

June 11, 2021

The Honorable Martin Glenn  
United States Bankruptcy Court  
For the Southern District of New York  
One Bowling Green  
New York, NY 10004-1408



RE: GMAC Mortgage Bankruptcy – Case No. 12-12020 (MG) - Chapter 11

Dear Judge Glenn,

I found a property that is owned by GMAC Mortgage. The timeline suggests that this property was lost during the confusion when Ally Bank purchased GMAC and the bankruptcy shortly thereafter. It is my belief that there are several interested parties in this matter that are unaware of this ownership and would want the value of the property to go to the owners of this value.

I approached RESCAP Trust concerning this property as I was under the impression that they were responsible to the creditors/unit holders for GMAC Mortgage's assets. Jill Horner from RESCAP Trust had Adam A Lewis, Esq from Morrison & Foerster LLP respond to inform me they were not interested in realizing this value for the Unit Holders (Enclosure 1) as "the trust has no GMAC assets." I approached Jill Horner at RESCAP Trust initially in an attempt to buy the property or collect a finder's fee (Enclosure 2). I contacted RESCAP Trust anonymously only providing my first name due to the belief that the knowledge of the specific property has value and any information I provided could jeopardize that value.

I work in real estate and found this anomaly property while investigating something in the neighborhood. The property is small (~1/2 Acre), the house is in disrepair with a leaking roof, and has squatters living in it. The squatters have been smart enough to pay the property taxes which has prevented the normal legal channel of foreclosure due to unpaid property tax in the event of "lost" property. It is my belief that this property will continue to deteriorate and negatively affect the community if action to restoring it isn't taken. I have the background, resources, and experience necessary to return this property to its proper standing.

I appreciate that this asset is small from the Court's and Trust's perspectives and the Trust is nearing the end of the bankruptcy process. This being the case, I offered to pay for the Trust to sign a quit claim deed to minimize the time required to close out the transaction. I made it clear that I would be paying for the signature and would sign a full release of liability for the Trust including a release for the inability to complete the ownership transfer. I offered to pay \$50,000.00 for a 5-minute signature and was rejected by Mr. Lewis as stated above.



I request the Court intervein in this matter to facilitate my purchase of the property or for the Court to take any other action it deems necessary to return this property to its proper standing in the community. I've attached all my correspondence with RESCAP and Mr. Lewis as well as much documentation as possible showing that the property is owned by GMAC Mortgage without giving away the property address (Enclosure 3). I will divulge the property specific information when the Court deems it necessary.

Thank you for your time.

Sincerely,



Mark Ferris  
9915 W Bell Rd., #436  
Sun City, AZ 85351  
602.332.7541  
foundasset8@gmail.com

Enclosures: (3)

**MORRISON | FOERSTER**

425 MARKET STREET  
SAN FRANCISCO  
CALIFORNIA 94105-2482  
  
TELEPHONE: 415.268.7000  
FACSIMILE: 415.268.7522

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MORRISON FOERSTER LLP  
BEIJING, BERLIN, BOSTON,  
BRUSSELS, DENVER, HONG KONG,  
LONDON, LOS ANGELES, NEW YORK,  
NORTHERN VIRGINIA, PALO ALTO,  
SAN DIEGO, SAN FRANCISCO, SHANGHAI  
SINGAPORE, TOKYO, WASHINGTON, D.C.

April 6, 2021

Writer's Direct Contact  
+1 (415) 268.7232  
ALewis@mofocom

Via Email (foundasset8@gmail.com)

FoundAsset  
123 Found Asset Lane  
Sun City, Arizona 85351  
Attention: Mark

Re: ResCap Liquidating Trust/Alleged Found Asset

Dear Sir:

I represent the ResCap Liquidating Trust (the "Trust") established by the joint plan of reorganization (the "Plan") confirmed by the Debtors in December 2013 in *In re Residential Capital, LLC*, et al., United States Bankruptcy Court, Southern District of New York, Jointly Administered under Lead Case No. 12-12020 (MG) (the "Cases"). I am writing in regard to your emails to Ms. Jill Horner of the Trust concerning an alleged "found asset" of GMAC Mortgage ("GMAC"). You have been agitating with Ms. Horner to help you recover the alleged asset. You even called her at home. Your motive is unclear, but presumably you anticipate some kind of financial benefit to yourself.

Let me begin by advising you that in the future you are not to communicate with Ms. Horner. Until further notice, future communications on the subject, if any are appropriate after what I have to say in this letter, should be directed to me.

Next, there is in fact no reason to communicate about this subject. As you know, the Debtors filed the Cases in 2012. They confirmed the Plan in 2013. As of today, the Trust has no records that could help with your search even if it were inclined to do so. In any case, the Trust has no interest whatsoever in any transaction with FoundAsset or you.

It is apparent that you are an experienced businessperson. That being so, it is hard to understand your attempt to involve the Better Business Bureau in your hunt for further business for yourself. As you know, the BBB deals with consumer complaints. Your attempt to drum up some business for yourself is not a consumer complaint or related to one, and your use of the BBB to help you with the Trust was inappropriate (as the BBB itself eventually determined). Kindly refrain from further attempts of any kind to manipulate the Trust into serving your purposes.

**MORRISON | FOERSTER**

FoundAsset  
April 6, 2021  
Page Two

Finally, if you wish to correspond by hard copy, you will have to supply a real address; I could not find the one in Sun City you evidently gave to the BBB.

Sincerely,

*/s/ Adam A. Lewis*

Adam A. Lewis  
Senior Counsel



Found Asset <foundasset8@gmail.com>

**Letter: ResCap / Alleged Found Asset**

3 messages

**Lewis, Adam A.** <ALewis@mofo.com>  
To: "foundasset8@gmail.com" <foundasset8@gmail.com>  
Cc: "Lewis, Adam A." <ALewis@mofo.com>

Tue, Apr 6, 2021 at 8:01 AM

Adam A. Lewis, Esq.  
Morrison & Foerster LLP  
425 Market Street  
San Francisco, California 94105  
Tel: (415) 268-7232 (direct)  
Tel: (415) 268-7000  
Cell: (510) 410-4605  
Fax: (415) 268-7522 (main)  
Fax: (415) 276-7232 (desktop)  
email: alewis@mofo.com

=====

This message may be confidential and privileged. Use or disclosure by anyone other than an intended addressee is prohibited. If you received this message in error, please delete it and advise the sender by reply email. Learn about Morrison & Foerster LLP's Privacy Policy.

**Ltr\_ResCap\_FoundAssets.pdf**  
133K

**Found Asset** <foundasset8@gmail.com>  
To: ALewis@mofo.com

Wed, Apr 7, 2021 at 8:18 AM

Mr. Lewis,  
Thank you for your letter. I'm glad to have an official channel to discuss this matter with the Trust. The more documentation the better.

Firstly, I'm not trying to get anything out of the Trust. I'm trying to pay the Trust. My intention is to buy this "found asset" from the Trust.

I found no listed contact number for ResCap that is operational. I reached out to Ms. Horner in an attempt to make contact with the Trust as her name and contact information (email) is on recent public court filings for the Trust. I inquired through the BBB in February to establish contact with the Trust as Ms. Horner had a similar interaction in the past through the BBB in which she provided a cell number. When that didn't work I googled her name and I called the number displayed. I didn't know that number I called was for her home and offer my sincere apology for any distress the call may have caused. We spoke once for approximately twenty seconds on Monday 4/5/2021 at a respectable time. I haven't reached out to her again once she said she "wasn't interested in talking to you (me)." Six emails and one phone call over a two-

month period hardly seems "agitating." Persistent yes, but not agitating. My persistence is based on my belief that Ms. Horner must not understand that I am trying to pay the Trust.

I emailed Ms. Horner because I have found an asset that is owned by the Trust. The Trust (GMAC) is on title as the current owner. I have in my possession copies of the deed and the note that was foreclosed on as well as additional documentation. The only reason the asset hasn't yet been lost to a tax foreclosure is that the squatters that are currently occupying the property have been smart enough to pay the property taxes. The property needs to have the squatters removed and is in need of significant repairs including a new roof. These are tasks that I'm able to accomplish and I fully understand the risks involved.

My proposal is very simple. The Trust signs a quit claim deed to me without any warranty or guarantee of a clean or quiet title. I pay the Trust. We can even use your law firm to hold the funds before the quit claim and associated documents are released. I appreciate that this won't be a large dollar transaction from the Trust's perspective, but a \$50,000 payment for a five-minute signature seems reasonable given the Trust would receive no value for the asset otherwise. I can have the transfer paperwork prepared and accept all risks attached to the quit claim being approved by the county for the property transfer. I'd be paying for the signature, not the property.

The purpose of the Trust is to maximize the recovery value for the unit holders and the Trust's administrators have a fiduciary responsibility to accomplish this. I don't understand how given this requirement ResCap is not interested in a quick discussion given the value potential per unit time. This is an easy win for the Trust.

Thank you again for reaching out and I look forward to hearing from you.  
Have a great day.

Mark

[Quoted text hidden]

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Lewis, Adam A. <ALewis@mofocom>  
To: Found Asset <foundasset8@gmail.com>

Thu, Apr 8, 2021 at 10:47 AM

Dear Mark: Given the history of the ResCap debtors and the plan of reorganization that created Trust, the Trust has no GMAC assets. It thus has no interest to convey to you. I understand that you want only a quitclaim deed, but the Trust has no authority to execute any documents that do not further its assigned duties and responsibilities. You will simply have to look elsewhere for the relief you want. With that in mind, please do not communicate with me, the Trust or Ms. Horner further. We will not respond.

Sincerely,

Adam Lewis

Adam A. Lewis, Esq.  
Morrison & Foerster LLP  
425 Market Street  
San Francisco, California 94105  
Tel: (415) 268-7232 (direct)  
Tel: (415) 268-7000  
Cell: (510) 410-4605  
Fax: (415) 268-7522 (main)  
Fax: (415) 276-7232 (desktop)  
email: alewis@mofocom

5/26/2021

Gmail Pg. 7 of 16  
Letter: ResCap / Alleged Found Asset

**From:** Found Asset <foundasset8@gmail.com>  
**Sent:** Wednesday, April 7, 2021 11:18 AM  
**To:** Lewis, Adam A. <ALewis@mofo.com>  
**Subject:** Re: Letter: ResCap / Alleged Found Asset

**External Email**

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[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]



Found Asset <foundasset8@gmail.com>

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## Rescap Liquidating Trust - Found Asset

14 messages

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**Found Asset** <foundasset8@gmail.com>  
To: Jill.Horner@rescapestate.com

Mon, Feb 1, 2021 at 9:27 AM

Dear Ms. Horner,  
I believe I have found an asset owned by the trust of which the trust is unaware. I'd like to discuss the trust's policies on how this can be brought to the trust's attention. Please provide your phone number and a few times for me to call next week so we can discuss this asset.  
Respectfully,  
Mark

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**Jill Horner** <Jill.Horner@rescapestate.com>  
To: Found Asset <foundasset8@gmail.com>

Mon, Feb 1, 2021 at 9:51 AM

It will depend on what type of asset this is – can you explain it

[Quoted text hidden]

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**Found Asset** <foundasset8@gmail.com>  
To: Jill Horner <Jill.Horner@rescapestate.com>

Mon, Feb 1, 2021 at 10:20 AM

It is real estate.  
[Quoted text hidden]

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**Jill Horner** <Jill.Horner@rescapestate.com>  
To: Found Asset <foundasset8@gmail.com>

Mon, Feb 1, 2021 at 10:23 AM

That does not help since most items found related to the company are real estate as we manage assets for mortgage related entities. What is the entity it is related to?

[Quoted text hidden]

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**Found Asset** <foundasset8@gmail.com>  
To: Jill Horner <Jill.Horner@rescapestate.com>

Mon, Feb 1, 2021 at 10:29 AM

It was a foreclosure that is owned by GMAC Mortgage now.  
[Quoted text hidden]

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**Jill Horner** <Jill.Horner@rescapestate.com>  
To: Found Asset <foundasset8@gmail.com>

Mon, Feb 1, 2021 at 11:04 AM

Since many of the GMAC mortgage loans were sold to other parties, we probably do not have an interest in this loan and therefore are unable to collect the funds.

[Quoted text hidden]

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**Found Asset** <foundasset8@gmail.com>  
To: Jill Horner <Jill.Horner@rescapestate.com>

Mon, Feb 1, 2021 at 12:48 PM



5/26/2021

Gmail - Rescape Liquidating Trust - Found Asset

Pg 9 of 16

It isn't a loan. GMAC is on title as the owner.

[Quoted text hidden]

Jill Horner <Jill.Horner@rescapestate.com>  
To: Found Asset <foundasset8@gmail.com>

Mon, Feb 1, 2021 at 1:13 PM

Still may not be ours to collect -

[Quoted text hidden]

Found Asset <foundasset8@gmail.com>  
To: Jill Horner <Jill.Horner@rescapestate.com>

Mon, Feb 1, 2021 at 1:27 PM

I don't understand how GMAC can be on title and not be the owner. I have a copy of the original note that was issued, proof that GMAC was the servicer, and the transfer of title to GMAC. The foreclosure was about 10 years ago. Maybe GMAC's internal paperwork was lost as this transfer occurred pre-bankruptcy during the GFC. If GMAC is on title I would think the trust would want to monetize that somehow. It will just be lost to a tax auction eventually otherwise. That scenario doesn't help the unit holders.

[Quoted text hidden]

Found Asset <foundasset8@gmail.com>  
To: Jill Horner <Jill.Horner@rescapestate.com>

Wed, Feb 3, 2021 at 10:49 AM

Dear Ms. Horner,  
How could I find out if the trust is eligible to collect on this property? I'm willing to do the leg work if you can point me in the right direction. Any information you could provide would be greatly appreciated. I understand that from the trust's perspective this is a small asset of little or no importance, but it would be a big deal to my family if we can find a way forward. Thank you for your time.

Have a great day.

Mark

[Quoted text hidden]

Found Asset <foundasset8@gmail.com>  
To: Jill Horner <Jill.Horner@rescapestate.com>

Mon, Feb 8, 2021 at 2:27 PM

Dear Ms. Horner,  
There has to be something I can do to help find out if this is something that the Trust can collect on. I'm persistent and can chase down whatever is needed. I just need to be pointed in the right direction. Please let me know.

Looking forward to hearing from you.

Have a great day.

Mark

[Quoted text hidden]

Found Asset <foundasset8@gmail.com>  
To: Jill Horner <Jill.Horner@rescapestate.com>

Tue, Feb 16, 2021 at 1:54 PM

Dear Ms. Horner  
What if I paid the trust for a quit claim deed? This wouldn't use up hardly any of your or the trusts time and would actually remove a potential source of risk to the trust. This way the value wouldn't be lost. Realistically, if another entity didn't reach out to get the property by now they are never going to as it has been ~10 years since the property transfer occurred. If it is too much risk for the trust to take then you can select a charity and I'll donate the money to them for your help here.

I'm willing to be creative here. Please let's work something out.

Have a great day.

Mark

[Quoted text hidden]

Found Asset <foundasset8@gmail.com>  
To: Jill Horner <Jill.Horner@rescapestate.com>

Thu, Mar 4, 2021 at 10:00 AM

5/26/2021

Gmail Rescap Liquidating Trust - Found Asset  
Pg 10 of 16

Ms. Homer,

It is my understanding that Residential Capital LLC filed for bankruptcy in May of 2012. This property has been owned by GMAC Mortgage since 2010. If GMAC was only servicing this debt on this property I would expect that the debt holder would have pushed for GMAC to provide an update on the status of the property and funds owed before or during bankruptcy. As this didn't happen the most logical answer is that the underlying mortgage was owned by GMAC or a sister company prior to foreclosure and the files showing ownership were lost during all the chaos of that time period.

There has to be a solution here.

Have a great day.

Mark

[Quoted text hidden]

---

**Found Asset** <foundasset8@gmail.com>  
To: jmhgrove@msn.com, jmhgrove@aol.com  
Cc: Jill Horner <Jill.Horner@rescapestate.com>

Mon, Mar 29, 2021 at 2:20 PM

Dear Ms. Homer,

I'm still really interested in working out an arrangement on this "lost/found" property. Please let me know the best way to proceed. I can call you if that would be easiest.

Please let me know.

Have a great day.

Mark

[Quoted text hidden]

This information was taken from the county property website on 6/11/2021.

### Parcel Information

Parcel Number 2  
 Location Address 1  
 Project Name  
 Legal Information L  
 Property Class RESIDENTIAL  
 Land Area (approximate sq ft) 23,432  
 Land Area (acres) 0.5380

[Plat Map PDF](#)      [GIS Parcel Map](#)

Email us at [redacted] regarding Supplemental Plat Map PDFs.

### Owner Information

Owner Names  
 GMAC MO [redacted]      There is a typo here that would make it searchable.

### Residential Improvement Information

Building Number 1  
 Occupancy SINGLE-FAMILY  
 Framing WOOD/SINGLE WALL  
 Year Built 1965  
 Eff Year Built 1975

### Sales Information

Sale Date	Sale Amount	Instrument #	Instrument Type	Instrument Description	Date of Recording
[redacted] 2010	[redacted]	[redacted]	FEE CONVEYANCE	Deed	[redacted] 2010
[redacted] 2007	[redacted]	[redacted]	FEE CONVEYANCE	Quitclaim deed	[redacted] 2007
[redacted] 2007	[redacted]	[redacted]	FEE CONVEYANCE	Quitclaim deed	[redacted] 2007
[redacted] 2005	[redacted]	[redacted]	FEE CONVEYANCE	Deed	[redacted] 2005
[redacted] 2005	[redacted]	[redacted]	FEE CONVEYANCE	Affidavit (all types)	[redacted] 2005
[redacted] 1997	[redacted]	[redacted]	FEE CONVEYANCE		[redacted] 1997
[redacted] 1992	[redacted]	[redacted]	FEE CONVEYANCE		[redacted] 1992

After recordation, return by mail  or pick up

**GMAC MORTGAGE, LLC**  
1100 VIRGINIA DRIVE  
FORT WASHINGTON, PA 19034

-----  
MANAGEMENT WITH FOR RECORD BY

NO ASSUMPTION  
BEEN EXAMINED AS TO ITS EXECUTION OR  
AS TO ITS EFFECT UPON THE TITLE

Document contains 4 pages

**TITLE OF DOCUMENT:** Mortgagee's Grant Deed Pursuant to Power of Sale **TITLE NO**

**PARTIES TO DOCUMENT:**

**GRANTOR:** WELLS FARGO BANK, NA  
**GRANTEE:** GMAC MORTGAGE, LLC

**PROPERTY DESCRIPTION:**

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**MORTGAGEE'S GRANT DEED PURSUANT TO  
POWER OF SALE**

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TS No.: 1210;  
Title No.: 409  
Loan No.: 071  
Mortgagor/Borrower: **ELIZABETH**

THIS INDENTURE, executed J | 2010, by and between **WELLS FARGO BANK, NA**, as foreclosing mortgagee, hereinafter called the "Grantor", and **GMAC MORTGAGE, LLC A DELAWARE LIMITED LIABILITY COMPANY**, whose address is 1100 VIRGINIA DRIVE FORT WASHINGTON PA 19034, hereinafter called the "Grantee"

WITNESSETH:

WHEREAS, pursuant to Grantor's foreclosure rights under power of sale as provided in Sections  
Mortgage dated J | 2007, recorded on  
2007 | as Document No. 2007-  
and duly noted as Transfer Certificate Title No. XX, and in accordance with the terms of said Notice, the Grantor herein duly held a public auction on J \_\_\_\_\_ 2010, wherein the property hereinafter described was offered for sale, and wherein Grantee was the purchaser of said property;

NOW THEREFORE, Grantor, as foreclosing mortgagee as aforesaid, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor paid by the Grantee, receipt whereof is hereby acknowledged, does hereby release, remiss and forever quitclaim the real property more particularly described in **ATTACHED EXHIBIT A** hereto attached and expressly made a part hereof, unto Grantee as tenant in severalty;

And the reversions, remainders, rents issues and profits thereof and all of the right, title and interest of the Grantor, both at law and in equity, therein and thereto;

TO HAVE AND TO HOLD the same, together with all buildings, improvements, tenements, hereditaments, rights, easements, privileges and appurtenances thereunto belonging or appertaining or held and enjoyed therewith unto Grantee, absolutely and in fee simple.

The terms "Grantor" and "Grantee", as and when used herein, or any pronouns used in place thereof, shall mean and include the masculine, feminine or neuter, the singular or plural number, individuals or corporation, and their and each of their respective successors, heirs, personal representatives and assigns, according to the context thereof.

IN WITNESS WHEREOF, the Grantor, as foreclosing mortgagee as aforesaid, has executed these presents the day and year first above written.

T.S. No.: 1211  
Title No.: 409  
Loan No.: 071  
Mortgager/Borrower: ELIZABETH

WELLS FARGO BANK, NA  
BY CAL-WESTERN RECONVEYANCE CORPORATION AS ATTORNEY-IN-FACT

By: *Rhonda Rorie*  
Rhonda Rorie, A.V.P.  
"Grantor"

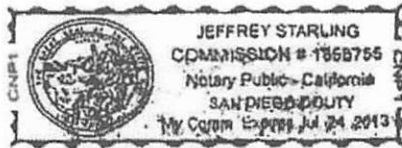
State of CALIFORNIA )  
County of SAN DIEGO)

On 2010 before me, Jeffrey Starling,  
a Notary Public, personally appeared Rhonda Rorie, A.V.P., who proved to  
me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument  
and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by  
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted,  
executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature *Jeffrey Starling*

(Seal)



18/21

[Space Above This Line for Recording Data]

MIN: 1561

**DEFINITIONS**

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

(A) "Security Instrument" means this document, which is dated J 2007 together with all Riders to this document.

(B) "Borrower" is ELIZABETH

Borrower is the mortgagor under this Security Instrument.

(C) "MERS" is Mortgage Electronic Registration Systems, Inc. MERS is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns. MERS is the mortgagee under this Security Instrument. MERS is organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, Michigan 48501-2026, tel. (888) 679-MERS.

Fannie Mae/Freddie Mac UNIFORM INSTRUMENT (MERS)

(Page 1)

3012 1/01  
*[Signature]*



[www.mers-servicerid.org](http://www.mers-servicerid.org)

**1 record matched your search:**

MIN: 1001120-657

Note Date | /2007

MIN Status: Inactive

Servicer: GMAC Mortgage, LLC  
fort washington, PA

Phone: (800) 766-4622

If you are a borrower on this loan, you can [click here](#) to enter additional information and display the Investor name.

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[Return to Search](#)

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For more information about Mortgage Electronic Registration Systems, Inc. (MERS) please go to [www.mersinc.org](http://www.mersinc.org)

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