

1 IN THE CIRCUIT COURT, SEVENTH  
2 JUDICIAL CIRCUIT, IN AND FOR  
3 ST. JOHNS COUNTY, FLORIDA.

4 CASE NO.: CA-2007-0114  
5 DIVISION: 55

6 DEUTSCHE BANK NATIONAL TRUST COMPANY,  
7 AS TRUSTEE OF AMERIQUEST MORTGAGE  
8 SECURITIES, INC., ASSET-BACKED PASS  
9 THROUGH CERTIFICATES, SERIES 2004-R7,  
10 UNDER THE POOLING AND SERVICING  
11 AGREEMENT DATED AS OF JULY 1, 2004,  
12 WITHOUT RECOURSE,

13 Plaintiff,  
14 vs.

15 JAMES W. YOUNG, et al,  
16 Defendant(s).

17 STATE OF FLORIDA )  
18 COUNTY OF ST. JOHNS )

19 \*\*\*\*\*

20 DEPOSITION OF TAMARA PRICE

21 DATE TAKEN: April 21, 2008

22 TIME: 1:15 p.m. until 2:38 P.M.

23 PLACE: Offices of Coastal Court Reporters, LLC

24 3940 Lewis Speedway, Suite 2102

25 St. Augustine, Florida 32084

26 REPORTED BY: Carman L. Gaetanos, FPR

27 Court Reporter & Notary Public

28 \*\*\*\*\*

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1 APPEARANCES:

2 WILLIAM P. HELLER, ESQUIRE

3 Akerman Senterfitt  
4 Las Olas Centre II, Suite 1600  
5 350 East Las Olas Boulevard  
6 Fort Lauderdale, Florida 33301-2229

7 -and-  
8 CELIA CHAPMAN FALZONE, ESQUIRE

9 Akerman Senterfitt  
10 50 North Laura Street, Suite 250  
11 Jacksonville, Florida 32202-2646  
12 appearing on behalf of the Plaintiff.

13 JAMES A. KOWALSKI, JR., ESQUIRE

14 Law Offices of James A. Kowalski, Jr., PL  
15 12627 San Jose Boulevard, Suite 203  
16 Jacksonville, Florida 32223  
17 appearing on behalf of the Defendant.

18 ALSO PRESENT:

19 Catherine Pacheco

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1 INDEX

2 WITNESS	PAGE
3 TAMARA PRICE	
4 Direct Examination by Mr. Kowalski	4
5 Cross Examination by Mr. Heller	52
6 REPORTER'S DEPOSITION CERTIFICATE	56
7 ERRATA SHEET	57

8 EXHIBITS

9 Defendant's Exhibit 1 marked for identification	11
10 Defendant's Exhibit 2 marked for identification	14
11 Defendant's Exhibit 3 marked for identification	32
12 Defendant's Exhibit 4 marked for identification	41
13 Defendant's Exhibit 5 marked for identification	46

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1 TAMARA PRICE,

2 having been duly sworn as a witness, testified as  
3 follows:

4 DIRECT EXAMINATION

5 BY MR. KOWALSKI:

6 Q Ma'am, can you state your full name, please.

7 A Tamara Price.

8 Q And your work address?

9 A I don't know it by heart.

10 Q Is it in a particular building?

11 A It's in Rancho Cucamonga, California.

12 Q Spell Cucamonga for us.

13 A C-U-C-A-M-O-N-G-A.

14 Q Is there a particular name for the complex?

15 A (Shakes head negatively.)

16 Q No?

17 A No.

18 Q Have you ever had your deposition taken  
19 before?

20 A No.

21 Q There are some basic ground rules. A  
22 deposition is a little bit of an artificial  
23 conversation. Normally when you're talking a co-worker  
24 or friend, there's a good bit of interruption. They  
25 will know where you're going, you will know where

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1 they're going, they will finish a question, you will  
2 start an answer, that type of thing. In a deposition we  
3 kind of build in a little bit of a pause, so I will do  
4 my best not to question over your answers, and I will  
5 ask that you do your best not to interrupt the question  
6 and let me get the questions, because the end of the  
7 question may change where you thought I was going.

8 Fair enough?

9 A Fair enough.

10 Q It is not meant to be an endurance contest.  
11 If you need to take a break for any reason, just let us  
12 know. If you need to meet with your lawyers, just let  
13 us know, and that's perfectly appropriate.

14 Your answers have to be out loud. You can say  
15 uh-uh or uh-huh, but I'm going to ask you if it's a yes  
16 or no because they end up being typed the same or  
17 similarly when they come out in the transcript. So if  
18 it's a yes or no, as opposed to saying uh-huh, I am  
19 going to say, Is that a yes, and then I am sure pretty  
20 quickly you will get into the hang of it and you will  
21 answer that way.

22 Fair enough?

23 A Fair.

24 Q All right. Who do you work for?

25 A Citi Residential Lending, Inc.

1 Q One other thing. If you don't understand any  
2 part of my question or all of the question, let me know  
3 and I will reask it, okay?

4 A Okay.

5 Q How long have you worked for Citi Residential  
6 Lending, Inc.?

7 A Ten and a half years.

8 Q Now, were they known as something else not too  
9 long ago, or have you worked for an entity known as Citi  
10 Residential that whole time?

11 A No. I worked for AMC Mortgage Services before  
12 Citi.

13 Q When did AMC Mortgage Services become Citi  
14 Residential Lending, Inc.?

15 MR. HELLER: Object to the form.

16 BY MR. KOWALSKI:

17 Q Did Citi Residential -- I'm sorry. Did AMC  
18 Mortgages Services become Citi Residential Lending,  
19 Inc.?

20 A No.

21 Q Okay. Walk me through your employment then.  
22 How long have you worked for the entity that is known as  
23 Citi Residential Lending, Inc.?

24 A Ten and a half years.

25 Q And during that ten and half year period, it's

1 always been known as Citi Residential Lending, Inc.?

2 A No.

3 Q Okay. What name changes have occurred during  
4 the ten and a half years, if you know?

5 A It's not -- the name change is what I'm having  
6 trouble with, the way you're terming it.

7 Q What are you having trouble with?

8 A Well, AMC, as employees we became Citi  
9 Residential, how that happened in the -- because we're  
10 not formally known as AMC.

11 Q Right, I'm not asking --

12 A We're just Citi. So that's why I say I'm ten  
13 and a half years because it all became one time zone.

14 Q Okay. And I'm not asking with the corporate  
15 mergers or which entity was known as this as far as the  
16 purchase and sales of the corporations are concerned.  
17 I'm just asking what you know in terms of the name on  
18 the building you walk into and the name on the paycheck  
19 you get every couple of weeks.

20 A It's Citi Residential Lending, Inc.

21 Q And how long has it been Citi Residential  
22 Lending, Inc.?

23 A Since October 1st, 2007.

24 Q And then before that, you were getting your  
25 paychecks from AMC Mortgage Services?

1 A Right.

2 Q How long had your paychecks read, AMC Mortgage  
3 Services, prior to October 1 of 2007?

4 A I believe it was January, 2006.

5 Q And then what was the name of the entity you  
6 worked for before January 2006?

7 A Ameriquest Mortgage Company.

8 Q And was it Ameriquest Mortgage Company for the  
9 remaining roughly eight years prior to that?

10 A Yes.

11 Q What is your job title for Citi at this  
12 present time?

13 A Assistant foreclosure manager.

14 Q And tell me what that means. What are your  
15 job duties?

16 A To assist the foreclosure manager in the  
17 day-to-day running of the foreclosure department and  
18 foreclosure support department.

19 Q Who is the foreclosure manager you assist?

20 A Rose Lara.

21 Q Spell that last name for us.

22 A L-A-R-A.

23 Q It's pronounced Lara?

24 A Yes.

25 Q And how long has Rose Lara been the

1 foreclosure manager?  
 2 A I don't know.  
 3 Q More than two years?  
 4 A Yes.  
 5 Q Have you worked for Ms. Lara for more than two  
 6 years? In other words have you held --  
 7 A I am thinking since January -- I am trying to  
 8 think back. I've held this position a year, so.  
 9 Q The position --  
 10 A January '07 is when I became assistant  
 11 manager.  
 12 Q So January of 2007, you became assistant  
 13 foreclosure manager and you reported to Ms. Lara?  
 14 A Yes.  
 15 Q What did you do before January 2007 for  
 16 Citi/AMC?  
 17 A Foreclosure supervisor.  
 18 Q And foreclosure supervisor is below assistant  
 19 foreclosure manager?  
 20 A Yes.  
 21 Q Now, when you say foreclosure manager with  
 22 regard to Ms. Lara's title in particular, is she  
 23 managing foreclosures on behalf of AMC/Citi for the  
 24 entire country, or do you have a particular area or zone  
 25 that you focus on?

1 stickers?  
 2 (Defendant's Exhibit 1 marked for identification.)  
 3 BY MR. KOWALSKI:  
 4 Q Now, let me show you a Notice of Taking Depo  
 5 that I've marked as Exhibit 1 and ask you if you've seen  
 6 that before today?  
 7 A No.  
 8 Q Have you received -- have you seen any notices  
 9 of taking your deposition before today?  
 10 A No.  
 11 Q The notice asks -- let me step back a second.  
 12 Were you aware that we had been working on taking your  
 13 deposition since roughly October of 2007?  
 14 MR. HELLER: Object to the form.  
 15 THE WITNESS: Yes.  
 16 BY MR. KOWALSKI:  
 17 Q All right. The notice asks that you bring  
 18 some documents. And I'm referring specifically to page  
 19 2 of Exhibit 1, paragraphs 1 and 2 there. Do you see  
 20 that? One, two and three, I'm sorry.  
 21 A Yes.  
 22 Q It asks that you bring documents reviewed by  
 23 you in preparation for testifying here today. It asks  
 24 that you bring documents reviewed by you in preparation  
 25 for completion of an affidavit that I'm going to show

1 MR. HELLER: Object to the form.  
 2 BY MR. KOWALSKI:  
 3 Q Go ahead.  
 4 A For the country.  
 5 Q How many foreclosure managers are there?  
 6 A One.  
 7 Q Okay. And I may have interrupted you, but  
 8 tell me what your job duties are as assistant  
 9 foreclosure manager.  
 10 A Assist in the foreclosure -- with the  
 11 foreclosure manager in the daily functions of the  
 12 foreclosure department and the foreclosure support  
 13 department.  
 14 Q What does foreclosure support mean?  
 15 A It means that we're producing the necessary  
 16 functions to keep the foreclosure specialists and the  
 17 foreclosure attorneys to proceed with the foreclosure  
 18 process.  
 19 Q Where does the foreclosure specialist fit in  
 20 between foreclosure manager, assistant foreclosure  
 21 manager, foreclosure supervisor and specialist? Does it  
 22 go one, two, three, four just as I've described?  
 23 A Yes.  
 24 Q Okay. Let me show you --  
 25 MR. KOWALSKI: Do you have some exhibit

1 you in just a minute, and it asks that you bring with  
 2 you a copy of documents produced in response to request  
 3 for production. Do you see that?  
 4 A Yes.  
 5 Q Have you brought documents with you today?  
 6 A No.  
 7 Q Can you tell me why?  
 8 A My counsel has them.  
 9 MR. HELLER: Right.  
 10 MR. KOWALSKI: Okay. That's fair.  
 11 MR. HELLER: Let me just -- this is Bill  
 12 Heller speaking. Let me step in. I think time is  
 13 appropriate. Mr. Kowalski, it's your deposition.  
 14 I'm not going to speak on the record, but we did  
 15 bring documents responsive to the duces tecums.  
 16 And also as we corresponded about briefly, having  
 17 substituted as counsel, we've gone back to tried to  
 18 identify all the documents responsive to both the  
 19 previously served production request and the  
 20 deposition notices, and I believe the previously  
 21 produced documents are also incorporated within  
 22 some or both of the deposition notices.  
 23 So on the table here I have a production for  
 24 you, documents as kept in the ordinary course that  
 25 are Bates labeled Citi, and that is one of these

1 red wells that is the Citi supplemental production.

2 I also have for your convenience another set  
3 in the white folders, one is for me and one is for you.  
4 My top copy said there was four, of the documents  
5 produced by previous counsel, the Echevarria firm, so  
6 for use at deposition today, we have both the  
7 supplemental production and the original production.

8 MR. KOWALSKI: Do you have documents specific  
9 to paragraph two of Exhibit 1, documents reviewed  
10 by Ms. Price in preparation for completion of her  
11 affidavit?

12 MR. HELLER: We have the records of Citi and  
13 AMC kept in the ordinary course. You will have to  
14 ask the witness those questions.

15 MR. KOWALSKI: Okay.

16 BY MR. KOWALSKI:

17 Q Let me show you what we will mark as Exhibit  
18 2, which is a copy of a Motion for Summary Judgment that  
19 was filed March 23, 2007 with a number of documents  
20 attached. And for purposes of the exhibit, I just kept  
21 everything attached as it was filed.

22 The first document that's attached to Exhibit  
23 2 is a document entitled Affidavit as to Amounts Due and  
24 Owing. Do you see that?

25 A Yes.

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1 (Defendant's Exhibit 2 marked for identification.)

2 BY MR. KOWALSKI:

3 Q Okay. Let's go through your affidavit which  
4 is an exhibit to Exhibit 2, and it identifies you as the  
5 vice-president of AMC Mortgage Services. Do you see  
6 that at paragraph 2?

7 A Yes.

8 Q Are you the vice-president of AMC Mortgage  
9 Services as of February 26, 2007?

10 A For signing authority, yes.

11 Q Okay. Explain that to me. How are you the  
12 vice-president of AMC for purposes of completing an  
13 affidavit such as the one we have in front of us?

14 A AMC provided certain people with certain  
15 signing authority, or to conduct businesses, process  
16 documents for AMC.

17 Q And when you say provided certain authority,  
18 were you appointed a vice-president of the company for  
19 purposes of signing affidavits?

20 A Yes.

21 Q And what's the name of the document that  
22 appointed you vice-president of AMC Mortgage Services  
23 for purposes of the affidavit that's attached to Exhibit  
24 2?

25 A I get confused in the way it's worded. I

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1 believe it's Certificate of Secretary.

2 Q Certificate of Secretary?

3 A Yes.

4 Q Have you seen the document that appointed you  
5 vice-president?

6 A Yes.

7 Q Did you bring it here today?

8 A It's with counsel.

9 MR. KOWALSKI: Is it in the stack?

10 MR. HELLER: Yes.

11 MR. KOWALSKI: Okay.

12 BY MR. KOWALSKI:

13 Q Okay. If you look at paragraph 2, sentence 3,  
14 it says, I am familiar with the books of account and  
15 have examined all books, records, and documents kept by  
16 AMC Mortgage Services concerning the transactions  
17 alleged in the complaint.

18 Do you see that sentence?

19 A Yes.

20 Q What books, records and documents did you  
21 review in preparation for completing this affidavit?  
22 What did you physically look at?

23 A I did not review any books, records or  
24 documents to complete, to sign the affidavit.

25 Q What did you look at?

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1 A I looked at the document itself and signed it.

2 Q Okay. Do you know what an affidavit is?

3 A Yes.

4 Q What is it?

5 A It's an affidavit to say what is in the  
6 document is true.

7 Q Okay.

8 A That's my understanding.

9 Q And that's fair.

10 Do you understand it to be testimony before a  
11 court?

12 A Yes.

13 Q And do you understand it to be testimony under  
14 oath?

15 A Yes.

16 Q So when you say, I am familiar with the books  
17 of account and have examined all books, records and  
18 documents kept by AMC Mortgage Services concerning the  
19 transactions alleged in the complaint, why did you not  
20 examine all books, records and documents kept by AMC  
21 Mortgage Services?

22 A I didn't examine them because we have  
23 processes in place to where certain departments and  
24 business units prepare functions or sections of the  
25 document itself. And I am familiar with those processes

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1 and with the checks and balances of what they do to come  
2 up with the figures, and so I am familiar with the  
3 process.

4 Q Did you examine anything at all other than the  
5 affidavit attached as part of Exhibit 2 in order to  
6 complete the affidavit?

7 A No.

8 Q The affidavit sentence where you say, I am  
9 familiar with the books of account and have examined all  
10 books, records and documents, does that say anything  
11 like that, what you just said in terms of, I'm familiar  
12 with the processes and I'm familiar with how this  
13 affidavit is created, but I didn't read anything in  
14 support of this affidavit?

15 MR. HELLER: Object to the form.

16 THE WITNESS: Can you rephrase that. I don't  
17 understand your question.

18 BY MR. KOWALSKI:

19 Q Okay. You indicated a moment ago that you're  
20 familiar with the processes of how an affidavit such as  
21 this is created, correct?

22 A Correct.

23 Q But that you did not review anything at all in  
24 preparation for completing the affidavit, correct?

25 A Correct.

1 Q Okay. So why doesn't the affidavit say, I am  
2 familiar with the processes, but I didn't read anything?  
3 Why doesn't it say that as opposed to what it says,  
4 which is that you read a number of documents?

5 MR. HELLER: Object to the form.

6 THE WITNESS: I don't know why it doesn't say  
7 that.

8 BY MR. KOWALSKI:

9 Q Who prepared the affidavit as to amounts due  
10 and owing that you signed on February 26, 2007?

11 A Our foreclosure counsel.

12 Q And how was it transmitted to you?

13 A Through e-mail.

14 Q As an e-mail attachment?

15 A Yes.

16 Q And then you printed it out, correct?

17 A Correct.

18 Q And then what happens?

19 A Well, I want to phrase, I don't personally  
20 print it out. I have a department that does that, and  
21 then it gets processed and my -- it gets presented to me  
22 in a package to sign.

23 Q Okay. With other affidavits or with other  
24 documents relating to this case?

25 A It could be other documents, different types

1 of documents.

2 Q It is presented to you as a packet for  
3 signature?

4 A Yes.

5 Q Does that happen several times a day typically  
6 or just once a day?

7 A Several times a day.

8 Q And in that packet would be an affidavit such  
9 as this, it may be other documents relating to this case  
10 or it may be other affidavits or other documents  
11 relating to other cases?

12 A Yes.

13 MR. HELLER: Object to the form.

14 Excuse me, you've got to give me an  
15 opportunity to lodge an objection.

16 BY MR. KOWALSKI:

17 Q Is that correct?

18 MR. HELLER: Object to the form.

19 THE WITNESS: Yes.

20 BY MR. KOWALSKI:

21 Q Where was Ms. Tolliver, the notary, when you  
22 signed this affidavit? Where was he physically in  
23 relation to you?

24 A He is in the same office.

25 Q In the same office room like we are all

1 sitting here today, or in a different part of a  
2 building?

3 A Same floor.

4 Q Is he physically close to you? In other  
5 words, did Mr. Tolliver see you sign the affidavit in  
6 front of you?

7 A No.

8 Q He was in a different part of the same floor?

9 A Yes.

10 Q And do you know whether Mr. Tolliver's notary  
11 stamp was affixed the same day you signed the affidavit?  
12 Do you know one way or the other?

13 A No, I do not.

14 Q Is the affidavit and the other documents that  
15 are presented to you for signing several times a day,  
16 are those routed through a notary department after they  
17 leave your desk?

18 MR. HELLER: Object to the form.

19 THE WITNESS: No.

20 BY MR. KOWALSKI:

21 Q How would an affidavit such as this physically  
22 get from your desk where it's presented to you to sign  
23 to Mr. Tolliver's desk where it's presented to him to  
24 notarize?

25 MR. HELLER: Object to the form.

1 THE WITNESS: The department that does the  
2 documents picks up the signed documents and then  
3 presents them to the notaries.

4 BY MR. KOWALSKI:

5 Q What's the name of the document -- I'm sorry.  
6 What's the name of the department that is handling these  
7 document movements that you've describe?

8 A Foreclosure support mail documents team.

9 Q And I take it the "mail" is M-A-I-L?

10 A Yes.

11 Q So the foreclosure -- does the foreclosure  
12 support mail documents team present the set of documents  
13 to you in the first place?

14 A Yes.

15 Q And then they move it to wherever it goes  
16 next, and if it's a notary that's next, they move it to  
17 the notary department?

18 A Yes.

19 Q In other words, there are some documents that  
20 I'm assuming you sign that don't require notarization,  
21 and the mail documents team would move it to wherever  
22 their next step would be?

23 A Yes.

24 Q The next sentence in paragraph 2 of your  
25 affidavit signed or notarized February 26, 2007 states,

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1 they provide is true and accurate, and I rely on  
2 that process.

3 BY MR. KOWALSKI:

4 Q I got that part. But how do you know -- let  
5 me just give you an example. The Note, you agree that  
6 this loan has a Note and a Mortgage, correct?

7 A Yes.

8 Q So there's a Note document somewhere and a  
9 Mortgage document somewhere, correct?

10 A Yes.

11 Q Okay. You didn't read the Note or the  
12 Mortgage in order to complete sentence 3 of paragraph 2,  
13 right, we've already covered that?

14 A Yes.

15 Q Okay. So how do you know that the Note and  
16 Mortgage is kept in the regular course of business as  
17 AMC's servicer of the loan transaction? How do you know  
18 that to be true?

19 A It's part of the way the company was -- it's  
20 how they service the loans, the familiarity with the way  
21 the departments service their parts of the loan. So how  
22 do I know, I'm confused with the question. It seems  
23 like it's the same question that you've asked me before,  
24 that's why I'm giving the same answer as before.

25 Q Do you know from personal knowledge that the

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1 All of these books, records and documents are kept by  
2 AMC Mortgage Services in the regular course of its  
3 business as servicer of the loan transaction and are  
4 made at or near the time by, and from information  
5 transmitted by, persons with personal knowledge of the  
6 facts such as your affiant. Do you see that sentence?

7 I am reading the fourth sentence of paragraph  
8 2 of the Affidavit as to Amounts Due and Owing.

9 A Yes.

10 Q Do you see that now?

11 A Yes.

12 Q Okay. Tell me how you know that sentence to  
13 be true, in other words, how do you know that books,  
14 records and documents are kept in the regular course of  
15 business and are made at or near the time by, and from  
16 information transmitted by, persons with personal  
17 knowledge of the facts such as your affiant, when you  
18 did not review any books, records and documents, and had  
19 no personal knowledge of the books, records and  
20 documents themselves?

21 MR. HELLER: Object to the form.

22 THE WITNESS: There are different departments  
23 that support the need for figures to the  
24 foreclosure department. They have processes in  
25 place that are checks and balances to ensure what

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1 books, records and documents relating to this loan are  
2 kept by AMC in the regular course of its business as  
3 servicer of the loan transaction, and are made at or  
4 near the time by, and from information transmitted by  
5 persons with personal knowledge of the facts such as  
6 your affiant. Do you know that to be true from personal  
7 knowledge?

8 A Yes.

9 Q Let's take for example the loan transaction  
10 history, where comments and discussions with the  
11 borrower are recorded. Okay.

12 A Okay.

13 Q How do you know from personal knowledge that  
14 the conversations with the borrower are made, are  
15 recorded at or near the time of the conversation? How  
16 do you know that personally?

17 A I know that because that's the policy and  
18 procedure that is in place.

19 Q I understand there's a policy and procedure,  
20 but how do you know that what's done is made at or near  
21 the time by, and from information transmitted by persons  
22 with personal knowledge?

23 MR. HELLER: Object to the form.

24 BY MR. KOWALSKI:

25 Q In other words, how do you know policy is

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1 being followed?

2 MR. HELLER: Object to the form.

3 THE WITNESS: I don't know.

4 BY MR. KOWALSKI:

5 Q Okay. I'm going to skip the next line. The  
6 line after that, again on paragraph 2 of Exhibit 2, The  
7 books, records and documents which affiant has examined  
8 are managed by employees or agents whose duty it is to  
9 keep the books accurately and completely.

10 We've already covered the fact that you did  
11 not examine any books, records or documents, correct?

12 MR. HELLER: Object to the form.

13 BY MR. KOWALSKI:

14 Q Is that true or not?

15 A In relating to signing this document.

16 Q That's correct.

17 A Yes.

18 Q Okay. And in the last sentence of paragraph 3  
19 says, Furthermore, affiant has personal knowledge of the  
20 matters contained in the books, records and documents  
21 kept by AMC Mortgage Services. Do you see that?

22 A Yes.

23 Q Is that sentence a true statement?

24 A Yes, to the point of according to the  
25 procedures that I know these departments do and that I

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1 rely on their doing their procedures.

2 Q I'm not asking that question. I'm asking you  
3 to read the last sentence of paragraph 2 of Exhibit 2  
4 and tell me if the last sentence of paragraph 2 of  
5 Exhibit 2 is a true statement?

6 MR. HELLER: Object to the form.

7 THE WITNESS: Yes, it is true.

8 BY MR. KOWALSKI:

9 Q Okay. It is true that you have personal  
10 knowledge of the matters contained in the books, records  
11 and documents kept by AMC Mortgage Services?

12 A Yes.

13 Q Okay. Then what are the matters contained in  
14 the book, records and documents kept by AMC Mortgage  
15 Services with regards to this loan to which you just  
16 testified you had personal knowledge?

17 A The system in which this loan is serviced.

18 Q Not what the sentence says, ma'am. The  
19 sentence says that you have personal knowledge of the  
20 matters contained in the books, records and documents  
21 kept by AMC Mortgage. And I'm asking you what the  
22 books, records and documents kept by AMC Mortgage  
23 Services with regard to this loan to which you have  
24 personal knowledge?

25 MR. HELLER: Object to the form.

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1 THE WITNESS: They're the systems that we  
2 document and service by which we service the loan,  
3 which are the books and records.

4 BY MR. KOWALSKI:

5 Q Okay.

6 A I know those systems.

7 Q You know the systems. I'm not asking you if  
8 you know the systems. You've made it clear that you  
9 know and rely on the systems. This sentence that we're  
10 focusing on says, Furthermore, affiant has personal  
11 knowledge of the matters contained in the books, records  
12 and documents kept by AMC Mortgage Services. I am not  
13 asking you about the system. I am asking the extent of  
14 your personal knowledge that you've testified to under  
15 oath, and under oath in this affidavit of the matters  
16 contained in the books, records and documents kept by  
17 AMC Mortgage Services with regard to this loan  
18 pertaining to James Young?

19 MR. HELLER: Object to the form.

20 THE WITNESS: I'm sorry. I'm thinking I'm  
21 answering your question because I don't understand  
22 your question then.

23 BY MR. KOWALSKI:

24 Q Do you have personal knowledge of any  
25 documents relating to Mr. Young?

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1 MR. HELLER: Object to the form.

2 THE WITNESS: Yes.

3 BY MR. KOWALSKI:

4 Q Have you ever read the Note in this case?

5 A No.

6 Q Have you ever read the Mortgage in this case?

7 A No.

8 Q Have you ever read any documents that pertain  
9 to hazard insurance in this case?

10 A No.

11 Q Have you ever read the loan transaction  
12 history?

13 A No.

14 Q Have you ever read the payment history?

15 A No.

16 Q Have you ever read any documents of any kind  
17 in this case?

18 A The affidavit.

19 Q Other than the affidavit that you signed  
20 without reviewing anything else?

21 A No.

22 Q Okay. Paragraph 3 states that you have  
23 personal knowledge of the facts regarding the sums of  
24 money which are due and owing to Deutsche Bank National  
25 Trust Company, as trustee. Do you see that?

COASTAL COURT REPORTERS, LLC

1 A Yes.  
 2 Q Okay. And again, you did not review any  
 3 documents relating to sums of money, correct?  
 4 A Correct.  
 5 Q Do you know if Deutsche Bank is owed any  
 6 money?  
 7 A Yes.  
 8 Q How do you know that?  
 9 A By what the document says.  
 10 Q I know that, but you signed the document  
 11 saying that you had done some things. Are you saying  
 12 you know it to be true simply because it was presented  
 13 to you?  
 14 A No.  
 15 Q Well, how do you know that Deutsche Bank  
 16 National Bank, as trustee is owed thing?  
 17 A Because of the processes in place with the  
 18 department that generate all the foreclosure figures for  
 19 us, and I rely on their integrity and their accuracy.  
 20 Q Do you know if Deutsche Bank owned the Note as  
 21 of the day this was notarized February, 27, 2007?  
 22 A Yes.  
 23 Q How do you know that?  
 24 A By the transaction of the sale of the loan to  
 25 them.

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1 Q And what did you review personally with regard  
 2 to the transaction of the sale of the loan to Deutsche  
 3 Bank National Trust Company, as trustee?  
 4 A A screen on our system that shows us the date  
 5 that it happened.  
 6 Q Which is populated by somebody else, correct?  
 7 MR. HELLER: Object to the form.  
 8 BY MR. KOWALSKI:  
 9 Q The screen is --  
 10 A I --  
 11 Q Well, let me step back a second. Do you know  
 12 who provided the information on the screen on your  
 13 system?  
 14 A No.  
 15 Q Do you have any idea how the information on  
 16 the screen on your system is created?  
 17 A No.  
 18 Q Do you know who created the information on the  
 19 screen on your system relating to the date that Deutsche  
 20 Bank, as trustee bought the loan?  
 21 A No.  
 22 Q Do you know whether the information on the  
 23 screen on your system was created close to the time that  
 24 Deutsche Bank, as trustee bought the loan?  
 25 A That's what I've been told.

COASTAL COURT REPORTERS, LLC

1 Q By who?  
 2 A By investor operations.  
 3 Q Who is investor operations?  
 4 A They are the department that processes the  
 5 reporting to the investors.  
 6 Q Do you know if they populated the screen on  
 7 your computer that told you the date that Deutsche Bank,  
 8 as trustee, bought the loan?  
 9 A I do not know that.  
 10 Q Well, how do you know that investor operations  
 11 talked to the people who wrote the data on your computer  
 12 screen?  
 13 MR. HELLER: Object to the form.  
 14 THE WITNESS: I don't know.  
 15 BY MR. KOWALSKI:  
 16 Q What's the name of the computer screen that  
 17 has the field containing the date of the purchase?  
 18 A LNTH.  
 19 Q Do you know what LNTH stands for?  
 20 A No.  
 21 Q Do you know if the LNTH screen is part of a  
 22 larger computer networked screen or set of screens?  
 23 MR. HELLER: Object to the form.  
 24 THE WITNESS: It's part of the Fidelity  
 25 system.

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1 BY MR. KOWALSKI:  
 2 Q Does Citi use or have a name for the Fidelity  
 3 system that it operates?  
 4 A Yes.  
 5 Q And what is the name?  
 6 A It's Fidelity system or MSP are the terms we  
 7 use in the office.  
 8 Q Let me show you what I will mark as Exhibit 3  
 9 which is a notice that we were provided by prior counsel  
 10 as part of a notice of filing dated September 26, 2007.  
 11 (Defendant's Exhibit 3 marked for identification.)  
 12 BY MR. KOWALSKI:  
 13 Q That has an Affidavit as to Amounts Due and  
 14 Owing attached. Do you see the affidavit that's  
 15 attached to Exhibit 3?  
 16 A Yes.  
 17 Q And I can go through the same questions, but  
 18 let me see if I can summarize and you can correct me if  
 19 I am wrong. This is an affidavit that is Exhibit 3 that  
 20 is presented to you by foreclosure counsel as an  
 21 attachment to an e-mail, you read the affidavit and the  
 22 affidavit only, you signed it as part of a stack of  
 23 documents that were presented to you by the FC support  
 24 mail documents team, and it then left your desk to be  
 25 sent to the notary department; is that correct?

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1 MR. HELLER: Object to the form.  
 2 BY MR. KOWALSKI:  
 3 Q Well, since your lawyer objected, let me take  
 4 you through each sentence of the affidavit again.  
 5 Let me ask you, was the affidavit that's  
 6 attached as Exhibit 3, was that affidavit presented to  
 7 you as an attachment to -- as part of an attachment to  
 8 an e-mail?  
 9 A I believe so.  
 10 Q Was it -- did you review any documents in  
 11 preparation for completing the affidavit that's attached  
 12 to Exhibit 3?  
 13 A No.  
 14 Q Was the affidavit that's attached as Exhibit 3  
 15 presented to you as part of a stack of documents to  
 16 sign?  
 17 A I believe so.  
 18 Q Did it then leave your desk to be forwarded  
 19 over to the notary department?  
 20 A Yes. I am -- it's not a department. Their  
 21 mail docs team has notaries within the team so it's not  
 22 a department per se.  
 23 Q Fair enough. I appreciate that.  
 24 Paragraph 5 of both affidavits references a  
 25 reasonable attorney's fee to pay to Echevarria, Codilis

1 & Stawiarski. Do you see that?  
 2 A Yes.  
 3 Q Are you familiar with the agreement between  
 4 Deutsche Bank, as trustee and Echevarria, Codilis &  
 5 Stawiarski?  
 6 A No.  
 7 Q Do you know whether Deutsche, as trustee,  
 8 agreed to pay the law firm of Echevarria, Codilis &  
 9 Stawiarski a flat fee?  
 10 A No.  
 11 Q You don't know anything about the arrangements  
 12 at all?  
 13 A No.  
 14 Q Are there any manuals that you follow as  
 15 assistant foreclosure manual -- manager, sorry. Are  
 16 there manuals that you follow as assistant foreclosure  
 17 manager in instructing you or discussing how to complete  
 18 the affidavits that we've been talking about today?  
 19 A No.  
 20 Q What training did you have to prepare you to  
 21 complete affidavits such as the part of Exhibit 2 and  
 22 the part of Exhibit 3?  
 23 A Really no training, more of a, read the  
 24 document and I had questions, I would ask the attorney,  
 25 our foreclosure attorney.

1 Q Well, you talked about knowing and relying  
 2 upon the policies of Citi, correct?  
 3 A Correct.  
 4 Q And relying upon each department to do its  
 5 individual job so that you could sign an affidavit such  
 6 as these without reading anything, correct?  
 7 MR. HELLER: Object to the form.  
 8 THE WITNESS: Correct.  
 9 BY MR. KOWALSKI:  
 10 Q Okay. Well, tell me how you learned about the  
 11 policies of these different departments upon which you  
 12 rely?  
 13 A Over the years part of my job at one point was  
 14 to do the judgment figures, and then over the years, I  
 15 grew with the evolvement of these different departments  
 16 that became specialized in doing those functions.  
 17 Q Maybe I misunderstood you earlier. I thought  
 18 you said the affidavits are presented to you by the  
 19 foreclosure lawyer, correct?  
 20 A Through e-mail, yes.  
 21 Q Okay. Is it your testimony that there is a  
 22 department of Citi/AMC that provides the information in  
 23 the affidavit to the foreclosure lawyer?  
 24 MR. HELLER: Object to the form.  
 25 THE WITNESS: Only the foreclosure, only the

1 figures.  
 2 BY MR. KOWALSKI:  
 3 Q What's the name of the department that  
 4 provides the figures to the foreclosure lawyer?  
 5 A FSS, I believe it's called FSS shared services  
 6 at this point.  
 7 Q And what does FSS stand for, if you know?  
 8 A Financial shared services.  
 9 Q Okay. So the SS stands for shared services?  
 10 A Yes.  
 11 Q So financial shared services.  
 12 Okay. Did you at one point work for financial  
 13 shared services?  
 14 A No.  
 15 Q Again, I misunderstood you because I thought  
 16 you just told me you used to work for the department  
 17 that created the figures for affidavits such as what  
 18 we've been discussing.  
 19 A It is -- what it was is that I used to do them  
 20 myself as a specialist, and as the company and  
 21 department grew, then this department became financial  
 22 shared services, a specialized area. So I didn't  
 23 actually ever work for that department, but I knew the  
 24 procedures, how to get the figures by doing them myself  
 25 when I was a specialist.

- 1 Q And when were you a specialist?  
 2 A When I first started at Ameriquest.  
 3 Q Roughly ten years ago?  
 4 A Yes.  
 5 Q How long were you a specialist, just roughly?  
 6 A Roughly a year.  
 7 Q Do you know whether any of the protocols  
 8 changed after you left whatever department it was called  
 9 nine years ago that later became FSS?  
 10 A That department wasn't formed nine years ago,  
 11 that's what I'm saying. It formed three years, maybe  
 12 two, two, three years ago.  
 13 Q Okay. And what are the policies and  
 14 procedures of FSS?  
 15 A That's pretty broad. I mean, I'm not sure  
 16 what you're saying.  
 17 Q Well, let me ask it another way. Are you  
 18 familiar with the policy and procedures of FSS?  
 19 A Somewhat.  
 20 Q And how?  
 21 A By the standard in which getting the figures  
 22 are generated and where they get them from has not  
 23 changed.  
 24 Q And where do the figures come from?  
 25 A The MSP Fidelity System.

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- 1 Q Who populates the MSP Fidelity System?  
 2 A I don't know that.  
 3 Q Well, who creates the arithmetic that goes  
 4 into FSS?  
 5 MR. HELLER: Object to the form.  
 6 THE WITNESS: I don't know. I don't know  
 7 that.  
 8 BY MR. KOWALSKI:  
 9 Q Do you know anything about it at all?  
 10 A Not the mechanics of it.  
 11 Q Do you know where the numbers come from?  
 12 A I would assume from the different departments  
 13 that generate the data.  
 14 Q Well, I know you would assume that, but do you  
 15 know that at all to be true?  
 16 A Yes.  
 17 Q How?  
 18 A By conversations with people that work in that  
 19 department.  
 20 Q Tell us about that.  
 21 MR. HELLER: Object to the form.  
 22 THE WITNESS: The cashiering had that they  
 23 posted payments, correspondence through the -- mail  
 24 that they posted the payments. Again, I'm assuming  
 25 that they put the figures in.

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- 1 BY MR. KOWALSKI:  
 2 Q Okay. So cashiering puts the figures in when  
 3 the payment is received, correct?  
 4 A Right.  
 5 Q Who has the decision to make as to whether a  
 6 payment is allocated to suspense as opposed to principal  
 7 and interest?  
 8 A I don't know.  
 9 Q You don't know. So who has the responsibility  
 10 of determining whether a loan is in arrears?  
 11 A I don't know that.  
 12 Q Do you know anything at all about how the  
 13 figures are created or generated or documented that then  
 14 gets sent to FSS?  
 15 A No.  
 16 Q And then FSS sends it to the lawyer, as far as  
 17 you know, correct?  
 18 A Yes. Not as far as I know, they send it  
 19 through our Lenstar system.  
 20 Q Lenstar.  
 21 A L-E-N-S-T-A-R.  
 22 Q Okay. So you have no idea how the figures are  
 23 created, but you know they are then sent by FFS through  
 24 Lenstar to the lawyer; is that fair?  
 25 A No.

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- 1 MR. HELLER: Object the form.  
 2 BY MR. KOWALSKI:  
 3 Q What's wrong with that statement?  
 4 A To say I don't know how they're created,  
 5 they're in the system and the system -- the figures are  
 6 there for the FSS team to take and put in a format and  
 7 present to the attorney.  
 8 Q You're not familiar with how they're created  
 9 in the system though; is that fair?  
 10 A Initially, yes.  
 11 Q That's correct in order words?  
 12 A Yes.  
 13 Q And then the attorney creates the affidavit  
 14 and the affidavit gets sent to you?  
 15 A Yes.  
 16 Q Do you know whether or not the attorney is  
 17 privy to the FSS system or to the cashiering system in  
 18 order to check the truth of the financial information?  
 19 MR. HELLER: Object to the form.  
 20 THE WITNESS: Can you ask the first part of  
 21 the question again, Do I know --  
 22 BY MR. KOWALSKI:  
 23 Q Do you know if the lawyer is privy to or has  
 24 access to either the FSS system or the cashiering system  
 25 in order to check the truth of the financial information

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1 in your affidavit?  
 2 MR. HELLER: Object to the form.  
 3 THE WITNESS: Yes.  
 4 BY MR. KOWALSKI:  
 5 Q And what is the answer?  
 6 A No.  
 7 Q Does anybody check the truth of the financial  
 8 information in your affidavit?  
 9 A I don't know.  
 10 MR. KOWALSKI: Am I on 5?  
 11 THE REPORTER: I believe 4.  
 12 (Defendant's Exhibit 4 marked for identification.)  
 13 BY MR. KOWALSKI:  
 14 Q Let me show you what I've marked as Exhibit 4  
 15 which is a letter we got from Echevarria back in April  
 16 of '07. And this is a document signed by you, correct?  
 17 A Yes.  
 18 Q What I'm showing you that we were provided by  
 19 Echevarria is entitled Assignment of Mortgage, do you  
 20 see that?  
 21 A Yes.  
 22 Q What day did you sign Exhibit 4, the document  
 23 attached to Exhibit 4?  
 24 A I don't recall. I don't know.  
 25 Q Is there any way for anybody to know? If you

1 Q Did you read anything at all before you signed  
 2 the document that is attached to Exhibit 4?  
 3 A Read what?  
 4 Q Did you read anything at all? Did you look at  
 5 anything? Did you review any documents? Did you look  
 6 at any computer screens? Did you talk to any human on  
 7 the planet before you signed the document that is  
 8 attached to Exhibit 4?  
 9 MR. HELLER: Object to the form.  
 10 THE WITNESS: I reviewed the assignment to  
 11 make sure that my capacity was correct, that is  
 12 primarily what I review when I am signing the  
 13 document.  
 14 BY MR. KOWALSKI:  
 15 Q Your capacity?  
 16 A To sign; my title.  
 17 Q Okay. So you review to see if it has the word  
 18 "vice-president"?  
 19 A And by the, at that time it was AMC Mortgage  
 20 Services, as authorized agent.  
 21 Q Okay. What do you look at to determine if the  
 22 AMC Mortgage Services, Inc. as authorized agent is  
 23 correct?  
 24 A I -- I don't understand your question.  
 25 Q Well, what are you checking by reading those

1 look at the bottom of the assignment, it says, In  
 2 witness whereon, Assignor has executed and delivered  
 3 this Instrument on blank, 2007, the bottom of this page.  
 4 See that?  
 5 A Yes.  
 6 Q No date, right?  
 7 A Yes.  
 8 Q And then the notary stamp by Mr. Castrejon,  
 9 C-A-S-T-R-E-J-O-N, says that he notarized this the 30th  
 10 day of blank, 2007. Do you know whether it was January  
 11 30th, February -- couldn't have been February 30th, so  
 12 we know that. We know it wasn't February, right? Do  
 13 you know if it was January through December except for  
 14 February of '07?  
 15 MR. HELLER: Object to the form.  
 16 THE WITNESS: I don't know.  
 17 MR. HELLER: Object to the form.  
 18 BY MR. KOWALSKI:  
 19 Q Why would you sign an assignment that doesn't  
 20 have a date on it?  
 21 A The process is for me to sign it, then the  
 22 notary dates it.  
 23 Q I got that part. Is this similar to what we  
 24 talked about before?  
 25 A No.

1 words?  
 2 A That they are spelled correctly, that it says  
 3 authorized agent and not something else, or it's missing  
 4 the word authorized agent. I am checking to make sure  
 5 the full language is there for AMC.  
 6 Q Do you review anything else -- let me step  
 7 back.  
 8 Do you review anything relating to the  
 9 purchase of this loan before completing an assignment  
 10 such as what is attached to Exhibit 4?  
 11 A No.  
 12 Q Do you review the polling and servicing  
 13 agreement?  
 14 A No.  
 15 Q Do you know whether or not the purchase  
 16 occurred on January 10, 2007, which is the date on the  
 17 assignment?  
 18 A Repeat that. I didn't hear it.  
 19 Q Do you review -- well, do you have the ability  
 20 to read that back?  
 21 (Question read back by court reporter.)  
 22 THE WITNESS: No.  
 23 BY MR. KOWALSKI:  
 24 Q Who would create the Assignment of Mortgage,  
 25 such as what is attached to Exhibit 4, which department?

1 A Our foreclosure counsel.  
 2 Q So the lawyer actually drafts the Assignment?  
 3 A Yes.  
 4 Q And then it is then sent to FC support mail  
 5 documents team as an attachment to an e-mail?  
 6 A Yes.  
 7 Q And then printed and given to you?  
 8 A Yes.  
 9 Q And then signed and sent back to the FC  
 10 support mail documents team to be notarized?  
 11 A Yes.  
 12 Q From just looking at the attachment to Exhibit  
 13 4, can you tell us anything at all other than it was  
 14 apparently not February of 2007, can you tell us  
 15 anything at all as to when the attachment to Exhibit 4  
 16 was signed?  
 17 MR. HELLER: Object to the form.  
 18 THE WITNESS: No.  
 19 BY MR. KOWALSKI:  
 20 Q Do you know whether or not the notaries in the  
 21 mail documents team are required to keep notary logs?  
 22 A Yes.  
 23 Q Did you review any notary logs before coming  
 24 here today?  
 25 A No.

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1 Q Let me show you what I've marked as Exhibit 5  
 2 which is a Corrective Assignment of Mortgage. Do you  
 3 see that?  
 4 A Yes.  
 5 (Defendant's Exhibit 5 marked for identification.)  
 6 BY MR. KOWALSKI:  
 7 Q Okay. Now, in this one the notary at least  
 8 wrote the month in. So we know that R.P. Umali, is that  
 9 how you pronounce that?  
 10 A Yes.  
 11 Q U-M-A-L-I, am I reading that right?  
 12 A Yes.  
 13 Q Who is R.P. Umali? Do you know if that's a  
 14 man or a woman?  
 15 A It's a woman. Her name is Rosemary.  
 16 Q And her middle initial is P?  
 17 A Yes.  
 18 Q Ms. Umali notarized this on May 21 of 2007  
 19 from what it appears?  
 20 A Yes.  
 21 Q Okay. You were not physically with Ms. Umali  
 22 when she notarized it?  
 23 A Correct.  
 24 Q Okay. There is a date referenced above your  
 25 signature. Do you see that, it says, In witness

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1 whereof, comma?  
 2 A Yes.  
 3 Q There is no date there, correct?  
 4 A Correct.  
 5 Q Do we know when you signed Exhibit 5? Is  
 6 there any way to know when you signed Exhibit 5?  
 7 A No.  
 8 Q Now, you referenced that you check for typos  
 9 in the title above your name, correct?  
 10 A Correct.  
 11 Q This says by AMC Mortgage Services as  
 12 authorized Agent. Do you see that?  
 13 A Yes.  
 14 Q The D is missing.  
 15 A Yes.  
 16 Q Should be authorized agent.  
 17 A Yes.  
 18 Q But that's not important enough to correct, I  
 19 take it?  
 20 MR. HELLER: Object to the form.  
 21 THE WITNESS: Just an oversight.  
 22 BY MR. KOWALSKI:  
 23 Q Well, I know that. But I'm just following up  
 24 on your testimony that you were checking for the typing  
 25 or the label above your name.

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1 A Right.  
 2 Q Okay. If it says authorized agent, that would  
 3 not be something that you would send back to correct?  
 4 MR. HELLER: Object to the form.  
 5 THE WITNESS: Yes, that would be something  
 6 that I would send back. This is an oversight. I  
 7 would have corrected that.  
 8 BY MR. KOWALSKI:  
 9 Q Okay. So this is something you should have  
 10 sent back to correct?  
 11 A Yes. Well, one of myself or my mail docs  
 12 team.  
 13 Q Who is Eva Gamboa, G-A-M-B-O-A?  
 14 A At the time she was in the mail docs  
 15 department as an associate.  
 16 Q And who is Agripa, A-G-R-I-P -- Agripina, I'm  
 17 sorry, Pyfer, P-Y -- let me finish spelling Agripina,  
 18 A-G-R-I-P-N-A, Pyfer, P-Y-F-E-R. Who is that?  
 19 A She's an associate in the mail docs team.  
 20 Q Would Ms. Gamboa and Ms. Pyfer work with Ms.  
 21 Umali?  
 22 A Yes.  
 23 Q So as I'm understanding it then, and correct  
 24 me if I'm wrong, but Ms. Gamboa and Ms. Pyfer and Ms.  
 25 Umali are all signing it roughly the same time?

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- 1 A Correct.
- 2 Q Which would be a different time than you?
- 3 A Correct.
- 4 Q Could be a different day, could be a different
- 5 week as far as you know, correct?
- 6 A It's usually just by a day or hours sometimes.
- 7 Q Okay. Are there any protocols or manuals or
- 8 other documents that speak to the policies and
- 9 procedures to be followed by the mail team?
- 10 A Yes.
- 11 Q What is the name of the manual?
- 12 A It is policy and procedures. It's online
- 13 policy and procedures for mail docs.
- 14 Q Okay.
- 15 A Foreclosure, it would be under foreclosure.
- 16 Foreclosure support is under the foreclosure umbrella.
- 17 Q So is there a general foreclosure manual that
- 18 includes a section for mail docs?
- 19 A Yes.
- 20 Q And is that what you're talking about?
- 21 A Yes.
- 22 Q What is the general online foreclosure manual
- 23 called?
- 24 A Foreclosure department.
- 25 Q Okay. Do you know when Deutsche Bank, as

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- 1 trustee purchased this Note and Mortgage?
- 2 A No.
- 3 Q Paragraph 4 of Exhibit 2, do you still have
- 4 that in front of you? It's the first affidavit that we
- 5 talked about, probably that one right there. Just stay
- 6 on that page actually.
- 7 Do you see where it says paragraph 4?
- 8 A Yes.
- 9 Q Okay. I was going to ask you some questions
- 10 about what each one of these entries mean, principal,
- 11 interest per diem, pre-acceleration late charges,
- 12 property inspections, insurance, appraisal, B.P.O.
- 13 Suspense, total. Do you know what each of those labels
- 14 refer to?
- 15 A No.
- 16 Q Do you know, for example, what the appraisal
- 17 or whether -- well, let me step back. Do you know from
- 18 personal knowledge whether an appraisal was done?
- 19 A No.
- 20 Q What is a B.P.O.?
- 21 A It's stands for broker price opinion.
- 22 Q What does that mean?
- 23 A To my knowledge it's a document that is used
- 24 to put a value on a piece of property.
- 25 Q Do you know if a broker price opinion was done

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- 1 in this case?
- 2 A No.
- 3 Q Did you ever review a broker price opinion
- 4 that before signing the affidavit that's notarized
- 5 February 26, 2007?
- 6 A No.
- 7 MR. KOWALSKI: All right. That's all the
- 8 questions I have.
- 9 THE WITNESS: I do want to clarify one thing
- 10 with my year and date that I became foreclosure
- 11 manager, I believe it was 2006. I'm not real good
- 12 with timeframes actually. That's when I became
- 13 promoted. I said 2007, but I believe it was 2006.
- 14 MR. KOWALSKI: Okay.
- 15 THE WITNESS: I just wanted to be sure that
- 16 that was corrected.
- 17 MR. KOWALSKI: I appreciate that.
- 18 BY MR. KOWALSKI:
- 19 Q So you've been foreclosure manager for about
- 20 two years and three months, something like that?
- 21 A Correct.
- 22 MR. KOWALSKI: Fair enough. I appreciate it.
- 23 Do you want to talk to her about reading or
- 24 waiving?
- 25 MR. HELLER: I have some questions, but I need

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- 1 a restroom break.
- 2 MR. KOWALSKI: Absolutely.
- 3 Let's take a quick break.
- 4 (Break.)
- 5 CROSS EXAMINATION
- 6 BY MR. HELLER:
- 7 Q Ms. Price, some follow-up questions, please.
- 8 If I understand your testimony, you sign affidavits as
- 9 part of your job; is that correct?
- 10 A Yes.
- 11 Q Are those affidavits that you sign as part of
- 12 your job generally based on company business records?
- 13 A Yes.
- 14 Q Is that how it was at AMC?
- 15 A Yes.
- 16 Q Is that how it is at Citi?
- 17 A Yes.
- 18 Q Are you familiar with how AMC, or were you
- 19 familiar with how AMC kept its business records relating
- 20 to what amounts are owed on mortgage loans that that
- 21 company serviced?
- 22 A Yes.
- 23 Q Were those practices that you're referring to
- 24 that you just said that you were familiar with, were
- 25 those the routine practices of AMC when it serviced

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1 loans?  
 2 A Yes.  
 3 Q Same with questions for Citi. Are you  
 4 familiar with how Citi keeps records of the amounts owed  
 5 on mortgage loans it services?  
 6 A Yes.  
 7 Q Are those the routine practices of Citi?  
 8 A Yes.  
 9 Q Mr. Kowalski showed you some affidavits during  
 10 his direct examination this afternoon. When you signed  
 11 those affidavits, did you believe you were testifying  
 12 based on business records?  
 13 A Yes.  
 14 Q Is that generally how the affidavits that you  
 15 sign are written, based on business records?  
 16 A Yes.  
 17 Q Do you rely on your foreclosure counsel to  
 18 prepare the affidavits for you?  
 19 A Yes.  
 20 Q Do you recall who your foreclosure counsel was  
 21 in this case?  
 22 A No.  
 23 Q Mr. Kowalski asked you if I'm not mistaken  
 24 whether you checked the accuracy of figures before  
 25 signing an affidavit. My follow-up question is, do you

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1 believe that the routine practice involves -- let me  
 2 start over. Do you understand based on your experience  
 3 working with AMC and Citi, that the business practice,  
 4 the routine practice for generating amounts due on a  
 5 particular loan is verified in that process?  
 6 A Yes.  
 7 Q Is that a routine practice? Was that a  
 8 routine practice at AMC?  
 9 A Yes.  
 10 Q Is that the routine practice at Citi?  
 11 A Yes.  
 12 MR. HELLER: That's all I have.  
 13 MR. KOWALSKI: No follow up to that.  
 14 Do you want to read or waive?  
 15 MR. HELLER: Read, please.  
 16 (Witness excused.)  
 17 (Deposition concluded.)  
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1 CERTIFICATE OF OATH  
 2  
 3 STATE OF FLORIDA )  
 4 COUNTY OF ST. JOHNS )  
 5  
 6 I, the undersigned authority, certify that TAMARA  
 7 PRICE, personally appeared before me and was duly sworn.  
 8  
 9 WITNESS my hand and official seal this 6th day of  
 10 May, 2008.  
 11  
 12 CARMAN L. GAETANOS, COURT REPORTER  
 13 Notary Public-State of Florida  
 14 Commission No. DD639656  
 15 Expires: 6/12/2011  
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1 REPORTER'S DEPOSITION CERTIFICATE  
 2  
 3 STATE OF FLORIDA )  
 4 COUNTY OF ST. JOHNS )  
 5  
 6 I, CARMAN L. GAETANOS, FPR, Court Reporter, do  
 7 hereby certify that I was authorized to and did  
 8 stenographically report the deposition of TAMARA PRICE,  
 9 that a review of the transcript was requested; and that  
 10 the transcript, pages 1 through 57, is a true and  
 11 complete record of my stenographic notes.  
 12  
 13 I further certify that I am not a relative,  
 14 employee or counsel of any of the parties, nor am I a  
 15 relative or employee of any of the parties; attorney or  
 16 counsel connected with the action, nor am I financially  
 17 interested in the action.  
 18  
 19 DATED this 6th day of May, 2008.  
 20  
 21 CARMAN L. GAETANOS  
 22 Coastal Court Reporters, LLC  
 23  
 24  
 25

COASTAL COURT REPORTERS, LLC

ERRATA SHEET

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DO NOT WRITE ON TRANSCRIPT - ENTER CHANGES HERE  
IN RE: DEUTSCHE BANK NATIONAL TRUST COMPANY, et al  
vs.  
JAMES W. YOUNG, et al  
CASE NO.: CA-2007-0114

PAGE NO. LINE NO. CHANGE REASON

Under penalties of perjury, I declare that I have read my deposition and that it is true and correct subject to any changes in form or substance entered here.

DATE TAMARA PRICE  
(CLG)

COASTAL COURT REPORTERS, LLC