

Salima Tongo

From: Berghorn, Robin [ctlcrb1@ocnjcc.org]
Sent: Wednesday, August 25, 2010 4:14 PM
To: Lauten, Frederick
Subject: New Foreclosure Cases
Good Afternoon Judge Lauten,

My figure for new filings for July was wrong. Instead of 2400 new filings, there were only 1,259 new cases filed. If that trend continues, then there will be approximately 15,108 cases filed for the year the program is in existence. The numbers are:

31,774 cases on the backlog list
62% is 19,700 cases

Estimated 15,108 new cases filed (based on July new case filings)
62% is 9,367 cases

62% of total foreclosure cases for program year is 29,067 cases.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

Salima Tongo

From: Berghorn, Robin [crlcrb1@ocnjcc.org]
Sent: Thursday, September 16, 2010 11:26 AM
To: Lauten, Frederick
Subject: Motions for Summary Final Judgments
Good Morning Judge Lauten,

The foreclosure staff are receiving motions for summary final judgments including proposed orders via the mail. These are not being taken to the hearings by the attorneys - it seems they are bypassing the hearing procedure.

Is this procedure okay? Or would you prefer these to be sent back to the attorneys and the attorneys told to take it to a hearing?

Thank you.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

Salima Tongo

From: Berghorn, Robin [ctlcrb1@ocnjcc.org]
Sent: Tuesday, July 06, 2010 8:13 AM
To: Benefiel, Matthew
Subject: Mailing Address for Foreclosure Division
Importance: High

To post on website:

Mailing address for the presiding judges of the foreclosure division in Orange County, please address as follows:

Presiding Judge - Foreclosure Division A or B (please select correct Division)
Orange County Courthouse
425 N. Orange Avenue
Orlando, FL 32801

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

Salima Tongo

From: Berghorn, Robin [ctfcrb1@ocnjcc.org]

Sent: Thursday, July 22, 2010 4:22 PM

To: ORNG FORECLOSURE DIV

Subject: Hearings - November and December

Good Afternoon,

Per Judge Lauten, hearings will be held on November 22nd and 23rd but none on the 24th.

As to December, no hearings will be scheduled the weeks of December 20th and 27th.
Hearings will resume January 3rd.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

2/8/2011

9th Cir 0004

Salima Tongo

From: Goodwin, Melissa [ctjamg1@ocnjcc.org]

Sent: Friday, July 02, 2010 9:56 AM

To: Washington, Shirley; Berghorn, Robin

Cc: CIR CIVIL JAS

Subject: Question

Good Morning Shirley:

Has the clerk's office been advised to take all motions on foreclosure files to the offices on 16 effective Tuesday (which would add a run to their office)?

Have the foreclosure firms been notified to change the fed-ex address to Foreclosure Division A or B?

Thank you,

Melissa

Salima Tongo

From: Welch, Helene [ctadhw1@ocnjcc.org]
Sent: Monday, October 25, 2010 4:52 PM
To: Lauten, Frederick; Charles Prather; Conrad, Richard; Dorothy Russell; Emerson Thompson; Jeffords Miller; Robert Pleus; Rom Powell; Ronald Legendre; Ted Coleman; Thomas Kirkland@gmail.com
Cc: Berghorn, Robin; Washington, Shirley
Subject: Policy

Judges,

There was a request from the foreclosure staff to clarify the procedure of scheduling hearings on Wednesdays. The staff will give the following information to attorneys that call: Any hearing requested for longer than one hour, the attorneys must now bring in a motion and order to short matters scheduled at 9 a.m. or 1:30 on each day except Wednesday, for you to give approval. The staff will also ask the attorneys to leave a space in the order for you to insert the amount of time allowed for the hearing. They will also be told that when the order is signed, the attorneys must call to get a special set hearing longer than one hour. Hearings one hour or less will be set on the regular Wed. docket.

Helene W. Welch
Court Operations Consultant
Court Administration
425 N. Orange Avenue, Suite 2130
Orlando, Florida 32801
407-836-0471 (Office)
407-835-5213 (Fax)
ctadhw1@ocnjcc.org

Salima Tongo

From: Washington, Shirley [ctjasw1@ocnjcc.org]
Sent: Monday, August 30, 2010 9:59 AM
To: Berghorn, Robin
Subject: RE: Case No. 2009-CA-24263-O - Notice for Trial

Okay, either way, they may have questions that only the lawyer would be best to answer.....I told them you would give them the final word on what the policy will be.

Thanks Robin.

From: Berghorn, Robin
Sent: Saturday, August 28, 2010 10:59 AM
To: Washington, Shirley
Subject: RE: Case No. 2009-CA-24263-O - Notice for Trial

Either set a hearing or first, we can see what the judges want to do. Some of them may prefer to look at the file first and then decide from there whether it's ready or they may just say set a hearing but at least we can get their preference on the issue.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

From: Washington, Shirley
Sent: Thursday, August 26, 2010 4:17 PM
To: Coleman, Michelle; Pemberton, Marjorie; Larroy, Patricia; Fletcher, Monica
Cc: Berghorn, Robin
Subject: RE: Case No. 2009-CA-24263-O - Notice for Trial

Robin,

I think when we get the Notice of Trials, I think they should set them for hearing before the judges and let the judges decide if it's ready for trial, what do think?

From: Coleman, Michelle
Sent: Thursday, August 26, 2010 2:31 PM
To: Washington, Shirley
Subject: Case No. 2009-CA-24263-O - Notice for Trial

Just want to confirm that when an Association requests a case to be placed on the trial docket, we don't do a uniform Order setting case for non-jury trial. I did prepare an Order for Trial for the same Defendant Thomas M. Sell in Case no. 2009-CA-027198.

Michelle Coleman
Court Program Specialist
Foreclosure Division B
Ninth Judicial Circuit
Phone: (407) 836-0422
Fax: (407) 835-5040
Email: ctadmc2@ocnjcc.org

2/8/2011

9th Cir 0007

Salima Tongo

From: Marino, Terry [ctjatm1@ocnjcc.org]

Sent: Tuesday, July 06, 2010 1:58 PM

To: Berghorn, Robin

Subject: Question about Foreclosures

Good afternoon,

Is there any type of order/procedure assigning the foreclosure cases in Osceola County to Division C?

As you know we are one of the Civil divisions in Osceola and Judge Waller's division was handling the foreclosure cases until July 1, 2010. There were foreclosure cases that were reassigned to Judge Fleming due to recusals or disqualifications. We have a few hearings set on some of them and some that attorney's offices want to set. I am just trying to figure out if the hearings need to be reset in Division C and where the future hearings should be set.

If I should direct my question to someone else please let me know.

Thanks

Terry Marino
Judicial Assistant to
Judge Jeffrey M. Fleming
Circuit Civil Division 20
407-742-2491
407-835-5234 (fax)

Salima Tongo

From: Larroy, Patricia [ctadpl1@ocnjcc.org]
Sent: Thursday, October 21, 2010 3:11 PM
To: Welch, Helene; Coleman, Michelle; Pemberton, Marjorie
Cc: Berghorn, Robin; Washington, Shirley
Subject: RE: Clarifications on Hearings

Good afternoon,

Thank you for clearing that up for us.

Patricia Larroy
Court Program Specialist
Foreclosure Division A
9th Judicial Circuit
Orange County, Florida
Email: ctadpl1@ocnjcc.org
Tel. (407) 836-2238
Fax. (407) 835-5024

From: Welch, Helene
Sent: Thursday, October 21, 2010 3:04 PM
To: Coleman, Michelle; Pemberton, Marjorie; Larroy, Patricia
Cc: Berghorn, Robin; Washington, Shirley
Subject: RE: Clarifications on Hearings

The policy is: Any hearing requested for longer than one hour, attorneys must now bring in a motion and order to short matters (the regular Monday, Tuesday, Thursday, Friday hearings at 9 or 1:30) for the Judge to give approval. When the attorneys call to inquire about the procedure, please tell them that they must leave a space in the order for the Judge to insert the amount of time the Judge will allow for the hearing. Once the Judge signs the order and gives approval, the attorneys must call to get a special set hearing longer than one hour. Please check Odyssey to see how long the hearing has been ordered. Senior Judges will be informed of this policy on Monday. Hearings of one hour or less do not need prior court permission. They can be set on the regular Wednesday docket.

If you have any questions, please contact me.

Helene W. Welch
Court Operations Consultant
Court Administration
425 N. Orange Avenue, Suite 2130
Orlando, Florida 32801
407-836-0471 (Office)
407-835-5213 (Fax)
ctadhw1@ocnjcc.org

From: Coleman, Michelle
Sent: Thursday, October 21, 2010 2:19 PM
To: Welch, Helene
Subject: Clarifications on Hearings

When you get a chance can you clarify something about scheduling hearings on Wednesdays. I did not think we had to tell counsel to come to short matters to request a one hour hearing on a

Wednesday in which Patricia feels that this has been the rule from the beginning. Thanks.

Michelle Coleman
Court Program Specialist
Foreclosure Division B
Ninth Judicial Circuit
Phone: (407) 836-0422
Fax: (407) 835-5040
Email: ctadm2@ocnjcc.org

Salima Tongo

From: Benefiel, Matthew [ctadmb1@ocnjcc.org]
Sent: Friday, July 02, 2010 4:11 PM
To: Denman J.R.
Cc: Berghorn, Robin
Subject: RE: Foreclosure
Follow Up Flag: Follow up
Flag Status: Flagged
J.R.

Robin Berghorn 407-836-2233.

Thanks for your help with this issue.

Matt Benefiel
Trial Court Administrator
Ninth Judicial Circuit Court of Florida
407-484-4583
ctadmb1@ocnjcc.org
<http://www.NinthCircuit.org>

From: Denman J.R.
Sent: Friday, July 02, 2010 8:06 AM
To: Benefiel, Matthew
Subject: Foreclosure

Hi Matt,
Who can I talk to up in Orange for information about your foreclosure hearing times and lengths?
Thanks,

J.R. Denman
Manager of Technology Services
Ninth Judicial Circuit Court of Florida
2 Courthouse Square, Suite 3100
Kissimmee, FL 34741
(407) 742-2530 Office
(407) 709-0306 Cell
(407) 835-5050 Fax
ctiswd1@ocnjcc.org

2/8/2011

9th Cir 0011

Salima Tongo

From: Welch, Helene [ctadhw1@ocnjcc.org]
Sent: Thursday, October 21, 2010 3:04 PM
To: Coleman, Michelle; Pemberton, Marjorie; Larroy, Patricia
Cc: Berghorn, Robin; Washington, Shirley
Subject: RE: Clarifications on Hearings

The policy is: Any hearing requested for longer than one hour, attorneys must now bring in a motion and order to short matters (the regular Monday, Tuesday, Thursday, Friday hearings at 9 or 1:30) for the Judge to give approval. When the attorneys call to inquire about the procedure, please tell them that they must leave a space in the order for the Judge to insert the amount of time the Judge will allow for the hearing. Once the Judge signs the order and gives approval, the attorneys must call to get a special set hearing longer than one hour. Please check Odyssey to see how long the hearing has been ordered. Senior Judges will be informed of this policy on Monday. Hearings of one hour or less do not need prior court permission. They can be set on the regular Wednesday docket.

If you have any questions, please contact me.

Helene W. Welch
Court Operations Consultant
Court Administration
425 N. Orange Avenue, Suite 2130
Orlando, Florida 32801
407-836-0471 (Office)
407-835-5213 (Fax)
ctadhw1@ocnjcc.org

From: Coleman, Michelle
Sent: Thursday, October 21, 2010 2:19 PM
To: Welch, Helene
Subject: Clarifications on Hearings

When you get a chance can you clarify something about scheduling hearings on Wednesdays. I did not think we had to tell counsel to come to short matters to request a one hour hearing on a Wednesday in which Patricia feels that this has been the rule from the beginning. Thanks.

Michelle Coleman
Court Program Specialist
Foreclosure Division B
Ninth Judicial Circuit
Phone: (407) 836-0422
Fax: (407) 835-5040
Email: ctadmc2@ocnjcc.org

2/8/2011

9th Cir 0012

Salima Tongo

From: Berghorn, Robin [ctlcrb1@ocnjcc.org]
Sent: Tuesday, September 28, 2010 9:19 AM
To: D'Auria, Mary Beth
Subject: RE: Court Program Specialist ~ Foreclosure Cases ~ OPS Funded

Thank you MaryBeth!

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

From: D'Auria, Mary Beth
Sent: Tuesday, September 28, 2010 9:05 AM
To: ALL CT DOWNTOWN; ALL CT OSCEOLA; ALL CT JUVENILE
Subject: Court Program Specialist ~ Foreclosure Cases ~ OPS Funded

COURT PROGRAM SPECIALIST POSITION - FORECLOSURE CASES
OPS Position - Orange County
Starting Immediately

Responsible for processing of foreclosure cases. Provide clerical and administrative support: work directly with judges on foreclosure cases, high volume phone calls, direct interaction with both attorneys and unrepresented defendants, prepare proposed orders, process motions, set dockets, prepare reports, and maintain statistics. Very busy office and working in relatively small quarters.

Must exercise a high degree of judgment, tact, and diplomacy. Must be able to work independently and be self-motivated but also able to work closely with others. Must maintain confidentiality. Knowledge of foreclosure documents and procedures and/or civil law, court rules and procedures is a plus. Case management experience is a plus. Bachelor's Degree and two years experience in administrative/clerical support is required. Progressively responsible experience may substitute for the recommended education on a year-for-year basis.

\$14.86/hour. State funded OPS (Other Personal Services). No benefits/no holiday pay. 40 hours per week except for holiday weeks. Position is scheduled to terminate June 30, 2011. Deadline to apply: October 8, 2010.

Submit State of Florida application with résumé and verification of educational requirements to Court Administration Human Resources, 425 N. Orange Ave., Suite 510, Orlando, FL 32801. We are an equal opportunity employer. We do not discriminate on the basis of race, religion, color, sex, age, national origin, or disability. Persons with a disability needing an accommodation for the application/selection process should notify Human Resources (407) 836-2261 prior to the application deadline. If you are hearing or voice impaired, call 711.

Web: <http://NinthCircuit.org>



Please think about the environment. Do you really need to print this e-mail?

Salima Tongo

From: Benefiel, Matthew [ctadmb1@ocnjcc.org]
Sent: Thursday, August 19, 2010 5:05 PM
To: Kristine Slayden
Cc: Berghorn, Robin
Subject: RE: Foreclosure Backlog
Follow Up Flag: Follow up
Flag Status: Flagged

Kris:

Thanks for the quick response.

Thanks,

Matt Benefiel
Trial Court Administrator
Ninth Judicial Circuit Court of Florida
407-836-2051
ctadmb1@ocnjcc.org
<http://www.NinthCircuit.org>

From: Kristine Slayden [mailto:slaydenk@flcourts.org]
Sent: Thursday, August 19, 2010 5:04 PM
To: Benefiel, Matthew
Subject: Re: Foreclosure Backlog

Yes. It's filing minus dispositions as reported by the clerks of courts in their monthly SRS reports for circuit civil real property/mortgagr foreclosure cases. It was calculated during session 2010 when we only had estimates for FY 2009-10 & 2010-11. Please note that estimated cases that will go out to the managed mediation program were excluded from the calculation. Hope that helps. Kris

Kris Slayden
OSCA - Research and Data
Florida Supreme Court
500 S. Duval St.
Tallahassee; FL 32312
850.922.5106 (office)
850.556.2335 (cell)
850.414.1342 (fax)

On Aug 19, 2010 4:55 PM, Benefiel, Matthew <ctadmb1@ocnjcc.org> wrote:

Kris:

Do you have the company definition of backlog as it pertains to Foreclosure cases?

2/8/2011

Thanks,

Matt Benefiel
Trial Court Administrator
Ninth Judicial Circuit Court of Florida
407-836-2051
ctadmb1@ocnjcc.org
<http://www.NinthCircuit.org>

2/8/2011

9th Cir 0016

Salima Tongo

From: Berghorn, Robin [ctfcrb1@ocnjcc.org]
Sent: Wednesday, November 10, 2010 4:02 PM
To: Lauten, Frederick
Subject: RE: Foreclosure Cases

Thank you.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

From: Lauten, Frederick
Sent: Wednesday, November 10, 2010 3:58 PM
To: Berghorn, Robin
Subject: RE: Foreclosure Cases

yes set a status hearing otherwise these cases will stay in limbo.

Fred

From: Berghorn, Robin
Sent: Wednesday, November 10, 2010 3:35 PM
To: Lauten, Frederick
Subject: Foreclosure Cases

Good Afternoon Judge Lauten,

We are coming across cases which have had no action for a least year but in just the last month, the plaintiffs file the final disposition form required by the supreme court. This does not close the case and more importantly, it causes the case to be bumped from goosing because there's record activity now within the last 10 months.

What's the solution to get these closed officially? Should a status hearing be set for these?

Thank you for your assistance.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

Salima Tongo

From: Lauten, Frederick [Ctjuf1@ocnjcc.org]
Sent: Wednesday, November 10, 2010 3:58 PM
To: Berghorn, Robin
Subject: RE: Foreclosure Cases

yes set a status hearing otherwise these cases will stay in limbo.

Fred

From: Berghorn, Robin
Sent: Wednesday, November 10, 2010 3:35 PM
To: Lauten, Frederick
Subject: Foreclosure Cases

Good Afternoon Judge Lauten,

We are coming across cases which have had no action for a least year but in just the last month, the plaintiffs file the final disposition form required by the supreme court. This does not close the case and more importantly, it causes the case to be bumped from goosing because there's record activity now within the last 10 months.

What's the solution to get these closed officially? Should a status hearing be set for these?

Thank you for your assistance.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

2/8/2011

9th Cir 0018

Salima Tongo

From: Larroy, Patricia [ctadpl1@ocnjcc.org]
Sent: Wednesday, October 06, 2010 5:33 PM
To: Wismer, Patti (CLERK)
Cc: Clerk TCSup; Massey, Tiffany (CLERK); Berghorn, Robin; Washington, Shirley; Pemberton, Marjorie; Coleman, Michelle
Subject: RE: Foreclosure Division A Week of 10/11/2010 Docket

Good afternoon,

I asked my supervisors, and they confirmed that hearings on the docket, which are scheduled on days and times other than the hearings scheduled on a Wednesday afternoon beginning at 1:30pm, do not require a Trial Clerk to be present.

We, the Foreclosure Division Case Managers, schedule hearings on days besides Wed. afternoon when it is requested by the Presiding Judge, but as I mentioned before, Trial Clerks are not required to be present on those days (Monday, Tuesday, Thursday, Friday).

I hope this answers your question, if you have any other questions feel free to contact me or the other Case Managers.

Patricia Larroy
Court Program Specialist
Foreclosure Division A
9th Judicial Circuit
Orange County, Florida
Email: ctadpl1@ocnjcc.org
Tel. (407) 836-2238
Fax. (407) 835-5024

From: Wismer, Patti [mailto:Patti.Wismer@myorangeclerk.com]
Sent: Wednesday, October 06, 2010 5:03 PM
To: Larroy, Patricia
Subject: RE: Foreclosure Division A Week of 10/11/2010 Docket

Quick question...

Why are there hearings on Monday in the mornings? Just curious... I was under the impression we provided trial clerks on Wednesdays in the afternoon. Not in the mornings...

From: Larroy, Patricia [mailto:ctadpl1@ocnjcc.org]
Sent: Wednesday, October 06, 2010 5:02 PM
To: Wismer, Patti
Subject: RE: Foreclosure Division A Week of 10/11/2010 Docket

I just sent it, let me know if you don't get it.

Patricia Larroy
Court Program Specialist
Foreclosure Division A
9th Judicial Circuit
Orange County, Florida

2/8/2011

9th Cir 0019

Email: ctadpl1@ocnjcc.org
Tel. (407) 836-2238
Fax. (407) 835-5024

From: Wismer, Patti [mailto:Patti.Wismer@myorangeclerk.com]
Sent: Wednesday, October 06, 2010 5:00 PM
To: Larroy, Patricia; Clerk TCSup; Coleman, Michelle; Massey, Tiffany (CLERK); Pemberton, Marjorie; Washington, Shirley
Subject: RE: Foreclosure Division A Week of 10/11/2010 Docket

There is not attachment... ☺

Patti Wismer
Division Manager
Trial Clerk Division
(407)836-2078

From: Larroy, Patricia [mailto:ctadpl1@ocnjcc.org]
Sent: Wednesday, October 06, 2010 4:59 PM
To: TCSUP; Coleman, Michelle (CTADMIN); Massey, Tiffany; Pemberton, Marjorie (CTADMIN); Washington, Shirley (CTADMIN)
Subject: Foreclosure Division A Week of 10/11/2010 Docket

Good afternoon,

Attached please find copy of Div. A's docket for next week.

Patricia Larroy
Court Program Specialist
Foreclosure Division A
9th Judicial Circuit
Orange County, Florida
Email: ctadpl1@ocnjcc.org
Tel. (407) 836-2238
Fax. (407) 835-5024

Salima Tongo

From: Torres, Carmen [ctadct1@ocnjcc.org]
Sent: Tuesday, July 06, 2010 8:18 AM
To: Benefiel, Matthew
Cc: Berghorn, Robin; Smith, Madalyn; Herrera, Sally
Subject: RE: Foreclosure Staff

Osceola County Contact Information:

To schedule contested hearings needing more than 15 minutes or for other judge related questions, please call:

Division C: Sally Herrera – (407) 742-2558

From: Berghorn, Robin
Sent: Tuesday, July 06, 2010 7:51 AM
To: Torres, Carmen
Subject: FW: Foreclosure Staff
Importance: High

Good Morning Carmen,

As you can see below, I just forwarded Matt the contact information for the web page for the foreclosure information. If you could forward the contact information for the Osceola person to him, that would be great! Thank you Carmen. Hope you had a good holiday.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

From: Berghorn, Robin
Sent: Tuesday, July 06, 2010 7:50 AM
To: Benefiel, Matthew
Subject: Foreclosure Staff
Importance: High

This needs to be posted somewhere where it can be easily found on the foreclosure site as soon as possible. Thank you Matt.

Orange County Contact Information:

To schedule contested hearings of 15 minutes or longer or for other judge related questions, please call the person handling the Division to which the case is assigned as follows:

Division A: Divisions 32A & 34 - Marjorie Pemberton - (407) 836-2276

2/8/2011

Divisions 37 & 40 - Patricia Larroy - (407) 836-2238
Division B: Divisions 33 & 35 - Monica Fletcher - (407) 836-2237
Divisions 39 & 43A - Michelle Coleman - (407) 836-0422

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

Salima Tongo

From: Torres, Carmen [ctadct1@ocnjcc.org]
Sent: Tuesday, July 13, 2010 10:04 AM
To: Berghorn, Robin
Subject: RE: Foreclosures
Thank you Robin!

From: Berghorn, Robin
Sent: Tuesday, July 13, 2010 9:48 AM
To: Torres, Carmen
Subject: Foreclosures

Good Morning Carmen,

The foreclosure staff have already had several motions that have been filed by realtors on behalf of litigants. The realtors are not attorneys and hence, are practicing law without a license. I spoke to Judge Perry about this and he indicated that if we get these, we should notify the Realtor's Association for the county with the names of the violators and a general statement that it violates the law and additionally, send out a form letter to the individual realtors letting them know it's wrong and if it happens again, their names will be sent to the Bar for prosecution. I will hopefully be getting the forms prepared today or tomorrow and will send you them when I have them. I just wanted to give you a head's up in case you see this happening too.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

Salima Tongo

From: Washington, Shirley [ctjasw1@ocnjcc.org]
Sent: Thursday, August 19, 2010 1:50 PM
To: Larroy, Patricia
Cc: ForeclosureDiv; Berghorn, Robin
Subject: RE: Goose Orders Question

Ladies, when you are goosing orders, please list **only the parties that do not have a judgment, you may find this information on the parties screen in Odyssey. The order needs to be the same, dismissing only the parties that do not have a judgment.**

Thanks,
Shirley

From: Larroy, Patricia
Sent: Thursday, August 19, 2010 1:26 PM
To: Washington, Shirley
Subject: Goose Orders Question

I am doing Goose orders for Time Shares in which some have 10 or more parties, some have FJ some do not, I have done some already notifying all but it seems like a waste of time. Is it ok to just notify the pending parties or should we always notify all parties?

Patricia Larroy
Court Program Specialist
Foreclosure Division A
Email: ctadpl1@ocnjcc.org
Tel. (407) 836-2238
Fax. (407) 835-5024

Salima Tongo

From: Benefiel, Matthew [ctadmb1@ocnjcc.org]
Sent: Tuesday, July 06, 2010 8:59 AM
To: Berghorn, Robin; Torres, Carmen
Subject: RE: Foreclosure Staff
Follow Up Flag: Follow up
Flag Status: Flagged

Robin and Carmen:

I posted the info for both Orange and Osceola Counties

Thanks,

Matt Benefiel
Trial Court Administrator
Ninth Judicial Circuit Court of Florida
407-484-4583
ctadmb1@ocnjcc.org
<http://www.NinthCircuit.org>

From: Berghorn, Robin
Sent: Tuesday, July 06, 2010 7:50 AM
To: Benefiel, Matthew
Subject: Foreclosure Staff
Importance: High

This needs to be posted somewhere where it can be easily found on the foreclosure site as soon as possible. Thank you Matt.

Orange County Contact Information:

To schedule contested hearings of 15 minutes or longer or for other judge related questions, please call the person handling the Division to which the case is assigned as follows:

Division A: Divisions 32A & 34 - Marjorie Pemberton - (407) 836-2276
Divisions 37 & 40 - Patricia Larroy - (407) 836-2238
Division B: Divisions 33 & 35 - Monica Fletcher - (407) 836-2237
Divisions 39 & 43A - Michelle Coleman - (407) 836-0422

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

2/8/2011

9th Cir 0025

Salima Tongo

From: Berghorn, Robin [ctlcrb1@ocnjcc.org]
Sent: Thursday, August 19, 2010 1:54 PM
To: Washington, Shirley
Subject: RE: Goose Orders Question

Thank you Shirley!

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

From: Washington, Shirley
Sent: Thursday, August 19, 2010 1:50 PM
To: Larroy, Patricia
Cc: ForeclosureDiv; Berghorn, Robin
Subject: RE: Goose Orders Question

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Patricia Larroy
Court Program Specialist
Foreclosure Division A
Email: ctadpl@ocnjcc.org
Tel. (407) 836-2238
Fax. (407) 835-5024

Salima Tongo

From: Welch, Helene [ctadhw1@ocnjcc.org]
Sent: Monday, November 22, 2010 10:43 AM
To: Berghorn, Robin
Subject: RE: Goosing - Unknown Parties Being Only Ones Left
Okay. I've been doing that.

Helene W. Welch
Court Operations Consultant
Court Administration
425 N. Orange Avenue, Suite 2130
Orlando, Florida 32801
407-836-0471 (Office)
407-835-5213 (Fax)
ctadhw1@ocnjcc.org

From: Berghorn, Robin
Sent: Monday, November 22, 2010 10:42 AM
To: Welch, Helene
Subject: Goosing - Unknown Parties Being Only Ones Left

He had answered previously, that yes, a goosing order needs to be done even if the only parties left are unknown.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

Salima Tongo

From: Washington, Shirley [ctjasw1@ocnjcc.org]

Sent: Wednesday, September 15, 2010 3:24 PM

To: Berghorn, Robin

Subject: RE: Goosing Orders

Per Judge be safe set for another hearing, then have judge sign the order dismissing.

From: Washington, Shirley

Sent: Wednesday, September 15, 2010 3:10 PM

To: Berghorn, Robin

Cc: Lauten, Frederick

Subject: RE: Goosing Orders

J,

What action?

From: Berghorn, Robin

Sent: Wednesday, September 15, 2010 3:03 PM

To: Washington, Shirley

Subject: Goosing Orders

Hi Shirley,

We've found a case where the Motion/Notice to Dismiss was filed by the Court in August of 2007 but nothing was ever done. The next entry on the docket is Intent to Dismiss Hearing - no result.

Can we just go ahead and enter the Order dismissing the case based on the 2007 Notice or do you think we should start the procedure over with a goosing order? Case no. is 2004-ca-1659-o. My feeling was to go ahead and just enter the dismissal order but just wanted to check to see if you had run into this before.

Thanks!

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

2/8/2011

9th Cir 0028

Salima Tongo

From: Berghorn, Robin [ctfcrb1@ocnjcc.org]
Sent: Thursday, September 16, 2010 11:31 AM
To: Lauten, Frederick
Subject: RE: Motions for Summary Final Judgments

OK. These aren't even being handled by phone - there is no hearing whatsoever. The attorneys are expecting the judges to sign the summary final judgment without any hearing whatsoever.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

From: Lauten, Frederick
Sent: Thursday, September 16, 2010 11:30 AM
To: Berghorn, Robin
Subject: RE: Motions for Summary Final Judgments

We refused to handle summary judgment hearings on the phone because of the volume of paperwork and the crush that conforming all the orders would cause to staff. Belvin signed an administrative order precluding telephonic hearings in foreclosure cases. Thus, I do not see why attorneys would be mailing final judgments to the division.

Fred

From: Berghorn, Robin
Sent: Thursday, September 16, 2010 11:26 AM
To: Lauten, Frederick
Subject: Motions for Summary Final Judgments

Good Morning Judge Lauten,

The foreclosure staff are receiving motions for summary final judgments including proposed orders via the mail. These are not being taken to the hearings by the attorneys - it seems they are bypassing the hearing procedure.

Is this procedure okay? Or would you prefer these to be sent back to the attorneys and the attorneys told to take it to a hearing?

Thank you.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

2/8/2011

9th Cir 0029

Salima Tongo

From: Lauten, Frederick [Ctjuf1@ocnjcc.org]
Sent: Thursday, October 21, 2010 10:53 AM
To: Berghorn, Robin
Subject: RE: Goosing Orders - Orders to Dismiss

These cases are maddening! The plaintiff should have dropped unknown parties. I constantly harped at the plaintiff's lawyers about this. I think we should goose them, or set a status hearing and require the plaintiff's lawyers to attend so we can get these cases closed!

Fred

From: Berghorn, Robin
Sent: Wednesday, October 20, 2010 5:33 PM
To: Lauten, Frederick
Subject: Goosing Orders - Orders to Dismiss

Good Afternoon Judge,

Does a notice of intent to dismiss (goosing 1st step) have to be sent in cases where the only "parties" left are unknown parties, unknown spouses and unknown tenants? In the case I am looking at now a final judgment was entered in 2008 and the property was sold in October of 2008! The clerk can't technically close it because of the unknown parties.

Can we simply enter an order closing the case in this type of situation?
Something like an order directing the clerk to show the case is closed for SRS purposes?

Or do we still do a goosing notice which will go only to the plaintiff?

Thank you for your assistance with this matter.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

2/8/2011

9th Cir 0030

Salima Tongo

From: Bryant, Trina [ctjatb1@ocnjcc.org]
Sent: Monday, July 26, 2010 11:08 AM
To: Berghorn, Robin
Subject: RE: Proposed senior judge schedule for Osceola foreclosures

Yes that is the schedule. Judge Legendre revamped it a bit - he is allowing 10 minute hearings on individually set cases so he can hear more of them and I believe the last set hearing is at 3:15 now but... you can check with Sally to see if he granted permission to expand that to 3:30 or 3:45.

From: Berghorn, Robin
Sent: Monday, July 26, 2010 11:06 AM
To: Bryant, Trina
Subject: RE: Proposed senior judge schedule for Osceola foreclosures

Hi Trina,

Is this the schedule that was actually implemented?

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

From: Bryant, Trina
Sent: Friday, April 16, 2010 3:35 PM
To: Smith, Madalyn
Cc: Berghorn, Robin
Subject: Proposed senior judge schedule for Osceola foreclosures

Following up on our meeting with Judge Perry, Judge Waller decided it would be easier if we only have a full time judge that will be assigned to foreclosures to just continue the schedule as we have it now with the only difference being we will only block time for trials quarterly as it is rare we have any foreclosure trial requests. Here is the proposed schedule:

8:30-9:00 Administrative time – review emergency motions with Clerk to stop sales/sign paperwork/prep

9:00-9:15 Exparte

9:15-10:30 Bulk set summary judgments. We currently are scheduling 15 every 15 minutes as we do get cancellations and they are fast hearings

10:30-10:45 BREAK

10:45-11:30 Individually set motion hearings (cases with two attorneys or motions other than summary judgment). Currently we set one hearing each 15 minutes.

11:30-noon Admin time to sign paperwork

1:30 – 3:45 Individually set motion hearings (cases with two attorneys or motions other than summary judgment). Currently we set one hearing each 15 minutes.

2/8/2011

9th Cir 0031

3:45 - 5:00 Administrative time, to sign paperwork/prep for next day

At this pace, the judge may hear 75 summary judgment hearings and 12 contested hearings per day – for a total of 87 cases per day, (435 hearings per week/about 1,740 cases per month). It is suggested that if there is another judge who would be willing to do a foreclosure trial, those could be set every quarter. Currently I only have one request for foreclosure trial. All trials Judge Waller has now on the docket are civil jury trials we inherited from Judge Fleming's recusals.

I know it is early yet and we don't have official confirmation that this is a DEFINITE. I can tell you once it becomes official, and we receive another JACS account for our new division, we will be able to pull those trials and the probate/guardianship and other civil hearings we have off of this incoming judge's calendar and can make sure the judge(s) will have full days booked.

Trina

Salima Tongo

From: Berghorn, Robin [cttcrb1@ocnjcc.org]
Sent: Monday, July 26, 2010 11:06 AM
To: Bryant, Trina
Subject: RE: Proposed senior judge schedule for Osceola foreclosures

Hi Trina,

Is this the schedule that was actually implemented?

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

From: Bryant, Trina
Sent: Friday, April 16, 2010 3:35 PM
To: Smith, Madalyn
Cc: Berghorn, Robin
Subject: Proposed senior judge schedule for Osceola foreclosures

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- 9:00-9:15 Exparte
- 9:15-10:30 Bulk set summary judgments. We currently are scheduling 15 every 15 minutes as we do get cancellations and they are fast hearings
- 10:30-10:45 BREAK
- 10:45-11:30 Individually set motion hearings (cases with two attorneys or motions other than summary judgment). Currently we set one hearing each 15 minutes.
- 11:30-noon Admin time to sign paperwork
- 1:30 – 3:45 Individually set motion hearings (cases with two attorneys or motions other than summary judgment). Currently we set one hearing each 15 minutes.
- 3:45 - 5:00 Administrative time, to sign paperwork/prep for next day

At this pace, the judge may hear 75 summary judgment hearings and 12 contested hearings per day – for a total of 87 cases per day, (435 hearings per week/about 1,740 cases per month). It is suggested that if there is another judge who would be willing to do a foreclosure trial, those could be set every quarter.

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I know it is early yet and we don't have official confirmation that this is a DEFINITE. I can tell you once it becomes official, and we receive another JACS account for our new division, we will be able to pull those trials and the probate/guardianship and other civil hearings we have off of this incoming judge's calendar

2/8/2011

9th Cir 0033

and can make sure the judge(s) will have full days booked.

Trina

Salima Tongo

From: Berghorn, Robin [ctlcrb1@ocnjcc.org]
Sent: Friday, July 02, 2010 10:19 AM
To: Goodwin, Melissa; Washington, Shirley
Cc: CIR CIVIL JAS
Subject: RE: Question

The clerk knows and at least one JA has already directed their files to the 16th floor. There will be an announcement on our web page about the new address - I have been working with the mail room to get the address they want so they can direct mail to the correct place but that's been like pulling teeth. For awhile mail and federal expresses will continue to be delivered to the JAs until we can get the word out. They should then be either given to the clerk to run to the foreclosure department or we can have the foreclosure staff visit your offices on a daily basis for awhile. We are doing the best we can in the time frame we've had.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

From: Goodwin, Melissa
Sent: Friday, July 02, 2010 9:56 AM
To: Washington, Shirley; Berghorn, Robin
Cc: CIR CIVIL JAS
Subject: Question

Good Morning Shirley:

Has the clerk's office been advised to take all motions on foreclosure files to the offices on 16 effective Tuesday (which would add a run to their office)?

Have the foreclosure firms been notified to change the fed-ex address to Foreclosure Division A or B?

Thank you,

Melissa

Salima Tongo

From: Goodwin, Melissa [ctjamg1@ocnjcc.org]
Sent: Friday, July 02, 2010 10:21 AM
To: Berghorn, Robin
Subject: RE: Question
Thank you.

From: Berghorn, Robin
Sent: Friday, July 02, 2010 10:19 AM
To: Goodwin, Melissa; Washington, Shirley
Cc: CIR CIVIL JAS
Subject: RE: Question

The clerk knows and at least one JA has already directed their files to the 16th floor. There will be an announcement on our web page about the new address - I have been working with the mail room to get the address they want so they can direct mail to the correct place but that's been like pulling teeth. For awhile mail and federal expresses will continue to be delivered to the JAs until we can get the word out. They should then be either given to the clerk to run to the foreclosure department or we can have the foreclosure staff visit your offices on a daily basis for awhile. We are doing the best we can in the time frame we've had.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

From: Goodwin, Melissa
Sent: Friday, July 02, 2010 9:56 AM
To: Washington, Shirley; Berghorn, Robin
Cc: CIR CIVIL JAS
Subject: Question

Good Morning Shirley:

Has the clerk's office been advised to take all motions on foreclosure files to the offices on 16 effective Tuesday (which would add a run to their office)?

Have the foreclosure firms been notified to change the fed-ex address to Foreclosure Division A or B?

Thank you,

Melissa

Salima Tongo

From: Marino, Terry [ctjatm1@ocnjcc.org]
Sent: Wednesday, July 07, 2010 8:42 AM
To: Berghorn, Robin
Subject: RE: Question about Foreclosures

Thanks for your help

Thank you,
Terry Marino

From: Berghorn, Robin
Sent: Tuesday, July 06, 2010 5:38 PM
To: Marino, Terry
Cc: Torres, Carmen
Subject: RE: Question about Foreclosures

Yes, all the hearings should be set before Division C now. There is no formal administrative order accomplishing this as Judge Perry did not want to create a "new" division as he was concerned that all the cases would have to be reassigned after the year program. I've copied Carmen on this email. She should be able to assist you with this.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

From: Marino, Terry
Sent: Tuesday, July 06, 2010 1:58 PM
To: Berghorn, Robin
Subject: Question about Foreclosures

Good afternoon,

Is there any type of order/procedure assigning the foreclosure cases in Osceola County to Division C?

As you know we are one of the Civil divisions in Osceola and Judge Waller's division was handling the foreclosure cases until July 1, 2010. There were foreclosure cases that were reassigned to Judge Fleming due to recusals or disqualifications. We have a few hearings set on some of them and some that attorney's offices want to set. I am just trying to figure out if the hearings need to be reset in Division C and where the future hearings should be set.

If I should direct my question to someone else please let me know.

Thanks

Terry Marino
Judicial Assistant to
Judge Jeffrey M. Fleming
Circuit Civil Division 20
407-742-2491
407-835-5234 (fax)

Salima Tongo

From: Berghorn, Robin [ctlcrb1@ocnjcc.org]
Sent: Tuesday, July 06, 2010 5:38 PM
To: Marino, Terry
Cc: Torres, Carmen
Subject: RE: Question about Foreclosures

Yes, all the hearings should be set before Division C now. There is no formal administrative order accomplishing this as Judge Perry did not want to create a "new" division as he was concerned that all the cases would have to be reassigned after the year program. I've copied Carmen on this email. She should be able to assist you with this.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

From: Marino, Terry
Sent: Tuesday, July 06, 2010 1:58 PM
To: Berghorn, Robin
Subject: Question about Foreclosures

Good afternoon,

Is there any type of order/procedure assigning the foreclosure cases in Osceola County to Division C?

As you know we are one of the Civil divisions in Osceola and Judge Waller's division was handling the foreclosure cases until July 1, 2010. There were foreclosure cases that were reassigned to Judge Fleming due to recusals or disqualifications. We have a few hearings set on some of them and some that attorney's offices want to set. I am just trying to figure out if the hearings need to be reset in Division C and where the future hearings should be set.

If I should direct my question to someone else please let me know.

Thanks

Terry Marino
Judicial Assistant to
Judge Jeffrey M. Fleming
Circuit Civil Division 20
407-742-2491
407-835-5234 (fax)

Salima Tongo

From: Lauten, Frederick [Ctjuff1@ocnjcc.org]
Sent: Monday, July 19, 2010 9:58 AM
To: Berghorn, Robin
Subject: RE: Scheduling for November/December for Foreclosures

My recommendations would be to have hearings the Thanksgiving week and until the week of the 20th in December. Most of us avoided setting foreclosure sales close to Christmas or immediately before Thanksgiving. We also should restart hearings on Jan. 3rd or the backup will be impossible to manage.

Fred

From: Berghorn, Robin
Sent: Friday, July 16, 2010 2:14 PM
To: Lauten, Frederick
Subject: Scheduling for November/December for Foreclosures

Good Afternoon Judge Lauten,

Do you want foreclosure matters scheduled for the week of Thanksgiving?

Also how far into December should we schedule? I believe we should not schedule hearings from at least the 20th of December or should they not be scheduled even the week before on the 13th?

Concerning when they should restart in January, would you prefer January 3rd or January 10th?

Thank you for your assistance with this issue.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

Salima Tongo

From: Berghorn, Robin [ctlcrb1@ocnjcc.org]
Sent: Tuesday, July 13, 2010 8:58 AM
To: Bainbridge, Leesa (CLERK)
Subject: Residential Foreclosures - New Department

Good Morning Leesa,

I wasn't sure who would handle this so if you are the incorrect person, just let me know who to contact. As you may know, the court has started the new foreclosure division with new foreclosure staff. The civil judges are no longer handling residential foreclosures including timeshares. We are trying to get the word out to attorneys and litigants that if they need to call the judge concerning their residential foreclosure case that they should call the foreclosure staff and not the civil JAs. If this information could be given to the Call Center, and anyone else who needs it, I would appreciate it. I believe some of the JAs have received calls referred to them from the Call Center. The contact information for residential foreclosures is as follows:

Division A: Civil Divisions 32A & 34 - Marjorie Pemberton - (407) 836-2276
Civil Divisions 37 & 40 - Patricia Larroy - (407) 836-2238

Division B: Civil Divisions 33 & 35 - Monica Fletcher - (407) 836-2237
Civil Divisions 39 & 43A - Michelle Coleman - (407) 836-0422

Thank you! If you need any additional information, please let me know.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

Salima Tongo

From: Williams, Marsha [ctadmw1@ocnjcc.org]
Sent: Monday, September 13, 2010 2:14 PM
To: Coleman, Michelle; Fletcher, Monica; Larroy, Patricia; Pemberton, Marjorie
Cc: Berghorn, Robin; Lauten, Frederick; Washington, Shirley; Perry, Belvin; Junod, Marguerite; Benefiel, Matthew
Subject: Rev Foreclosures Senior Judge Schedule
Attachments: FORECLOSURE UNIT SCHEDULE 9-13-10 thru 12-31-10.doc

Please note that Senior Judge Tom Kirkland will cover Foreclosures Div. B in Orange Co. on Sept. 28th instead of Senior Judge Rom Powell.

Coverage for Foreclosures Div. A the week of Oct. 18-22 is to be determined. No Foreclosures are scheduled from Dec. 20 - 31st.

2/8/2011

9th Cir 0042

Salima Tongo

From: Berghorn, Robin [ctlcrb1@ocnjcc.org]
Sent: Tuesday, July 13, 2010 9:00 AM
To: Bainbridge, Leesa (CLERK)
Subject: RE: Residential Foreclosures - New Department
Thanks.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

From: Bainbridge, Leesa [mailto:Leesa.Bainbridge@myorangedclerk.com]
Sent: Tuesday, July 13, 2010 9:00 AM
To: Berghorn, Robin
Subject: RE: Residential Foreclosures - New Department

Robin, I'll share this information with the Call Center. If the problem persists, please let me know so I can loop back. Thanks, Leesa

From: Berghorn, Robin [mailto:ctlcrb1@ocnjcc.org]
Sent: Tuesday, July 13, 2010 8:58 AM
To: Bainbridge, Leesa
Subject: Residential Foreclosures - New Department

Good Morning Leesa,

I wasn't sure who would handle this so if you are the incorrect person, just let me know who to contact. As you may know, the court has started the new foreclosure division with new foreclosure staff. The civil judges are no longer handling residential foreclosures including timeshares. We are trying to get the word out to attorneys and litigants that if they need to call the judge concerning their residential foreclosure case that they should call the foreclosure staff and not the civil JAs. If this information could be given to the Call Center, and anyone else who needs it, I would appreciate it. I believe some of the JAs have received calls referred to them from the Call Center. The contact information for residential foreclosures is as follows:

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Division B: Civil Divisions 33 & 35 - Monica Fletcher - (407) 836-2237
Civil Divisions 39 & 43A - Michelle Coleman - (407) 836-0422

Thank you! If you need any additional information, please let me know.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

2/8/2011

9th Cir 0043

Salima Tongo

From: Williams, Marsha [ctadmw1@ocnjcc.org]
Sent: Friday, September 17, 2010 3:41 PM
To: Coleman, Michelle; Fletcher, Monica; Larroy, Patricia; Pemberton, Marjorie
Cc: Berghorn, Robin; Lauten, Frederick; Washington, Shirley; Junod, Marguerite; Perry, Belvin; Benefiel, Matthew
Subject: REV. Foreclosure Schedule - 9-17-2010
Attachments: FORECLOSURE UNIT SCHEDULE Rev. 9-17-10.doc

Senior Judge Tom Kirkland will cover Foreclosure Division A on 10-04-2010. Revised Foreclosure schedule attached.

Salima Tongo

From: Berghorn, Robin [ctlcrb1@ocnjcc.org]
Sent: Friday, July 16, 2010 2:14 PM
To: Lauten, Frederick
Subject: Scheduling for November/December for Foreclosures
Good Afternoon Judge Lauten,

Do you want foreclosure matters scheduled for the week of Thanksgiving?

Also how far into December should we schedule? I believe we should not schedule hearings from at least the 20th of December or should they not be scheduled even the week before on the 13th?

Concerning when they should restart in January, would you prefer January 3rd or January 10th?

Thank you for your assistance with this issue.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

Salima Tongo

From: Williams, Marsha [ctadmw1@ocnjcc.org]
Sent: Friday, July 23, 2010 9:03 AM
To: Coleman, Michelle; Fletcher, Monica; Larroy, Patricia; Pemberton, Marjorie
Cc: Berghorn, Robin; Hought, Gwynda; Lauten, Frederick; Washington, Shirley; Benefiel, Matthew; Perry, Belvin; Smith, Madalyn; Levey, Karen; Junod, Marguerite
Subject: REVISED Schedule of Senior Judges Hearing Foreclosures - through 12-31-2010
Attachments: FORECLOSURE UNIT SCHEDULE through 12-31-2010 as of 7-23-2010.pdf

Attached is the revised schedule of Senior Judges hearing Foreclosures as of 7/23/2010. The schedule is through December 31, 2010. Note: there are no foreclosure hearings scheduled in Orange County next week, July 26 - 30. In addition there will be no foreclosure hearings scheduled in Orange County on Wednesday, November 24 and no foreclosures will be scheduled in Osceola Co. Thanksgiving week. There will be no foreclosures scheduled in Orange or Osceola Counties during the last two weeks of December (December 20 - 30, 2010.)

In Orange County note that Division A coverage during the week of October 18 - 22 is not yet confirmed and therefore not on the list.

If you have any questions, please let me know.

Thank you.
Marsha

Marsha Williams
Director of Administrative Services
Ninth Judicial Circuit
Court Administration
407-836-2253
E-Mail: ctadmw1@ocnjcc.org
Web: <http://NinthCircuit.org>

Salima Tongo

From: Berghorn, Robin [ctlcrb1@ocnjcc.org]
Sent: Sunday, October 03, 2010 3:25 PM
To: ORNG FORECLOSURE DIV
Subject: Wednesday Contested Hearings & Other Stuff

Hi all,

Just going through my notes and one suggestion was that motions for mediation should not be set as contested hearings on Wednesday afternoons. These definitely won't take over 15 minutes.

Also, as we discussed, any motions for summary judgment that come in via the mail/delivery and aren't set for hearing, should be returned to the law firm with a note telling them it needs to be set for hearing.

Motions for reconsideration/rehearing need to go to the same judge who heard the original order that the motion is addressing. If that judge is not scheduled within two weeks of receiving the motion then we'll have to address that situation. I will find out exactly what is required in that situation and let you know.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

Salima Tongo

From: Berghorn, Robin [ctlcrb1@ocnjcc.org]
Sent: Monday, August 23, 2010 2:48 PM
To: ORNG FORECLOSURE DIV; Schiemer, Joan
Subject: Conforming

Good Afternoon,

After discussing this with everyone, we are going to try the following procedure to see how efficiently and effectively the work gets out. Only one division per week (either A or B) will send conforming to Joan until we can see what the workload is and what Joan is able to handle with the volume coming in now. If she's able to handle more, then we'll add another person from the other division and so on. This week it will be Division B sending work and next week it will be Division A.

As to the packets going to Joan, the original orders will be separated and given to the clerk by the case managers on the 16th floor. The case managers will give a complete packet to Joan for conforming and mailing out. This means that one of the copies will be fully conformed to show what is on the original by the case manager. Make sure each order packet is separate from every other order packet - please do not bundle orders together, so that envelopes are not misplaced, etc.

If the Judge has changed or lined out or made any substantive changes to the order, please make copies of the order for Joan. It makes no sense for her to make hand-written extensive changes on the provided copies.

Concerning the orders prepared by the case managers that automatically put their name on the bottom, these will be left as is, i.e., Joan you don't need to cross out their names to put yours on the document.

Concerning actual certificates of service, the case managers will print Joan's name on the original order and then conform the copy with simply the /s/.

We'll start out with these procedures and see how things go. As I indicated, I am looking for, as we all are, the most efficient and effective system to get the workload out. I am sure I have forgotten something or not explained something, so just let me know and every question is valid.

Thank you all for working on such a massive project.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

2/8/2011

9th Cir 0048

Salima Tongo

From: Berghorn, Robin [ctlcrb1@ocnjcc.org]
Sent: Saturday, August 28, 2010 1:45 PM
To: ORNG FORECLOSURE DIV
Subject: Envelopes and Certificates of Service

Good Morning,

I spoke to Lisa Shorten and she indicated the better thing to do with the return addresses would be to simply order envelopes already pre-printed with the return address especially with the volume you all send out instead of creating a new envelope in Odyssey. She indicated that there is an option in Odyssey to print the envelopes without return addresses. I have ordered the envelopes and will get them to you as soon as they arrive.

Also, as to the certificates of service, because you are taking the original orders off and sending them to the clerk and giving Joan a conformed copy, please remember to go ahead and date the original order's certificate of service for that day. We don't want an original order in the file without that information filled in. Because of the changes we have made, Joan should have the copies sent out the same day or at the latest the very next day. This coming week should be a good gauge as to the volume of work that can be sent to Joan, especially as it will be from just one judge.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

Salima Tongo

From: Berghorn, Robin [ctfcrb1@ocnjcc.org]
Sent: Tuesday, August 31, 2010 2:48 PM
To: ORNG FORECLOSURE DIV; Schiemer, Joan
Subject: Envelopes and Other Matters

Good Afternoon,

I just learned that the envelopes do not need to be sealed! The mailroom has a machine that will seal them. All that needs to be done is stamped mail and unstamped mail needs to be separated. Once separated, just put a rubber band around each stack and they can go to the mail room unsealed! That should save a lot of time.

It is my understanding that Judge Pleus (and possibly other judges) have started signing mediation orders that send the case to the Orange County Bar Foreclosure Mediation Program. These might be referred to as RMFM cases. For those orders, the list of mediators does not need to be attached. The Orange County Bar handles the assignment of mediators, etc.

I am still working on the two orders (the one current mediation order and the one referring to the Orange County Bar) to get them streamlined as much as possible.

If you have documents going to Joan and two different judges have signed, please separate into separate stacks for her. This will make her work go much faster.

Chris Gilchrist indicated that the envelopes with the return addresses on them already should be in by Friday.

I have ordered date stamps for everyone. Also stamps which read: "Insufficient copies, please mail" and "Insufficient envelopes, please mail." Don't know when those will be in.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

Salima Tongo

From: Berghorn, Robin [ctlcrb1@ocnjcc.org]
Sent: Tuesday, October 12, 2010 3:09 PM
To: Perry, Belvin; Lauten, Frederick
Cc: Benefiel, Matthew
Subject: Foreclosure Cases

Just ran the numbers for September. Per the clerk's database:

1877 cases were disposed by final judgment or other court action
580 cases were dismissed

The inactive cases are just starting to be heard or disposed of due to the two month lag time required by the rule. These should pick up greatly in the next few weeks.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

Salima Tongo

From: Berghorn, Robin [ctlcrb1@ocnjcc.org]
Sent: Tuesday, July 06, 2010 7:50 AM
To: Benefiel, Matthew
Subject: Foreclosure Staff
Importance: High

This needs to be posted somewhere where it can be easily found on the foreclosure site as soon as possible. Thank you Matt.

Orange County Contact Information:

To schedule contested hearings of 15 minutes or longer or for other judge related questions, please call the person handling the Division to which the case is assigned as follows:

Division A: Divisions 32A & 34 - Marjorie Pemberton - (407) 836-2276

Divisions 37 & 40 - Patricia Larroy - (407) 836-2238

Division B: Divisions 33 & 35 - Monica Fletcher - (407) 836-2237

Divisions 39 & 43A - Michelle Coleman - (407) 836-0422

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

Salima Tongo

From: Williams, Marsha [ctadmw1@ocnjcc.org]
Sent: Wednesday, October 27, 2010 9:48 AM
To: Berghorn, Robin; Coleman, Michelle; Larroy, Patricia; Pemberton, Marjorie; Welch, Helene
Cc: Junod, Marguerite; Lauten, Frederick; Washington, Shirley; Benefiel, Matthew; Perry, Belvin
Subject: Foreclosure Schedule for Senior Judges through 12/31/2010
Attachments: FORECLOSURE UNIT SCHEDULE rev 10-27-10.doc

Attached is the update of the senior judges scheduled to hear Foreclosures through the end of 2010. As you have seen in the past, this schedule is subject to revision at any time. I am working on the scheduling for January, February and March, 2011.

Please let me know if you have any questions.

Thank you.
Marsha Williams

2/8/2011

9th Cir 0053

Salima Tongo

From: Williams, Marsha [ctadmw1@ocnjcc.org]
Sent: Tuesday, November 09, 2010 2:17 PM
To: Lauten, Frederick
Cc: Welch, Helene; Washington, Shirley; Berghorn, Robin; Junod, Marguerite; Benefiel, Matthew; Perry, Belvin; Coleman, Michelle; Helmes, Vanessa; Larroy, Patricia; Pemberton, Marjorie
Subject: Foreclosure Schedule for Senior Judges through April 1, 2011 - Revised 11/09/2010
Attachments: FORECLOSURE UNIT SCHEDULE Rev. 11-09-10.pdf

Attached is the Foreclosure Schedule for Senior Judges Through 04/01/2011. Please note that this schedule is subject to change.

Please let me know if you have any questions.

Marsha

Marsha Williams
Director of Administrative Services
Ninth Judicial Circuit
Court Administration
407-836-2253

Salima Tongo

From: Berghorn, Robin [ctlcrb1@ocnjcc.org]

Sent: Tuesday, July 13, 2010 9:48 AM

To: Torres, Carmen

Subject: Foreclosures

Good Morning Carmen,

The foreclosure staff have already had several motions that have been filed by realtors on behalf of litigants. The realtors are not attorneys and hence, are practicing law without a license. I spoke to Judge Perry about this and he indicated that if we get these, we should notify the Realtor's Association for the county with the names of the violators and a general statement that it violates the law and additionally, send out a form letter to the individual realtors letting them know it's wrong and if it happens again, their names will be sent to the Bar for prosecution. I will hopefully be getting the forms prepared today or tomorrow and will send you them when I have them. I just wanted to give you a head's up in case you see this happening too.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

Salima Tongo

From: Berghorn, Robin [ctlcrb1@ocnjcc.org]
Sent: Monday, July 19, 2010 3:50 PM
To: Williams, Marsha
Subject: FW: Scheduling for November/December for Foreclosures

Here's Judge Lauten's response.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

From: Lauten, Frederick
Sent: Monday, July 19, 2010 9:58 AM
To: Berghorn, Robin
Subject: RE: Scheduling for November/December for Foreclosures

My recommendations would be to have hearings the Thanksgiving week and until the week of the 20th in December. Most of us avoided setting foreclosure sales close to Christmas or immediately before Thanksgiving. We also should restart hearings on Jan. 3rd or the backup will be impossible to manage.

Fred

From: Berghorn, Robin
Sent: Friday, July 16, 2010 2:14 PM
To: Lauten, Frederick
Subject: Scheduling for November/December for Foreclosures

Good Afternoon Judge Lauten,

Do you want foreclosure matters scheduled for the week of Thanksgiving?

Also how far into December should we schedule? I believe we should not schedule hearings from at least the 20th of December or should they not be scheduled even the week before on the 13th?

Concerning when they should restart in January, would you prefer January 3rd or January 10th?

Thank you for your assistance with this issue.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

Salima Tongo

From: Berghorn, Robin [ctlcrb1@ocnjcc.org]

Sent: Friday, August 13, 2010 5:13 PM

To: ORNG FORECLOSURE DIV

Subject: Goosing Orders

Good Afternoon,

If you find a case on the goosing list which looks like it should be closed and you can't figure out why it's still open, you can email the case number(s) to the following clerk's people:

Bobbie Jo Blackard
Emy Vazquez
Diana Nolz
Chris Clements

Someone from this team will check each case to determine whether or not it should be closed. I have a feeling that although there will be some cases that should be closed but which were missed, others may have reasons which we can't obviously see that keep it open and hence, we may need to just automatically goose everything. I hope I am wrong though so that these cases can be closed without goosing!

Keep me advised as to what the clerks tell you after they review the cases. Thank you.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

Salima Tongo

From: Welch, Helene [ctadhw1@ocnjcc.org]
Sent: Monday, October 25, 2010 8:31 AM
To: Berghorn, Robin
Subject: FW: Clarifications on Hearings

Robin,

Did you want me to add anything to the policy when emailing the senior judges?

Helene W. Welch
Court Operations Consultant
Court Administration
425 N. Orange Avenue, Suite 2130
Orlando, Florida 32801
407-836-0471 (Office)
407-835-5213 (Fax)
ctadhw1@ocnjcc.org

From: Welch, Helene
Sent: Thursday, October 21, 2010 3:04 PM
To: Coleman, Michelle; Pemberton, Marjorie; Larroy, Patricia
Cc: Berghorn, Robin; Washington, Shirley
Subject: RE: Clarifications on Hearings

The policy is: Any hearing requested for longer than one hour, attorneys must now bring in a motion and order to short matters (the regular Monday, Tuesday, Thursday, Friday hearings at 9 or 1:30) for the Judge to give approval. When the attorneys call to inquire about the procedure, please tell them that they must leave a space in the order for the Judge to insert the amount of time the Judge will allow for the hearing. Once the Judge signs the order and gives approval, the attorneys must call to get a special set hearing longer than one hour. Please check Odyssey to see how long the hearing has been ordered. Senior Judges will be informed of this policy on Monday. Hearings of one hour or less do not need prior court permission. They can be set on the regular Wednesday docket.

If you have any questions, please contact me.

Helene W. Welch
Court Operations Consultant
Court Administration
425 N. Orange Avenue, Suite 2130
Orlando, Florida 32801
407-836-0471 (Office)
407-835-5213 (Fax)
ctadhw1@ocnjcc.org

From: Coleman, Michelle
Sent: Thursday, October 21, 2010 2:19 PM
To: Welch, Helene
Subject: Clarifications on Hearings

When you get a chance can you clarify something about scheduling hearings on Wednesdays. I did not think we had to tell counsel to come to short matters to request a one hour hearing on a Wednesday in which Patricia feels that this has been the rule from the beginning. Thanks.

Michelle Coleman

2/8/2011

9th Cir 0058

Court Program Specialist
Foreclosure Division B
Ninth Judicial Circuit
Phone: (407) 836-0422
Fax: (407) 835-5040
Email: ctadmc2@ocnjcc.org

2/8/2011

9th Cir 0059

Salima Tongo

From: Benefiel, Matthew [ctadmb1@ocnjcc.org]
Sent: Friday, August 06, 2010 3:46 PM
To: Lauten, Frederick
Cc: Berghorn, Robin
Subject: FW: Foreclosure and Economic Recovery Initiative
Follow Up Flag: Follow up
Flag Status: Flagged
Attachments: 62% Estimated RPFM Backlog.pdf

Judge Lauten:

FYI-Attachment

Thanks,

Matt Benefiel
Trial Court Administrator
Ninth Judicial Circuit Court of Florida
407.836.2051
ctadmb1@ocnjcc.org
www.ninthcircuit.org

From: Kristine Slayden [slaydenk@flcourts.org]
Sent: Friday, August 06, 2010 2:52 PM
To: Trial Court Chief Judges; Trial Court Administrators
Cc: Lisa Goodner; Judge John Laurent; Judge Margaret O. Steinbeck; P.J. Stockdale; Arlene Johnson; Charlotte Jerrett
Subject: Foreclosure and Economic Recovery Initiative

Chief Judges and Trial Court Administrators – As mentioned at the JAC meeting in Marco Island, the OSCA plans to provide you with monthly feedback on your progress in achieving the 62% backlog reduction goal. As a reminder, I have attached the target backlog reduction statistics for the foreclosure and economic recovery initiative. We have received a number of inquiries from judges requesting these statistics. You may want to forward the attachment to those judges who are directly working on the initiative.

We plan to send you the following two reports monthly so that you can monitor the statistics that we get in Tallahassee:

- 1) As data comes in from the clerks of court on their SRS reports of filings and dispositions, we will provide you with your circuit's progress in reducing the backlog by 62%. We will send the first report out to you on August 30th and then monthly from then on.
- 2) As data comes in from court administration on the status of the cases from the tracking system, we will provide you with analysis of the status and age of cases currently being handled as part of the initiative. We will send the first report out to you on September 30th, and then monthly from then on.

2/8/2011

9th Cir 0060

These monthly statistics will be provided to you only for internal use and will not be released externally without prior approval. Please let me know if you have any questions. Thanks. Kris

Kris Slayden
Research and Data
Office of the State Courts Administrator
Florida Supreme Court
500 S. Duval Street
Tallahassee, Florida 32399
850-922-5106 (wk)
850-556-2335 (cell)
850-414-1342 (fax)

2/8/2011

9th Cir 0061

Salima Tongo

From: Washington, Shirley [ctjasw1@ocnjcc.org]
Sent: Thursday, September 02, 2010 5:10 PM
To: Berghorn, Robin
Subject: RE: Suggestion of Bankruptcy
I still set for a status.

From: Berghorn, Robin
Sent: Thursday, September 02, 2010 5:10 PM
To: Washington, Shirley
Subject: Suggestion of Bankruptcy

Hi Shirley,

I know on the cases with a suggestion of bankruptcy filed, you indicated to set for status hearing. What if the suggestion was filed in 2000? Still set for status hearing or do a goosing order?

Thank you.

Robin S. Berghorn
General Counsel
Ninth Judicial Circuit
(407) 836-2233

Target Backlog Reduction
Foreclosure and Economic Recovery Funding
Backlog Cases
FY 2006/07 through Estimated FY 2010/11

Circuit	Estimated Real Property/ Mortgage Foreclosure Backlog Cases	62% of Estimated Real Property/ Mortgage Foreclosure Backlog Cases
1	12,960	8,035
2	4,385	2,719
3	1,325	822
4	21,523	13,344
5	19,931	12,357
6	39,394	24,424
7	21,585	13,383
8	2,575	1,597
9	50,600	31,372
10	12,979	8,047
11	87,955	54,532
12	25,557	15,845
13	38,180	23,672
14	4,634	2,873
15	63,402	39,309
16	2,671	1,656
17	57,514	35,659
18	31,052	19,252
19	20,717	12,844
20	41,005	25,423
Total	559,945	347,165

FORECLOSURE UNIT SCHEDULE**From: 11/8/2010 To: 4/1/2011**

As of: 11/9/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
11/08 - 11/10	Senior Judge Robert J. Pleus, Jr. Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/08 - 11/10	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	1100.02	9:00 a.m.	1674
11/08 - 11/10	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
11/12 - 11/12	Senior Judge Robert J. Pleus, Jr. Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/12 - 11/12	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/12 - 11/12	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
11/15 - 11/15	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/15 - 11/19	Senior Judge Ted P. Coleman Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/15 - 11/18	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
11/16 - 11/19	Senior Judge Dorothy Russell Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/19 - 11/19	Senior Judge Thomas R. Kirkland Osceola Div. C	HR 6E	9:00 a.m.	6318
11/22 - 11/23	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/22 - 11/24	Senior Judge Ted P. Coleman Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/22 - 11/22	Senior Judge Ronald A. Legendre Osceola Div. C	CR 5B	9:00	6318

FORECLOSURE UNIT SCHEDULE
From: 11/8/2010 To: 4/1/2011

As of: 11/9/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
11/29 - 12/03	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/29 - 12/03	Senior Judge Thomas R. Kirkland Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/29 - 12/03	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
12/06 - 12/06	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
12/06 - 12/10	Senior Judge Ted P. Coleman Orange Div. B	HR 1100.02	9:00 a.m.	1674
12/06 - 12/10	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
12/07 - 12/10	Senior Judge Dorothy Russell Orange Div. A	HR 1100.01	9:00 a.m.	1673
12/13 - 12/17	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
12/13 - 12/17	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
12/13 - 12/16	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
12/17 - 12/17	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
12/20 - 12/20	Senior Judge Ronald A. Legendre Osceola Div. C	CR 5B	9:00 a.m.	6318
12/23 - 12/23	Senior Judge Emerson R. Thompson, Jr. Orange Div. A		9:00 a.m.	1674
12/28 - 12/28	Senior Judge Ronald A. Legendre Osceola Div. C	CR 5B	9:00 a.m.	6318

FORECLOSURE UNIT SCHEDULE

From: 11/8/2010 To: 4/1/2011

As of: 11/9/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
01/03 - 01/07	Senior Judge Robert J. Pleus, Jr. Orange Div. A	HR 1100.01	9:00 a.m.	1673
01/03 - 01/07	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
01/03 - 01/07	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
01/10 - 01/14	Senior Judge Ted P. Coleman Orange Div. A	HR 1100.01	9:00 a.m.	1673
01/10 - 01/14	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
01/10 - 01/14	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
01/18 - 01/21	Senior Judge Charles N. Prather Orange Div. A	HR 1100.01	9:00 a.m.	1673
01/18 - 01/21	Senior Judge Dorothy Russell Orange Div. B	HR 1100.02	9:00 a.m.	1674
01/18 - 01/21	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
01/24 - 01/28	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
01/24 - 01/28	Senior Judge Thomas R. Kirkland Orange Div. B	HR 1100.02	9:00 a.m.	1674
01/24 - 01/28	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
01/31 - 02/04	Senior Judge Robert J. Pleus, Jr. Orange Div. A	HR 1100.01	9:00 a.m.	1673
01/31 - 02/04	Senior Judge Thomas R. Kirkland Orange Div. B	HR 1100.02	9:00 a.m.	1674

FORECLOSURE UNIT SCHEDULE
From: 11/8/2010 To: 4/1/2011

As of: 11/9/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
01/31 - 02/04	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
02/07 - 02/11	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
02/07 - 02/11	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
02/07 - 02/11	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
02/14 - 02/18	Senior Judge Ted P. Coleman Orange Div. A	HR 1100.01	9:00 a.m.	1673
02/14 - 02/18	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
02/14 - 02/18	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
02/21 - 02/25	Senior Judge Charles N. Prather Orange Div. A	HR 1100.01	9:00 a.m.	1673
02/21 - 02/21	Senior Judge Thomas R. Kirkland Orange Div. B	HR 1100.02	9:00 a.m.	1674
02/21 - 02/25	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
02/22 - 02/25	Senior Judge Dorothy Russell Orange Div. B	HR 1100.02	9:00 a.m.	1674
02/28 - 03/04	Senior Judge Robert J. Pleus, Jr. Orange Div. A	HR 1100.01	9:00 a.m.	1673
02/28 - 03/04	Senior Judge Thomas R. Kirkland Orange Div. B	HR 1100.02	9:00 a.m.	1674
02/28 - 03/04	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318

FORECLOSURE UNIT SCHEDULE
From: 11/8/2010 To: 4/1/2011

As of: 11/9/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
03/07 - 03/11	Senior Judge Ted P. Coleman Orange Div. A	HR 1100.01	9:00 a.m.	1674
03/07 - 03/07	Senior Judge Richard F. Conrad Orange Div. B	HR 1100.02	9:00 a.m.	1674
03/07 - 03/11	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
03/08 - 03/11	Senior Judge Dorothy Russell Orange Div. B	HR 1100.02	9:00 a.m.	1674
03/14 - 03/18	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
03/14 - 03/18	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
03/14 - 03/18	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
03/21 - 03/25	Senior Judge Charles N. Prather Orange Div. A	HR 1100.01	9:00 a.m.	1673
03/21 - 03/25	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
03/21 - 03/25	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
03/28 - 04/01	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
03/28 - 04/01	Senior Judge Thomas R. Kirkland Orange Div. B	HR 1100.02	9:00 a.m.	1674
03/28 - 04/01	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318

FORECLOSURE UNIT SCHEDULE**From: 7/26/2010 To: 12/31/2010**

As of: 7/23/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
07/26 - 07/30	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
08/02 - 08/06	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
08/02 - 08/02	Senior Judge Ted P. Coleman Orange Div. B	HR 1100.02	9:00 a.m.	1674
08/02 - 08/06	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
08/03 - 08/06	Senior Judge Dorothy Russell Orange Div. B	HR 1100.02	9:00 a.m.	1674
08/09 - 08/13	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
08/09 - 08/13	Senior Judge Robert J. Pleus, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
08/09 - 08/13	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
08/16 - 08/20	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
08/16 - 08/20	Senior Judge Thomas R. Kirkland Orange Div. B	HR 1100.02	9:00 a.m.	1674
08/16 - 08/20	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
08/23 - 08/27	Senior Judge Emerson R. Thompson, Jr. Orange Div. A	HR 1100.01	9:00 a.m.	1673
08/23 - 08/27	Senior Judge Robert J. Pleus, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
08/23 - 08/27	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318

FORECLOSURE UNIT SCHEDULE
From: 7/26/2010 To: 12/31/2010

As of: 7/23/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
08/30 - 09/03	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
08/30 - 09/03	Senior Judge Ted P. Coleman Orange Div. B	HR 1100.02	9:00 a.m.	1674
08/30 - 09/03	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
09/07 - 09/08	Senior Judge Ted P. Coleman Orange Div. A	HR 1100.01	9:00 a.m.	1673
09/07 - 09/08	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
09/07 - 09/08	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
09/10 - 09/10	Senior Judge Ted P. Coleman Orange Div. A	HR 1100.01	9:00 a.m.	1673
09/10 - 09/10	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
09/10 - 09/10	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
09/13 - 09/17	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
09/13 - 09/17	Senior Judge Ted P. Coleman Orange Div. B	HR 1100.02	9:00 a.m.	1674
09/13 - 09/17	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
09/20 - 09/24	Senior Judge Charles N. Prather Orange Div. A	HR 1100.01	9:00 a.m.	1673
09/20 - 09/24	Senior Judge Robert J. Pleus, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674

FORECLOSURE UNIT SCHEDULE
From: 7/26/2010 To: 12/31/2010

As of: 7/23/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
09/20 - 09/24	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
09/27 - 10/01	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
09/27 - 09/27	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
09/27 - 10/01	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
09/28 - 09/28	Senior Judge Rom W. Powell Orange Div. B	HR 1100.02	9:00 a.m.	1674
09/29 - 10/01	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
10/04 - 10/04	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
10/04 - 10/08	Senior Judge Ted P. Coleman Orange Div. B	HR 1100.02	9:00 a.m.	1674
10/04 - 10/08	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
10/05 - 10/08	Senior Judge Dorothy Russell Orange Div. A	HR 1100.01	9:00 a.m.	1673
10/11 - 10/15	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
10/11 - 10/15	Senior Judge Thomas R. Kirkland Orange Div. B	HR 1100.02	9:00 a.m.	1674
10/11 - 10/15	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
10/18 - 10/22	Senior Judge Charles N. Prather Orange Div. B	HR 1100.02	9:00 a.m.	1674

FORECLOSURE UNIT SCHEDULE
From: 7/26/2010 To: 12/31/2010

As of: 7/23/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
10/18 - 10/22	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00	6318
10/25 - 10/29	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
10/25 - 10/29	Senior Judge Robert J. Pleus, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
10/25 - 10/29	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
11/01 - 11/05	Senior Judge Emerson R. Thompson, Jr. Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/01 - 11/05	Senior Judge Robert J. Pleus, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/01 - 11/05	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
11/08 - 11/10	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/08 - 11/10	Senior Judge Charles N. Prather Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/08 - 11/10	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
11/12 - 11/12	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/12 - 11/12	Senior Judge Charles N. Prather Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/12 - 11/12	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
11/15 - 11/15	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673

FORECLOSURE UNIT SCHEDULE
From: 7/26/2010 To: 12/31/2010

As of: 7/23/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
11/15 - 11/19	Senior Judge Ted P. Coleman Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/15 - 11/19	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
11/16 - 11/19	Senior Judge Dorothy Russell Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/22 - 11/23	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/22 - 11/23	Senior Judge Thomas R. Kirkland Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/29 - 12/03	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/29 - 12/03	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/29 - 12/03	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
12/06 - 12/06	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
12/06 - 12/10	Senior Judge Ted P. Coleman Orange Div. B	HR 1100.02	9:00 a.m.	1674
12/06 - 12/10	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
12/07 - 12/10	Senior Judge Dorothy Russell Orange Div. A	HR 1100.01	9:00 a.m.	1673
12/13 - 12/17	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
12/13 - 12/17	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674

FORECLOSURE UNIT SCHEDULE
From: 7/26/2010 To: 12/31/2010

As of: 7/23/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
12/13 - 12/17	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318

FORECLOSURE UNIT SCHEDULE**From: 9/20/2010 To: 12/31/2010**

As of: 9/17/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
09/20 - 09/24	Senior Judge Charles N. Prather Orange Div. A	HR 1100.01	9:00 a.m.	1673
09/20 - 09/24	Senior Judge Robert J. Pleus, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
09/20 - 09/24	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
09/27 - 10/01	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
09/27 - 09/27	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
09/27 - 09/27	Senior Judge Thomas R. Kirkland Osceola Div. C	HR 6E	9:00 a.m.	6318
09/28 - 09/28	Senior Judge Thomas R. Kirkland Orange Div. B	HR 1100.02	9:00 a.m.	1674
09/28 - 10/01	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
09/29 - 10/01	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
10/04 - 10/04	Senior Judge Thomas R. Kirkland Orange Div. A	HR 1100.01	9:00 a.m.	1673
10/04 - 10/08	Senior Judge Ted P. Coleman Orange Div. B	HR 1100.02	9:00 a.m.	1674
10/04 - 10/08	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
10/05 - 10/08	Senior Judge Dorothy Russell Orange Div. A	HR 1100.01	9:00 a.m.	1673
10/11 - 10/15	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673

FORECLOSURE UNIT SCHEDULE
From: 9/20/2010 To: 12/31/2010

As of: 9/17/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
10/11 - 10/15	Senior Judge Thomas R. Kirkland Orange Div. B	HR 1100.02	9:00 a.m.	1674
10/11 - 10/15	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
10/18 - 10/22	Senior Judge Charles N. Prather Orange Div. B	HR 1100.02	9:00 a.m.	1674
10/18 - 10/22	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00	6318
10/25 - 10/29	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
10/25 - 10/29	Senior Judge Robert J. Pleus, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
10/25 - 10/29	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
11/01 - 11/05	Senior Judge Emerson R. Thompson, Jr. Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/01 - 11/05	Senior Judge Robert J. Pleus, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/01 - 11/05	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
11/08 - 11/10	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/08 - 11/10	Senior Judge Charles N. Prather Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/08 - 11/10	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
11/12 - 11/12	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673

FORECLOSURE UNIT SCHEDULE
From: 9/20/2010 To: 12/31/2010

As of: 9/17/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
11/12 - 11/12	Senior Judge Charles N. Prather Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/12 - 11/12	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
11/15 - 11/15	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/15 - 11/19	Senior Judge Ted P. Coleman Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/15 - 11/18	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
11/16 - 11/19	Senior Judge Dorothy Russell Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/19 - 11/19	Senior Judge Thomas R. Kirkland Osceola Div. C	HR 6E	9:00 a.m.	6318
11/22 - 11/23	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/22 - 11/23	Senior Judge Thomas R. Kirkland Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/22 - 11/22	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00	6318
11/29 - 12/03	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/29 - 12/03	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/29 - 12/03	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
12/06 - 12/06	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673

FORECLOSURE UNIT SCHEDULE
From: 9/20/2010 To: 12/31/2010

As of: 9/17/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
12/06 - 12/10	Senior Judge Ted P. Coleman Orange Div. B	HR 1100.02	9:00 a.m.	1674
12/06 - 12/10	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
12/07 - 12/10	Senior Judge Dorothy Russell Orange Div. A	HR 1100.01	9:00 a.m.	1673
12/13 - 12/17	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
12/13 - 12/17	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
12/13 - 12/16	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
12/17 - 12/17	Senior Judge Thomas R. Kirkland Osceola Div. C	HR 6E	9:00 a.m.	6318

FORECLOSURE UNIT SCHEDULE**From: 11/1/2010 To: 12/31/2010**

As of: 10/27/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
11/01 - 11/05	Senior Judge Robert J. Pleus, Jr. Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/01 - 11/05	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/01 - 11/05	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
11/08 - 11/10	Senior Judge Robert J. Pleus, Jr. Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/08 - 11/10	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	1100.02	9:00 a.m.	1674
11/08 - 11/10	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
11/12 - 11/12	Senior Judge Robert J. Pleus, Jr. Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/12 - 11/12	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/12 - 11/12	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
11/15 - 11/15	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/15 - 11/19	Senior Judge Ted P. Coleman Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/15 - 11/18	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
11/16 - 11/19	Senior Judge Dorothy Russell Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/19 - 11/19	Senior Judge Thomas R. Kirkland Osceola Div. C	HR 6E	9:00 a.m.	6318

FORECLOSURE UNIT SCHEDULE
From: 11/1/2010 To: 12/31/2010

As of: 10/27/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
11/22 - 11/23	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/22 - 11/23	Senior Judge Thomas R. Kirkland Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/22 - 11/22	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
11/29 - 12/03	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/29 - 12/03	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/29 - 12/03	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
12/06 - 12/06	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
12/06 - 12/10	Senior Judge Ted P. Coleman Orange Div. B	HR 1100.02	9:00 a.m.	1674
12/06 - 12/10	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
12/07 - 12/10	Senior Judge Dorothy Russell Orange Div. A	HR 1100.01	9:00 a.m.	1673
12/13 - 12/17	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
12/13 - 12/17	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
12/13 - 12/16	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
12/17 - 12/17	Senior Judge Thomas R. Kirkland Osceola Div. C	HR 6E	9:00 a.m.	6318

FORECLOSURE UNIT SCHEDULE

From: 11/1/2010 To: 12/31/2010

As of: 10/27/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
12/20 - 12/20	Senior Judge Ronald A. Legendre Osceola Div. C	5B	9:00 a.m.	6318
12/28 - 12/28	Senior Judge Ronald A. Legendre Osceola Div. C	5B	9:00 a.m.	6318

FORECLOSURE UNIT SCHEDULE
From: 9/13/2010 To: 12/31/2010

As of: 9/13/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
09/13 - 09/17	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
09/13 - 09/17	Senior Judge Ted P. Coleman Orange Div. B	HR 1100.02	9:00 a.m.	1674
09/13 - 09/17	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
09/20 - 09/24	Senior Judge Charles N. Prather Orange Div. A	HR 1100.01	9:00 a.m.	1673
09/20 - 09/24	Senior Judge Robert J. Pleus, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
09/20 - 09/24	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
09/27 - 10/01	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
09/27 - 09/27	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
09/27 - 09/27	Senior Judge Thomas R. Kirkland Osceola Div. C	HR 6E	9:00 a.m.	6318
09/28 - 09/28	Senior Judge Thomas R. Kirkland Orange Div. B	HR 1100.02	9:00 a.m.	1674
09/28 - 10/01	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
09/29 - 10/01	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
10/04 - 10/04	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
10/04 - 10/08	Senior Judge Ted P. Coleman Orange Div. B	HR 1100.02	9:00 a.m.	1674

FORECLOSURE UNIT SCHEDULE

From: 9/13/2010 To: 12/31/2010

As of: 9/13/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
10/04 - 10/08	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
10/05 - 10/08	Senior Judge Dorothy Russell Orange Div. A	HR 1100.01	9:00 a.m.	1673
10/11 - 10/15	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
10/11 - 10/15	Senior Judge Thomas R. Kirkland Orange Div. B	HR 1100.02	9:00 a.m.	1674
10/11 - 10/15	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
10/18 - 10/22	Senior Judge Charles N. Prather Orange Div. B	HR 1100.02	9:00 a.m.	1674
10/18 - 10/22	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00	6318
10/25 - 10/29	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
10/25 - 10/29	Senior Judge Robert J. Pleus, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
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11/01 - 11/05	Senior Judge Emerson R. Thompson, Jr. Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/01 - 11/05	Senior Judge Robert J. Pleus, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/01 - 11/05	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
11/08 - 11/10	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673

FORECLOSURE UNIT SCHEDULE
From: 9/13/2010 To: 12/31/2010

As of: 9/13/2010

<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
11/08 - 11/10	Senior Judge Charles N. Prather Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/08 - 11/10	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
11/12 - 11/12	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/12 - 11/12	Senior Judge Charles N. Prather Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/12 - 11/12	Senior Judge Jeffords D. Miller Osceola Div. C	HR 6E	9:00 a.m.	6318
11/15 - 11/15	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/15 - 11/19	Senior Judge Ted P. Coleman Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/15 - 11/18	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
11/16 - 11/19	Senior Judge Dorothy Russell Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/19 - 11/19	Senior Judge Thomas R. Kirkland Osceola Div. C	HR 6E	9:00 a.m.	6318
11/22 - 11/23	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
11/22 - 11/23	Senior Judge Thomas R. Kirkland Orange Div. B	HR 1100.02	9:00 a.m.	1674
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11/29 - 12/03	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673

FORECLOSURE UNIT SCHEDULE
From: 9/13/2010 To: 12/31/2010

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<i>DATES</i>	<i>JUDGE</i>	<i>LOCATION</i>	<i>START TIME</i>	<i>CHAMBERS</i>
11/29 - 12/03	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
11/29 - 12/03	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
12/06 - 12/06	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
12/06 - 12/10	Senior Judge Ted P. Coleman Orange Div. B	HR 1100.02	9:00 a.m.	1674
12/06 - 12/10	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
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12/13 - 12/17	Senior Judge Richard F. Conrad Orange Div. A	HR 1100.01	9:00 a.m.	1673
12/13 - 12/17	Senior Judge Emerson R. Thompson, Jr. Orange Div. B	HR 1100.02	9:00 a.m.	1674
12/13 - 12/16	Senior Judge Ronald A. Legendre Osceola Div. C	HR 6E	9:00 a.m.	6318
12/17 - 12/17	Senior Judge Thomas R. Kirkland Osceola Div. C	HR 6E	9:00 a.m.	6318

The Florida Bar Continuing Legal Education Committee and the
Consumer Protection Law Committee



Residential Foreclosure Cases: Litigation Issues, Strategies and Skills - Practical Lessons for both Lenders and Homeowners Counsel

COURSE CLASSIFICATION: INTERMEDIATE LEVEL

Thursday, June 24, 2010

Course No. 8968 9

9th Cir 0086

CLE SEMINAR EVALUATION FORM

Name (Optional): _____ Date: June 24, 2010

Name of Course: Residential Foreclosure Cases: Litigation Issues, Strategies and Skills (89689)

City: Boca Raton Facility: _____

Please evaluate the speaker presentation for this Florida Bar CLE program based on the following scale: **5=excellent; 4=good; 3=fair/average; 2=poor; 1=unacceptable.** If you rate a presentation 2 or 1, please explain why, in the comment section, so that we may further improve our programs.

Speaker	Rating	Book	Comments
Hon. Jennifer D. Bailey	_____	_____	_____
Roy A. Diaz	_____	_____	_____
Lynn Drysdale	_____	_____	_____
Margery Ellen Golant	_____	_____	_____
Scott E. Simowitz	_____	_____	_____

General Speaker Comments: _____

General Seminar Comments: _____

Coursebook Comments: _____

Did you attend this course via **WEB CAST**? If so, please send this completed form to FAX 850-561-5825.

Please evaluate the facility based on the following scale: **5=excellent; 4=good; 3=fair/average; 2=poor; 1=unacceptable.** If you use a rate of 2 or 1, please explain why, in the comment section, so that we may further improve our programs.

- _____ convenience
- _____ aesthetics (comfort, cleanliness, etc.)
- _____ amenities (restaurants, restrooms, parking, etc.)

Facility Comments: _____

Where did you learn of this seminar?

- Bar News Ad Brochure FLABAR Website Section Website Other

Please identify any topic that you wish to see as the subject of future or expanded Florida Bar seminars:

11. Are there any exemptions from CLER?

Rule 6-10.3(c) lists all valid exemptions. They are:

- 1) Active military service
- 2) Undue hardship (upon approval by the BLSE)
- 3) Nonresident membership (see rule for details)
- 4) Full-time federal judiciary
- 5) Justices of the Supreme Court of Florida and judges of district, circuit and county courts
- 6) Inactive members of The Florida Bar

12. Other than attending approved CLE courses, how may I earn credit hours?

Credit may be earned by:

- 1) Lecturing at an approved CLE program
- 2) Serving as a workshop leader or panel member
- 3) Writing and publishing in a professional publication or journal
- 4) Teaching (graduate law or law school courses)
- 5) University attendance (graduate law or law school courses)

13. How do I submit various activities for credit evaluation?

Applications for credit may be found either on our website, www.floridabar.org, or in the directory issue of The Florida Bar Journal following the listing of Board Certified Lawyers.

14. How are attendance hours posted on my CLER record?

If you registered for a seminar through The Florida Bar Registrations Department, the credit will be posted to your record automatically. If the course is sponsored by a Florida Bar Section or another organization, you can post your credits online.

15. How long does it take for hours to be posted to my CLER record?

When you post your CLE credit online, your record will be automatically updated and you will be able to see your current CLE hours and reporting period.

16. How may I find information on programs sponsored by The Florida Bar?

You may wish to visit our website, www.floridabar.org, or refer to The Florida Bar News. You may also call CLE Registrations at 850/561-5831.

17. If I accumulate more than 30 hours, may I use the excess for my next reporting cycle?

Excess hours may not be carried forward. The standing policies of the BLSE, as approved by the Supreme Court of Florida specifically state in 6.03(b):

- ... CLER credit may not be counted for more than one reporting period and may not be carried forward to subsequent reporting periods.

18. Will out-of-state CLE hours count toward CLER?

Courses approved by other state bars are generally acceptable for use toward satisfying CLER.

19. If I have questions, whom do I call?

You may call the Legal Specialization and Education Department of The Florida Bar at 850/561-5842.

**While online checking your CLER, don't forget to check your
Basic Skills Course Requirement status.**

The Florida Bar Continuing Legal Education Committee and the
Consumer Protection Law Committee



Residential Foreclosure Cases: Litigation Issues, Strategies and Skills - Practical Lessons for both Lenders and Homeowners Counsel

COURSE CLASSIFICATION: INTERMEDIATE LEVEL

Thursday, June 24, 2010

Course No. 8968 9

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PREFACE

The course materials in this booklet were prepared for use by the registrants attending our Continuing Legal Education course during the lectures and later in their offices.

The Florida Bar is indebted to the members of the Steering Committee, the lecturers and authors for their donations of time and talent, but does not have an official view of their work products.

CLER CREDIT (Maximum 4.0 hours)

General 4.0 hours Ethics 0.0 hours

CERTIFICATION CREDIT (Maximum 4.0 hours)

Real Estate 4.0 hours

Seminar credit may be applied to satisfy both CLER and Board Certification requirements in the amounts specified above, not to exceed the maximum credit. Refer to Chapter 6, Rules Regulating The Florida Bar, see the CLE link at www.floridabar.org for more information about the CLER and Certification Requirements.

Prior to your CLER reporting date (located on the mailing label of your Florida Bar *News*) you will be sent a Reporting Affidavit (must be returned by your CLER reporting date) or a Notice of Compliance which confirms your completion of the requirement according to Bar records (does not need to be returned). You are encouraged to maintain records of your CLE hours.

CLE CREDIT IS NOT AWARDED FOR THE PURCHASE OF THE COURSE BOOK ONLY.

CLE COMMITTEE MISSION STATEMENT

The mission of the Continuing Legal Education Committee is to assist the members of The Florida Bar in their continuing legal education and to facilitate the production and delivery of quality CLE programs and publications for the benefit of Bar members in coordination with the Sections, Committees and Staff of The Florida Bar and others who participate in the CLE process.

COURSE CLASSIFICATION

The Steering Committee for this course has determined its content to be INTERMEDIATE.

CONSUMER PROTECTION LAW COMMITTEE

Julia Harris — Chair
Victoria Butler — Chair-elect
Laura Boeckman and Douglas Kilby — CLE Co-chairs

CLE COMMITTEE

Paul H. Chipok, Orlando — Chair
Terry L. Hill — Director, Programs Division

For a complete list of Membership Services, see the September 2009 Directory Issue of The Florida Bar Journal, starting on page 20 or visit our web site at www.floridabar.org.

LECTURE PROGRAM

- 1 – 1:30 p.m. **Overview of the foreclosure crisis in Florida;** making the initial assessment of your case; who are the players in the foreclosure process and how do they work; the major issues that plaintiffs and defendants have to address in foreclosures.
- 1:30 - 2:10 p.m. **Answers, Affirmative Defenses and Preliminary motions:** Motions to Dismiss, Motion to Stay (to comply with HAMP/HARP), verified pleadings, lost note/mortgage and other preliminary motions and matters.
- 2:10 – 2:20 p.m. **Questions** (submitted in writing and selected by the panel).
- 2:20 – 2:30 p.m. **Break**
- 2:30 – 3 p.m. **Effective Discovery** – finding out what you need to know through initial written discovery, motions to compel and depositions.
- 3 – 3:30 p.m. **Effective advocacy in summary judgment motions** – when to file and what you need in support and in opposition.
- 3:30 – 3:40 p.m. **Break**
- 3:40 – 4:50 p.m. **Maximizing chances for success in mediation** and exploring alternatives to foreclosure including during early foreclosure mediation process, navigating loss mitigation process and navigating HAMP and HARP.
- 4:50 – 5 p.m. **Q & A and closing comments**



**Speakers for Presidential Showcase Seminar:
Residential Foreclosure Cases:
Litigation Issues, Strategies and Skills --
Practical Lessons for both Lenders and Homeowners Counsel
June 24, 2010, Boca Raton Resort & Club, 1 to 5 p.m.**

**Honorable Jennifer Bailey, Circuit Judge for the 11th Judicial Circuit
Miami**

Judge Bailey is the administrative judge of the 11th Circuit's General Jurisdiction (Civil). She chaired the Florida Supreme Court's Task Force on Residential Mortgage Foreclosure Cases. As chair, Judge Bailey extensively studied the foreclosure problem in Florida and is intimately familiar with the foreclosure litigation process.

**Roy A. Diaz, shareholder of Smith, Hiatt & Diaz P.A.
Fort Lauderdale**

A native of Florida, Diaz attended undergraduate school at Florida International University (B.A., 1984) and law school at Nova Southeastern School of Law (Juris Doctor, 1987). His practice is concentrated in the areas of real estate, litigation and bankruptcy. He has represented lenders, servicers, private investors and real estate developers since 1994. Diaz was admitted to The Florida Bar in 1988.

**Lynn Drysdale, Jacksonville Area Legal Aid Inc.
Jacksonville**

Drysdale is a senior staff attorney with Jacksonville Area Legal Aid where she has represented consumers in foreclosure defense for more than 20 years. She regularly testifies before state and federal legislators on consumer issues and is a nationally recognized consumer attorney. Drysdale is an experienced foreclosure defense practitioner and regularly speaks on foreclosure and other consumer protection issues.

**Margery E. Golant, Golant & Golant, P.A.
Boca Raton**

Golant is a real estate attorney and litigator with more than 20 years of experience. She represents consumers in financial services litigation in defense of foreclosure and focuses on issues of securitization and structured finance issues. Golant previously worked at one of the largest subprime mortgage servicers in the United States and was a district court judge in Pennsylvania.

**Scott E. Simowitz, Moskowitz, Mandell, Salim & Simowitz, P.A.,
Fort Lauderdale**

Simowitz practices in the areas of foreclosure, banking and commercial litigation. He regularly represents lenders and financial institutions in foreclosures. He is a graduate of the University of Miami law school and is active in state and local bar associations.

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Glossary

30 Terms to Know and Understand

- 1. Aggregator** - A party involved within the secondary mortgage market that purchases mortgages from financial institutions and then securitizes them into mortgage-backed securities (MBS). Aggregators earn profit by purchasing individual mortgages at lower prices and then selling the pooled MBS at a higher premium. Purchasing an MBS tends to be far less risky compared to purchasing an individual mortgage as the pools of mortgages diversifies the source of the individual mortgage's income stream. Some mortgage originators also become aggregators as securitizing a pool of mortgages can be seen as a natural extension of their business. Plus, doing so would limit losses incurred to the originator in the event that mortgage rates rise, as typically seen when originators would sell the mortgages into the secondary market.
- 2. Appraiser**- A person qualified by education, training, and experience to provide appraisals. Appraisals- A professional opinion, usually written, of the market value of a property, such as a home, business, or other asset whose market price is not easily determined. Usually required when a property is sold, taxed, insured, or financed.
- 3. Condominium Association** - An association of unit owners in a condominium building. The association elects a board of directors, which handles maintenance and repair of common areas, disputes among unit owners and enforcement of rules and regulations, and condominium fees.
- 4. Debt-to-Income Ratio** - A figure that calculates how much of a person's income is spent paying his or her debts. The higher one's debt-to-income ratio, the more of their monthly income that is solely devoted to paying back debts. DTI is important to manage, because it is something often considered by institutions when they evaluate loan creditworthiness; institutions conclude that if a person's DTI is too high, they might not be able to pay back their debts very easily, and the institution will be less inclined to make the loan. Formula: monthly debts owed divided by monthly income.
- 5. Deed in Lieu of Foreclosure** - An instance where borrowers voluntarily convey their rights in a property to the lender rather than going all the way through the foreclosure process.
- 6. Deficiency Judgment** -- A personal judgment against the borrower for the remaining balance on the loan after a foreclosure sale.
- 7. Forbearance agreement** - Provides short-term relief for borrowers who have temporary financial problems. Forbearance agreements can allow for payment "holidays" and otherwise structure the repayment of delinquent payments. See Modification Agreement below.
- 8. Homeowner Association** - A membership organization formed by a real estate developer to own and maintain common green areas, streets and sidewalks and to enforce covenants to preserve the appearance of the development may be exempt as a social welfare organization if it is operated for the benefit of all the residents of the community.
- 9. Investor** - An individual who commits money to investment products with the expectation of financial return. Generally, the primary concern of an investor is to minimize risk while maximizing return, as opposed to a speculator, who is willing to accept a higher level of risk in the hopes of collecting higher-than-average profits. Trustees of mortgage backed securities are tasked to make payments to investors.
- 10. Issuer** - A legal entity that develops, registers and sells securities for the purpose of financing its operations. Issuers may be domestic or foreign governments, corporations or investment trusts. Issuers are legally responsible for the obligations of the issue and for reporting financial conditions, material developments and any other operational activities as required by the regulations of their jurisdictions. The most common types of securities issued are common and preferred stocks, bonds, notes, debentures, bills and derivatives. Say ABC Corp. sells common shares to the general public on the market in order to

generate capital to finance its business operations. This means ABC Corp. is an issuer, and it is therefore required to file with regulators, such as the Securities and Exchange Commission, disclosing relevant financial information about the company. ABC must also meet any legal obligations or regulations in the jurisdiction where it issued the security. Writers of options are occasionally referred to as issuers of options because they also sell securities on a market.

Issuer- 1. A person or entity (such as a corporation or bank) that issues securities, negotiable instruments, or letters of credit.

a. Non-reporting issuer. An issuer not subject to the reporting requirements of the Securities Exchange Commission because it (1) it is a private trust not registered with the SEC which is not subject to its reporting requirements, (2) has not had not filed any documents with the Securities Act within the fiscal year, and (3) did not, at the end of its last fiscal year, meet the shareholder or asset tests under the Exchange Act registration requirements.

b. A company or municipality offering securities for sale to investors.

11. Lender - A private, public or institutional entity which makes funds available to others to borrow.

12. Lien Holder – One who holds a lien on real property:

a. Lien- is an encumbrance on one person's property to secure a debt the property owner owes to another person. The statement that someone's property is "tied up" describes the effect of liens on both real and Personal Property.

13. Loan Reinstatement - A reinstatement is when you pay the full amount you owe (total of past due monthly payments plus all fees) in a lump sum by a specific date.

14. Loan Servicer - A public or private entity that collects, monitors and reports loan payments, handles property tax, insurance escrows and late payments. Some mortgage foreclosure lawsuits are filed by the servicer. Servicers are also required to remit payments to the mortgage holders (sometimes investors). With securitized loans there are categories of servicers:

Primary Servicer (or Sub-Servicer) - In some cases the Borrower may deal with a Primary Servicer that may also be the loan originator or Mortgage Banker who funded the loan. The Primary Servicer maintains the direct Borrower contact, and the Master Servicer may sub-contract certain loan administration duties to the Primary or Sub-Servicer.

Master Servicer - The Master Servicer's responsibility is to service the loans in the securitized loan pool through maturity unless the Borrower defaults. The Master Servicer manages the flow of payments and information and is responsible for the ongoing interaction with the performing Borrower.

Special Servicer - Upon the occurrence of certain specified events, primarily a default, the administration of the loan is transferred to the Special Servicer. Besides handling defaulted loans, the Special Servicer also has approval authority over material servicing actions, such as loan assumptions.

15. Mortgage - A loan to finance the purchase of real estate, usually with specified payment periods and interest rates. The borrower (mortgagor) gives the lender (mortgagee) a lien on the property as collateral for the loan.

16. Mortgagee - The creditor or lender in a mortgage agreement.

17. Mortgagor - The borrower in a mortgage agreement.

18. Mortgage Backed Securities (MBS) - Is an asset-backed security or debt obligation that represents a claim on the cash flows from mortgage loans, most commonly on residential property. First, mortgage loans are purchased from banks, mortgage companies and other originators. Then, these loans are

assembled into pools. This is done by government agencies, government-sponsored enterprises (GSEs) and private entities, which may offer features to mitigate the risk of default associated with these mortgages. Mortgage-backed securities represent claims on the principal and payments on the loans in the pool, through a process known as securitization. These securities are usually sold as bonds, but financial innovation has created a variety of securities that derive their ultimate value from mortgage pools.

Most MBSs are issued by the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corp. (Freddie Mac), U.S. government-sponsored enterprises. Ginnie Mae, backed by the full faith and credit of the U.S. government, guarantees that investors receive timely payments. Fannie Mae and Freddie Mac also provide certain guarantees and, while not backed by the full faith and credit of the U.S. government, have special authority to borrow from the U.S. Treasury. Some private institutions, such as brokerage firms, banks and homebuilders, also securitize mortgages, known as "private-label" mortgage securities. Different types of MBS:

Residential mortgage-backed security (RMBS) - a pass-through MBS backed by mortgages on residential property.

Commercial mortgage-backed security (CMBS) - a pass-through MBS backed by mortgages on commercial property

Collateralized mortgage obligation (CMO) - a more complex MBS in which the mortgages are ordered into tranches by some quality (such as repayment time), with each tranche sold as a separate security.

19. Mortgage Broker - An individual or company who brings borrowers and lenders together for the purpose of loan origination, but which does not originate or service the mortgages. The broker might also negotiate with the lender to try and find the best possible financing deal possible for the borrower.

20. Mortgage Electronic Registration System (MERS) - Mortgage Electronic Registration Systems (MERS) is a privately held company that operates an electronic registry designed to track servicing rights and ownership of mortgage loans in the United States. MERS attempts to serve as the mortgagee of record for lenders on mortgage documents by naming itself as "nominee," a status that has been rejected by some courts. MERS is not listed as "lender" on the note. It does not own, hold or service mortgages. MERS claims its process eliminates the need to file assignments in the county land records, which lowers costs for lenders and decreases revenue for county clerks.

21. Modification of Mortgage Terms - A modification of an existing loan made by a lender in response to a borrower's long-term inability to repay the loan. Loan modifications typically involve a reduction in the loan interest rate and/or principal balance and/or a change in the length of the term of the loan or any combination of the three. A lender might be open to modifying a loan because the cost of doing so is less than the cost of default and based upon the differing home foreclosure avoidance plans such as HAMP and HARP. A loan modification agreement is different from a forbearance agreement. A forbearance agreement provides short-term relief for borrowers who have temporary financial problems, while a loan modification agreement is a long-term solution for borrowers who will never be able to repay an existing loan.

22. Mortgage Pool - A group of related financial instruments, such as mortgages, combined for resale to investors on a secondary market. This is also known as a pool.

23. Net Present Value Model of the Making Home Affordable Plan - The present value of an investment's future net cash flows minus the initial investment. If positive, the investment should be made (unless an even better investment exists), otherwise it should not.

a. **The Home Affordable Modification Plan and Home Affordable Refinance Plan** are the parts of MHA that use refinancing and loan modifications to reduce monthly mortgage payments to a level that borrowers can afford today and into the future.

24. Originator - A mortgage lender who creates a mortgage secured by some amount of the mortgagor's real property. The entity that initiates a funds transfer subject to UCC article 4A. UCC § 4A-104(c).

a. Section 494.001(2), Fla. Stat. "Act as a loan originator" means being employed by a mortgage lender or correspondent mortgage lender, for compensation or gain or in the expectation of compensation or gain, to negotiate, offer to negotiate, or assist any licensed or exempt entity in negotiating the making of a mortgage loan, including, but not limited to, working with a licensed or exempt entity to structure a loan or discussing terms and conditions necessary for the delivery of a loan product. A natural person whose activities are ministerial and clerical, which may include quoting available interest rates, is not acting as a loan originator.

b. Loan Originator pursuant to the Secure and Fair Enforcement for Mortgage Broker's Act defines "loan originator" as "an individual who (I) takes a residential mortgage loan application and (II) offers or negotiates terms of a residential mortgage loan for compensation or gain."

25. Partial Loan Modification - Loan modification is a process whereby a homeowner's mortgage is modified and both lender and homeowner are bound by the new terms.

26. Pooling and Servicing Agreement - The Pooling and Servicing Agreement (PSA) is an agreement between the investment pool Trustee and the Master Servicer and will define the conditions under which the servicing of a loan or pool of loans will be transferred, the terms of the trust and otherwise directs the actions of the trustee and servicers.

27. Rating Agency - There will be as few as one and as many as four Rating Agencies involved in rating a securitized trust. Rating agencies establish bond ratings for each bond class at the time the securitization is closed. They also monitor the pool's performance and update ratings for investors based on performance, delinquency and potential loss events affecting the loans within the trust.

28. Real Estate Mortgage Investment Conduit (REMIC) is a type of multi-class mortgage-back security in which interest and principal payments from mortgages are structured into separately traded securities. REMICs direct the cash flow from the underlying mortgage-backed collateral into separately traded securities called classes. These classes are distinguished by their sensitivity to the prepayment risk of the underlying mortgage-backed collateral. Different classes are more or less sensitive to prepayment risk, bear different interest rates and have various average lives and final maturities. A properly structured REMIC receives preferred tax status.

29. Trustee - With securitized loans the Trustee's primary role is to hold all the loan documents and distribute payments received from the Master Servicer to the bondholders. Although the Trustee is typically given broad authority with respect to certain aspects of the loan under the PSA [Pooling and Servicing Agreement], the Trustee typically delegates its authority to either the Special Servicer or the Master Servicer. (see Loan Servicer above)

30. Short Sale - Is a sale of real estate for less than the balance owed on the property's loan. This will work if the lender decides that selling the property at a moderate loss is better than foreclosing and re-taking the property. This agreement, however, does not necessarily release the borrower from the obligation to pay the remaining balance of the loan, known as the deficiency.

Sample State and Federal Laws

Federal Causes of Action

The Truth in Lending Act (TILA)

Requires disclosure of credit terms and applies to most extensions of consumer credit. **The Truth in Lending Act** provides actual damages, statutory damages for some violations, and attorney's fees. For non-purchase money mortgages, home equity loans, and some other transactions secured by a consumer's home, rescission may be available.

15 U.S.C. §1601-1667g, 12 C.F.R. Part 226 (Regulation Z), Official Staff Commentary to Regulation Z

15 U.S.C. § 1641(g) was recently added to require notice to the consumer of the new creditor including name, telephone number, contact information of person with authority, date of transfer, information of where transfer information recorded.

Liable Parties - Creditor - (Generally the original lender), Assignee, if violation "apparent on face" of documents

Rescission, unless transaction was for purchase or construction of home (15 U.S.C. §1635, 12 C.F.R. § 226.23, also see official staff commentary)

Statutory damages - 15 U.S.C. § 1640, et seq., minimum \$100 and maximum \$4,000

Attorney fees to "prevailing plaintiff"

Limitations - 1 year to rescind and bring damage claims, 3 years if used defensively

Sample Case Law

Beach v Ocwen Fed Bank, 523 U.S. 410 (1998) (generally, there is no right under federal law to raise rescission as a defense to foreclosure, even by way of recoupment beyond three years)

Williams v. Homestake Mortgage Co., 968 F.2d 1137 (11th Cir. 1992) (court may equitably modify rescission tender requirement);

Matthews v. New Century Mortgage Corp., 185 F. Supp. 2d 874 (S.D. OH 2002) claims typically found in predatory lending case involving elderly homeowners and also involves claims describing TILA, HOEPA, Equitable Tolling, FHA, ECOA, Conspiracy, Fraud, Unconscionability, and Ohio's Rico Statute violations)

Jones v. Rees-Max, LLC, 514 F. Supp 2d 1139 (D. Minn. 2007) (an equitable mortgage governed by TILA may arise from a sale-lease-back arrangement)

Dailey v. Leshin, 792 So.2d 527 (Fla. 2nd DCA 2001) (TILA rescission claims based on failure to disclose the right to rescind expired when plaintiff's contracted to sell the property because allowing seller to rescind after could lead to possible title and transaction disputes; however, TILA damages claims may survive sale).

The Home Ownership and Equity Protection Act of 1994 (HOEPA)

Applies special restrictions to certain high-rate loans secured by the home – primarily non-purchase money mortgages, home equity loans, and home improvement loan. For loans which fees exceed the "trigger" amount, HOEPA prohibits certain abusive terms and practices, requires special "advance look" disclosures, and prohibits the lender from engaging in a pattern or practice of lending without regard to the borrower's ability to repay. All of the Truth in Lending remedies are available, plus special enhanced damages.

15 U.S.C. § 1639, 12 C.F.R. §§ 226.31, 226.32, and 226.34, Regulation Z

Liable Parties - Creditor (generally the original lender) and assignee