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**IN THE SECOND JUDICIAL DISTRICT COURT, STATE OF UTAH
IN AND FOR DAVIS COUNTY, FARMINGTON DEPARTMENT**

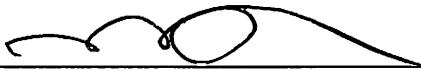
<p>DPW ENTERPRISES, LLC, a Utah limited liability company,</p> <p style="text-align: center;">Plaintiff,</p> <p>Vs.</p> <p>BANK OF AMERICA N.A. SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, formerly known as COUNTRYWIDE HOME LOANS SERVICING LP for the benefit of KEYBANK NATIONAL ASSOCIATION,</p> <p style="text-align: center;">Defendant.</p>	<p style="text-align: center;">DECLARATION OF COUNSEL IN SUPPORT OF DEFAULT</p> <p>Case No: 180700435 Judge Robert Dale</p>
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The Declarant, James Dunn, pursuant to the provisions of Utah Code Ann. 78B-5-705, makes the following Declaration:

1. That he is the counsel for the Plaintiff in the above entitled matter, is competent to testify as a witness, and personally knows the facts stated herein are true.
2. After serving process on the Defendant, Declarant received an email communication from the Bank of America. A true and correct copy of that email communication is attached hereto as an exhibit.
3. That email communication makes clear the Defendant does not intend to enter a defense in this matter and will not be contesting the matter and has no objection to the relief sought.

Pursuant to Utah Code Ann. 78B-5-705, I, James Dunn, declare, certify, verify and assert and state under the criminal laws of the State of Utah, that the foregoing is true and correct.

DATED this 22 day of May 2018.



James Dunn



James Dunn <jdutahlaw@gmail.com>

DPW Enterprises v. Bank of America, N.A.

1 message

Hardee, Christopher W <christopher.w.hardee@bankofamerica.com>

Fri, May 11, 2018 at 6:47 AM

To: "jdutahlaw@gmail.com" <jdutahlaw@gmail.com>

BANA Loan #: 196112315

Property Address: 109 WEST 350 NORTH

CLEARFIELD, UT 84015

SRL #: 12228

BWR: CHRISTIAN OLSEN

Mr. Dunn,

The attached Complaint to Quiet Title filed by you on behalf of DPW Enterprises and naming Bank of America, N.A. (BANA) as a Defendant that may have an interest in the property was assigned to me; however, the loan was service released to PHH Mortgage on 3/31/13, and PHH charged off the loan and returned it to Keybank in 2014. In light of the foregoing, BANA cannot release the lien but has no objection to the relief sought and will therefore not be contesting the default entry or otherwise appearing in the action. Should procedures require future pleadings/papers be furnished to BANA, please e-mail them to me rather than otherwise in order to preclude additional cases from being opened for BANA in this matter. Your anticipated cooperation is appreciated. Please let me know if you have any questions or need anything from me. Thank you!

Chris W. Hardee

Consumer Resolution Specialist II

Legal Order & Litigation Operations

Bank of America, N.A.

9000 Southside Blvd, Bldg 600

Mail Code: FL9-600-02-98