	
17	endorsement stamp on collateral.	17	And I don't know if you was there any way we	
18	Q How do they come to have your power of attorney?	18	could get a copy of that power of attorney, or is that,	
19	A I gave that to them.	19	you know	
20	Q But, I mean, in what sort of process? You know,	20	MR. HEMBREE: I can try. Countrywide Home	
21	how does someone at Recontrust I mean, I understand	21	Loans, Inc., is not a party to the litigation.	
22	that a power of attorney document exists, I'm assuming;	22	MR. KIRBY: Right.	
23	correct?	23	MR. HEMBREE: So that creates some issues for	
24	A Yes.	24	us, but we could take a look at it and see.	
25	Q And how do those people come to operate under	25	MR. KIRBY: Oh, okay. I follow you.	
	Page 75			Page 77
1	it?	1	MR. HEMBREE: See what I'm saying? This is the	
2	A It's common, standard practice.	2	first I've heard about it today, so I can certainly look	
3	Q I may not be asking it quite right. I guess	ا ا	into it.	
4		3	into it.	
	what I'm asking is: Do they the people who actually	4	MR. KIRBY: But so you're saying and that's	
5	what I'm asking is: Do they the people who actually use the stamps is there more than one, or is there			
5		4	MR. KIRBY: But so you're saying and that's	
	use the stamps is there more than one, or is there	4	MR. KIRBY: But so you're saying and that's a I'm glad you said that.	
6	use the stamps is there more than one, or is there just one stamp? I said "stamps" multiple. Is there only	4 5 6	MR. KIRBY: But so you're saying and that's a I'm glad you said that. Q So this was this power of attorney was not	
6 7	use the stamps is there more than one, or is there just one stamp? I said "stamps" multiple. Is there only one, or is there	4 5 6 7	MR. KIRBY: But so you're saying and that's a I'm glad you said that. Q So this was this power of attorney was not just for your name; it was for your name as executive	
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			Page 80
1 A I have an office in Simi Valley, yes.	1	complex is considered Bank of America? Is that what	
Q But is it considered an office I mean, is it	2	you're saying?	
3 in the Recontrust building?	3	A Yes.	
4 A It is in that building.	4	Q And then there's another part of the complex	
Q Are you in charge of hiring any of these people	5	that's considered Recontrust?	
6 that do that.	6	A Yes.	
7 A No.	7	Q And you're separate?	
8 Q When you're in the Simi Valley office, do you	8	A We're in the same building, but, yes, we're	
9 ever observe the endorsing going on?	9	separate, completely separated.	
O A Only when I do an audit. Security based, I do	10	Q And I think I know I think you've covered	
1 not have a security level to be in there without being in	11	this, but just let me ask it anyway. Do you know what	
2 the company.	12	type of controls there are to exist what type of	
Q So you're not even allowed, unless accompanied	13	controls exist to prevent the unauthorized use of your	
on the floor where this is happening?	14	stamp? Does that make sense?	
5 A Unless I'm performing an audit and unless	15	A I don't know what you're asking.	
6 escorted by a Recontrust associate.	16	Q Well, I'm just saying, you know, if there are	
Q So you wouldn't know anything or would you	17	multiple stamps, are there some procedures in place that	
8 Let me ask you: Would you know the name of the	18	keep people from I don't know taking one, for	
9 person who did this stamping, for example?	19	example, or	
0 A No.	20	A The stamps are in a secured environment on the	
Q I mean, would you be able to tell which floor	21	floor, and it is part of Recontrust's security.	
2 they were on when they did it?	22	Q And, again, security, are there cameras on that	
A I know where they are located, yes.	23	floor that you know of?	
Q Okay. But, I mean, you weren't there when it	24	A I do believe so. I don't know when they were	
5 happened?	25	installed.	
Page 79			Page 81
1 A No.	1	Q Are there security guards there?	
Q And of the individuals that do it, that did this	2	A No. It is completely badge access by badge.	
3 in 2007, you wouldn't be able to identify which	3	You need to have access to the doors. You can't get in.	
4 particular individual put the stamp on this particular			
	4	Q So you've done audits at this place where the	
	4 5	Q So you've done audits at this place where the endorsements take place. I mean, can you just describe	
5 note?		endorsements take place. I mean, can you just describe in general, I mean, just what it even looks like? Are	
 note? A Correct. Q This Laurie Meder, is she in the same office as 	5 6 7	endorsements take place. I mean, can you just describe in general, I mean, just what it even looks like? Are people sitting at desks?	
note? A Correct. Q This Laurie Meder, is she in the same office as you?	5 6 7 8	endorsements take place. I mean, can you just describe in general, I mean, just what it even looks like? Are people sitting at desks? A It looks like a room like this. It's completely	
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	Page 82			Page 84
1	Q Okay. Are the procedures that are used in	1	Q What I was saying was I don't understand.	
2	endorsing notes set aside for Fannie Mae the same as	2	You're not an employee of Recontrust, but you have	
3	those used for non-Fannie Mae notes? Do you know?	3	oversight of the employees at Recontrust?	
4	A They do not report to me.	4	A As I said, no.	
5	Q I mean, have you ever personally, you know, with	5	Q Right.	
6	a pen signed an endorsement on a promissory note?	6	A I have no oversight of any of the associates at	
7	A No.	7	Recontrust.	
8	Q I think I'm just about done.	8	Q Okay.	
9	So you were not an employee of Recontrust?	9	A I do not none of those associates report to	
10	A Correct.	10	me or have ever reported to me.	
11	Q Are you involved at all with any aspects of	11	Q Right.	
12	Recontrust's operation?	12	A I have oversight of the operations that go on to	
13	A I have oversight.	13	ensure that we are in compliance to the Fannie and	
14	Q Oversight of Recontrust?	14	Freddie guidelines, that we are in compliance with the	
15	A Oversight of the collateral.	15	securities that we create.	
			Q So is what you're saying that you establish the	
16	Q Well, so, for example, just in general, who would you contact about collateral at Recontrust? I	16	procedure for Recontrust?	
17 18	mean, a name, if you know it?	17	A I am the police officer. How's that?	
	A Laurie Meder.	19	Q Okay. I think I know what you're saying, but	
19		20	what I mean	
20	Q She is your contact at Recontrust, and that was true in 2007 we're talking about?		A I ensure	
21	A Yes.	21	O Because the auditor that	
22		23	A We are following the guides for Fannie and	
23	Q The same now? A Yes.		Freddie for our investors.	
24	Q I mean, how often would you estimate that you	24	Q Right, and that is your	
25	Page 83	25	Q Right, and that is your	Page 85
-1	contact Ms. Meder?	1	A That is one of my job responsibilities.	1 age 65
1	A THE NOTE OF THE	1		
2		2	Q Right. But as it relates to Recontrust in particular you're talking about?	
3		3		
4	Ms. Meder I mean, would she call you with a problem? Is that how it worked?	4	A As it relates to the custodian, yes. Q So that's all Countrywide in 2007 and Bank of	
5	A TYPE TO A SECOND SECO	5	Q So that's all Countrywide in 2007 and Bank of America now custodians?	
6		6	A Yes.	
7	correspondence was via e-mail.	7		
8	Q Right, right.	8	Q I'm assuming well, don't let me assume. Are there other custodians besides Recontrust?	
9	A We go back and forth on different deals that	9		
10	we're working on. Q So I'm still I think this may be this may	10	A Yes.	
11		11	Q Okay. But in this case, we're talking specifically about Recontrust?	
12	be my last point, barring a little review. I'm still not exactly clear on: You're not an employee of Recontrust?	12	•	
13		13	A Yes. MR. KIRBY: Okay. Let me can we go off the	
14	A Correct. Q But you have oversight of Recontrust employees?	14	record just to let me go over just to make sure I've	
15		15		
16	A I do not have oversight of their employees. I	16	covered everything I want to cover?	
17	have oversight of the collateral. So the collateral that	17	MR. HEMBREE: Sure.	
18	is at the bank, I am	18	(Discussion held off the record.)	
19	Q Wait. I'm sorry. And by "bank"	19	MR. KIRBY: We can go back on the record.	
20	A I'm sorry. At Recontrust. I use it	20	Q Okay. We're back on the record. Looking at	
21	interchangeably.	21	Exhibit C to the declaration, we see the loan number. I	
22	Q Okay. So start over. I'm sorry. I'm	22	know what that means. I assume that the next data field	
23	A Can you repeat the question?	23	is event, day, and time. Is that right?	
24	Q Yes, yes.	24	A Yes.	
25	A And I will start over.	25	Q And then the next data field is the package	

	Page 86			Page 8
1 numb	per. What are those? What is package number 1322 and	1	showing this has nothing to do with your documents.	
2 1323	?	2	It's showing giving us a view that your loan was in	
3 A	1323 just shows that it was in application	3	application stage. Then it went to inventory. Then it	
4 stage,	, and then it went into inventory.	4	went to sold and what it was sold into. And then your	
5 Q	Well, but even at the third line down on 8-27,	5	payments were being remitted into Fannie Mae on a	
6 the no	ote had been signed by then, so it was in package	6	scheduled schedule and then, of course, actual actual,	
7 1323	?	7	two completely different views.	
8 A	Yes, but it shows that it was now at inventory	8	Q Okay. I understand, but about the let me	
9 stage.	. It went from application to inventory, which	9	but you referred to it for some reason.	
0 mean	is that the note was signed.	10	A I referred to it showing that the loan was	
1 Q	Okay. Oh, okay. So 1323 is a package for	11	pooled into a Fannie Mae security.	
2 A	Just a package number that shows that we have	12	Q Okay. So then the last entry well, so we	
not pi	ut the loan into any sort of security.	13	know that the collateral file from the Exhibit B was	
1 Q	So conventional I'm just going to assume that	14	removed or released on April 22nd, 2011. And so April	
the pa	ackage description, the abbreviation, is that	15	26th, 2011, the package number is zero, and the	
1	entional 30-year first TD? What is that? Do you	16	collateral file is out of the vault. I mean	
know	·	17	A This as I said, the commitment history has	
	Just that it's in a 30-year package. Your loan	18	nothing to do with the collateral file. This is strictly	
	a conventional 30-year. A different package number	19	showing us that the loan was sold to Fannie Mae and that	
	d show up if it was a 15-year, if it was an ARM.	20	it resided into a Fannie Mae security.	
	So this TD, you just don't know what that	21	Q But what would package number zero and investor	
	eviation means, okay. And the investor number, I	22	number zero, what does that indicate?	
	that's fairly self-explanatory. I mean, is that		A Probably indicates you went into bankruptcy or	
	ank of the investment number for Bank of America?	23	foreclosure. This is a warning code telling me that your	
l .	Yes.	24	loan is not current and to go dig in deeper, that it's	
5 A	Page 87	25	toan is not current and to go tig in deeper, that it's	Page 8
	•		and able in boulants on forcelesses and I would be a	rage
Q	And HFS is held for sale; is that right?	1	probably in bankruptcy or foreclosure, and I would have	
2 A	Yes. And what is Lynx, L-y-n-x?	2	to talk to either one of those representatives to get any	
3 Q	And what is I vnv I -v-n-v?		further information on your loan.	
1 .		3	0 771 - 1 1 1 1 1 1 1 1	
١.	That's our system of data. That's our	4	Q That is something that you would do personally?	
١.	That's our system of data. That's our sitory or repository of data.		A I did not do, no. I mean, that's just if	
depos Q	That's our system of data. That's our sitory or repository of data. And this down here where it says FNMA SCH slash	4 5 6	A I did not do, no. I mean, that's just if anyone that looks into this and wants to know, you know,	
depos Q SCH,	That's our system of data. That's our sitory or repository of data. And this down here where it says FNMA SCH slash, what does that stand for?	4	A I did not do, no. I mean, that's just if anyone that looks into this and wants to know, you know, if the loan was sold and where it was sold to, and then	
depos Q SCH,	That's our system of data. That's our sitory or repository of data. And this down here where it says FNMA SCH slash what does that stand for? This loan was pooled into a Fannie Mae security.	4 5 6	A I did not do, no. I mean, that's just if anyone that looks into this and wants to know, you know,	
depos Q G SCH, A We re	That's our system of data. That's our sitory or repository of data. And this down here where it says FNMA SCH slash what does that stand for? This loan was pooled into a Fannie Mae security. emitted on a scheduled schedule MBS, so it was a	4 5 6 7	A I did not do, no. I mean, that's just if anyone that looks into this and wants to know, you know, if the loan was sold and where it was sold to, and then it's just a warning saying, "Loan's in foreclosure." Q Okay.	
depos Q 7 SCH, A We re	That's our system of data. That's our sitory or repository of data. And this down here where it says FNMA SCH slash what does that stand for? This loan was pooled into a Fannie Mae security. emitted on a scheduled schedule MBS, so it was a duled scheduled remittance.	4 5 6 7 8	A I did not do, no. I mean, that's just if anyone that looks into this and wants to know, you know, if the loan was sold and where it was sold to, and then it's just a warning saying, "Loan's in foreclosure." Q Okay. A "Contact the foreclosure unit."	
depos Q SCH, A We re sched	That's our system of data. That's our sitory or repository of data. And this down here where it says FNMA SCH slash what does that stand for? This loan was pooled into a Fannie Mae security. emitted on a scheduled schedule MBS, so it was a	4 5 6 7 8	A I did not do, no. I mean, that's just if anyone that looks into this and wants to know, you know, if the loan was sold and where it was sold to, and then it's just a warning saying, "Loan's in foreclosure." Q Okay. A "Contact the foreclosure unit." Q Okay. Just one other check. Now, I'm sorry.	
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	Page 90			Page 92
1	of review without deficiency is when the endorsement	1	STATE OF CALIFORNIA)	
2	stamp would have been placed.	2	COUNTY OF LOS ANGELES) ss.	
3	Q I'm sorry. September 5th, you said, the	3	,	
4	endorsement stamp?	4	I, MICHELE SJOLANDER, hereby certify under	
5	A The endorsement stamp, I said, would have been	5	penalty of perjury under the laws of the State of	
6	placed on September 5th.	6	California that the foregoing is true and correct.	
7	Q So the "would have been" you're saying is in	7	Executed this day of	
8	reference to what did you mean by "would have been"	8	, 2012, at	
9	again? I mean, because it can be read as the	9	, California.	
10	endorsement these endorsements would have been placed	10		
11	on the note; meaning, that maybe the endorsements weren't	11		
12	placed on the note?	12		
13	A Well, obviously the endorsements were placed on	13	MICHELE SJOLANDER	
14	the note. There's endorsements on the note.	14		
15	Q Well, at some point, yes. But so you're saying	15		
16	that the "would have been" is more having to do with the	16		
17	exact date?	17		
18	A I'm saying would have been placed on the note,	18		
19	because the loan was obviously reviewed without defi the	19		
20	next day.	20		
21	Q But it says on or about September 5th. I mean,	21		
22	could it have been September 6th?	22		
23	A It could have been, yes. It could have been at	23		
24	midnight. I don't know.	24		
25	MR. KIRBY: Okay. All right. No more	25		
	, .	ı — - ı		
	Page 91			Page 93
1	Page 91 questions.	1	STATE OF CALIFORNIA)	Page 93
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