

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT,  
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

GREEN TREE SERVICING,

GENERAL JURISDICTION DIVISION

Plaintiff,

CASE NO.: 2015-020574-CA 09

vs.

WILSON MARIN AND PAOLA SIBON,

Defendants.

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**ORDER TO SHOW CAUSE WHY DITECH'S WITNESS, CHRISTOPHER OGDEN,  
AND DITECH'S ATTORNEYS, YACENDA HUDSON AND AMINA MCNEIL,  
SHOULD NOT BE HELD IN INDIRECT CRIMINAL CONTEMPT OF COURT**

Ditech's witness, Christopher Ogden, and Ditech's attorneys, Yacenda Hudson and Amina McNeil ("the Defendants"), are hereby ordered to appear before this Court to show cause why they should not be held in Indirect Criminal Contempt of Court.

The Defendants are hereby notified that this is now a criminal matter. The Defendants have the right to be represented by counsel. If any of the Defendants cannot afford counsel, an attorney will be provided for that Defendant by the Court. Any Defendant that cannot afford counsel must ask for the appointment of an attorney and demonstrate their inability to afford counsel.

The grounds for the Order to Show Cause are set forth in EXHIBIT A.

If any Defendant is found in Contempt of Court, because it is indirect criminal contempt, that Defendant may be facing jail, adjudication, probation, and/or other sanctions. If any lawyer is found in contempt, the matter will be referred to the Florida Bar.

WHEREFORE, the Defendants must/shall appear before the Honorable Judge Pedro Echarte on **Thursday, December 14, 2017 at 9:15 am** at 73 West Flagler Street, Courtroom 5-2, Miami, FL 33131, for arraignment on the Order to Show Cause why he/she should not be held in indirect criminal contempt for the apparent violation of this Court's order requiring the production of training manuals.

Failure to appear for the Order to Show Cause will result in the issuance of a writ of bodily attachment for the immediate arrest of any Defendant that does not appear.

If at arraignment, any Defendant pleads guilty, a sentencing hearing shall be scheduled at which time that Defendant shall have the opportunity to show cause why sentence should not be pronounced. The Defendant shall also have the opportunity to present evidence of mitigating circumstances prior to any sentencing.

If at arraignment, any Defendant pleads not guilty, the case shall be promptly set for trial. If that Defendant is found guilty, that Defendant shall have the opportunity to show cause why sentence should not be pronounced. The Defendant shall also have the opportunity to present evidence of mitigating circumstances prior to any sentencing.

Bruce Jacobs of Jacobs Keeley, PLLC is appointed to prosecute this Order to Show Cause why the Defendants should not be held in Indirect Criminal Contempt.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, on 11/20/17.



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PEDRO P. ECHARTE JR.  
CIRCUIT COURT JUDGE

The parties served with this Order are indicated in the accompanying 11th Circuit email confirmation which includes all emails provided by the submitter. The movant shall IMMEDIATELY serve a true and correct copy of this Order, by mail, facsimile, email or hand-delivery, to all parties/counsel of record for whom service is not indicated by the accompanying 11th Circuit confirmation, and file proof of service with the Clerk of Court.

Signed original order sent electronically to the Clerk of Courts for filing in the Court file.

Copies furnished to:

**Defendant's counsel:**

Bruce Jacobs, Esq., Jacobs Keeley, PLLC, 169 E. Flagler Street, Suite 1620, Miami, FL 33131.

**Plaintiff's counsel:**

Yacenda Hudson, Managing Contested Attorney, Tromberg Law Group, P.A., 1515 South Federal Highway, Ste. 100, Boca Raton, FL 33432.

## EXHIBIT A

1. Plaintiff, Ditech Financial, LLC (“Ditech”), formerly Greentree Servicing LLC, appears to have willfully violated this Court’s order to produce training manuals. The training manual produced on November 16, 2017, now appears to show that Ditech’s standard business practice does not verify prior servicer’s records for accuracy before boarding loans.

2. The training manual produced appears to show that Ditech’s witness, Christopher Ogden (“Mr. Ogden”), gave false testimony in an effort to introduce the prior servicer’s records into evidence under false pretenses.

3. On June 28, 2017, Mr. Ogden appeared for deposition, gave evasive and incomplete answers, and refused to turn over training materials upon which he relied to give his testimony about the loan boarding process and the creation of business records to be submitted in evidence at trial under the business records exception to the hearsay rule.

4. Specifically, Mr. Ogden testified in detail that Ditech’s standard operating procedure is to verify the accuracy of loans from prior servicers during the loan boarding process. He testified that any discrepancy would “raise a red flag” that stopped that loan from boarding until the error is corrected and the loan is verified as accurate.

5. Defendant’s counsel questioned Mr. Ogden about nearly identical testimony from other witnesses for another large mortgage servicer, Ocwen Home Loan Servicing, Inc., who claimed that Ocwen also had a standard business practice to verify prior servicer records for accuracy using red flags that prevented any loans from boarding until any errors were resolved.

6. Mr. Ogden was also questioned about the recent Consumer Financial Protection Bureau (“the CFPB”) lawsuit against Ocwen which noted that its actual practice was to verify loans for accuracy after the loan boards. The CFPB also noted Ocwen had a backlog of over 1.4 million loans boarded and active without ever being verified for accuracy.

7. When pressed about how he could be sure Ditech actually verified the prior servicer’s records before boarding when Ocwen’s witnesses gave the same testimony refuted by the CFPB, Mr. Ogden testified he knew the boarding process training was true because Ditech’s training included several sources of information, including a “flow chart” showing the process.

8. The Defendant sought those training manuals to confirm or refute the testimony that Ditech verifies loans from prior servicers for accuracy before boarding. This is relevant as

courts have accepted as true, testimony from a trial witness about training on the loan boarding process which supposedly proved “a strict verification process” with “checks and balances” to verify the accuracy of the records. *Ocwen Loan Servicing, LLC v. Gunderson*, 204 So. 3d 530, 534–35 (Fla. 4<sup>th</sup> DCA 2016). In *Gunderson*, the Fourth DCA accepted that “if the accuracy of the records could not be verified, they would not be entered into Ocwen's system.” *Id.*

9. The Court is aware that Miami-Dade Circuit Court Judge Beatrice Butchko found that another mortgage servicer's, Ocwen's, boarding process was a “legal fiction” that checked nothing for accuracy. See Order Granting Involuntary Dismissal and Issuing an Order to Show Cause Why Plaintiff Should Not Be Sanctioned Under the Court's Inherent Contempt Powers for Fraud on the Court in HSBC v. Buset, in Miami-Dade Case Number 2012-038811-CA-01.

10. Specifically, Judge Butchko noted the loan boarding process did not stop loans from boarding with incomplete payment histories or misapplied payments. Judge Butchko found the boarding process merely transferred columns of numbers without any mathematical calculations as to the accuracy of the numbers at all.

11. The Defendant clearly had a right to discover Ditech's training manuals to see if Mr. Ogden was giving false testimony in an effort to admit prior servicer's records under the false pretense that they were verified for accuracy, and therefore, trustworthy.

12. On June 29, 2017, the Court conducted a calendar call, heard argument and entered a detailed order denying Plaintiff's Motion for Protective Order and ordering production of the training manuals.

13. The order instructed that “the trial witness shall bring any and all training manuals and documents requested in Defendant's Notice of Taking Deposition Duces Tecum.... “the parties shall mutually coordinate the continuation of the deposition of Plaintiff's trial witness prior to trial.... If the Parties cannot agree on a deposition time and day it shall be on Sunday, July 23, 2017 at midnight.” See order attached as Exhibit 1.

14. Specifically, the Duces Tecum requested: “All training manuals, training policies and/ or training procedures for any training under which the witness will claim gives them sufficient knowledge to qualify as a witness under the business records exception to enter those trial exhibits into evidence.”

15. The Duces Tecum also requested: “All records showing when the witness received any such training, where it was presented, and who presented the training under which

the witness will claim gives them sufficient knowledge to qualify as a witness under the business records exception to enter those trial exhibits into evidence.”

16. On June 30, 2017, the Defendants requested dates to coordinate the continued deposition in compliance with the order. Ten days later, on July 10, 2017, Plaintiff responded that the only date to continue the deposition would be the afternoon of Friday, July 22, 2017.

17. Defendant’s counsel initially refused to start the deposition late on Friday afternoon out of concern for his observance of the Sabbath. As a result, the parties set the continued deposition for midnight on Sunday July 23, 2017, as required by this Court’s order.

18. On July 19, 2017, Plaintiff filed an Emergency Motion to Seal and Bar Dissemination of Confidential Materials, namely, the training manuals and other documents requested in the *Duces Tecum*.

19. On July 20, 2017, the Court entered an order that the Motion to Seal and Bar Dissemination of Confidential Materials was not an emergency, not a matter to be considered *ex-parte*, and ordered Plaintiff to schedule the motion for hearing.

20. The Motion to Seal and Bar Dissemination claimed the training manuals were “confidential trade secrets” and “irrelevant, privileged work product” and cited Fla. R. Jud. Admin 2.420 as grounds to order the records sealed.

21. Rule 2.420 requires that any party seeking to seal records claimed to be confidential must file a motion entitled “Motion to Determine Confidentiality of Court Records.” Fla. R. Jud. Admin 2.420(e)(2013). The motion must set forth a litany of information specifying what records are confidential and both the factual and legal bases for determining they are confidential. Fla. R. Jud. Admin 2.420(e)(2013).

22. The Florida Supreme Court further required a certification by the party or attorney making the request that the motion is made in good faith and is supported by sound factual and legal basis. Fla. R. Jud. Admin 2.420(d)(2013).

23. Fla. Rule Jud. Admin. 2.420 expressly provides that “if the Court determines the designation made under subdivision (d)... was not made in good faith and was not supported by a sound legal or factual basis, the court may impose sanctions on the movant after notice and opportunity to be heard.” Fla. R. Jud. Admin 2.420(g)(8)(2013).

24. Plaintiff’s motion is legally insufficient on its face as the Motion: (1) is not entitled “Motion to Determine Confidentiality of Court Records” as required by the rule; (2)

lacks any certification of good faith that the motion is supported by a sound factual and legal basis; and (3) lacks any factual or legal basis upon which this Honorable Court could determine the training materials to be confidential.

25. On Friday, July 21, 2017, Defendant's counsel advised Plaintiff that there would be no agreement on confidentiality of the training manuals as the witness waived any claim of confidential trade secret or work product by testifying to the contents of those training manuals.

26. As the verification process before loans board is the basis under which the prior servicers records are deemed trustworthy and admissible, there is no legal or factual basis to deem the training manuals irrelevant, trade secret or work product.

27. On Thursday, July 20, 2017, Defendant's counsel in an effort to avoid taking the deposition on Saturday night, agreed to take the continued deposition at any time on Friday, July 21, 2017, as originally offered by the Plaintiff.

28. Plaintiff and its witness did not appear for the deposition on Friday, July 21, 2017, despite this being the only date Plaintiff originally offered to continue the deposition.

29. At midnight, on Sunday, July 23, 2017, Mr. Ogden and Ditech's attorneys, Yacenda Hudson (managing attorney of the firm) and Amina McNeil, appeared for the deposition with Defendant's counsel. In violation of the Court's order, they refused to produce any training manuals or other documents requested in the duces tecum.

30. In the four months since violating the Court's order, Plaintiff and their counsel failed to set their Motion to Seal and Bar Dissemination of Confidential Materials for hearing or turn over the documents.

31. On November 16, 2017, the Court ordered Plaintiff to comply with the previous order by noon or face a second order to show cause. At 11:59 am, Plaintiff produced a 16 page document entitled "Conversion/Loan Boarding" which cannot be the training manual upon which the trial witness based his testimony. The document does not contain any "flow chart" that mentions "red flags" that prevent loans from boarding as Mr. Ogden testified he reviewed.

32. To the contrary, it appears from the document produced that Ditech boards the prior servicer's records, sends out welcome letters and make the loan live on its system before any verification process would even begin.. See attached as Exhibit 2.

33. It appears that Ditech and its counsel willfully and contumaciously ignored this Court's order by refusing to turn over the training manuals. Moreover, it appears Ditech and its

counsel improperly sought to have the records deemed confidential to avoid disclosure of the fact that its witness gave grossly inaccurate testimony about Ditech's loan boarding process in an effort to admit prior servicer's records under false pretenses.

IN THE CIRCUIT COURT OF ELEVENTH JUDICIAL CIRCUIT,  
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

GREEN TREE SERVICING,

GENERAL JURISDICTION DIVISION

Plaintiff,

CASE NO.: 2015-020574-CA 09

vs.

WILSON MARIN AND PAOLA SIBON,  
*et. al.*,

Defendant.

ORDER ON CALENDAR CALL

THIS CAUSE, having come on to be heard and the Court having heard argument of counsel, and being otherwise fully advised in the Premises, it is hereupon,

ORDERED AND ADJUDGED said Motion be, and the same is hereby:

Plaintiff's motion for protective order is Denied. Plaintiff's trial witness shall bring any and all training manuals and documents requested in Defendant's Notice of taking deposition duces tecum. The parties shall mutually coordinate the continuation of the deposition of Plaintiff's trial witness prior to trial. Trial shall be July 28<sup>th</sup> at 10:00 am. IF the parties cannot agree on a deposition time and day it shall be on Sunday, July 23, 2017 at midnight.

DONE AND ORDERED in Chambers, at Miami, Miami-Dade County, Florida this

29<sup>th</sup> day of June, 2017.

CIRCUIT JUDGE

CONFORMED COPY

JUN 29 2017

PEDRO P. ECHEVARRA, JR.  
CIRCUIT COURT JUDGE

Copies furnished to:

**Defendant's counsel:**

Bruce Jacobs, Esq., Court E. Keeley, Esq., Amida Umesh Frey, Esq., Anna C. Morales, Esq.,  
Jacobs Keeley, PLLC, 169 E. Flagler Street, Suite 1620, Miami, FL 33136

**Plaintiff's counsel:**

Marie Amanda Fox Esq., Gladstone Law Group, P.A., 1515 South Federal Highway, Suite 100,  
Boca Raton, FL 33432 Amina Mcneil, Esq.

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EXHIBIT "1"



IN THE CIRCUIT COURT OF THE ELEVENTH  
JUDICIAL CIRCUIT, IN AND FOR MIAMI-DADE  
COUNTY, FLORIDA.

CASE No. 2015-020574-CA-01

GREEN TREE SERVICING LLC,

PLAINTIFF,

VS.

WILSON MARIN, ET AL.

DEFENDANT(S).

NOTICE OF SERVING IN COMPLIANCE WITH ORAL COURT RULING ON NOVEMBER 16,

2017

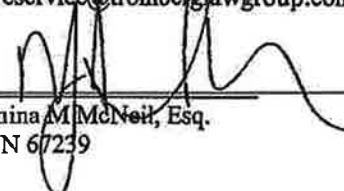
Plaintiff hereby serves the attached Redacted copy of the Plaintiff's Conversion Loan Boarding to Counsel for the Defendant Bruce Jacobs. Such serving is to comply with the Court's oral order from November 16, 2017. As agreed to by the Court, Plaintiff has redacted the sensitive information discussed in Court.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by United States mail on \_\_\_\_\_ or electronic mail on November 16, 2017 to the following parties:

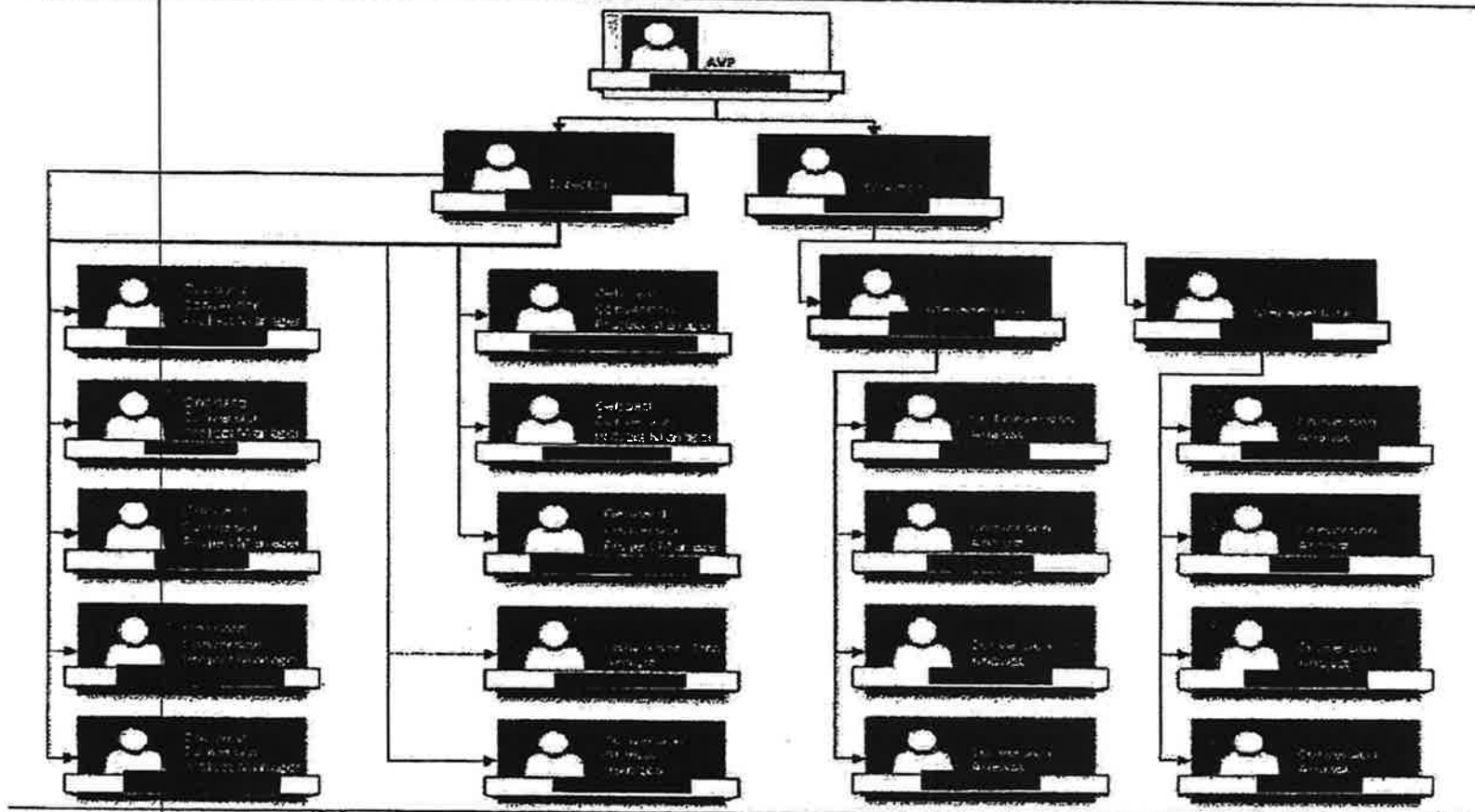
Bruce Jacobs, Esq.  
169 East Flagler Street, Suite 1640  
Miami, FL 33131  
efile@bjalegal.com    jacobs@bjalegal.com \

Tromberg Law Group, P.A.  
Attorney for Plaintiff  
1515 South Federal Highway, Suite 100  
Boca Raton, FL 33432  
Telephone #: 561-338-4101  
Fax #: 561-338-4077  
Email: eservice@tromberglawgroup.com

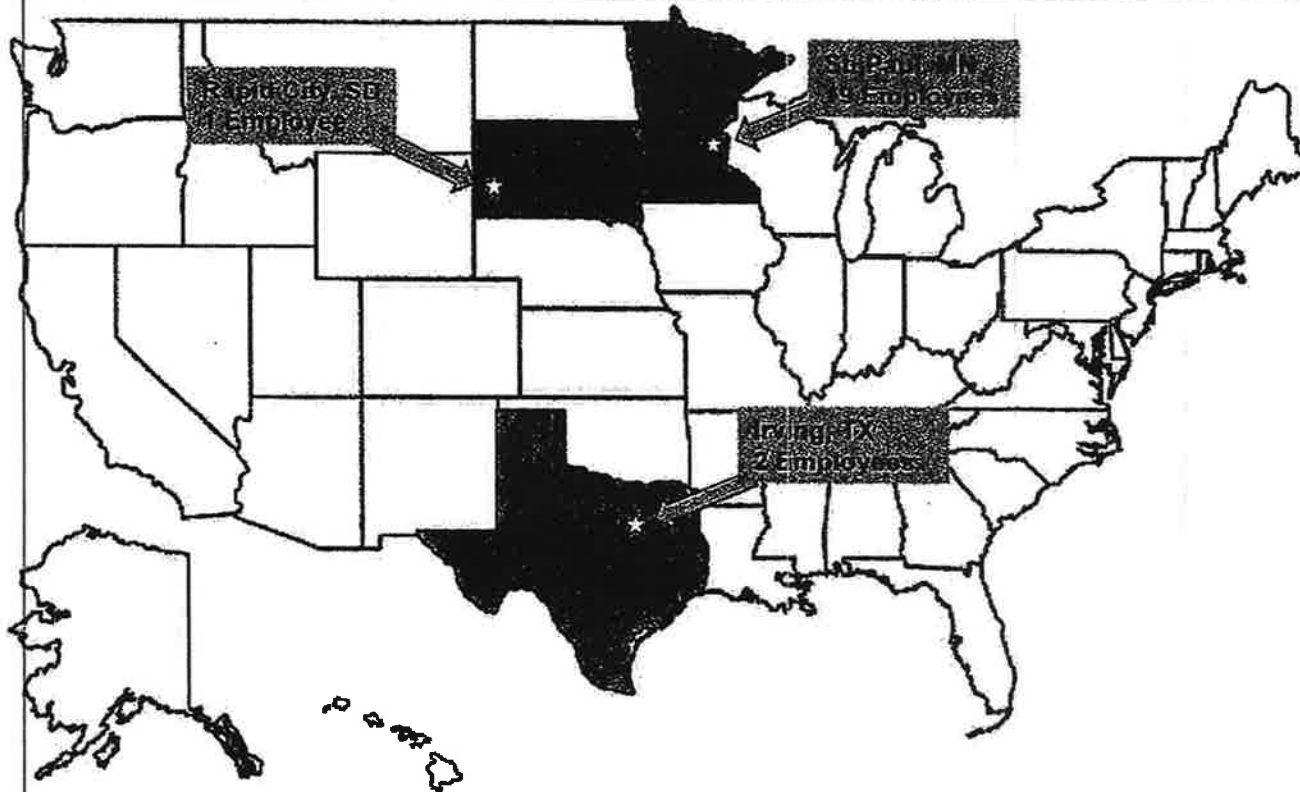
By:   
Amina M. McNeil, Esq.  
FBN 67239

# Conversion / Loan Boarding

# Conversion – Loan Boarding Team



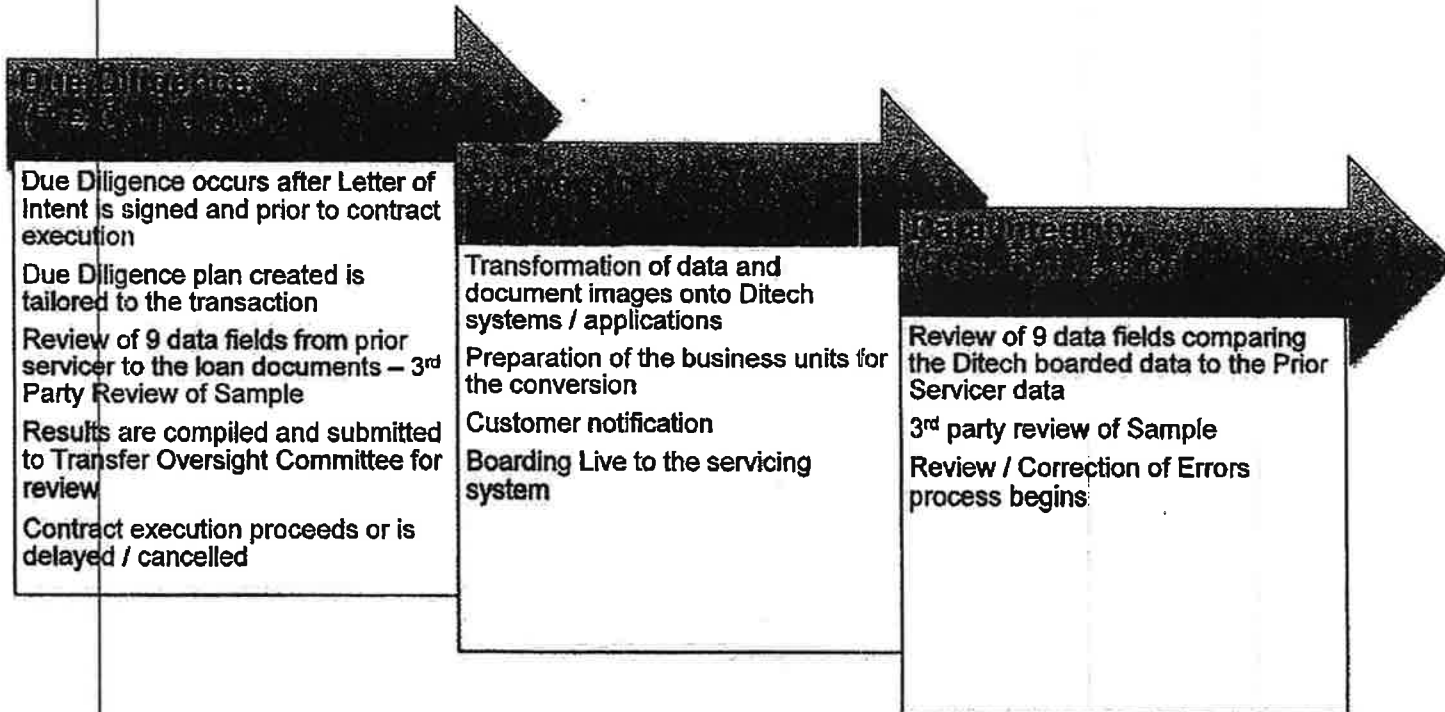
## Conversion Team Locations



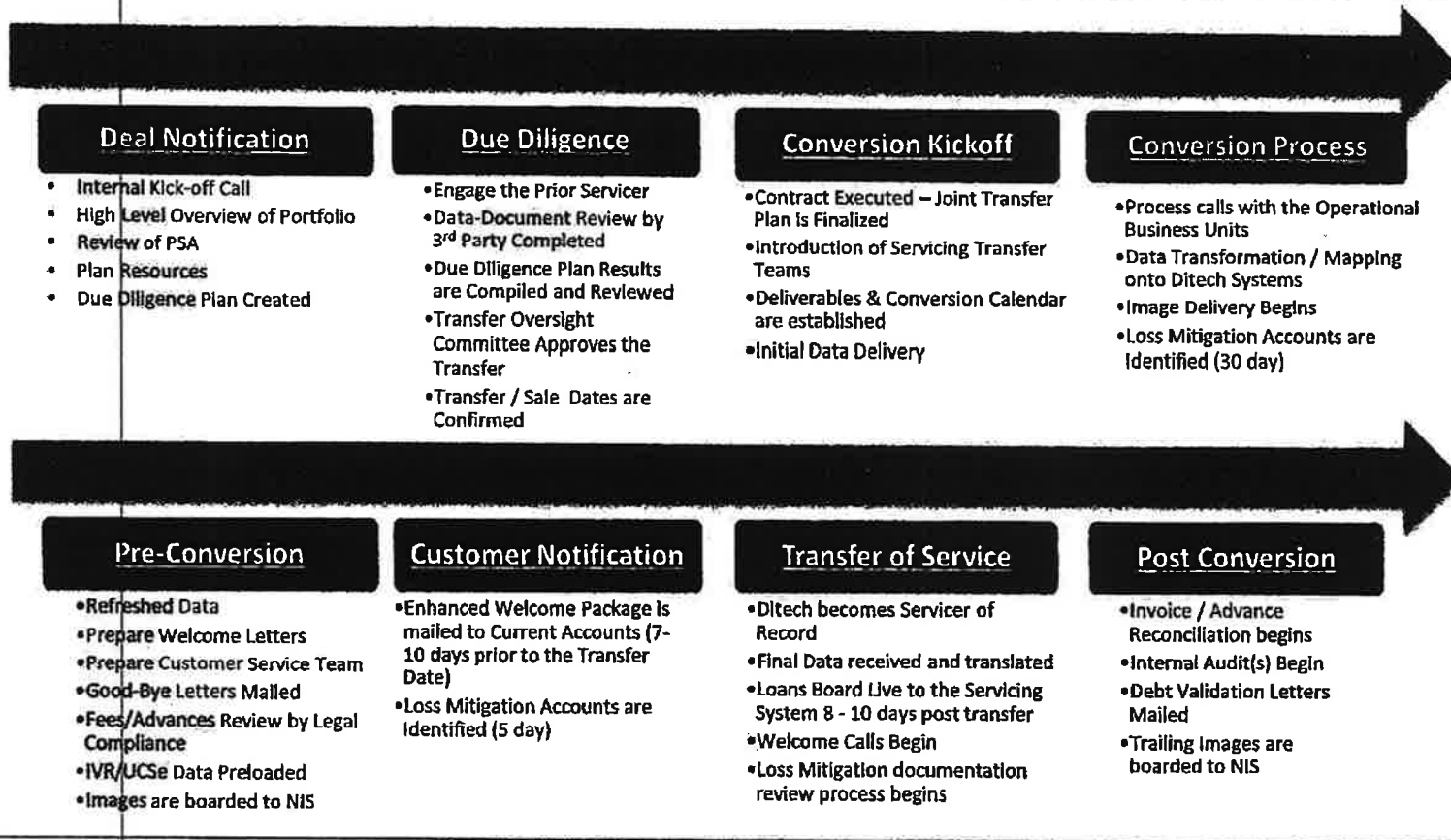
# Acquisitions – Year To Date

		Data Effective 09.30.15
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## Conversion Process – Key Steps



# Loan Boarding Typical Process: 60 Day View



# Conversion Workbook – Task Management

Conversion Name - Transfer Date		
Task	Assigned To	Comments
<p><b>Due Diligence Contacts - Transaction Managers:</b> [Redacted] / <b>Due Diligence Team:</b> [Redacted]</p> <p><b>Due Diligence Review -</b> Managed by the Due Diligence Team - Performed on all conversions except existing "low". This process is required by the CFPB Consent Order - Review of 9 prior servicer data fields to the source of truth documents.</p> <p><b>Conversion Due Diligence -</b> Managed by the Transaction Managers - Usually performed on conversions with new servicers only, and may be performed offline. All business units participate. Transfer Oversight Committee reviewed due diligence findings and issues and determines if conversion will proceed.</p>		
Participate in the Due Diligence Kickoff Call	Conversion Project Manager	Transaction Manager will coordinate the call
Obtain the Transferring Servicer Contacts (Contact Transaction Manager)	Conversion Project Manager	
If applicable- Submit the Conversion Due Diligence Questionnaire to the Due Diligence Team (Add file location)	Conversion Project Manager	
Review the Preliminary Purchase Sale Agreement or Servicing Agreement Document - Provide feedback to PM and Document any Conversion Red-Flags	Conversion Project Manager	
If needed, Obtain Sample Data File	Conversion Project Manager	For New Servicers - If we are unfamiliar with their Data System or File Format
If needed, Obtain Sample Document Images in all Formats	Conversion Project Manager	For New Servicers - If we are unfamiliar with their Data System or File Format
Submit Conversion Due Diligence Summary to the Transfer Oversight Committee (TOC)	Conversion PM Conversion Director	Scorecard development is still in progress. Provide feedback on any Conversion Red-Flags to the TOC
Obtain Transfer Oversight Committee Decision regarding the Transfer (Approved or Denied or Delayed)	Transaction Manager	
<p>Start Up phase occurs after Deal Notification and may begin with an introductory call with the Transferring Servicer, either in conjunction with the Due Diligence introductory call or a Stand Alone Conversion Kick-off call</p>		
Determine Secure Data Transmission Method - Set up Secure FTP Site if needed (See process document in NA File Location)	Conversion Project Manager	Site Secure Site Setup procedures
Coordinate with the Transferring Servicer to Finalize a version of the Transfer Instructions to be used for the PSA/Contract	Conversion Project Manager	



# Conversion Workbook – Checklist

CONVERSION NAME			
Conversion PM Name here		October 1, 2015	
Transaction Mgr Name here			
Number of Accounts		Delinquency Data	# of Accounts
UPB		Current	
Number of 1st Lien Accounts		90 DPD	
Number of 2nd Lien Accounts		60 DPD	
Number of Home Equity Loans (Real Estate)		90 DPD	
Number of HELOC Loans		120+ DPD	
Asset Owner Name		Transferring Servicer Short Name	
Transferring Servicer Full Legal Name		Transferring Servicer's Servicing System	
Transfer Instructions Used		Ditech Boarding System (GTA or MSP)	
STAS08 Library			
STA Account Numbers			
Loan Servicing Code - LSCOD1			
Subservicer Code - SBSCOD			
Dealer Number			
Investor Number (s)			
Pool Number (s)			
GL Plan (s)			
Cost Model Type			
Prior Servicer Preliminary Inflight Mod Count		Prior Servicer Final Inflight Mod Count	
Category 1 Count		Category 1 Count	
Category 2 Count		Category 2 Count	
Category 3 Count		Category 3 Count	
Category 4 Count		Category 4 Count	
Category 5 Count		Category 5 Count	
Category 6 Count		Category 6 Count	
Prior Servicer Preliminary Short Sale Count		Prior Servicer Final Short Sale Count	

# Conversion Workbook – CFPB Tracking

CONVERSION NAME						
Conversion PM Name here			October 1, 2015			
44	Servicing Data	Initial Data File Delivery	0	9/25		
44	Servicing Data	Initial Loss Mitigation Data File(s) Delivery	0	9/25		
41	Loss Mitigation	Initial Loan List of In-Process Loss Mitigation Accounts	0	9/25		
42	Loss Mitigation	Updated Loan List of Completed Loss Mitigation within last 60 days	0	9/25		
43	Loss Mitigation	Updated Loan List of Denied & Disengaged Loss Mitigation within last 60 days	0	9/25		
44	Images	Initial Images Delivered	0	9/25		
41	Loss Mitigation	Updated Loan List of In-Process Loss Mitigation Accounts Loss Mitigation Program	0	9/26/15		
42	Loss Mitigation	Updated Loan List of Completed Loss Mitigation within last 60 days	0	9/26		
43	Loss Mitigation	Updated Loan List of Denied & Disengaged Loss Mitigation within last 60 days	0	9/26		
	Servicing Data	Final Data Files Delivery	0	10/1		
	Servicing Data	Final Loss Mitigation Data File(s) Delivery	3	10/4		

# Conversion Workbook – Image Delivery

CONVERSION NAME						
						October 1, 2015
	5/12/2015	2 Hard drives	Initial Image extraction	Media Password: [REDACTED] Passcode = [REDACTED] passcode = [REDACTED]	1st Hard drive is a Apricorn USB 3.0 labeled as OCWEN HD 44 2nd Hare Drive is a data locker (EMC2) Labeled as Ocwen 15	Tracking from Landmark to [REDACTED]
	5/27/2015	1 Hard Drive	Secondary Initial Image extraction	Password: [REDACTED]	Seagate Expansion hard drive	From Ocwen to GT: [REDACTED]
	6/5/2015	CDR	Delta Loss Mit Extraction	[REDACTED]	Saved as [REDACTED]	Tracking from Ocwen to GT: [REDACTED]
	7/24/2015	2 CDs	Delta 18 7/21	[REDACTED]	CDs	[REDACTED]
	8/3/2015	DVD	Delta 22 Sweep	[REDACTED]	DVD	[REDACTED]
	8/5/2015	DVD	Delta 23 Sweep 7/28-8/3	[REDACTED]	DVD	[REDACTED]
	7/9/2015	DVD	Delta Loss Mit Extraction- Sweep 12	[REDACTED]	N:\ACQUISITIONS\ACTIVE CONVERSIONS [REDACTED]	[REDACTED]
	7/13/2015	DVD	Delta 11 7/9	[REDACTED]	Drop Site	[REDACTED]
	7/15/2015	Flash Drive	Delta 12 7/10-7/12	[REDACTED]	Lexar Flash Drive	[REDACTED]
	7/15/2015	DVD	Delta 13 7/13	[REDACTED]	Delta bulk 13	[REDACTED]
	7/16/2015	Flash Drive	Delta 14 7/14	[REDACTED]	Lexar Flash Drive	[REDACTED]

# Data Mapping Overview

## Servicing System Transfer Experience

- The Company has performed numerous transfers from many 3<sup>rd</sup> Party and Proprietary Loan Servicing Systems
- E.g. LPS MSP, FiServ, ALS, ACLS, CACS, FICS, LSAMS, Harland, Action, CitiLink

## Mapping Tools / Services

- **Map-It** – A middleware tool *(for loans moving to GTA)*
  - Current Servicer Data Dictionary and file map all fields through Map-It
  - Maps and field translation are reviewed with transferring servicer experts
  - Raw data is converted through internally developed “spin process” within the test servicing system; data validation is performed
- **Electronic Loan Interface (ELI)** *(account boarding tool for MSP)*
  - Transferring servicer data files are loaded into ELI
  - Data points are mapped to MSP data fields
  - Accounts are boarded to MSP using new account transactions
- **Black Knight Financial Services (BKFS) Acquisition Service for account boarding** *(used for large or complex transfers)*
  - Data definition document is created with mapping and data definitions
  - BKFS loads accounts to MSP through the transfer of data from the seller client to Ditech’s MSP client.

## Exception Processing

- Rejected fields (i.e., coding or data exceptions) are reviewed and processed appropriately
- Corrected accounts are transferred back through the spin process
- This process is repeated until all errors and all accounts are converted

# In Flight Loss Mitigation

## Prior to Transfer

- Ditech requires the prior servicer to provide the following information:
  - Supply a detailed list of accounts with pending loss mitigation applications, completed loss mitigation options and approved loss mitigation plans, including but not limited to:
    - Repayment plans
    - Forbearances
    - Modification trial periods
    - Modification offers
    - Liquidation files in progress.
  - Identify all documents received for the loss mitigation application and provide a list of information required to complete loss mitigation package

## After Transfer

- Ditech completes the following steps:
  - Properly evaluates all loss mitigation applications in progress at the time of transfer:
    - Meets any appropriate response requirements
    - Applies any in-flight loss mitigation plans to the accounts
  - Attempts to obtain missing information from the prior servicer before attempting to obtain it from the customer
  - Resolves pending loss mitigation requests and gives customers the opportunity to provide any necessary missing information
  - Reviews transferred accounts in active trial or permanent modification agreements to determine if payments made by the customer are consistent with the terms provided by the prior servicer

# Balancing

Financial	Monthly Payment Amounts	Status's/Flags
Second/Principal Bal	Escrow Payment	Esc Tax Flag/Record Count
Escrow Advance Bal		Esc Mi Flag/Record Count
Restricted Escrow Bal		FHA Case Number Validation
NSF Balance		USDA Loan Record Count
3rd Party Corp Adv		ARM Loan Record Count
		SCR Loan Record Count
		Loan Purpose Validation

## Post-Transfer Reviews

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- **Post transfer audits validate account information has been converted properly**
  - **Data Integrity Process Completed Within 20 Days Post-Transfer**
    - Conversion team collaborates with the Data Integrity Team to provide data and images for the review
  - **Contract to converted data review by QA Data Integrity Unit**
    - Depending on size of portfolio and determined risk, either a statistically valid sample or a 100 percent review is performed
  - **Week 1 Compliance Report Issued**
    - Ditech Compliance Department issues findings for initial review of immediate legal and financial conversion elements
  - **Legal Closing Memo Issued**
    - Ditech Legal Department issues findings of legally required customer communication (RESPA Servicing Transfer Notices, Privacy Statements and Debt Validation Notices)
  - **Thirty and Sixty-day Conversion Internal Audit Reports Issued**
    - Ditech Internal Audit completes comprehensive examination of converted accounts against previously documented due diligence of conversion concerns
  - **Bi-weekly Conversion Executive Update**
    - Review of Conversion Dashboard and Issues
    - Lessons learned for future conversions

## Deboarding

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- Ditech transfers documents electronically to ensure it accurately transfers all relevant borrower information
- Ditech works with the new servicer to ensure it sends all legally required notices
- Ditech takes the following steps when off-boarding accounts involved in loss mitigation:
  - Supplies a detailed list of accounts with pending loss mitigation applications, completed loss mitigation options and approved loss mitigation plans
  - Provides specifically identified documents that have been received for the loss mitigation application with a list of information still required from the customer in order to complete the application
  - Provides access to all loss mitigation accounts using a secure system, such as a web portal, compact disk or portable drive, containing loan documentation up to 45-60 days before transfer
  - Maintains communication with the transferee servicer and addresses any requests for missing information or documentation promptly and accurately.
- Ditech identifies the current status of any loans involved in a Hardest Hit Fund prior to transfer





# Conversion / Loan Boarding

Questions / Answers

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