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FILED MAY 28 2019
TIME MACHINE BROKEN
Lori McEwan 5:30 PM

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b) Lori F. McEwan 20 Mackenzie Court Freehold, NJ 07728
In Re: Lori F. McEwan

17-29242-MBK

Judge Kaplan

Motion for Reconsideration
of May 17, 2019 Order
Vacating Automatic Stay

Hearing Date 7/3/2019
@ 12:00 p.m.

**MOTION FOR RECONSIDERATION
OF MAY 17, 2019 ORDER VACATING THE AUTOMATIC STAY**

The parties to the order and the names, addresses, and
telephone numbers of their respective attorneys are as follows:

Jonathan C. Schwalb
Friedman Vartolo LLP
85 Broad Street
New York, NY 10004
212-471-5100
bankruptcy@friedmanvartolo.com

Representing:

AMIP Management as investor for Wilmington Savings Fund Society,
FSB, as Owner Trustee of the Residential Credit Opportunities Trust V-C

SN Servicing Corporation

SN Servicing Corporation as servicer for Tiki Series III Trust

May 27, 2019.



Lori McEwan

FILED
JEANNE A. NAUGHTON, CLERK

MAY 28 2019

U.S. BANKRUPTCY COURT
TRENTON, NJ
BY  DEPUTY

**Movant Shall Certify Notice
To All Interested Parties Of
The Hearing Date Fixed
By The Court.**

Lori F. McEwan

20 Mackenzie Court
Freehold, NJ 07728

May 27, 2019

FILED
JEANNE A. NAUGHTON, CLERK

MAY 28 2019

U.S. BANKRUPTCY COURT
TRENTON, NJ
BY  **DEPUTY**

Honorable Michael B. Kaplan
United States Bankruptcy Court
Clarkson S. Fisher US Courthouse
402 East State Street
Trenton, NJ 08608

Re: MOTION REGARDING VACATING AUTOMATIC STAY

Dear Judge Kaplan:

A corrupt organization that I refer to as Cleary et. als. ("Cleary") fraudulently sold the contaminated property at 20 Mackenzie Court, Freehold, NJ 07728 to me in 2004. This criminal act was a violation of federal law.¹

Cleary worsened this criminal act by arranging for my mortgage and failing to disclosure to the mortgage company that the property was contaminated.

Cleary worsened this criminal act further in concert with Howell Township by raising my taxes from \$10,000 to approximately \$19,000.² Cleary was the lawyer for Howell Township when this occurred. Both Cleary and the town failed to disclose that the property was contaminated when my taxes were raised.

Prior to finalizing a Chapter 13 plan, a judge and a trustee have the responsibility to the debtor and the estate to make sure that issues like the above-described criminal acts and all EPA issues related to the property are addressed properly.

To avoid further waste of time and resources and damage to my estate, I am asking Your Honor to vacate this order or stay it until the June 11, 2019 hearing.

To avoid further confusion, Your Honor should upon reading this motion sign a Sua Sponte order either vacating the May 17th order or staying it until the hearing on June 11, 2019. In addition to filing the hard copy, I am emailing this motion with a request that you consider taking immediate action.

¹ Cleary was required to disclose any known latent defects or problems with the property to be sold, including any environmental problems or adverse environmental conditions that exist on the property.

² Both Cleary and the Town of Howell knew the property was contaminated when I purchased it in 2004.

Improper Ruling by Judge Gravelle

Judge Gravelle did not consider the above-listed facts.

Judge Gravelle did not consider my two emergent motions.

Judge Gravelle said she would read the information needed to rule properly. She was pretended to until I started asking her hard questions at which point she threatened me.

Worst of all, Judge Gravelle did not read the Adam Winston transcript where he admitted that mortgage is not valid because it was remade with new terms.

For the above reasons alone, you should sign a Sua Sponte order that vacates or stays Judge Gravelle's May 17th order.

No Jurisdiction?

Judge Gravelle indicated that she did not have jurisdiction over any of the matters I asked her to consider. She only wanted to consider the information that Mr. Schwalb fraudulently filed with the court, which Mr. Winston described as invalid since it was remade with new terms.

I vehemently disagree with Judge Gravelle's decision to proceed with a ruling without having these facts. She should have reserved judgment in the matter until she had an opportunity to discuss the Adam Winston transcript with Your Honor.

Ignore Congress and the United States Supreme Court?

Laws written by Congress along with the precedent and advice of the United States Supreme Court provide the authority for EPA to write and revise regulations on an ongoing basis.

Is this Court going to ignore these regulations in handling my petition?

Sending this Back to a Corrupt State Court?

Since I have demonstrated that the final judgment in my foreclosure was rendered by Judge Cleary, a key member of this criminal enterprise, and that Judge Grasso-Jones of Monmouth County was a criminal participant, it seems odd that Your Honor would sit back and permit Judge Gravelle, who admitted that she did not read the pleadings, to vacate the automatic stay and send this back to Monmouth County before the key issues covered by the motions to be heard on June 11, 2019 are reviewed by this Court and ruled upon.

Is the Rooker-Feldman Doctrine the Reason Why Key Evidence Was Ignored?

At this point, both Your Honor and Judge Gravelle would not only be stretching the imagination to maintain that the Rooker-Feldman Doctrine applies and that Congress and the United State Supreme Court has not given you the jurisdiction and authority to handle this matter for my estate, it would be a violation of the Code of Ethics of Federal Judges for you not to report the lawyers and judges associated with the *Cleary Criminal Enterprise* to the appropriate authorities which I suggest, since corruption is rampant in this state, should be the office of William Barr and the United States Attorney General based in Washington, District of Columbia.

What Judge Gravelle Should Have Done on May 14th

What was called for on May 14, 2019, particularly considering Your Honor's absence, was for both the *Show Cause* and the *Automatic Stay* motions to be adjourned until June 11, 2019 when they would be heard with the two Emergent Motions that are to be heard that day.

Adversary Complaint or Stay Proceedings

Based on the criminal acts by Cleary and Howell Township, I should owe no money to Howell Township or any mortgage company. Further, Your Honor and the trustee should initiate an adversary complaint against Cleary and Howell Township on behalf of my estate and me. If Your Honor and the trustee want to ignore the responsibility of an adversary proceeding, then the May 17th Order vacating the automatic stay should be vacated, and the Chapter 13 proceedings stayed until the conclusion of a District Court action you let me file against them.

Sua Sponte Order

Considering:

- (1) the above facts;
- (2) the evidence contained in the transcript of my conversation with Adam Winston, who already admitted that mortgage is not valid because it was remade with new terms and whose overall testimony clearly proves that Mr. Schwalb perjured himself on at least three occasions to both Your Honor and Judge Gravelle, and
- (3) the various admissions by Judge Gravelle proving she did not read the pleadings and exhibited atrocious conduct by threatening me for asking questions she found difficult to answer;

Your Honor should sign a Sua Sponte order granting the relief I suggested that both the *Show Cause* and the *Automatic Stay* motions needed to be adjourned until June 11, 2019 when they would be heard with the two Emergent Motions that are to be heard that day. With this letter I am asking Your Honor that the Sua Sponte order either vacate or stay the May 16th and May 17th orders of this Court that issued from the May 14th hearing and be rereviewed on June 11, 2019.

The Sua Sponte order should discharge all debt issuing from the criminal acts of Cleary and Howell Township, but I know Your Honor will not do this, despite:

- 1) the criminal acts of Cleary and Howell Township;
- 2) the transcript of Adam Winston, and
- 3) perjuries of Mr. Schwalb

because you still harbor the notion that, ignoring all the above federal law violations, the corrupt state court in Monmouth County, where *Cleary Criminal Enterprise* Judge Linda Grasso-Jones operates within the Civil Court of the vicinage.

Closing Statement

I can see Your Honor not granting the discharge until June 11th or, even, after the evidentiary hearing in July.

However, there should be no reason for Your Honor not to simply stay Judge Gravelle's May 17, 2017 order vacating the automatic stay until, at least, the June 11, 2019 hearing.

I have a significant amount of additional support evidence for this motion which I will present and argue in court depending on the response of Mr. Schwalb to this motion.

Thank you for your time, consideration and, hopefully, your cooperation in this matter.


Sincerely,



Lori F. McEwan

CERTIFICATE OF SERVICE

Lori F. McEwan, of full age, hereby certifies as follows:

FILED
JEANNE A. NAUGHTON, CLERK
MAY 28 2019
U.S. BANKRUPTCY COURT
TRENTON, NJ
BY  **DEPUTY**

1. I am a party in this matter.
2. On May 28, 2019:

I caused:

- a) A motion for a reconsideration of an order vacating the automatic stay; and,
- b) this Certificate of Service on the parties

The parties to the order and the names, addresses, and telephone numbers of their respective attorneys are as follows:

Jonathan C. Schwalb
Friedman Vartolo LLP
85 Broad Street
New York, NY 10004
212-471-5100
bankruptcy@friedmanvartolo.com

Representing:

AMIP Management as investor for Wilmington Savings Fund Society,
FSB, as Owner Trustee of the Residential Credit Opportunities Trust V-C

SN Servicing Corporation

SN Servicing Corporation as servicer for Tiki Series III Trust

SIGNED: Tuesday, May 28, 2019


Lori McEwan

*Filed MAY 28, 2019
TIME MACHINE BROKEN
Lori McEwan 5:30PM*

<p>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY</p> <hr/> <p>Caption in Compliance with D.N.J. LBR 9004-1(b)</p> <p>Lori F. McEwan 20 Mackenzie Court Freehold, NJ 07728</p> <hr/> <p>In Re:</p> <p>Lori F. McEwan</p>
--

17-29242-MBK

Judge Kaplan

Motion for Reconsideration
of May 17, 2019 Order
Denying Discharge of Claim

Hearing Date: 7/3/2019

**MOTION FOR RECONSIDERATION OF MAY 17, 2019 ORDER @ 12:00P.M.
DENYING DISCHARGE OF THE FRAUDULENT
AND ILLEGAL CLAIM AGAINST MY ESTATE**

The parties to the order and the names, addresses, and telephone numbers of their respective attorneys are as follows:

Jonathan C. Schwalb
Friedman Vartolo LLP
85 Broad Street
New York, NY 10004
212-471-5100
bankruptcy@friedmanvartolo.com

Representing:

AMIP Management as investor for Wilmington Savings Fund Society, FSB, as Owner Trustee of the Residential Credit Opportunities Trust V-C

SN Servicing Corporation

SN Servicing Corporation as servicer for Tiki Series III Trust

May 27, 2019.

Lori McEwan
Lori McEwan

**Movant Shall Certify Notice
To All Interested Parties Of
The Hearing Date Fixed
By The Court.**

FILED
JEANNE A. NAUGHTON, CLERK
MAY 28 2019
U.S. BANKRUPTCY COURT
TRENTON, NJ
BY DEPUTY

Lori F. McEwan

20 Mackenzie Court
Freehold, NJ 07728

May 27, 2019

FILED
JEANNE A. NAUGHTON, CLERK

MAY 28 2019

U.S. BANKRUPTCY COURT
TRENTON, NJ
BY  **DEPUTY**

Honorable Michael B. Kaplan
United States Bankruptcy Court
Clarkson S. Fisher US Courthouse
402 East State Street
Trenton, NJ 08608

Re: **MOTION REGARDING FAILURE TO DISCHARGE THE FRAUDULENT
AND ILLEGAL CLAIM AGAINST MY ESTATE**

Dear Judge Kaplan:

As Your Honor knows, a corrupt organization that I refer to as Cleary et. als. ("Cleary") fraudulently sold the contaminated property at 20 Mackenzie Court, Freehold, NJ 07728 to me in 2004. This criminal act was a violation of federal law.¹

Cleary worsened this criminal act by arranging for my mortgage and failing to disclosure to the mortgage company that the property was contaminated.

Cleary worsened this criminal act further in concert with Howell Township by raising my taxes from \$10,000 to approximately \$19,000.² Cleary was the lawyer for Howell Township when this occurred. Both Cleary and the town failed to disclose that the property was contaminated when my taxes were raised.

Prior to finalizing a Chapter 13 plan, a judge and a trustee have the responsibility to the debtor and the estate to make sure that issues like the above-described criminal acts and all EPA issues related to the property are addressed properly.

Your Honor has ignored these responsibilities and Judge Gravelle is simply clueless.

¹ Cleary was required to disclose any known latent defects or problems with the property to be sold, including any environmental problems or adverse environmental conditions that exist on the property.

² Both Cleary and the Town of Howell knew the property was contaminated when I purchased it in 2004.

No Jurisdiction?

Judge Gravelle indicated that she did not have jurisdiction over any of these matters.

Laws written by Congress provide the authority for EPA to write regulations. Is this Court going to ignore these regulations in handling my petition?

Since I have demonstrated that the final judgment in my foreclosure was rendered by Judge Cleary, a key member of this criminal enterprise, and that Judge Grasso-Jones of Monmouth County was a criminal participant, it seems odd that Your Honor would sit back and permit Judge Gravelle, who admitted that she did not read the pleadings, to vacate the automatic stay and send this back to Monmouth County before the key issues covered by the motions to be heard on June 11, 2019 are reviewed by this Court and ruled upon.

At this point, both Your Honor and Judge Gravelle would not only be stretching the imagination to maintain that the Rooker-Feldman Doctrine applies and that Congress and the United State Supreme Court has not given you the jurisdiction and authority to handle this matter for my estate, it would be a violation of the Code of Ethics of Federal Judges for you not to report the lawyers and judges associated with the *Cleary Criminal Enterprise* to the appropriate authorities which I suggest, since corruption is rampant in this state, should be the office of William Barr and the United States Attorney General based in Washington, District of Columbia.

What was called for on May 14, 2019, particularly considering Your Honor's absence, was for both the *Show Cause* and the *Automatic Stay* motions to be adjourned until June 11, 2019 when they would be heard with the two Emergent Motions that are to be heard that day.

Adversary Complaint or Stay Proceedings

Based on the criminal acts by Cleary and Howell Township, I should owe no money to Howell Township or any mortgage company. Further, Your Honor and the trustee should initiate an adversary complaint against Cleary and Howell Township on behalf of my estate and me. If Your Honor and the trustee want to ignore the responsibility of an adversary proceeding, then the May 17th Order vacating the automatic stay should be vacated, and the Chapter 13 proceedings stayed until the conclusion of a District Court action you let me file against them.

Sua Sponte Order

Considering:

- (1) the above facts;
- (2) the evidence contained in the transcript of my conversation with Adam Winston, who already admitted that mortgage is not valid because it was remade with new terms and whose overall testimony clearly proves that Mr. Schwalb perjured himself on at least three occasions to both Your Honor and Judge Gravelle, and
- (3) the various admissions by Judge Gravelle proving she did not read the pleadings and exhibited atrocious conduct by threatening me for asking questions she found difficult to answer;

Your Honor should sign a Sua Sponte order granting the relief I suggested that both the *Show Cause* and the *Automatic Stay* motions needed to be adjourned until June 11, 2019 when they would be heard with the two Emergent Motions that are to be heard that day. With this letter I am asking Your Honor that the Sua Sponte order either vacate or stay the May 16th and May 17th orders of this Court that issued from the May 14th hearing and be rereviewed on June 11, 2019.

The Sua Sponte order should discharge all debt issuing from the criminal acts of Cleary and Howell Township, nut I know Your Honor will not do this, despite:

- 1) the criminal acts of Cleary and Howell Township;
- 2) the transcript of Adam Winston, and
- 3) perjuries of Mr. Schwalb

because you still harbor the notion that, ignoring all the above federal law violations, the corrupt state court in Monmouth County, where *Cleary Criminal Enterprise* Judge Linda Grasso-Jones operates within the Civil Court of the vicinage.

Closing Statement

I have a significant amount of additional support evidence for this motion which I will present and argue in court depending on the response of Mr. Schwalb to this motion.

Thank you for your time, consideration and, hopefully, your cooperation in this matter.

Sincerely,



Lori F. McEwan

CERTIFICATE OF SERVICE

Lori F. McEwan, of full age, hereby certifies as follows:

FILED
JEANNE A. NAUGHTON, CLERK

MAY 28 2019

U.S. BANKRUPTCY COURT
TRENTON, NJ

BY  DEPUTY

1. I am a party in this matter.
2. On May 28, 2019:

I caused:

- a) A motion for a reconsideration of an order denying discharge of my fraudulent and illegal debt; and,
- b) this Certificate of Service on the parties

The parties to the order and the names, addresses, and telephone numbers of their respective attorneys are as follows:

Jonathan C. Schwalb
Friedman Vartolo LLP
85 Broad Street
New York, NY 10004
212-471-5100
bankruptcy@friedmanvartolo.com

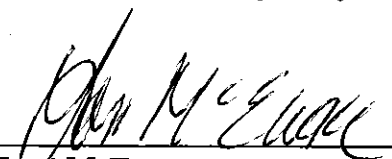
Representing:

AMIP Management as investor for Wilmington Savings Fund Society, FSB, as Owner Trustee of the Residential Credit Opportunities Trust V-C

SN Servicing Corporation

SN Servicing Corporation as servicer for Tiki Series III Trust

SIGNED: Tuesday, May 28, 2019



Lori McEwan

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-1(b) Lori F. McEwan 20 Mackenzie Court Freehold, NJ 07728 SSN / ITIN: xxx-xx-6257	
In Re: Lori F. McEwan	

U.S. BANKRUPTCY COURT
 FILED
 TRENTON, NJ
 2019 MAY 14 P 1:53
 JEANNE A. NAUGHTON
 BY: W. Romeo
 DEPUTY CLERK

Case No.: 17-29242-MBK
 Adv. Pro. No.: _____
 Chapter: 7
 Hearing Date: May 14, 2019
 Judge: Kaplan

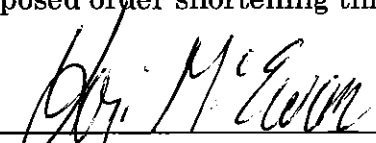
APPLICATION FOR ORDER SHORTENING TIME

The applicant Lori McEwan, Pro se requests that the time period to/for a motion hearing as required by the rules of this Court be shortened pursuant to Fed. R. Bankr. P 9006(c)(1), for the reason(s) set forth below:

1. A shortened time hearing is requested because my health is being affected by Friedman Vartolo LLP who has directed its attorney Jonathan C. Schwalb to perjure himself, defame me and do whatever is necessary to damage me and deny my civil, due process and property rights. On this day, Judge Kaplan has this evidence and knows the above to be true, hence, I seek an immediate hearing whereby the judge questions Mr. Schwalb as to why he has twice perjured himself in docketed pleadings as to the events that occurred in my loan modification discussion with Adam Winston who represents his client. For instance, Mr. Winston said Mr. Schwalb "dropped the ball". The loan modification problem was Mr. Schwalb's fault, not mine. Not knowing that I taped the conversation, Mr. Schwalb lied to the U.S. Bankruptcy Court and the Office of the U.S. Trustee.
2. State the hearing dates requested:
 The hearing date requested is May 14, 2019.
3. Reduction of the time period is not prohibited under Fed. R. Bankr. P 9006(c)(1).

The applicant requests entry of the proposed order shortening time.

Date: May 14, 2019


 Lori McEwan, Pro se

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LDR 9004-1(b) Lori F. McEwan 20 Mackenzie Court Freehold, NJ 07728 SSN / ITIN: xxx-xx-6257	
In Re: Lori F. McEwan	

U.S. BANKRUPTCY COURT
FILED
TRENTON, NJ

2019 MAY 14 P 1:53

JEANNE A. HAUGHTON

BY: *[Signature]*
DEPUTY CLERK

Case No.: 17-29242-MBK
 Adv. Pro. No.: _____
 Chapter: 7
 Hearing Date: May 14, 2019
 Judge: Kuplan

**MOTION FOR CENSURE OF ATTORNEY JONATHAN C. SCHWALB
AND FRIEDMAN VARTOLO LLP**

The parties to the order and the names, addresses, and telephone numbers of their respective attorneys are as follows:

Jonathan C. Schwalb
 Friedman Vartolo LLP
 85 Broad Street
 New York, NY 10004
 212-471-5100
 bankruptcy@friedmanvartolo.com

Representing:

AMIP Management as investor for Wilmington Savings Fund Society, FSB, as Owner Trustee of the Residential Credit Opportunities Trust V-C

SN Servicing Corporation

SN Servicing Corporation as servicer for Tiki Series III Trust

May 14, 2019.

[Signature]
 Lori McEwan

Lori F. McEwan
20 Mackenzie Court
Freehold, NJ 07728

U.S. BANKRUPTCY COURT
FILED
TRENTON, NJ

2019 MAY 14 P 1:52

JEANNE A. NAUGHTON

BY: 
DEPUTY CLERK

May 14, 2019

Honorable Michael B. Kaplan
United States Bankruptcy Court
Clarkson S. Fisher US Courthouse
402 East State Street
Trenton, NJ 08608

Re: Application for Shortened Time for Hearing and Two Emergent Motions

Dear Judge Kaplan:

These two motions prove that Mr. Schwalb is lying to this court and the trustee in another fraudulent attempt to steal my property. Knowingly and willfully making false statements, or some would say perjury because the stakes are high and the truth is expected of officers of the court, is not something that should be taken lightly. These two motions provide Your Honor with several alternate ways of handling this latest fraud upon the court, my family and me.

Due to the seriousness of the present motion today, my request that Mr. Schwalb show cause why Your Honor should not order the discharge of all claims related to my purchase of the contaminated property at 20 Mackenzie Court Freehold, NJ 07728 with prejudice, one would expect he would provide a direct, reasonable and truthful answer to the court, instead, he chose to both commit perjury and malign me. His response to my motion should be enough reason for Your Honor to discharge all liens and debts related to the criminal sale of 20 Mackenzie Court at today's hearing

My response to the way Mr. Schwalb has conducted himself was to file these two motions, ask you to read them prior to today's hearing, and question Mr. Schwalb directly as to why he has lied to this court on more than one occasion as to the events that occurred in my loan modification discussion with Adam Winston who represents his client. In the Censure or Discipline Motion, you have the full transcript. In the Evidentiary Hearing Motion, you have selected statements that Mr. Winston was willing to work with me, sympathized with me and even indicated that Mr. Schwalb had "dropped the ball". Further, since Mr. Winston indicated that he would call Mr. Schwalb before getting back to me, and he never did, you have evidence that Mr. Schwalb obstructed the loan modification process.

Both motions should provide Your Honor with enough information to question Mr. Schwalb and deal with my requests for relief. They also provide Your Honor with a range of options from immediate discharge with prejudice along with a remand to the Chancery Court for a jury trial to "resolve all outstanding issues other than a monetary claim against me or the forced turnover of the property" to holding an evidentiary hearing on July 16th which would feature a full analysis of the misconduct and criminal acts against my family and me since Cleary et. al. violated state and federal laws by selling me a contaminated property without provide full and truthful disclosure as to the nature and condition of the property.

On one hand we have a liar. On the other hand, someone who is honestly working within the Bankruptcy Court.

Who will Your Honor reward?

You have a perfect situation here. Mr. Schwalb did not know that I taped the conversation with Mr. Winston. Mr. Schwalb chose to lie the U.S. Bankruptcy Court and the Office of the U.S. Trustee because he believed he could get away with it, believed Your Honor would side with an attorney and not the crazed lunatic that he has attempted to portray me as.

Who will Your Honor reward?

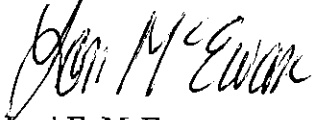
These two motions provide Your Honor with all the evidence you need to summarily grant my motion upon reading. If you decide to hold today's hearing after reading these motions, I would like Your Honor to inform Mr. Schwalb of your decision and begin to question him on the spot as to why he lied to Your Honor and the trustee and in the process defame me.

I await Your Honor's decision on these two Emergent Motions and my requested relief.

Mr. Schwalb has not only failed to show cause why Your Honor should not order a full and complete discharge of the claims against me, he has violated his Code of Professional Conduct, as well as federal laws regarding false testimony, and he and his firm should be immediately disciplined with the trustee referring the matter to the Washington, D.C. office of the United States Attorney General for this entire matter since 2004 to be investigated for criminal acts.

Please protect my family and me in your decision and rulings today.

Sincerely,

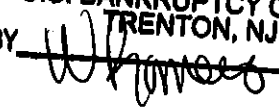
A handwritten signature in black ink, appearing to read "Lori F. McEwan". The signature is written in a cursive, somewhat stylized font.

Lori F. McEwan

Lori F. McEwan
20 Mackenzie Court
Freehold, NJ 07728

May 14, 2019

Honorable Michael B. Kaplan
United States Bankruptcy Court
Clarkson S. Fisher US Courthouse
402 East State Street
Trenton, NJ 08608

FILED
JEANNE A. NAUGHTON, CLERK
MAY 14 2019
U.S. BANKRUPTCY COURT
TRENTON, NJ
BY  **DEPUTY**

Re: **MOTION FOR CENSURE OF ATTORNEY AND LAW FIRM**

Dear Judge Kaplan:

I recently filed a motion to show cause why all liens and debts in my bankruptcy petition should not be discharged. Further to that I submit the following motion seeking (1) the censure of Jonathan C. Schwalb and his firm Friedman Vartolo LLP, and (2) immediate relief.¹

Jurisdiction

Attorneys must adhere to state and federal standards of professional conduct that are clearly defined. Every state has a disciplinary system under which lawyers can be punished for violating ethical standards and, in this instance, for perjury, fraud and defamation directed at an opposing party within a federal court.

This Court and the Office of the United States Trustee have the responsibility to prevent bankruptcy crimes and prosecuting those who commit them. Debtors being defrauded by creditors. Both Your Honor and the U.S. Trustee should have a strong interest in preserving, protecting and defending the integrity of the bankruptcy system. The federal criminal statutes most associated with bankruptcy crimes are 18 U.S.C. §152 and 18 U.S.C. §157 and include mail fraud, perjury, obstruction of justice, conspiracy, false statements, money laundering and a wide range of other statutes, depending on the particular facts of the case. This motion provides evidence for the perjury of Jonathan C. Schwalb and his firm. You have read Mr. Schwalb's response to my recent motion. Now read Exhibit 1 and you will see that one of more deliberate criminal acts have occurred by the creditor's prosecution of this case through Jonathan C. Schwalb and his firm Friedman Vartolo LLP who did not think that I would exercise my right to protect myself in recording the conversation in the same manner their client did.

¹ Mr. Schwalb and his firm reviewed my motion to show cause why my debt should be discharged by Your Honor or the matter be remanded to Chancery Court, hopefully, for a jury trial, discovery and depositions. Instead of accepting my offer to agree to the discharge of my debt and to join me in suing Cleary et. al. (who committed the criminal act of selling me a contaminated property through a nominee, Mr. Schwalb and Friedman Vartolo LLP committed perjury and defamed me), it appears, that Mr. Schwalb, his form and his client have, in a desperate attempt to cover-up the mortgage fraud I have alleged that has occurred by Countrywide Financial, New Vision Title Agency, Bank of America, Ditech Financial, Goldman Sachs, US Bank NA, Chalet Servicing, and other firms - have committed perjury, fraud and defamed me.

Governing Rules, Regulations and Laws

Attorney Code of Conduct

RPC 3.3 Candor Toward the Tribunal

- (a) A lawyer shall not knowingly:
 - (1) make a false statement of material fact or law to a tribunal;
 - (2) fail to disclose a material fact to a tribunal when disclosure is necessary to avoid assisting an illegal, criminal or fraudulent act by the client;
 - (3) fail to disclose to the tribunal legal authority in the controlling jurisdiction known to the lawyer to be directly adverse to the position of the client;
 - (4) offer evidence that the lawyer knows to be false.
 - (5) fail to disclose to the tribunal a material fact knowing that the omission is reasonably certain to mislead the tribunal.

RPC 4.1 Truthfulness in Statements to Others

- (a) In representing a client, a lawyer shall not knowingly:
 - (1) make a false statement of material fact or law to a third person; or
 - (2) fail to disclose a material fact to a third person when disclosure is necessary to avoid assisting a criminal or fraudulent act by a client.

RPC 5.1 Responsibilities of Partners, Supervisory Lawyers, and Law Firms

- (a) Every law firm, government entity, and organization authorized by the Court Rules to practice law in this jurisdiction shall make reasonable efforts to ensure that member lawyers or lawyers otherwise participating in the organization's work undertake measures giving reasonable assurance that all lawyers conform to the Rules of Professional Conduct.
- (b) A lawyer having direct supervisory authority over another lawyer shall make reasonable efforts to ensure that the other lawyer conforms to the Rules of Professional Conduct.
- (c) A lawyer shall be responsible for another lawyer's violation of the Rules of Professional Conduct if:
 - (1) the lawyer orders or ratifies the conduct involved; or
 - (2) the lawyer having direct supervisory authority over the other lawyer knows of the conduct at a time when its consequences can be avoided or mitigated but fails to take reasonable remedial action.

RPC 8.4 Misconduct

It is professional misconduct for a lawyer to:

- (a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
- (b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects;
- (c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation;
- (d) engage in conduct that is prejudicial to the administration of justice;

CHAPTER 7 HANDBOOK

Referral of Potential Bankruptcy Crimes

a. Detecting Criminal Activity

The trustee is often in the best position to initially identify fraud or criminal activity in chapter 7 cases. When criminal activity is suspected, the trustee must notify the United States Trustee immediately. 18 U.S.C. § 3057.

Creditors and other parties may contact the trustee with allegations of fraud.

The trustee may also discover potential criminal violations through the review of records such as financial statements and records, UCC filings and title searches, insurance records, bank loan files, proofs of claim and tax returns.

b. Types of Criminal Conduct

The most common bankruptcy crimes are set forth in section 152 of title 18. That section makes it a crime for any individual to "knowingly and fraudulently:"

- 2) Make a false oath or account in relation to a bankruptcy case;
- 3) Make a false declaration, certification, verification or statement in relation to a bankruptcy case;
- 4) Make a false proof of claim;
- 6) Give, offer, receive or attempt to obtain money, property, reward or advantage for acting or forbearing to act in a bankruptcy case;
- 7) Transfer or conceal property with the intent to defeat the Bankruptcy Code;
- 9) Withhold documents related to the debtor's property or financial affairs from a trustee or other officer of the court.

Persons other than the debtor may commit bankruptcy crimes.

Section 157 of title 18 is similar to the federal mail fraud and wire fraud statutes in that it requires a showing of intent to devise or intent to devise a scheme or artifice to defraud. A person, not only a debtor, commits bankruptcy fraud if, for the purpose of executing or concealing this scheme or artifice to defraud, that person:

- 2) Files a document in a proceeding under title 11; or
- 3) Makes a false or fraudulent representation, claim, or promise concerning or in relation to a proceeding under title 11, at any time before or after the filing of the petition, or in relation to a proceeding falsely asserted to be pending under such title. 18 U.S.C. § 157.

There are several other criminal statutes that may be relevant to bankruptcy related crimes including those relating to bank fraud, tax fraud, mail and wire fraud, and money laundering. The trustee should consult with the United States Trustee if additional information and training on these statutes is needed.

c. Compliance with Trustee's Duty to Report Criminal Conduct

Section 3057 of title 18 of the United States Code requires the trustee to report suspected violations of federal criminal law to the appropriate United States Attorney. Section 586 of title 28 imposes a similar duty on the United States Trustee to refer any matter that may constitute a violation of criminal law to the United States Attorney and, upon request, to assist the United States Attorney in prosecuting the matter. This statutory obligation does not provide for the referral of only those matters which will be prosecuted or for which there is proof beyond a reasonable doubt. Nor is it subject to any thresholds or guidelines established by the United States Attorneys' offices.

Accordingly, the trustee should continue to refer to the United States Trustee matters which relate to any action which the trustee believes may constitute a crime. It is important that the trustee and the United States Trustee coordinate their efforts in the criminal referral process. Upon determining that there are reasonable grounds to believe that a crime has been committed, the trustee is required to refer the matter to the United States Attorney. Depending upon local practice, the trustee must submit the referral through the United States Trustee or furnish a copy to the United States Trustee. 28 U.S.C. § 586. The mechanics of this referral be discussed with the United States Trustee or the Assistant United States Trustee, as they may have developed specific procedures with the local offices of the United States Attorney, the Federal Bureau of Investigation, and other law enforcement agencies.

Judicial Responsibility

Your Honor also has jurisdiction to rule on my motion.

The Code of Conduct for United States Judges makes it clear that Your Honor can rule on this motion and take such other action that you deem necessary for the proper administration of justice:

Canon 3: A Judge Should Perform the Duties of the Office Fairly, Impartially and Diligently

(B) *Administrative Responsibilities.*

- (6) A judge should take appropriate action upon receipt of reliable information indicating the likelihood that a judge's conduct contravened this Code, that a judicial employee's conduct contravened the Code of Conduct for Judicial Employees, or that a lawyer violated applicable rules of professional conduct.

I trust Your Honor in this matter, since you are responsible to uphold and promote the integrity of the judiciary which has been violated by Jonathan C. Schwalb, Friedman Vartolo LLP and their client.²

If Your Honor has any doubt that they have violated several federal laws that requires the trustee to contact the Office of the U.S. Attorney, for instance, the authenticity of Exhibit 1, please be advised that there is an audio version of the transcript. In fact, if Your Honor grants this motion to hear this matter today, I respectfully request that Your Honor play the audio version which I will make available to your clerk.³ In fact, perhaps Your Honor can question Mr. Schwalb after playing select portions of the recording, including, but not limited to, the section where Mr. Winston stated:

**ADAM WINSTON: [00:10:09] [00:10:09]
So it looks like our counsel dropped the ball in not re..re..
relaying you over the modification terms to you. [00:10:14]**

² Mr. Schwalb made it quite clear in the 6th, 7th and 8th points of his response, which Your Honor can review on pages 2 and 3 of that document (Docket # 63), that their client was fully aware and complicit in their perjury, fraud upon this Court and me, and defamation against me.

³ If this motion is granted and the trustee agrees that a referral needs to be made to the Office of the U.S. Attorney, please be advised that I will file an instant motion that the referral move through the William Barr, United States Attorney General, U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Washington, DC 20530-0001. The reason is that foreclosure and bankruptcy fraud against innocent families in New Jersey have been ongoing since the Financial Crisis of 2007-2008 and nothing has been done to deal with criminal misconduct for over a decade.

A statement that Mr. Schwalb knew was not true:

Section #6:

“Secured Creditor sent the Debtor terms for a loan modification and those terms were not replied to leaving the Secured Creditor to assume Debtor was not accepting the terms of the modification offer.”

Adam Winston places the blame on Mr. Schwalb who must believe that Your Honor doesn't care when lawyers lie to him. This response places the blame on me, though Mr. Schwalb knew better.

Is Your Honor going to reward Mr. Schwalb?

If yes, or if Mr. Schwalb does not apologize or obstructs my requested discharge, I will let the U.S. Attorney General decide for him.

Relief Requested

Since New Jersey and Federal laws have been criminally violated in the sale of the contaminated property to me, the continuing defrauding of me by Cleary et. al. and the denial of my civil, due process and property rights by the wife of this organized crime network, Judge Patricia Del Bueno Cleary, who was party directly or indirectly, as well as materially, in the 2004 criminal sale, these actions by Jonathan C. Schwalb, Friedman Vartolo LLP and their client were particularly egregious, unlawful and harmful to my family.⁴

Considering the previous statement, my prior statements and the attached evidence, I respectfully request the following initial orders of relief:

- (1) An order censuring or other disciplining of Jonathan C. Schwalb, Friedman Vartolo LLP and their clients: AMIP Management as investor for Wilmington Savings Fund Society, FSB, as Owner Trustee of the Residential Credit Opportunities Trust V-C, SN Servicing Corporation and SN Servicing Corporation as servicer for Tiki Series III Trust;
- (2) An order with prejudice discharging of all mortgage and tax claims related to the unlawful, criminal 2004 sale of 20 Mackenzie Court, Freehold, NJ 07728. If there is a second thought regarding the tax, remember that Cleary et. al. were the attorneys for the town with jurisdiction over my property and the tax increase I suffered should never have occurred since they were aware that my property was contaminated;
- (3) An order with prejudice awarding me up to \$10 million in damages against Jonathan C. Schwalb, Friedman Vartolo LLP and their clients, which they can only lessen for themselves by filing a third-party or adversarial claim against Cleary et. al. in this Court or by Your Honor's remand, U.S. District Court. My award for damages to be inviolate and payable within a reasonable time period of the order with prejudice;

⁴ I am close to retaining a personal injury attorney. I would to reserve the right to have this attorney amend or otherwise modify the herein requested relief if Your Honor decides to grant this motion.

- (4) Order with prejudice #3 above does not preclude me from seeking a further award of damages from Cleary et. al. in U.S. District Court; and/or
- (5) If Your Honor is unwilling to award the damages with prejudice, an Order of discharge of the mortgage and tax debt with a remand to Chancery Court for a jury trial, with discovery and depositions to adjudicate any further issues, claims by the Debtor and other unresolved matters outside of creditor claims of monetary relief against me or my estate.
- (6) An Order with prejudice that the creditor and/or the attorneys do something they should have done years ago, conduct an environmental study which starts at \$50,000;
- (7) An Opinion from Your Honor recommending that the Office of the U. S. Trustee contact the office of William Barr, United States Attorney General for review of possible criminal activity.

Closing Statement

The matter of the Show Cause motion should not be heard until this motion is heard first on May 14, 2019, particularly since Your Honor can only responsibly adjudicate that motion until this one is heard, and this Court has received Mr. Schwalb's responses to the arguments and evidence of this emergent motion with is, for all intents and purposes, a call for Mr. Schwalb, his firm and their clients to qualify their response to my Show Cause motion which I only received at or around 4 pm, Friday, May 10, 2019.

Your Honor and justice require the grant of the Application for An Order Shortening Time. Even though I am sick, and their response was late, I am making myself available at 2 pm, May 14, 2019. At that time, Your Honor has a unique opportunity to question Mr. Schwalb why his representations to this Court, which he indicates are his own, his firm's and his client's, are at odds with Mr. Adam Winston who was honest enough to admit to me in the memorialized conversation presented to Your Honor in this Emergent Motion, that:

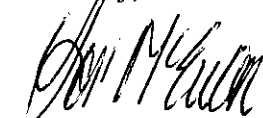
**ADAM WINSTON: [00:10:09] [00:10:09]
So it looks like our counsel dropped the ball in not re..re..
relaying you over the modification terms to you. [00:10:14]**

Mr. Schwalb dropped the ball.

Otherwise, as I have previously requested:

Please protect my family and me in this matter.

Sincerely,



Lori F. McEwan

EXHIBIT 1

2019 04-02 FCI Have offer - Movie on 4-2-19 at 5.11

PM.m4a

Lori McEwan: [00:00:00] Ok now I'm dialing Adam Winston.

Amip MANAGEMENT: [00:00:21] Again can dial it now if you would like to use our dial by name directory. Press two if you would like to speak to an operator press you. Thank you for calling.

Lori McEwan: [00:00:31] I got a Dallas number again because I got a.... I didn't have it on speaker.

Amip MANAGEMENT: [00:00:39] Thank you for calling and the management if you know your party's extension please dial it now if you would like to use our dial by name directory press 2 if you would like to speak to an operator press 0. Thank you for calling.

Lori McEwan: [00:00:53] I'm typing an extension on three transferring to Winston.

ADAM WINSTON: [00:01:20] Winston is not available to take your call. Please leave a message after the tone. Press accounts came to recording.

Lori McEwan: [00:01:29] My name is Lori McEwan spelled m c e w a n L O R I. I am calling on April 2nd. I'm calling regarding my loan number 9 1 6 0 0 4 2 7 1 8. I would appreciate a call back. [00:01:47] I'm trying to get some information on my loan so I can move forward. [00:01:51] If for any reason that you cannot reach me please send me an email at. Lori L O R I Hi dot McEwen M C E W A N. The number one and gmail dot com that's L O R I dot M C E W A N and gmail dot com. Thank you.

Amip MANAGEMENT: [00:02:15] Thank you. You send your message press 3 or hang up you can leave your current message and record a new one. Press 1 to listen to your message press 2. Mark your method.

Lori McEwan Audio Message: [00:02:29] Lori McEwan: My name is Lori McEwan spelled m c e w a n L O R I. I am calling on April 2nd. I'm calling regarding my loan

number 9 1 6 0 0 4 2 7 1 8. I would appreciate a call back. I'm trying to get some information on my loan so I can move forward. If for any reason that you cannot reach me please send me an email at Lori L O R I dot McEwen M C E W A N. The number one and gmail dot com that's L O R I dot M C E W A N and gmail dot com. Thank you. I mean of gory picture. Thank you.

Amip AUDIO RECORDING: [00:03:14] To send your message press three or hang up teachers leave your current message and recorded in one press one to listen to your message press 2 to mark your message as urgent. Message. Your message has been sent to access the voice portal press the star key.

Lori McEwan: [00:03:33] Let's see if actually... call me back. Now I'm going to call. I'm going to have some fun I'm going to call the Bank of America with my old phone number. This is gonna get interesting now.

Lori McEwan: [00:03:54] [00:03:54] You know what I'm going to call this company up again and I'm going to press zero. [00:03:59]

Amip MANAGEMENT: [00:04:11] Thank you for calling Amip MANAGEMENT. If you know your parties Please stay on the line while your call is transferred to the operator.

Lori McEwan: [00:04:27] Hi. I'd like to get some general information regarding your company.

Jennifer: [00:04:35] Ok... what information do you need?

Lori McEwan: [00:04:39] well how are you related to residential credit opportunities Trust.

Jennifer: [00:04:45] We are... Not sure how to.... hold on... just a second. Hold on...

LORI PRIVATE: [00:04:56]

Lori McEwan: [00:05:45] Hi Adam. I'd like some information on your company if you don't mind actually just rang your number but I left a voicemail message and I figured let

me call back in and just get some basic information and I got you. I'm assuming this is...
Is this Adam Winston?

ADAM WINSTON: [00:06:02] Yes it is just bear in mind I have about a thousand clients
in my folder (inaudible).

Lori McEwan: [00:06:05] No no no. That's a that's that's fine. I mean [00:06:08] I
actually just left you a message and I called back and because I'm I'm just a little bit
confused about who I'm dealing with because I was told that I was dealing with
Residential Credit Opportunities Trust. [00:06:21]

Lori McEwan: [00:06:23] And somehow I got your company so I wanted to know how
(interrupted).

ADAM WINSTON: [00:06:28] [00:06:28] We purchase all of our mortgages in or in to a
couple of our trusts. So before I can go. What's your property address so I can begin to
pull you up. [00:06:37]

Lori McEwan: [00:06:38] Sure. It's 2 0. Mackenzie court M.A. C K E N Z I E. Is this your
company.

ADAM WINSTON: [00:06:49] No it's not my company. I am a senior asset manager and
I do handle your particular account.

ADAM WINSTON: [00:06:55] [00:06:55] Now what we do is we purchase all of our
mortgages into the trust and your particular mortgage was purchased in the residential
covenant opportunities trust in DC. [00:07:04]

ADAM WINSTON: [00:07:05] [00:07:05] We are the administrators and the event and
the managers of that trust. Therefore we're one in the same. [00:07:10]

Lori McEwan: [00:07:12] Did you say D.C? They gave me a California address.

ADAM WINSTON: [00:07:17] Well yes to that we are in California.

Lori McEwan: [00:07:20] Oh I guess I heard you wrong...

ADAM WINSTON: [00:07:22] I was giving you the entity of which your note was purchased under it was under Resident Credit you trust D E C.

Lori McEwan: [00:07:32] Oh, D E C? I didn't... I didn't hear that.

ADAM WINSTON: [00:07:34] no. v dash C.

Lori McEwan: [00:07:36] OK this is just this is new to me so....

ADAM WINSTON: [00:07:40] We purchased your.. [00:07:41] We just purchased your file actually late in February and there was service transferred over late March on March 29 due to [00:07:49] service or FCI Lender service

Lori McEwan: [00:07:52] said February about what was the February date?

ADAM WINSTON: [00:07:54] [00:07:56]The February date is the actual date we actually purchased your loan. [00:08:00]

Lori McEwan: [00:08:00] which was...?

ADAM WINSTON: [00:08:00] From the [00:08:01] from the prior investor and that was 28 [00:08:04]and then it takes about 30 days for the product for the loan to get transferred w you know loan servicing transferred on twenty ninth of March to your new servicer F CI lender

ADAM WINSTON: [00:08:14] [00:08:14]We incorporate FCI (inaudible) to service auto loans. By law [00:08:18] all loans have to be which basically means they hold the accounting of the file where you make your payments.

ADAM WINSTON: [00:08:22] If you have any issues as far as you know what you owe FCI be the ones we will talk to. However type of settlement options since we are the owners of your mortgage will come to us.

Lori McEwan: [00:08:32] I see. [00:08:34] When you purchased the loan were you informed that there is a recognized environmental condition on my property? [00:08:39]

ADAM WINSTON: [00:08:41] [00:08:41] You know when do due diligence you know as far as you know what the history of the file is. However if there is something that has popped up as you know... Environmental issues, things of that nature we probably would not have known. [00:08:55]

Lori McEwan: [00:08:55] Well you need to know because it was part of the court record and it seems like what went on is the attorney or whoever.. do you know the attorney who the attorney is for this uhhh whose the attorney representing the bankruptcy?

ADAM WINSTON: [00:09:11] It looks like Friedman Vartolo. That's all we had in (inaudible). Oh, hold on let me make sure that's right. yeahhhhhh.. that's right. Whose doing our BK? ...

ADAM WINSTON: [00:09:29] Yes, Friedman Vartolo is our bankruptcy attorney.

Lori McEwan: [00:09:32] Ok. So you kept them as your attorney? OK..

ADAM WINSTON: [00:09:34] Yes Ma'am

Lori McEwan: [00:09:36] I wasn't sure because I was surprised because I had met with him and then you know I was given a deadline of the thirty first and then they transferred. So I'm starting the process over again.

ADAM WINSTON: [00:09:49] Now did you get the modification offer that was sent out to you?

Lori McEwan: [00:09:54] No I didn't get any any modification offer. Did you guys send something?

ADAM WINSTON: [00:09:59] [00:09:59] Yes ma'am. It looks like on the 8th of March .. uhhh handling this attorney for debtor Pro Se... will you please provide me with terms over the mod agreement? [00:10:09]

ADAM WINSTON: [00:10:09] [00:10:09]So it looks like our counsel dropped the ball in not re..re.. relaying you over the modification terms to you. [00:10:14]

ADAM WINSTON: [00:10:15] [00:10:15]But we did try the proposed terms as far as you know uh current pay off of 665 even with your unpaid principal balance 665 as well 5 percent rate fourty year term and principal and interest payment of \$3206.61. [00:10:32]

Lori McEwan: [00:10:32] No I did not. Do you have. I'm going to need proof of that but that was sent or that it was an error because I'm in bankruptcy court and it's my word against the attorneys and there were... I did not receive any any bankruptcy or any loan modification offer from anybody. I told him..ok

ADAM WINSTON: [00:10:52] If you just give me your email what we can do is start correspondence it looks that you're not represented through your bankrupcy. You failed on your own. Correct?

Lori McEwan: [00:10:59] Well I have an attorney who oversees my case. But yes. I, I do uh the majority of the work I'm doing myself but I have, I work under advisement.

ADAM WINSTON: [00:11:11] Understood. Totally understand. So what we can do is if you want to start a communication by getting you out the actual offer and then from there we can start communication and if this is something that you want to move forward with or not?

Lori McEwan: [00:11:22] I'm.. I'm.. surprised that I have an offer because I told him (FRIEDMAN VARTOLLO JONATHON SCHWALB) that I wanted to speak to a contact to discuss the property condition and then make an offer why would they be making a deal.

Lori McEwan: [00:11:33] By the way do you have a copy of the lien?

ADAM WINSTON: [00:11:38] Of this lien? Let's look at my title... there's nothing noted on my prelim...give me one sec going into another doc..... let me look at my recorder information..... just bear with me..... I'm sorry for the silence. (long pauses)

ADAM WINSTON: [00:11:49] No it's fine. Take your time. (long pause)

ADAM WINSTON: [00:12:35] You know the only (mumbled I don't know what it is) ...:

ADAM WINSTON: [00:12:38] [00:12:38]No, I don't show any environmental lien whatsoever.

Lori McEwan: [00:12:45] was...uh I apologize for these questions. But I'm. I'm as much in the dark as you are and your company actually.. uh... I don't know. I don't know. Are.... Are you working with Friedman Vartollao b I don't understand why they would transfer a loan and uh then send me an offer. When did they send. When did they send this purported offer?

ADAM WINSTON: [00:13:13] Well once again it sounds like they not share the offer we gave them instructions to send the offer on the 8th of March. So, if it wasn't released to you then that's attorneys. Yes we do work with directly.

ADAM WINSTON: [00:13:26] And as far to be able to an offer when a is transferred we want to be able to settle a case as fast as possible so if you wanted to continue.

ADAM WINSTON: [00:13:35] Most of our our clients they want to be able stay in the property and keep making payments so that we provide a modification offer to be able to help them out.

Lori McEwan: [00:13:41] All right. Well that's what I. The way that I left off with him as I wanted to speak directly with a contact would you be my contact or [00:13:49] would the contact be on the other side on FCI? [00:13:52]

ADAM WINSTON: [00:13:54] That would be me or I mean if we are about particulars of the case still we're talking about settlement than I would be your contact if just had general questions about your account and obviously yes. Any type of settlement issues.

Lori McEwan: [00:14:07] Well I think that I think that what I'm going to need to do is I'm going to need to send you the environmental report so you understand what's going on.

The reason why the house didn't sell is because I couldn't sell it. The property was built on a land dump I don't know why investors are investing in this property. It's just mind blowing to me. I'm just assuming the investors...

ADAM WINSTON: [00:14:27] it's worthless?

Lori McEwan: [00:14:29] Yeah yeah... And I and I couldn't sell it on. I'm trying to work with somebody that was something that I started years ago and it just keeps getting passed every time they learn that there's an issue i goes to the next servicer..

NOTES: [00:14:42] NOTATION: I consulted with several realtors who told me to expect "low ball" offers due to liability, stigma, and safety concerns. Especially since remediation was incomplete and abandoned. There are plenty of home like mine without having this property condition. I should expect minum

ADAM WINSTON: [00:14:44] [00:14:44]Well, I can say this that we work out all of our assets here uh be the don't... you will have a resolution by the time that you could you could leave us. We do not sell our assets when they're what we call a non-performing status which is in your case. Here you go until they get performing it and you know you keep performing about six to nine months maybe twelve months that we'll believe the look off and sell off of the performing but if in you're case you will have resolution before you leave here.. [00:15:10]

Lori McEwan: [00:15:12] Well that's...

ADAM WINSTON: [00:15:13] I guess the question is... [00:15:14] What is your end goal. What do you want to do? [00:15:14]

Lori McEwan: [00:15:17] [00:15:17]Well what I what I wanted to do from the very beginning is through my loan was originally with Bank of America Countrywide and I was entitled to a HAMP modification for I fit all the prongs financial change health issue and environmental issue. Change in financial circumstances. Those were the four prongs. I need to know where this loan is. Is it still a Fannie Mae loan? [00:15:50]

ADAM WINSTON: [00:15:52] No it is we are a private lender... uhh.. excuse me not lender... investor.... so therefore it is not FHA insured. So, at this point in time we you would be subject to our guidelines as far as as what we can do as far as modifications for you. However we do have an offer for you though. So I guess its just depending on that's the offer that you may want to go or would would you be disputing the amount that you need to be paid back? That situation type of deal.

Lori McEwan: [00:16:16] Well the the offer that you made is is higher than what the township assessed the property at. And and even at that point the property is in litigation and that number is going to go down significantly. And I've tried to raise this point that your you're trying to and you can't you can't invest..... it well, you can do it all you want but I think that what it's coming down to is the information is not being passed along to the investor and I know that I don't I can't imagine an investor uh if they knew would take something like this on because ultimately there's litigation that is planned and the litigation is going to impact whoever the investor is to take on the cleanup of the property. I mean.....

ADAM WINSTON: [00:17:11] So, who is the litigation as a litigation going between you and the city?

Lori McEwan: [00:17:15] Well, there's there's litigation right now I've been because this is such a huge problem for me. I mean I was told that a year ago that to expect at least one hundred thousand dollar deduction. And that was already going to put my property was already upside down when this all occurred. So right now I have a I have a professional geologist who gave me trying to think of the name. I don't have the legal terminology but it's a it's a plan through and through whatever whatever the federal rules are regarding the clean up of this kind of property because there are suspected environmental.. it's by a well there was to date there was more than one attempted clean up and then the builder walked away from it. There was about twenty seven truckloads of debris removed from my property so this is not like a little problem and the glass and the property there is garbage solid waste debris that was buried and when it rains it just keeps coming up you cannot... uh, so between that and the well water and there's a suspect...

Lori McEwan: [00:18:28] I mean I could send you the report but the suspect the suspect suspicion of petroleum products and and benzene. So it's like it's it's a situation that needs to be cleaned up. And so I am.

Lori McEwan: [00:18:43] [00:18:43] Right now I'm in Tax Court which I don't really know really what their jurisdiction is. But it's a case that was filed in 2015 and it's actually going to probably get national attention because the judge that foreclosed on me her her husband owns they owned my lot. [00:19:00]

Lori McEwan: [00:19:01] They did the development. So this is gonna be there's gonna have a lot of media exposure to this property that's that's litigation that's pending I'm just being open with the you so you know I'm not I'm not playing around. I had initially put two hundred and fifty thousand dollars down on this property only to be defrauded by the builder and and others. And so now I'm just trying at this point my credit got ruins. I'm just trying to keep myself from going homeless. I've been in this house you know forever and not forever but since it's been built and so I have a right now the tax tax hearing is is is in mid-April. And at that tax hearing I don't know what the judge has jurisdiction. We might have to bump this up to federal court. We're going to see what she does with it but the taxes one of the things that I will not have the uh...

Lori McEwan: [00:19:57] I should not have the tax not that I have now which is seventeen thousand dollars a year in taxes. And you don't pay seventeen thousand dollars for a land dump. So that's being disputed and I'm requesting I have requested that the township take over the cleanup the township is ultimately responsible. So the township that's a lawsuit pending but.

Lori McEwan: [00:20:23] We're going to see right now the first step is a seven thousand dollar in I've already spent thousands of dollars getting this far just to have the reports legitimized and finding the right person to to do this work. And so I'm waiting on that. That's that's the beginning stages and basically they come in and they drill the property. They test it and then they decide what the next step is. I was trying to explain to this attorney this is not. A simple matter that you can just like come up with a random number. This is why I wound up in foreclosure. You know you can't you can't commit to something unknown until you know so that's happening now. So I don't know. I mean if we can work out stages?

ADAM WINSTON: [00:21:09] [00:21:09]How about I send you out an e-mail and then you forward me over the report that you have then that way I could notate the file accordingly and we can start moving forward to see what we could do to help. Just for my recap your right the home was built on now... not a landfill was it? [00:21:27]

Lori McEwan: [00:21:28] [00:21:28]Yes, it was. It's a, it was not disclosed, and I found out about it later obviously because I would never bought the house. It's a solid waste. I said the on my property I don't know what's under my house. I only can tell you that on the whole concern... It's an acre of property and the conservation easement which is a 50 feet. I mean the junk and debris is visible. I mean if you if you walk in the back of the property you'll see the glass and chunks of metal and even shoes you know you'll see all kinds of stuff back there. [00:22:07]

ADAM WINSTON: [00:22:08] So it's all right now. I just want to know quickly what happened. Your home was built on a landfill Your homes built on the landfill. And you're actually in litigation right now between the township and the builder to be able to reduce in a sense what you want owe? or what the property is worth?

Lori McEwan: [00:22:26] Well the the goal is to get it cleaned up so that the investment actually is worth something. So I can get some of my money back so I can legitimately sell my home eventually right now.

ADAM WINSTON: [00:22:40] A couple of years ago when they said your going to get a hundred dollars reduction that was going to be in the amount that the property is worth.

Lori McEwan: [00:22:47] No that that was through a bunch of attorneys not attorneys real estate agents that I had worked with that on consultation. The first one dropped the listing because of the property so then I had to go and hire. I had an individual that I had to hire and pay money to produce a report. And in the report it gives this information but that report is only valid to my understanding. It's like a year or maybe two years. I think it's a year. I just had a new one done recently for court.

Lori McEwan: [00:23:16] I have to pay every time I go to court to have a report done to validate my claim. I just I'm just throwing out you and a number because this is what the

various real estate agents told me that I'm gonna get low balled at least by a hundred grand because these homes in my area are there many. So they're not going to pick my home over there too many too many unknowns and this is not a this is not a property that that anybody wants at this point. Me personally I was when this happened very very ill. I don't know to this day what I was exposed to I was the gardener on the property. So there was a lawsuit that began and it's on hold pending because of the bankruptcy I had to hire another attorney because the attorney that I had I don't believe was very capable he didn't submit. He missed some deadlines. So that's that's being re... I have a malpractice attorney. This is a mess. This is a total mess.

ADAM WINSTON: [00:24:15] So let's start see.. lets get reports in and let's start see what we can do to help.

Lori McEwan: [00:24:22] OK.

ADAM WINSTON: [00:24:23] I just want to request that information so I can review it.

ADAM WINSTON: [00:24:27] Well Frank Friedman Vartolo you should get that from him. I mean I'll give it to you too. But he was...

ADAM WINSTON: [00:24:34] So we have that information?

Lori McEwan: [00:24:36] Yeah he was pro... I gave this to court. I said don't lift the stay and just work with me and and look at what's going on help me get.... I think I think by law.... I'm pretty sure because I read the law.... I mean the laws change but the lender is liable and you know when you transfer property you need to.... You cannot do that without disclosure. And no one's disclosing this and they're leaving me holding the bag and I'm not I'm not going away. Im not going to go away I'm not going to let this this fraud perpetuate to the point where I lost everything. And at this point I did but I'm still here. And if I have to go down to the Federal Court I have an attorney already with the bank. So this is just blowing up and [00:25:22] I just want some peace. I told the bankruptcy court I put in a request for a 90 day stay so that I can work this stuff out because this isn't worked as this in a typical loan modification. [00:25:33] So now what I'm hearing is...

ADAM WINSTON: [00:25:36] [00:25:36]Let's start start start working this thing out. I understand where you are. I understand what's happened now. So let me start requesting information from our counsel. So we could start working this thing out for you. [00:25:49]

Lori McEwan: [00:25:49] [00:25:49]I would greatly appreciate it if you send me an email to confirm that you do in fact have this documentation to save me from the necessity of sending you certified mail? [00:25:57]

ADAM WINSTON: [00:25:58] [00:25:58]That is correct. So what I'm going to do is a request for information now. Of course your e-mail and get your phone number as well. So therefore we can start communication exchange as well. So what's a good contact for you? [00:26:08]

Lori McEwan: [00:26:10]

Lori McEwan: [00:26:32] L O R I Dot M C E W A N the number one at gmail dot com. 732-637-3424

Lori McEwan: [00:26:57] I mean I'm gonna just throw this out at you for now to give you something to think about. I'm paying the taxes. And I'm trying to get this property cleaned up. Ultimately I want to know what I was exposed to. The neighbors need to know. Once the property is cleaned up it'll be worth something for your investors. And I just don't see how anybody really legitimately feels entitled to collect money from me b stuck with this and I would what I would be asking is hold up hold up let me let me get through this process let me get this property started... know when you have a better... once they know what the cleanup cost is involved... then they can deduct it you know and then we can work from there. There's a there's a number.... and I could tell you that on site without doing any testing. The professional geologist this this by the way is recorded with the Department of Environmental Protection. It is he said at a minimum right now fifty thousand dollars. I didn't have that kind of money to get this test so I'm trying... I want to see what the the township does and I think the township is going to have to comply with my request because they were a party to this deal and they knew about it i my opinion. I have to be careful what I say because it has to be proven but..

believe very strongly that the township knew about this and they let this development go up and and by the way it is....

Lori McEwan: [00:28:34] [00:28:34]This land issue is sitting on the environmental easement that the we have an easement on my property. It's a conservation easement there's all kinds of federal law and no knows you don't you don't put a conservation easement over on lands. So there's a lot of stuff that's going to come out soon so that's all I have for you now. [00:28:57]

ADAM WINSTON: [00:29:00] Ok, I do feel for you I really do.

Lori McEwan: [00:29:04] [00:29:04]This this this broke me this and this broke me buddy... totally broke me. [00:29:09]

Lori McEwan: [00:29:09] [00:29:09]You sound like a good guy so I'm hoping that we can can do something because this has really destroyed my life. [00:29:17] This the situation...

Lori McEwan: [00:29:20] It was it was it was my it was my ex husbands and I entire retirement investment. Two hundred and fifty thousand dollars into this property. And then we got jerked around repeatedly. (emotional)

Lori McEwan: [00:29:35] So the number, and just see you just so you understand that number six hundred and whatever. wrong to. You guys...

ADAM WINSTON: [00:29:44] I notated this. Trust me I am on your file now.

Lori McEwan: [00:29:44] [00:29:44]and, and did submit a RESPA request have not gotten the questions answered. I asked this this guy Friedman from Friedman Vartolo. He didn't. It's. [00:30:01]

Lori McEwan: [00:30:01] [00:30:01]Another attorney from SN Corporation is communicating with me. so I've got two attorneys and he wasn't aware that the other attorney sent me a letter and asked me for more time to respond. [00:30:11]

ADAM WINSTON: [00:30:13] Understood. Right so I want to reach out to council now like after we get off the phone I am going to notate the file heavily let them know request the report and then we'll start.. we'll see what we can work out so we could keeping the thing on hold so you can work out your litigation you. OK so give me.....

Lori McEwan: [00:30:31] I mean.. I think you're you're going to need you're going to need the... I mean he has it. I can send it to you again if he doesn't. But what I submitted to the court..

ADAM WINSTON: [00:30:44] I will send you a correspondence to let you know that I did get it from our counsel so you dont have to send it to us and that was per your request.

ADAM WINSTON: [00:30:48] Just give me until about Monday.. cause it's gonna take a couple days to kind of work through it review it things of that nature and then I'll definately give you a call actually probably before then but I want to say Monday at the latest..and well follow up and go from there.

Lori McEwan: [00:31:00] Yeah that sounds good. I have a request in for.... Apparently I didn't do something properly in terms of how to ask the judge to rule on this before the next hearing. And I spoke to the clerk and the clerk was going to file it the right way for me because I did it wrong and.... But it's in there..... Basically it was a request to say I just got transferred again and FCI doesn't have it is not legitimately a part of the loan until the twenty eighth. You guys got on the twenty ninth so close enough. And then they have another 15 days according to your Web site to process the information and there's no way that I can modify a loan by the thirty first under those circumstances what really what I was expecting was communication like I'm doing with you right now so I'm very thankful for that... and and that's it.

Lori McEwan: [00:31:50] So thank you for taking the time and being a very peaceful person I appreciate it.

ADAM WINSTON: [00:31:56] [00:31:56]You're welcome. I will do my damndest to get this worked out for you. [00:31:59]

Lori McEwan: [00:31:59] OK.

ADAM WINSTON: [00:32:00] [00:32:00]You should hear from me hopefully before Monday, but Monday at the latest.

Lori McEwan: [00:32:01] Just do me a favor please because I get a lot of calls.. is the number that you call going to be 5 6 2 - 7 3 5 - 6 5 5 5. Yeah.

ADAM WINSTON: [00:32:15] Yes Ma'am.

Lori McEwan: [00:32:16] You're going to call. OK. So I'll just program that into my cell so that I know.

ADAM WINSTON: [00:32:19] And I will shoot you out an email before I call as well to and let you know I am coming your way.

ADAM WINSTON: [00:32:25] Well you have a wonderful rest of the evening. .

ADAM WINSTON: [00:32:29] Ok. Thank you Adam. Take care.

ADAM WINSTON: [00:32:32] Your welcome ma'am.

ADAM WINSTON: [00:32:32] All right. Bye bye.

LORI PRIVATE: [00:32:38]



Lori McEwan <lori.mcewan1@gmail.com>

URGENT LETTER TO JUDGE KAPLAN - CFPB CONSENT ORDER Please review before today's scheduled hearing

1 message

Lori McEwan <lori.mcewan1@gmail.com>
To: Chambers_of_mbk@njb.uscourts.gov

Tue, May 14, 2019 at 12:36 PM

Dear Judge Kaplan

It appears as if Mr. Schwalb's client is the same company that the CFPB successfully sued and fined operating under a different name.

The Consumer Financial Protection Bureau is taking action against another mortgage servicer, fining Residential Credit Solutions \$1.5 million for illegal mortgage servicing practices.

<https://www.housingwire.com/articles/34638-cfpb-fines-residential-credit-solutions-15-million-for-illegal-mortgage-servicing>

<https://www.residentialcredit.com/>

https://files.consumerfinance.gov/f/201507_cfpb_stipulation_residential-credit-solutions.pdf Stipulation and Consent Order Against Residential Credit

https://files.consumerfinance.gov/f/201507_cfpb_consent-order_residential-credit-solutions.pdf

If not the same company or an affiliate, the same dirty tricks are being deployed by lawyers like Mr. Schwalb who is charged with protecting these companies.

My evidence against James and Patricia Del Bueno Cleary is currently in U.S. Tax Court. If Your Honor chooses to first have an evidentiary hearing before making a final decision to discharge all claims related to the Cleary's fraudulent property sale in 2004, then that evidence will be analyzed and presented to this court by the personal injury attorney who has agreed to handle my lawsuit against Cleary et. al. and those persons, companies and law firms that have aided and abetted them, subject to a final compensation agreement.

Please review this prior to the hearing,

Thank you.

Lori McEwan

CERTIFICATE OF SERVICE

Lori F. McEwan, of full age, hereby certifies as follows:

1. I am a party in this matter.
2. On May 14, 2019:

I caused:

- a) An Application to Shorten Time, this Emergent Motion, and
- b) this Certificate of Service to be served upon on the parties.

The parties to the order and the names, addresses, and telephone numbers of their respective attorneys are as follows:

Jonathan C. Schwalb
Friedman Vartolo LLP
85 Broad Street
New York, NY 10004
212-471-5100
bankruptcy@friedmanvartolo.com

Representing:

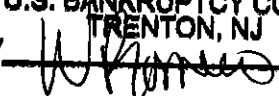
AMIP Management as investor for Wilmington Savings Fund Society, FSB, as
Owner Trustee of the Residential Credit Opportunities Trust V-C

SN Servicing Corporation

SN Servicing Corporation as servicer for Tiki Series III Trust

SIGNED: Tuesday, May 14, 2019

Lori McEwan

FILED
JEANNE A. NAUGHTON, CLERK
MAY 14 2019
U.S. BANKRUPTCY COURT
TRENTON, NJ
BY  DEPUTY

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-1(b) Lori F. McEwan 20 Mackenzie Court Freehold, NJ 07728 SSN / ITIN: xxx-xx-6257	
In Re:	
Lori F. McEwan	

U.S. BANKRUPTCY COURT
FILED
TRENTON, NJ
2019 MAY 14 P 1:53
JEANNE A. NAUGHTON
BY: W. Romeo
DEPUTY CLERK

Case No.: 17-29242-MBK
Adv. Pro. No.: _____
Chapter: 7
Hearing Date: May 14, 2019
Judge: Kaplan

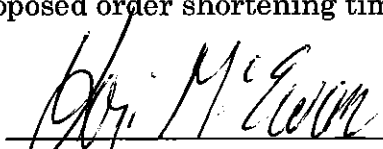
APPLICATION FOR ORDER SHORTENING TIME

The applicant Lori McEwan, Pro se requests that the time period to/for a motion hearing as required by the rules of this Court be shortened pursuant to Fed. R. Bankr. P 9006(c)(1), for the reason(s) set forth below:

1. A shortened time hearing is requested because my health is being affected by Friedman Vartolo LLP who has directed its attorney Jonathan C. Schwalb to perjure himself, defame me and do whatever is necessary to damage me and deny my civil, due process and property rights. On this day, Judge Kaplan has this evidence and knows the above to be true, hence, I seek an immediate hearing whereby the judge questions Mr. Schwalb as to why he has twice perjured himself in docketed pleadings as to the events that occurred in my loan modification discussion with Adam Winston who represents his client. For instance, Mr. Winston said Mr. Schwalb "dropped the ball". The loan modification problem was Mr. Schwalb's fault, not mine. Not knowing that I taped the conversation, Mr. Schwalb lied to the U.S. Bankruptcy Court and the Office of the U.S. Trustee.
2. State the hearing dates requested:
The hearing date requested is May 14, 2019.
3. Reduction of the time period is not prohibited under Fed. R. Bankr. P 9006(c)(1).

The applicant requests entry of the proposed order shortening time.

Date: May 14, 2019


Lori McEwan, Pro se

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY Caption in Compliance with D.N.J. LBR 9004-1(b) Lori F. McEwan 20 Mackenzie Court Freehold, NJ 07728 SSN / ITIN: XXX-XX-6257
In Re: Lori F. McEwan

FILED
JEANNE A. NAUGHTON, CLERK
MAY 14 2019
U.S. BANKRUPTCY COURT
TRENTON, NJ
 BY W. Williams DEPUTY

Case No.: 17-29242-MBK
 Adv. Pro. No.: _____
 Chapter: 7
 Hearing Date: May 14, 2019
 Judge: Kaplan

MOTION FOR EVIDENTIARY HEARING ON JULY 16, 2019

The parties to the order and the names, addresses, and telephone numbers of their respective attorneys are as follows:

Jonathan C. Schwalb
 Friedman Vartolo LLP
 85 Broad Street
 New York, NY 10004
 212-471-5100
 bankruptcy@friedmanvartolo.com

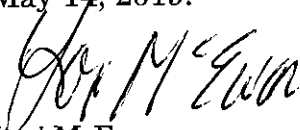
Representing:

AMIP Management as investor for Wilmington Savings Fund Society, FSB, as
 Owner Trustee of the **Residential Credit Opportunities Trust V-C**

SN Servicing Corporation

SN Servicing Corporation as servicer for Tiki Series III Trust

May 14, 2019.


 Lori McEwan

Lori F. McEwan

20 Mackenzie Court
Freehold, NJ 07728

May 14, 2019

Honorable Michael B. Kaplan
United States Bankruptcy Court
Clarkson S. Fisher US Courthouse
402 East State Street
Trenton, NJ 08608

Re: **MOTION FOR EVIDENTIARY HEARING ON JULY 16, 2019**

Dear Judge Kaplan:

I would prefer a discharge of all mortgage, tax and related claims against my estate because the group I have named as Cleary et. al. engaged in criminal behavior in selling me the property on 20 Mackenzie Court Freehold, NJ 07728, i.e. selling me a property they knew to be contaminated and not making full disclosure of this material fact prior to the sale. This violates state and federal laws. However, if Your Honor is not prepared to grant this with or without a remand back to Chancery Court to settle all claims, including my damage claims and, also, punitive damages, **the only fair and reasonable choice for Your Honor to take is to order an Evidentiary Hearing for July 16, 2019.** The reasons for this can be clearly seen if Your Honor reads Exhibit 1 and in concert with select parts of the transcript of my conversation with Adam Winston of AMIP.

Exhibit 1

My son James McEwan lives with me in my home. Exhibit 1 is a letter that he left unopened in his room for the last This is a letter that my son received in early March and never opened over the last 10 weeks because he thought it was junk mail. Last week I opened it and to my surprise it was addressed to his father, James, not my son. This poorly written letter dated March 1, 2019 was from **Residential Credit Opportunities Trust V-C** within an envelope with the return address AMIP Management. What I resent about this is that the deed is in the name of both my husband and I, yet the letter is addressed solely to my husband who has not lived in my house for eight years. I reached Adam Winston of AMIP trying to get this firm. According to Mr. Schwalb, I obstructed a deal with his client. He lied as you will see.

Circumvention, Obstruction & Fraud by Mr. Schwalb

In retrospect, I see this letter as an attempt by Mr. Schwalb to circumvent me and deal with my husband. The same thing occurred after my confirmation hearing when Mr. Schwalb refused my phone calls throughout last fall and through this winter, Recently, he will make me wait all day when I call in the morning and when his secretary finally puts me through to him he starts by saying he only has a minute. In addition to lying to this Court about my conversation with Adam Winston, it appears that Mr. Schwalb has prohibited Mr. Winston from calling me, since he never called me back as promised. See the following quotes in the Winston conversation transcript.

From the Adam Winston Transcript which proves that Mr. Schwalb has obstructed my ability to deal with Mr. Winston since he offered to help me:

ADAM WINSTON: [00:21:09] [00:21:09]How about I send you out an e-mail and then you forward me over ther report that you have then that way I could notate the file accordingly and we can start moving forward to see what we could do to help. Just for my recap your right the home was built on now... not a landfill was it? [00:21:27]

ADAM WINSTON: [00:22:08] So it's all right now. I just want to know quickly what happened. You home was built on a landfill Your homes built on the landfill. And you're actually in litigation right now between the township and the builder to be able to reduce in a sense what you want owe? or what the property is worth?

ADAM WINSTON: [00:24:15] So let's start see.. lets get reports in and let's start see what we can do to help.

ADAM WINSTON: [00:24:23] I just want to request that information so I can review it.

ADAM WINSTON: [00:25:36] [00:25:36]Let's start start start working this thing out. I understand where you are. I understand what's happened now. So let me start requesting information from our counsel. So we cpuld start working this thing out for you. [00:25:49]

ADAM WINSTON: [00:25:58] [00:25:58]That is correct. So what I'm going to do is a request for information now. Of course your e-mail and get your phone number as well. So therefore we can start communication exchange as well. So what's a good contact for you? [00:26:08]

Lori McEwan: [00:28:34] [00:28:34] This land issue is sitting on the environmental easement that we have an easement on my property. It's a conservation easement there's all kinds of federal law and no one knows you don't you don't put a conservation easement over on lands. So there's a lot of stuff that's going to come out soon so that's all I have for you now. [00:28:57]

ADAM WINSTON: [00:29:00] Ok, I do feel for you I really do.

Lori McEwan: [00:29:04] [00:29:04] This this this broke me this and this broke me buddy... totally broke me. [00:29:09]

Lori McEwan: [00:29:09] [00:29:09] You sound like a good guy so I'm hoping that we can do something because this has really destroyed my life. [00:29:17] This the situation...

Lori McEwan: [00:29:20] It was it was it was my it was my ex husband's and I entire retirement investment. Two hundred and fifty thousand dollars into this property. And then we got jerked around repeatedly. (emotional)

ADAM WINSTON: [00:29:44] I notated this. Trust me I am on your file now.

ADAM WINSTON: [00:30:13] Understood. Right so I want to reach out to council now like after we get off the phone I am going to notate the file heavily let them know request the report and then we'll start.. we'll see what we can work out so we could keep the thing on hold so you can work out your litigation you. OK so give me....

ADAM WINSTON: [00:30:44] I will send you a correspondence to let you know that I did get it from our counsel so you don't have to send it to us and that was per your request.

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ADAM WINSTON: [00:31:56] [00:31:56] You're welcome. I will do my damndest to get this worked out for you. [00:31:59]

ADAM WINSTON: [00:32:00] [00:32:00]You should hear from me hopefully before Monday, but Monday at the latest.

Lori McEwan: [00:32:01] Just do me a favor please because I get a lot of calls.. is the number that you call going to be 5 6 2 - 7 3 5 - 6 5 5 5. Yeah.

ADAM WINSTON: [00:32:15] Yes Ma'am.

ADAM WINSTON: [00:32:19] And I will shoot you out an email before I call as well to and let you know I am coming your way.

ADAM WINSTON: [00:32:25] Well you have a wonderful rest of the evening. .

ADAM WINSTON: [00:32:29] Ok. Thank you Adam. Take care.

ADAM WINSTON: [00:32:32] Your welcome ma'am.

ADAM WINSTON: [00:32:32] All right. Bye bye.

The above proves that:

- (1) I had an excellent starting conversation with Mr. Winston;
- (2) Mr. Winston understood the problem and was willing to help;
- (3) Mr. Schwalb lied to the United States Bankruptcy Court;
- (4) Mr. Schwalb lied to the Office of the United States Trustee;
- (5) Mr. Schwalb obstructed this relationship; and
- (6) Mr. Schwalb needs to be censured or disciplined.

A Third Option for Your Honor

My Show Cause Motion requested a discharge and a remand back to a jury trial in Chancery Court to resolve a number of issues that should have been resolved years ago if Judge Cleary was not a dirty judge who acted to protect her criminal husband, including my seeking the return of my \$500,000 investment, plus personal damages and punitive damages.

My Emergent Motion to Censure or Discipline Mr. Schwalb sought an order against him for misconduct, a criminal referral to the Justice Department by the trustee and other remedies.

This Emergent Motion provides more concise and conclusive evidence that Mr. Schwalb has lied to this Court and the Office of the U.S. Trustee. Of course, all the prior remedies sought are still implied in this motion, if not as directly and we believe that Your Honor can decide this matter tomorrow, since the evidence clearly shows that Mr. Schwalb has misconducted himself in this matter.

However, if Your Honor requires more facts, evidence and time, this motion provides Your Honor with the option to permit me to expand the facts and evidence that proves the misconduct, fraud and criminality of those who have been fighting me and obstructing my attempts to remediate the damage done to me.

Pursuant to the intent of this motion, I suggest that nothing further take place in this matter until an evidentiary hearing is held on July 16, 2019. I am now negotiating with a personal injury attorney that wants to handle my case against Cleary et al. It will now also be against Mr. Schwalb, his law firm and his various clients because, instead of showing cause why his client's claim should not be discharged, Mr. Schwalb and his firm chose to lie to this Court about my dealings with Mr. Winston and shut down what could have been the start of a resolution. Because Mr. Schwalb and his firm added insult to injury by making me out to be a quack, I wanted the issues of their misconduct, fraud and possible criminality reviewed in this Court on July 16th. As part of this suggestion, I propose having my personal injury attorney provide me with a copy of his findings on or by June 25th which would then be distributed to the Court and the parties. Mr. Schwalb, his firm and his client would then have 14-days until July 9th to respond to Your Honor and we would reply by Friday, July 12th. Your Honor can hold a hearing on July 16th.

Closing Statement

Considering that Mr. Schwalb has perjured himself in your Court, I still respectfully request an order discharge of mortgage, tax and related claims with prejudice and a remand to Chancery Court for a jury trial or a closing of my Chapter 13 to permit me to file my personal injury and other damage suit against Cleary et. al. in District Court which has jurisdiction since this criminal group and the financial companies they work with have all broken federal laws. If Your Honor needs more facts, evidence and time, the suggestion for the July 16th evidentiary hearing will work. I will be disappointed if Your Honor chooses this option and fails to deal with Mr. Schwalb's misconduct in some manner as early as tomorrow.

Reread Mr. Schwalb's pleadings and then read the Adam Winston transcript.

He lied to Your Honor and the trustee.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori F. McEwan". The signature is written in a cursive, somewhat stylized font.

Lori F. McEwan

EXHIBIT 1

Residential Credit Opportunities Trust V-C

March 1, 2019

James Mcewan
20 Mackenzie Court
Howell Township, NJ 7728

Dear James Mcewan,

Notification of Assignment, Sale or Transfer of Your Mortgage Loan

The ownership of your mortgage loan has been transferred by Loan Number to Residential Credit Opportunities Trust V-C. This transfer was effective November 30, 2018.

The assignment, sale, or transfer of your mortgage loan does not affect any term or condition of your Mortgage, Deed of Trust, or Note. The transfer of the ownership of your mortgage loan to Residential Credit Opportunities Trust V-C has not been publicly recorded.

Residential Credit Opportunities Trust V-C is a private real estate investment company that purchases mortgages and residential real estate. We own our real estate assets. We do not provide our services to third parties, nor do we charge homeowners fees for the services we provide.

Residential Credit Opportunities Trust V-C does not service your loan. Instead, we work closely with our Loan Servicer (an organization that collects mortgage payments), mortgage banks, and third party service providers to provide our homeowners cost effective and appropriate solutions for their homeownership problems.

The new servicer of your mortgage loan will be FCI Lender Services, Inc. ("FCI"). You will shortly receive a letter from FCI notifying you that they are the new servicer of your mortgage loan.

You may write or contact us with questions concerning your mortgage at the number below. I look forward to speaking to you.

Sincerely,

Ron McMahan

Ron McMahan, CEO

This is an attempt to collect a debt. Any information obtained will be used for that purpose.

AMIP Management
P.O. Box 2741
Seal Beach, CA 90740

Residential

March 1, 2019

James Mcewan
20 Mackenzie Court
Howell Township, NJ 7728

Dear James Mcewan,

Notification of Assi

The ownership of your mortgage for
Opportunities Trust V-C. This transi

The assignment, sale, or transfer of
Mortgage, Deed of Trust, or Note.
Credit Opportunities Trust V-C has

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mortgages and residential real esta
third parties, nor do we charge hon

Residential Credit Opportunities Tru
Loan Servicer (an organization that
service providers to provide our ho
homeownership problems.

The new servicer of your mortgage
a letter from FCI notifying you that

You may write or contact us with c
forward to speaking to you.

Sincerely,

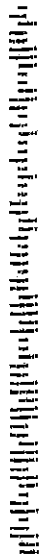
Ron McMahan

Ron McMahan, CEO

This is an attempt to collect a de

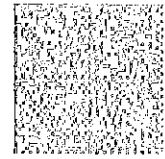
P.O. Box 2741, Seal Bea

07728-847720



James Mcewan
20 Mackenzie Court
Howell Township, NJ 7728

FIRST-CLASS



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US POSTAGE
FIRST CLASS

AMIP Management
P.O. Box 2741
Seal Beach, CA 90740

Residential

March 1, 2019

James Mcewan
20 Mackenzie Court
Howell Township, NJ 7728

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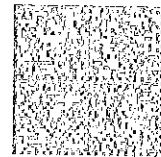
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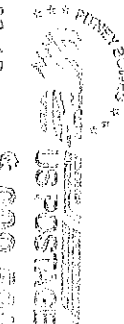


James Mcewan
20 Mackenzie Court
Howell Township, NJ 7728

FIRST-CLASS



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POSTAL SERVICE

AMIP Management
P.O. Box 2741
Seal Beach, CA 90740

Residential

March 1, 2019

James Mcewan
20 Mackenzie Court
Howell Township, NJ 7728

Dear James Mcewan,

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Ron McMahan, CEO

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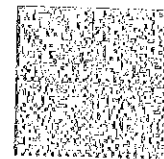
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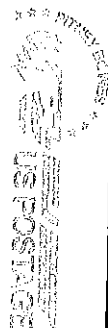


James Mcewan
20 Mackenzie Court
Howell Township, NJ 7728

FIRST-CLASS



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FILED
JEANNE A. NAUGHTON, CLERK
MAY 14 2019

CERTIFICATE OF SERVICE

Lori F. McEwan, of full age, hereby certifies as follows:

U.S. BANKRUPTCY COURT
TRENTON, NJ
BY W. McEwan DEPUTY

1. I am a party in this matter.

2. On May 14, 2019:

I caused:

a) An Application to Shorten Time, this Emergent Motion, and

b) this Certificate of Service to be served upon on the parties.

The parties to the order and the names, addresses, and telephone numbers of their respective attorneys are as follows:

Jonathan C. Schwalb
Friedman Vartolo LLP
85 Broad Street
New York, NY 10004
212-471-5100
bankruptcy@friedmanvartolo.com

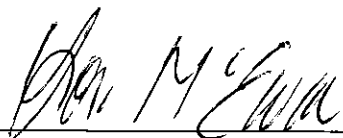
Representing:

AMIP Management as investor for Wilmington Savings Fund Society, FSB, as
Owner Trustee of the Residential Credit Opportunities Trust V-C

SN Servicing Corporation

SN Servicing Corporation as servicer for Tiki Series III Trust

SIGNED: Tuesday, May 14, 2019



Lori McEwan

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LOR 9004-1(b)	
Lori F. McEwan 20 Mackenzie Court Freehold, NJ 07728 SSN / ITIN: xxx-xx-6257	
In Re: Lori F. McEwan	

2019 APR 10 P 3:57
 [Handwritten signature]

Case No.: 17-29242-MBK
 Adv. Pro. No.: _____
 Chapter: 7
 Hearing Date: May 14, 2019
 Judge: Kaplan

MOTION TO SHOW CAUSE

The parties to the order and the names, addresses, and telephone numbers of their respective attorneys are as follows:

Jonathan C. Schwalb
 Friedman Vartolo LLP
 85 Broad Street
 New York, NY 10004
 212-471-5100
 bankruptcy@friedmanvartolo.com

Representing:

AMIP Management as investor for Wilmington Savings Fund Society, FSB, as Owner Trustee of the Residential Credit Opportunities Trust V-C
 SN Servicing Corporation
 SN Servicing Corporation as servicer for Tiki Series III Trust

April 10, 2019.

Lori McEwan

Lori F. McEwan

20 Mackenzie Court
Freehold, NJ 07728

April 10, 2019

Honorable Michael B. Kaplan
United States Bankruptcy Court
Clarkson S. Fisher US Courthouse
402 East State Street
Trenton, NJ 08608

Re: MOTION FOR AN ORDER TO SHOW CAUSE

Dear Judge Kaplan:

On or by Monday, April 15, 2019 I will forward an offer to Jonathan C. Schwalb of Friedman Vartolo LLP to agree to the discharge of its client's lien of \$649,876.68 or more if any against my estate. I am giving them until the close of business Friday, April 19th to accept the offer.

In return for agreeing to the above fair and reasonable offer, their clients will be extended an opportunity to support an adversary action in this court or a complaint under the state or federal Racketeer Influenced and Corrupt Organizations Act ("RICO") against the following individuals and entities:

- o Former Chancery Court Judge Patricia Cleary;
- o Her husband James J. Cleary; and
- o their co-conspirators and enablers

Both Patricia and James J. Cleary were and continue to be at the center of a corrupt organization that fraudulently sold contaminated properties to innocent families and reinvested the proceeds in non-contaminated distressed properties. My property and home at 20 Mackenzie Court, Freehold, NJ 07728 in 2004 was contaminated. Cleary et. al. was sued by the state and federal government over these contaminated properties, so their sale to me in 2004 without full disclosure of material facts was a criminal act.

Both Patricia and James Cleary made sure that their scheme would succeed by arranging mortgage financing and offering "advice" through partners, co-conspirators, enablers and nominees who steered me toward foreclosure.

If anything went wrong beyond that, i.e. the discovery of the scheme by the victims and/or foreclosure actions issuing from the damage they caused their victims, one person would handle these problems:

Monmouth County Chancery Judge Patricia Del Bueno Cleary

Her value to this criminal organization was to deny the civil, due process and property rights of the victims, like myself, to make sure that the criminal operation continued without interruption or public scrutiny.

Another Criminal Judge

Judge Linda Grasso Jones of the Monmouth County Civil Division was also at the center of this operation to the extent that she was a co-owner of the contaminated properties that were divided and sold to unsuspecting New Jersey families, such as mine. She had an obligation to advise the victims at the time of sale and when they were railroaded into Chancery Court before Judge Cleary by the co-conspirators and enablers.

A Window of Opportunity for Mr. Schwalb

This motion and its contents pose a question for Mr. Schwalb which he can answer on or by April 19th. My offer will detail the fraudulent and criminal acts committed by the principals, co-conspirators and enablers. The longer I wait for a response means that Mr. Schwalb is carefully considering his client's options. Considering the obvious criminality of Cleary et. al., the answer to the question should be obvious.

The wrong answer from Mr. Schwalb will result in my adding his clients to the defendant's list.

Are Mr. Schwalb's Clients Dirty or Clean?

If Mr. Schwalb's clients have come to be creditors of my estate without any connection to the criminals that sold me a contaminated property and arranged for my mortgages, and subsequent foreclosure of the same, then he should have no problem securing their commitment to join me either in an adversary proceeding within this court or in a separate District Court action against these criminals.

On the other hand, if Mr. Schwalb refuses my offer, my assumption must be that his clients are tied to the criminals and need to be added to any adversary proceeding or District Court action.

Your Honor Will Be Asked to Refer This Matter to the Proper Authorities for Criminal Indictments

If Mr. Schwalb and his clients do not support me, Your Honor will receive evidence by the close of business Monday, April 22, 2019 or shortly thereafter to enable you to refer this matter to the appropriate authorities for criminal action. If they support the immediate discharge and can offer me advice in narrowing the focus of prosecution to Cleary et. al., I will consider their advice and you may receive the evidential brief some yet indeterminate time after April 22nd.

Considering the disclosure made in this motion alone, Mr. Schwalb's focus should not be on adding to my \$649,876.68, but on the criminals and criminal entities I have named herein named. To the extent that he ignores this unimpeachable evidence or otherwise opposes or seeks to obstruct this motion and presses for this court to sell my home and property, we will learn something about his clients and him. I will not permit Mr. Schwalb to go on a fishing expedition. He must support my motion.

Justice Department and the Public

The same evidence that Your Honor will receive will be forwarded to the Justice Department, public interest groups, state and federal judicial ethics panels, the press and the public via the Internet. The complaint seeking criminal prosecution of all named criminals, as well as their aiders and abettors.

Rooker-Feldman Exception

Neither the Rooker-Feldman, nor judicial immunity will save Cleary and Grasso Jones from criminal prosecution, since the core criminal acts they committed in this two-decades-long racketeering scheme have nothing to do with their judicial roles.¹

Just as much as Mr. Schwalb will have to decide which position to take, so will Your Honor.

Now that you have a glimpse of the criminal activity of Patricia Cleary, Esq. and Linda Grasso Jones, Esq. and the further criminality of Judge Patricia Cleary, you have the ultimate exception to Rooker-Feldman. It would be shameful for Your Honor to do anything but discharge my debt and award damages with prejudice.

Does Mr. Schwalb Really Want to Sell the Property That Caused My Health Problems?

Does Jonathan C. Schwalb really want to increase my personal and family's pain and suffering by seizing a contaminated property and selling it to get his client's money back or does he want to join a victim of a group of legal, financial, municipal and judicial racketeering criminals in a damage suit?

If Mr. Schwalb wants a settlement, he will inform Your Honor no later than 10 AM., Monday, April 22 that he wants my \$649,876.68 lien and all other liens and debts associated with the 2004 criminal act to be discharged. With the discharge my offer to him will be activated and his clients will be protected. An adversary proceeding, and/or a complaint and/or or a referral of the matter to the appropriate authorities will be next.

¹ Patricia Cleary acted unethically by administrating my foreclosure case to make sure that her criminality was concealed by denying my civil and due process rights. That will be a separate action which I will initiate with a Code of Judicial Conduct complaint seeking to remove her license to practice law.

If Mr. Schwalb and his clients want no active part in supporting this prosecution, he should accept my offer, and permit me to end this 15-year nightmare as expeditiously as I see fit.

I have an extensive corpus of evidence against these criminals from a wide range of mediums and sources and have decided that my family's pain and suffering must come to an end.

Since we have two state judges committing crimes and then abusing their respective offices in a variety of ways to cover their wrongdoing in an ongoing criminal operation targeting young families, senior citizens and distressed homeowners, the applicability of Rooker-Feldman Doctrine to aid lawyers, banks and state officials determined to shut down legitimate inquiry into official misconduct, fraud and criminality is going to be put to the test before this litigation is over.

Summary of the Above

James J. Cleary and Patricia Cleary sold real estate properties to innocent New Jersey families at the highest possible without informing them that:

- (1) the property had a history of contamination;
- (2) the United States government and the State of New Jersey sued Cleary and his partners successfully in connection with the contaminated property going back to the mid-1990s; and
- (3) the ownership of the properties was laundered

In fact, it would not surprise me if the Justice Department found that there was money laundering at the center of this criminal enterprise.

It is shocking to see well over a dozen different "Cleary" names on deeds and mortgages, all operating out of the same address used by Cleary et. al. Several estimates of persons who have investigated these matters comes up with several hundred million dollars of real estate owned by Judge Cleary and family members operating under different family names and dozens of limited liability corporations.

Cleary et. al. assembled a group of legal, financial, municipal and judicial co-conspirators and enablers to complete the transactions and make sure the victims never came back to haunt them. Judge Patricia Cleary was their insurance policy

Cleary et. al. arranged my first mortgage. If the mortgage transaction was even reviewed by a forensic accounting or legal firm, there would be criminal charges levied against them and the lending institutions.

Cleary et. al. arranged my second mortgage. If the mortgage transaction was ever reviewed by a forensic accounting or legal firm, there would be criminal charges against them and the lending institutions.

In fact, the preparation of the properties for sale involved fraud and criminality. They were sloppy.

The Town of Howell aided and abetted this criminal enterprise. At all times town officials were aware that these were contaminated properties and fraud and criminality was rampant. In fact, the Town of Howell further damaged the innocent victims through excessive increases in tax rates that they knew should never have been levied considering the condition of the properties.

The Town of Howell was apprised of the criminal activity and instead of protecting me and other victims, they substituted another law firm for Cleary's. They are as much responsible for damages as the core criminals.

The town attorneys were Cleary, Alfieri and Grasso.

I would like to simplify this for you Your Honor.

Simplification

Salvatore Alfieri was a partner of James J. Cleary, Patricia Cleary and Linda Grasso Jones who placed their ownership of a contaminated property into the hands of one or more nominees who then sold the property to me and other innocent victims.

Salvatore Alfieri sold me a predatory refinance which resulted in my being forced into Monmouth County Chancery Court before Judge Patricia Cleary. I attempted to have a jury trial and a discovery. When I mentioned the fact that I was fraudulently sold a contaminated property, she cut me off, denied the jury trial and discovery.

Judge Cleary was luckier than I was. She obtained a non-predatory mortgage from Mr. Alfieri with which she thrived. Evidence of her good luck is shown directly below in a loan document she signed with Salvatore Alfieri as a witness.

The next several pages should provide enough reason to discharge all liens and debts from this criminal transaction and award me damages.

BY SIGNING BELOW, Borrower accepts and agrees to the terms and covenants contained in this Security Instrument and in any Rider executed by Borrower and recorded with it.

Borrower

Patricia D. Cleary
Patricia D Cleary
3/8/2012
Date
Seal

James J. Cleary
James J. Cleary
3/8/2012
Date
Seal
(Not Applicant File Folder)

This document was signed and delivered in front of

Salvatore Alfieri
Salvatore Alfieri, Esquire
Date
Witness

Not Certified Copy



When you feel the inclination to deny this motion or refuse to discharge all my liens, taxes and debts associated with these criminals, I respectfully request that you take a second look at this page. I have another page I would like you to review several times before dismissing my plea to you.

First, a summary of my dealings with Salvatore Alfieri on the predatory refinance:

ALFIERI CLEARY GRASSO HOYLE COUNTRYWIDE NEW VISION TITLE

Salvatore Alfieri is the partner of the law firm CLEARY, AFLIERI, JONES & HOYLE a/k/a CLEARY, ALFIERI, GIACOBBE & JACOBS at 5 Ravine Drive, Matawan, NJ. Alfieri prepared and notarized McEwan's Countrywide Mortgage Notice of Real Estate Settlement through his title company, New Vision Title Agency located on 30 Freneau Avenue, Matawan NJ. He did not record the revised copy with the lower payoff amount. The Notice of Settlement was purportedly a HUD loan, but HUD has no record of this transaction which should alert Your Honor to possible wrongdoing. Judge Cleary may have rejected the evidence I provided her and denied a jury trial and a discovery in order to coverup for Salvatore Alfieri, her partner in Cleary et. al. predators of innocent families in New Jersey.

Salvatore Alfieri's son Dante has an interesting background....

Dante M. Alfieri, Esq. • 3rd
Associate at Cleary Giacobbe Alfieri Jacobs LLC
Greater New York City Area



Cleary Giacobbe Alfieri
Jacobs LLC

Widener University School
of Law

See contact info

73 connections

Experience

Associate
Cleary Giacobbe Alfieri Jacobs LLC
Sep 2013 - Present - 5 yrs 1 mo

Law Clerk for the Honorable Patricia Del Bueno Cleary
Monmouth County Superior Court, Chancery Division
Aug 2012 - Sep 2013 - 1 yr 2 mos

It is no wonder Judge Cleary did not want a jury trial, a discovery or listen to the truth.

Before deciding anything in this matter bother Your Honor and Mr. Schwalb need to consider the following:

I, Lori F. McEwan would like to state that I have been harmed beyond belief and have been trying to right the wrongs that were caused by Cleary et. al. who harmed me and stripped away my life in every way and forced me into filing a chapter 13 bankruptcy after having very good credit all my life.

This declaration addresses the facts on record for my property at 20 Mackenzie Ct, Freehold NJ 07728 in the County of Monmouth, Township of Howell. Specifically, block 176, lot 2.07, and block 176, lot 2.22, both wrongly attached to my real estate title and mortgaga. Toll Brothers and Cleary et. al. failed to disclose that the home I purchased was on a property of environmental concern (REC) at the time of purchase. To be clear, this REC is significant, and negatively impacted my property value. An incident report is on file with the DEP. Twenty-seven (27) truckloads of debris and contaminated waste were removed from my property in an unsuccessful attempt to remediate it, Drum lids were found, evidence went missing, the well water was not tested properly, and the wells and septic for previous owners where numerous quit claims were filed were not officially sealed as if the previous owners never existed. Eighteen (18) different soils were identified as not being indigenous to the area, and part of the land was condemned due to dumping as reported by the Monmouth County Health Department. The land contamination is located near my well water. My health suffered after moving in, but I was stuck with an unsaleable property.

The Current List of Persons and Entities to Be Investigated for Criminal Activity

James J. Cleary, Esq.

Patricia Cleary, Esq.

Linda Grasso, Esq.

Cleary Alfieri Grasso Partnership

Cleary, Alfieri & Grasso Law

Cleary, Giacobbe, Alfieri & Jacobs Law

Todd Cohen

John G. Hoyle III

Salvatore Alfieri

Michael A. Alfieri?

Dante Alfieri?

Manzo Contracting

Old Bridge Land Development

The Township of Howell

Toll Brothers

Countrywide, FSB

Countrywide, FSB - New Vision Title Agency

Bank of America

Ditech Financial

Goldman Sachs

US Bank NA

Chalet Servicing

The Feds, public interest groups and the public who will eventually digest the information about Cleary et. al. will determine the degree of misconduct or criminality of persons on this list separate from those that ruined my life by selling me a contaminated property without my knowledge, then driving me further into poverty.

This is a partial list. The clients of Jonathan C. Schwalb are not on the list and Mr. Schwalb has an opportunity to make sure that their names stay off.

I would now like to highlight and discuss two possible avenues for prosecution:

- o the Fraudulent Sale of a Contaminated Property
- o the subsequent Mortgage Fraud

I can proceed down either path or both paths with respect to seeking criminal charges.

Jonathan C. Schwalb can protect his clients and join me in an adversarial or District Court action against Cleary et al after the lien for \$649,876.68 (as well as new mortgage and related liens that are materializing on a weekly basis) is discharged or he can stonewall and attempt to protect all the criminals on my list.

Prosecutorial Focus

I was damaged by the sale of a contaminated property, subsequent mortgage fraud and by Judge Patricia Del Bueno Cleary in the Chancery Division. The following are a few comments on the respective elements of the criminal activity:

Patricia Cleary

I don't have to worry about the fate of Patricia Cleary. She committed one of more criminal acts prior to ascending to the bench and continued to further the coverup of her prior criminal acts while on the bench. She will never hold another public office or position and her license to practice law will be removed.

She violated innocent people and let these criminal activities threaten the integrity of the rule of law. Your Honor does not want to stain the U.S. Bankruptcy Court by not addressing the issues I have raised or, worse, obstructing my efforts. Further to this, Judge Cleary owned stock in Bank of America, my lender.

Criminal Sale of a Contaminated Property

James J. Cleary, Esq., Patricia Cleary, Esq., Linda Grasso, Esq., Cleary Alfieri Grasso Partnership, Cleary, Alfieri & Grasso Law, Cleary, Giacobbe, Alfieri & Jacobs Law, Todd Cohen, John G. Hoyle III, Salvatore Alfieri, Michael Alfieri, Dante Alfieri, Manzo Contracting, Old Bridge Land Development and the Township of Howell were involved in the sale of contaminated property. The focus of prosecution there can be narrow or wide. It could be on the original owners of the property who chose to conceal their ownership, or it can involve all the co-conspirators and enablers.

Judge Cleary had the opportunity to atone for her and their crimes by simply recognizing the fraudulent nature of the sale and ordering that the lien is null and void. As a result, massive contingent liability for all the above still presently exists.

Mortgage Fraud

Those involved in the criminal sale of a contaminated property arranged both mortgages and guided us every step of the way. Instead of returning my down payment and cancelling the purchase transaction and first mortgage, I was encouraged to take on a second mortgage. In addition to being given false and misleading information throughout, there was document fraud, tax fraud, government agency fraud and other criminal activity in the property sales, as well as the preparation and execution of the loans. Countrywide New Vision Title Agency, Bank of America, Ditech Financial, Goldman Sachs, US Bank NA, Chalet Servicing, is a partial list of the entities involved in the mortgage fraud.

Again, Jonathan C. Schwalb can do what Judge Cleary should have done by providing notice to Your Honor that they will not object to the discharge of his client's lien for \$649,876.68 or he can stonewall.

If his client's truly have an arms-length relationship with the criminals, it should be an easy decision.²

Proposed Orders

I have included proposed orders for Your Honor's consideration, if Mr. Schwalb does not respond to my offer.

One order will be for a discharge of the \$649,876.68 lien and/or all other debt traceable to the fraudulent sale of property.

The second order will be directed to Jonathan C. Schwalb and his clients asking them to show cause why Your Honor should not discharge the \$649,876.68 lien.

Hearing Date

I have asked for a hearing date of Tuesday, May 14, 2019 on the basis that it would provide enough time for the various parties to read, consider and respond to my motion. If not, I have no objection to a later date.

² When a group of lawyers, judges, a court clerk, and municipal officials have clear and distinct dirty hands and there is unimpeachable evidence of misconduct and criminality, it is not the time for an attorney representing large financial corporations to be seeking to use the Rooker-Feldman Doctrine as a way out. When the public sees this evidence, I can assure you that the Feds and the politicians will find a way to bury everyone.

Code of Conduct for United States Judges

The evidentiary package you will receive on or by April 22, 2019 will be sent under the good faith that Your Honor, consistent with Canon 3B(6), will receive my evidence package on an ex parte, confidential basis and will proceed against those engaged in personal or professional misconduct or criminality.³ As I indicated above, I will be reporting the same to the U.S. Attorney General in Washington, DC, other applicable agencies, and others.

Closing Statement

I made a \$250,000 down payment from life savings for a newly constructed "Dream Home" that subsequently turned into a nightmare as the actual sellers of the property, Cleary et. al. sold me a contaminated property, destroyed my family, and damaged my health through their network of nominees, co-conspirators and enablers.

When this matter is investigated by the Justice Department and others, Bank of America will be found to be the well spring of the mortgages "arranged" by Cleary et. al.

Judge Cleary was aware of this when she chose to "handle" my foreclosure, rather than recuse herself. That was her "job" and she was good at it.

The criminal investigation into her activities will yield a surprising element from the evidence I have reviewed and from first hand reports. The Cleary et. al. machine, including Judge Cleary, did not just operate for their own accounts and interests, but within a comply "buddy" or "tit-for-tat" system where facilitations are done for other lawyers, banks and foreclosure operations mostly targeting poorly represented or Pro se litigants seeking to stave off foreclosure. A judge that can deliver "Summary Judgments" and "Default Judgments" at a high-rate without blinking an eye or permitting any descent or criticism apart from the occasional mumbling is a valuable commodity.

How or whether Jonathan C. Schwalb fits into the above remains to be seen. He is not going to take the contaminated property I was saddled with and sell it to generate \$750,000 or more to suit his clients, regardless of the outcome of this motion.

If he and his clients are clean, they will support this motion as quickly as possible. If they assist me, fine. If not, I will proceed against the criminals without them.

³ **Canon 3B(6)**. Public confidence in the integrity and impartiality of the judiciary is promoted when judges take appropriate action based on reliable information of likely misconduct. Appropriate action depends on the circumstances, but the overarching goal of such action should be to prevent harm to those affected by the misconduct and to prevent recurrence. A judge, in deciding what action is appropriate, may take into account any request for confidentiality made by a person complaining of or reporting misconduct.

A Plea to Your Honor

Please protect my family and me in this matter.

If you do what is right, we can be spared further pain, suffering and damage.

Sincerely,

Honi McEwen
April 10, 2019

**PROPOSED ORDER
AND
PRELIMINARY OFFER**

B18 (Official Form 18) (12/07)

United States Bankruptcy Court

District Of New Jersey

In re	<u>Lori F. McEwan</u>)	
	<i>[Set forth here all names including married,</i>)	
	<i>maiden, and trade names used by debtor within</i>)	
	<i>last 8 years.]</i>)	
	Debtor)	Case No. <u>17-29242-MBK</u>
)	
Address	<u>20 Mackenzie Court</u>)	
)	
	<u>Freehold, N.J. 07728</u>)	Chapter 7
)	
	Last four digits of Social-Security or other Individual Taxpayer-)	
	Identification No(s)(if any): <u>6257</u>)	
)	
	Employer Tax-Identification No(s).(EIN) (if any): _____)	
)	

DISCHARGE OF DEBTOR

It appearing that the debtor is entitled to a discharge, **IT IS ORDERED:** The debtor is granted a discharge under section 727 of title 11, United States Code, (the Bankruptcy Code).

Dated: _____

BY THE COURT

United States Bankruptcy Judge

SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In Re	Case No.:	<u>17-29242-MBK</u>
Lori F. McEwan	Chapter:	<u>7</u>
	Judge:	<u>Kaplan</u>

NOTICE OF PROPOSED COMPROMISE or SETTLEMENT OF CONTROVERSY

Lori F. McEwan, Debtor, in this case proposes a compromise, or to settle a claim and/or action as described below. If you object to the settlement or compromise, you must file a written objection with the Clerk of the United States Bankruptcy Court, and serve it on the person named below not later 7 days before the hearing date.

Address of the Clerk:	Clerk of Honorable Michael H. Kaplan United States Bankruptcy Court 402 East State Street Trenton, NJ 08608
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If an objection is filed a hearing will be held before the Honorable Kaplan on or after May 14, 2019 at 10 a.m. at the United States Bankruptcy Court, courtroom no. Court of Judge Kaplan (starting to be scheduled for at least 20 days from the date of the filing of the notice). If no objection is filed the clerk will enter a *Certification of No Objection* and the settlement may be completed as proposed.

Nature of action:	Discharge of \$649,876.68 lien held by clients of Jonathan C. Schwab Friedman Vartolo LLP
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Pertinent terms of settlement:	Judge Kaplan discharges \$649,876.68 lien. Debtor invites clients of Jonathan C. Schwab to join adversary proceeding in Bankruptcy Court or District Court complaint filed by Debtor for damages of a minimum of \$5,649,876.68 million plus interest to Debtor and family which clients of Jonathan C. Schwab can receive its pro rata share of award.
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Objections must be served on, and requests for additional information directed to:

Name: Lori F. McEwan

Address: 20 Mackenzie Court Freehold, NJ 07728

Telephone No.: (732) 637-3424

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b) Lori F. McEwan 20 Mackenzie Court Freehold, NJ 07728 SSN / ITIN: xxx-xx-6257
In Re: Lori F. McEwan

FILED
JEANNE A. NAUGHTON, CLERK

APR 10 2019

U.S. BANKRUPTCY COURT
TRENTON, NJ
BY  DEPUTY

Case No.: 17-29242-MBK
Adv. Pro. No.: _____
Chapter: 7
Hearing Date: May 14, 2019
Judge: Kaplan

CERTIFICATE OF SERVICE

Lori F. McEwan, of full age, hereby certifies as follows:

1. I am a party in this matter.
2. On April 10, 2019:

I caused:

- a) A motion to show cause with a formal request to discharge a lien of \$649,876.68 against my estate; and,
- b) this Certificate of Service on the parties

SIGNED: Wednesday, April 10, 2019

