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8 Attorney for Plaintiff Billie Rene' Frances Lillian Powers

9 **UNITED STATES DISTRICT COURT**  
10 **CENTRAL DISTRICT OF CALIFORNIA**  
11 **SOUTHERN DIVISION – SANTA ANA**

12 Billie Rene' Frances Lillian Powers,

13 Plaintiff

14 vs.

15 BANK OF AMERICA, N.A.; THE  
16 BANK OF NEW YORK MELLON  
17 F/K/A THE BANK OF NEW YORK,  
18 AS TRUSTEE, ON BEHALF OF THE  
19 HOLDERS OF THE ALTERNATIVE  
20 LOAN TRUST 2007-HY9,  
21 MORTGAGE PASS-THROUGH  
22 CERTIFICATES SERIES 2007-HY9;  
23 SELECT PORTFOLIO SERVICING,  
24 INC.; QUALITY LOAN SERVICE  
25 CORPORATION; MORTGAGE  
26 ELECTRONIC REGISTRATION  
27 SYSTEMS, INC.;  
28 COMMONWEALTH LAND TITLE  
COMPANY; JON SECRIST;  
NICHOLE CLAVADETSCHER; and  
DOES 1 to 10, inclusive,

Defendants.

Case No. 8:17-cv-01386-DOC-KES

District Judge: Hon. David O. Carter

Courtroom: 9D

**DECLARATION OF PATRICK  
BRIGGS AS PRESIDENT OF  
RECONTRUST COMPANY, IN  
SUPPORT OF PLAINTIFF'S  
OPPOSITION TO DEFENDANTS  
MOTION TO DISMISS**

1  
2 "Indeed, no more than (affidavits) is necessary to make the prima facie case." United  
3 States v. Kis, 658 F.2nd, 526, 536 (7th Cir. 1981); Cert Denied, 50 U.S. L.W. 2169; S.  
4 Ct. March 22, 1982

5 RE: Powers v The Bank of New York Mellon et al.

6 Case No. 8:17-cv-01386-DOC-KES

7 District Judge: Hon. David O. Carter

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9  
10 This Declaration is to give notice that I, Patrick Briggs, as the President of Recontrust  
11 Company, have not hired, consulted, or given permission to Steven Britt of Severson &  
12 Werson Law to file a response in the matter of Powers vs. The Bank of New York Mellon  
13 et al. We have not had service of this lawsuit, or knowledge of such until Powers  
14 contacted my office. We will be working with Ms. Powers to settle the matters involving  
15 our company name.

16  
17 I was contacted by Billie Powers and asked if our company had knowledge of her  
18 pending breach of contract lawsuit in the Federal Court. She had concerns that the  
19 attorney alleging to be representing the company did not have an agency agreement and  
20 decided to do her own research. After her call, I minimally reviewed the case and find  
21 there appears to be fraud upon the court presented with the false claims against her title  
22 and with false claims of representing my company's name, Recontrust Company.

23  
24 Recontrust Company has been my company name in California and no other parties have  
25 held legal use of the name other than through my ownership. Any previous use of the  
26 name on legal documents, publications or postings are without merit and my company  
27 has no association with any misdeeds taken against APN 125-120-27. At the time the  
28 alleged Deed of Trust was filed against Billie Powers property, neither the name

1 Recontrust Company, N.A. nor ReconTrust Company were legally executed as Trustee  
2 and I can testify to my knowledge of these facts if called to testify.

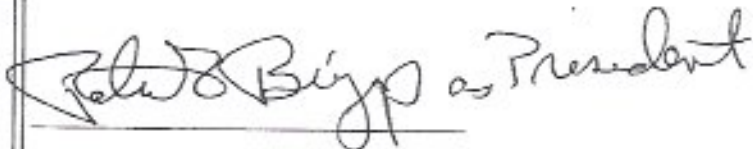
3  
4 I will personally work with Ms. Powers attorney, Angela Swan, to do what is necessary  
5 to remedy our liability to Ms. Powers correcting any presumed association with our  
6 company name through filed documents or false claims by Severson & Werson law firm  
7 as to their allegedly representing our company.

8  
9 I pray the court will find this reason to question, and possibly sanction, attorney Britt  
10 regarding his use of my company name in any pleadings without my knowledge or  
11 authorization. I would be interested to see the agency agreement under which Severson &  
12 Werson claims representation of my company name.

13  
14 At this time, we are willing to settle this matter and respond with the reconveyance,  
15 removal and cancellation of documents we see as creating clouds on her title associated  
16 with the Recontrust Company name.

17  
18 That I, Patrick Briggs, being first duly sworn, depose and say and declare by my  
19 signature that the following facts are true to the best of my knowledge and belief.

20  
21 Further Affiant Sayth Naughtt. I declare, under penalty of perjury, that the foregoing is  
22 true and correct. Executed this 11<sup>th</sup> day of June, 2018, at Harrisburg, Oregon.

23  
24  as President

25  
26 Patrick Briggs, Declarant,  
27 President  
28 Recontrust Company