Docket #0010 Date Filed: 11/12/2019

Alberto Rodriguez and
Maria Rodriguez
Plaintiffs,
1232 Wissmann Drive
Ballwin, Missouri republic
near [63011]
Located outside the District of Columbia

NOV 12 2019

IN THE US BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

In re: Residential Capital, LLC, Debtor	**Case No.: 12-12020mg**
	Adversarial Proceeding Case No. 19-01320 (MG)
Alberto Rodriguez and Maria Rodriguez Plaintiffs, Claimants at law, Aggrieved Parties	AFFIDAVIT IN SUPPORT OF MOTION FOR LEAVE TO AMEND THE ADVERSARY PROCEEDING
v.	
Residential Capital, LLC, Homecomings Financial, LLC, FKA Homecomings Financial Network, Inc., OCWEN LOAN SERVICING, LLC, DOES 1 through 15, inclusive, Defendants	

1. I, Alberto Rodriquez, hereby supply this affidavit to the court in support of the

1212020191211000000000001

motion. I am over 18 years of age and competent to testify. I have first hand knowledge of the matters that are stated in this affidavit.

2. I received a notice in the mail from PHH Mortgage Corporation, that presented a written claim that they have acquired OCWEN LOAN SERVICING, LLC and they have given us notice of the acquisition by mail, see **Exhibit A**, attached and incorporated by reference. They stated that they PHH Mortgage are now the loan servicer for the real estate loan we entered into with Homecomings Financial. In addition, We received a notice in the mail from BAYVIEW LOAN SERVICING, wherein they also claim to be our loan servicer. We need to add PHH MORTGAGE and BAYVIEW LOAN SERVICING as defendants because of PHH MORTGAGE CORPORATIONS claimed recent acquisition of OCWEN LOAN SERVICING, LLC since they are acting as a debt collector without standing and their actions are in violation of the federal bankruptcy laws related to this case. In addition, we need to add BAYVIEW LOAN SERVICING as a Defendant in the Adversary Proceeding because we need to include all of the competing claimants in this claim for damages so that we can determine who exactly is the creditor, and whether or not they are legitimate claimants.

2. The foregoing statements are made under penalty of perjury and if called as a

witness I am willing to testify.

Respectfully Submitted,

DATED: 11-06-2019

By Alberto Rodriguez

ALBERTO RODRIGUEZ,

REGISTERED ORGANIZATION

Not an accommodation UCC 3-419

Alberto Rodriguez, Sui Juris/Registered Agent

Missouri national in the geographic region known as

one of the several states of the American Union

By: Maria Rodriguez

MARIA RODRIGUEZ,

REGISTERED ORGANIZATION

Not an accommodation UCC 3-419

Maria Rodriguez, Sui Juris/Registered Agent

Missouri national in the geographic region known as

one of the several states of the American Union

IN WITNESS WHEREOF Alberto Rodriguez has hereunto set his hand this 06th day of November, 2019.

By: Alberto Rodriguez

Alberto Rodriguez, In Full Life, Sui Juris Grantor,

Authorized Representative for

ALBERTO RODRIGUEZ

All Natural Rights Reserved

By: Maria Rodriguez

Maria Rodriguez, In Full Life, Sui Juris Grantor,

Authorized Representative for

MARIA RODRIGUEZ

All Natural Rights Reserved

JURAT

STATE OF MISSOURI)

) ss:

COUNTY OF ST. LOUIS)

On the 6th day of November, 2019 before me, a Notary Public in and for the above state and county, personally appeared the above person(s), presented lawful personal identification and who executed the foregoing instrument, and being first duly sworn, such person(s) acknowledged that they executed said instrument for the purposes therein contained as their free and voluntary act and deed, were identified on the basis of identification documents and shown to be the same person(s).

WITNESS my hand and official seal.

Notary Public (Seal)

TERENCE J. MCCUNE
Notary Public, Notary Seal
State of Missouri
St. Louis City
Commission # 16041080
My Commission Expires 06-06-2020

My commission expires: 6/6/20

NoticeThe service of a notary public on this document does not constitute any adhesion nor does it alter my private sector status in any manner. The purpose of this certificate is for verification and acknowledgment of identification only, without creating foreign or domestic jurisdiction over the man or woman.

PROOF OF SERVICE BY MAIL

I David Lopez, now certify that I am domiciled in the Saint Louis -county, I am over the age of eighteen years and I did in fact serve as follows: On the 06th of November, 2019 ____ date, I served by mail a true copy of **PLAINTIFF'S AFFIDAVIT IN SUPPORT OF MOTION FOR LEAVE TO AMEND THE ADVERSARY PROCEEDING, by placing said document in an envelope postage prepaid and placing the envelope in the US mail** for Case No. 19-01320 (MG) in The US BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF NEW YORK, upon the agent of the Defendants RESIDENTIAL CAPITAL, LLC AND HOMECOMINGS FINANCIAL, LLC, located at;

MORRISON & FOERSTER, LLC
250 WEST 55TH Street
New York, New York 10019
7019 0160 0000 6299 5236

My mailing location is:
733 Riderwood Drive, Hazelwood Missouri 63042

VERIFICATION

I hereby affirm all facts stated in this Proof of Service are true of my own knowledge except for those facts, which are stated upon information and belief, and as to those such matters, I believe them to be also true. On the 06th of November, 2019 (date).

David Lopez

NOTICE TO THE AGENT IS NOTICE TO THE PRINCIPAL NOTICE TO THE PRINCIPAL IS NOTICE TO THE AGENT

PROOF OF SERVICE BY MAIL

I David Lopez, now certify that I am domiciled in the Saint Louis -county, I am over the age of eighteen years and I did in fact serve as follows: On the 06th of November, 2019 date, I served by mail a true copy of **PLAINTIFF'S AFFIDAVIT IN SUPPORT OF MOTION FOR LEAVE TO AMEND THE ADVERSARY PROCEEDING, by placing said document in an envelope postage prepaid and placing the envelope in the US mail** for Case No. 19-01320 (MG) in The US BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF NEW YORK, upon the agent of the Defendants OCWEN LOAN SERVICING, LLC, located at;

OCWEN LOAN SERVICING, LLC
1661 Worthington Road
West Palm Beach, Florida
33409 7019 0160 0000 6299 5106

My mailing location is:
733 Riderwood Drive, Hazelwood Missouri 63042

VERIFICATION

I hereby affirm all facts stated in this Proof of Service are true of my own knowledge except for those facts, which are stated upon information and belief, and as to those such matters, I believe them to be also true. On the 06th of November, 2019 (date).

David Lopez

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