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PLAINTIFFS IN PRO PER

**U.S. DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

EMIL P. MILYAKOV;  
MAGDALENA A. APOSTOLOVA

Plaintiffs,

vs.

JP MORGAN CHASE BANK, NA;  
CALIFORNIA RECONVEYANCE CO.; PAUL  
FINANCIAL, LLC; MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS INC (MERS);  
FOUNDATION CONVEYANCING, LLC; AND  
DOES 1 THROUGH 100,

Defendant.

Case No.: 11-CV-2066-WHA

PLAINTIFFS' INTERROGATORIES  
TO DEFENDANT JPMC BANK, N.A.,  
SET ONE

Location: San Francisco Courthouse 450  
Golden Gate Avenue, San Francisco, CA  
94102  
Courtroom: 9 - 19th Floor

Judge: Honorable William Alsup  
Date Action Filed: April 20, 2011  
Action Removed: April 27, 2011

PROPOUNDING PARTY: Plaintiffs EMIL MILYAKOV and MAGDALENA APOSTOLOVA

RESPONDING PARTY: Defendant JPM CHASE BANK, N.A

SET No: One

TO DEFENDANT AND ITS ATTORNEY OF RECORD:

1 YOU ARE HEREBY NOTIFIED to answer the following interrogatories, separately and fully, in  
2 writing and under oath, within ten days of the date of service, as instructed in the Court Order of Sept. 2,  
3 2011 for expedite discovery. The answers shall contain your composite knowledge and that which is  
4 available to you personally or through your agents or representatives. If you can not answer any of the  
5 following interrogatories fully for any reason, please state the reason in detail and answer to the fullest  
6 extent possible.

7 There are multiple choice questions, please state which one is correct and detail it, if required.  
8 Ignore the incorrect options. If no correct option is available, please answer the question with the correct  
9 options in details, if required, for the best of your or your agent/representative knowledge.

10 You are to furnish all information in your possession and all information available to you and not  
11 merely such information as you know of your own personal knowledge. This includes information that is  
12 available to you, the company at large and your agents or representatives. Where a response to an  
13 interrogatory sets forth information which is not based upon your own personal knowledge, but rather  
14 upon the knowledge of your representative, you are to so indicate in your response.

15 Identify all persons involved in the preparation of the answers to the interrogatories. For each such  
16 person, provide their address and telephone number. For each such person, also identify which  
17 interrogatory that person responded to. Please also include their title with the Defendant and length  
18 of time of employment, if applicable to that person.

19  
20  
21  
22 INTERROGATORIES No. 1

23 You claim that you acquired "certain rights" from another debt collection agency. Please identify  
24 any of these rights, the name and address of this debt collection agency; all the people that were  
25 representing it and all the people representing your company, as well when and where did this acquisition  
26 take place.

1  
2 INTERROGATORIES No. 2

3 Itemize each and every piece of document as evidence for transferring certain rights you acquired  
4 for this account, subject to this action. In the itemization please include the name, address and phone  
5 number of the person(s) or entity (ies), (“assignor”) from whom you took any assignment, together with  
6 the date you took any assignment and specifying all documents, including contracts that were necessary to  
7 give legal effect to the assignment of the note or “other rights” to you, the original Promissory note, etc. If  
8 any aspect of obtaining the note was by endorsement, so state in details.

9  
10 INTERROGATORIES No. 3

11 Please identify the name, address and phone number of the person(s) or entity that is the custodian  
12 of all the documents subject to the acquisition in question 1 that can confirm the Plaintiffs’ loan was  
13 owned by WAMU and was on the bank’s accounting books, when WAMU went under, as stated by the  
14 Defendants’ representing attorney.

15  
16 INTERROGATORIES No. 4

17 Please state for the history of the note, the persons or entity who, at any time, deposited the  
18 information regarding JP Morgan Mortgage Trust 2007-A5 in the SEC website: all account numbers,  
19 including Plaintiffs’ account, Prospectus Supplement (form 424B5), PSA, Form 15-15D, etc, including  
20 Form 10, etc. Please provide full contact information.

21  
22 INTERROGATORIES No. 5

23 Please specify the persons or entity that, at any time, were responsible to perfect the chain of title in  
24 the formation period of the trust and no later than the 90-day after closing date period, of the properties,  
25 including Plaintiffs’ property, which notes were sold as a collateral to the investors of JP Morgan  
26

1 Mortgage Trust 2007-A5. As required in the Pooling and Servicing Agreement – Sec. 2.04 and  
2 consequent:

- 3 1. Trustee required to receive full recorded chain of title,
- 4 2. Assignment of Deed of Trust to be recorded in the county,
- 5 3. Shows true sales of notes, items not recorded in the county.

6  
7 INTERROGATORIES No. 6

8 Please specify the persons or entity that, at any time in 2007 were responsible to supervise and  
9 confirm/correct the correct operational procedures of formation of the Securitization trust to which the  
10 Plaintiffs' Promissory note was sold, and all their duties, including, but not limited to keeping unbroken  
11 chain of title for properties owned by the REMIC JP Morgan Mortgage Trust 2007-A5 and provide report  
12 to the investors of the mentioned trust. Please state, were the supervisors instructed not to comply with the  
13 Pooling and Servicing Agreements, in order to benefit the Custodian/Servicer JPMC Bank, N.A. in  
14 multiple sales of the notes.

15  
16 INTERROGATORIES No. 7

17 Please identify the custodian(s) of the records, including, name, address and phone number that  
18 would show all entries regarding the COMPLETE SET OF ALL PROMISSORY NOTES sold to the  
19 investors of JP Morgan Mortgage Trust 2007-A5 as owners of the securities. Please identify where and  
20 how all assets of the trust are stored and kept by JPMC Bank, N.A. as one of the Master custodian of the  
21 trust.

22  
23 INTERROGATORIES No. 8

24 Please state the name, address and phone number of any person(s) in custody of any document  
25 which refers to any instruction or authority to enforce the Plaintiffs' Promissory note after the termination  
26 of JP Morgan Mortgage Trust 2007-A5. As stated in the original note, JPMC Bank, N.A. either has to

1 prove the particular "rights" to receive payments, or to show that it is THE Note holder, as stated in  
2 paragraph 1 in the Note:

3 "Lender or anyone who takes this Note by transfer and who is entitled to receive payments under this  
4 Note is called the "Note Holder."

5 INTERROGATORIES No. 9

6 Please state the name of the person(s) or identity (ies) involved in the rating of the securities or  
7 certificates for JP Morgan Mortgage Trust 2007-A5, specifically the name, address, telephone number, fax  
8 number, and email address of the person(s) as such rating entity (which might include Moody's, Fitch or  
9 Standard and Poor's) based upon an analysis or creation of spreadsheets, composition of a pool or other  
10 aggregation of assets were created or described and which included or referred to the subject loan and  
11 wherein a description of the pool or aggregation was transmitted, transferred, assigned, pledged or  
12 hypothecated" refers to any person who suggested, approved, received or accepted the composition of the  
13 pool or aggregation, made or confirmed representations, evaluations or appraisals of value of the home,  
14 value of the security instruments, ability of the borrower to pay including, with respect to such analysis  
15 person(s), their names, addresses, current employment status, and phone number.

16  
17 INTERROGATORIES No. 10

18 Please identify the name, address and phone number of the auditor and/or accountant(s) that can  
19 provide an expert statement with supportive documents:

20 A. The trust reached a REMIC status;

21 B. Can provide financial statements documenting showing the sale of the Plaintiffs' note can not  
22 be defined as a true sale and it is accounted for the tax year.

23  
24 INTERROGATORIES No. 11

25 Please identify the custodian of the records, including, name, address and phone number that would  
26 show all entries regarding the COMPLETE FLOW OF FUNDS regarding the JP Morgan Mortgage Trust

1 2007-A5 as owner of the subject obligation. If this person does not have personal knowledge of the  
2 information, then please identify in like fashion the person who works for your company and had custody  
3 of the accounting or bookkeeping registers or records identify said flow of funds after or before the  
4 termination of JP Morgan Mortgage Trust 2007-A5. Flow of funds, means (a) any record of money  
5 received, (b) any record of money paid out and (c) any bookkeeping or accounting entry, general ledger  
6 and accounting treatment of the subject loan transaction at your company including but not limited to  
7 whether the subject loan transaction was ever entered into any category on the balance sheet at any time  
8 or times, whether any reserved for default was ever entered on the balance sheet, and whether any entry,  
9 report or calculation was made regarding the effect of this loan transaction on the capital reserve  
10 requirements of your company.

11  
12 INTERROGATORIES No. 12

13 In the deposition of Angela Nolan, known as a robo signer for Chase Home Financing, under oath  
14 says that: "the custodial shop of the bank is notified by the investors group or a loan delivery group of  
15 pending sales and at that point the custodial shop determines – would – if any allonge or an endorsement  
16 is not currently there, they would create the allonge at that time."

17 Can Ms. Irby, as Officer for your company signing the Substitution of Trustee, or provide contact  
18 details for other authorized officer (if different than the custodian of records of the trust, please identify  
19 person(s) or entity) that is able to confirm there is NO document fabrication in order to facilitate the  
20 foreclosure procedure on the Plaintiffs' property and NO fraudulent assignment or endorsement of the  
21 Plaintiffs' Promissory note after the securitization vehicle is terminated, is performed?

22  
23 INTERROGATORIES No. 13

24 Please specify the persons or entity, and further specify the full legal name, address and phone  
25 number of each such party, job description and all other duties, who were responsible for the initiation of  
26 the Plaintiffs' foreclosure?

1  
2 INTERROGATORIES No. 14

3 In order to protect herself from fraudulent misrepresentation and/or robo signing, what exactly did  
4 Ms. Colleen Irby, as signing officer for your company, to be professionally satisfied to approve the  
5 foreclosure of this account. What did she check starting the foreclosure procedure - all account numbers  
6 on file, the owner of the Promissory note on the Land record and/or in MERS database, as well the SEC  
7 website info? Please note, Borrowers' credit report shows two mortgages with different numbers and no  
8 transfer between them. Borrowers agree they signed a contract with Paul Financial, LLC in July 2007 and  
9 never accepted another mortgage from any other financial institution or private source.  
10

11 INTERROGATORIES No. 15

12 Please identify the custodian(s) of the records, including, name, address and phone number that  
13 would show all entries regarding the COMPLETE SET documentation that declares loss by defendant  
14 JPMC Bank, N.A. because of default in payments of the Plaintiffs' Promissory note. This loss was  
15 correctly accounted and was absorbed by Defender JPMC Bank, N.A with appropriate agreement with the  
16 trustee HSBC Bank USA, N.A of JP Morgan Mortgage Trust 2007-A5 in the permitted by PSA time  
17 period. Please clarify when JPMC Bank, N.A. has contracted rights of repayment of ANY losses as  
18 Master custodians and Secondary servicer of the trust. Please itemize any evidence supporting declared  
19 loss and rights for repayments to JPMC Bank, N.A.  
20

21 INTERROGATORIES No. 16

22 Please identify the name, address and phone number of the person(s) or entity that is the custodian  
23 of all the documents and can confirm the Plaintiffs' loan was funded through Paul Financial, LLC by the  
24 Defendant and all monies came from the investors of JP Morgan Mortgage Trust 2007-A5. Please note, a  
25 positive answer to this question voids the original purchase contract Ab Initio.  
26

1 INTERROGATORIES No. 17

2 Please specify any and all audits of the sources performed on the subject loan documentation that  
3 verified it complies with all requirements for foreclosure procedure and identify the person(s) or entity  
4 (ies) of the records, including, name, address and phone number that can confirm. If no audits were  
5 performed, please state what audits had to be performed.  
6

7 INTERROGATORIES No. 18

8 Please identify the person(s) or entity (ies) of the records, including, name, address and phone number  
9 forming the JP Morgan Mortgage Trust 2007-A5 that can explain the reason(s) for the short life of the  
10 REMIC and the non-compliance with the requirements of its own agreement.  
11

12 INTERROGATORIES No. 19

13 Please identify the person(s) or entity (ies) of the records, including, name, address and phone  
14 number that intentionally did not release any and/or beneficiary interest into the trust property and caused  
15 the trust not to be formed correctly. Not only has this Settlor (JPMC Bank, N.A) known that the files were  
16 deficient, but instructed the Trustee, and the last was intentionally negligent toward any inspection of the  
17 files. This person(s) to explain why the Trustee and the Custodian of records did not notify the other  
18 parties of the problems and why any corrective action was not taken, in the 90-day period allowing  
19 corrections after the closing date.  
20

21 INTERROGATORIES No. 20

22 Please identify the person(s) or entity (ies) of the records, including, name, address and phone  
23 number to the custodian(s) for any and all Errors and Omission policies, placed on JP Morgan Mortgage  
24 Trust 2007-A5 and their accounting.  
25

26 //



1 INTERROGATORIES No. 21

2 Please identify the person(s) or entity (ies) of the records, including, name, address and phone  
3 number to the custodian(s) that can provide a complete list of the records with all holders of certificates  
4 for the JP Morgan Mortgage Trust 2007-A5, as stated in the filed on Jan. 28, 2008 termination notice  
5 form 15-15D in the SEC website. If itemized information regarding payoff and losses available on each  
6 one of the certificate holder, please prepare to provide.

7  
8 INTERROGATORIES No. 22

9 Please identify the person(s) or entity (ies) of the records, including, name, address and phone  
10 number, that can provide financial documentation as to the number of foreclosure procedures on  
11 properties with securitized obligations of Sponsor and Depositor JPMC Bank, N.A into different  
12 Securitization trusts, that did not perfect the chain of title, did not record ownership of the Promissory  
13 notes on the name of the trusts and the Promissory notes were stored and kept under the Custodial  
14 supervision of the Depositor. Please state for the record, the irregularities as in the Plaintiffs' situation are  
15 exception and not regularity.

16  
17 INTERROGATORIES No. 23

18 Please explain why the interest in the Promissory note with lender Paul Financial, LLC, under  
19 account number 8870000689927 was not recorded in the assessor's office, nor modification of terms with  
20 WAMU was? Please explain what exactly Chase and why added fraudulently a new account as a  
21 mortgage obligation on the Plaintiffs' credit.

22  
23 INTERROGATORIES No. 24

24 Ms. Colleen Irby, as signing officer for JPMC Bank, N.A, to describe her duties, responsibilities and  
25 specialization for this particular position; please describe all regular due diligence in applying these  
26 responsibilities and what does she do to comply with the ever-changing environment of the CA

1 Foreclosure Law. Please specify recent Securitization and/or Bank education and specialization - was the  
2 position for assistant secretary of MERS an “open interview” or was a promotion from within and when.

3  
4 INTERROGATORIES No. 25

5 Please identify the person(s) or entity (ies) of the records, including, name, address and phone  
6 number that can provide the JPMC Bank, N.A underwriters’ documentation of Sponsor and Depositor  
7 JPMC Bank, N.A for the discussed Securitization trust. Please state where were the files stored and kept  
8 under the Custodial supervision of the Depositor. Please state for the record, the person(s) or entity (ies)  
9 that provided the underwriting services.

10  
11 DATE

12 EMIL MILYAKOV

MAGDALENA APOSTOLOVA  
IN PRO SE