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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 VALERIE LOPEZ IN
SUPPORT OF PLAINTIFF'S
OPPOSITION TO DEFENDANTS'
MOTION TO DISMISS**

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**DECLARATION OF VALERIE LOPEZ
TO THE ABOVE ENTITLED COURT,
PLAINTIFF AND ATTORNEY OF RECORD:**

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

The following facts are matters of my own personal knowledge and, if sworn, I could testify competently to them in court:

1. I am not a party to this action before the court, but a “reasonable person” of above average intellect and Real Estate Broker with personal knowledge of the California Civil Code Sections 2924 et Seq. as governing non-judicial foreclosure proceedings in California and a witness to the proceedings filed August 11, 2017, in the above stated court.

2. Valerie Lopez, as the President and owner, has organized the company known as Nationwide Posting and Publication, Inc. in California. The use of the name within the alleged foreclosure of Powers property, held in August 8, 2016 by credit bid is impossible. Nationwide Posting and Publication, Inc. was not a registered business in California on August 8, 2016.

3. The current active status of Nationwide Posting and Publication effective 4/12/2018 is verified by the authenticated web site of the California Secretary of State.

4. I am an officer and owner of the company who can answer questions about Nationwide Posting and Publication, Inc.

1 5. Nationwide Posting and Publication Inc. provides media and film production goods
2 and services effective 4/12/2018.

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4 6. I activated Nationwide Posting and Publication Inc. corporation on April 12, 2018
5 under my control. The previous use of Nationwide Posting and Publication Inc. was
6 dissolved, and the business wound up, on December 16, 2013. The dissolution of
7 Nationwide Posting and Publication Inc. was recorded on December 20, 2013 with the
8 California Secretary of State. The dissolution was signed by the prior Directors Linda
9 Stevens and Robin Bayles.

10
11 7. Since the 2013 dissolution by Linda Stevens of Nationwide Posting and Publication,
12 Inc. the name Nationwide Posting and Publication, Inc. has been used by self-proclaimed
13 debt collectors who execute the power of sale pursuant of Cal. Civil Code § 2924
14 (intended for Creditors) to acquire California properties without the required Judicial
15 Court Order pursuant to 15 USC 1692i Legal Actions and without a proper activated
16 Nationwide Posting and Publication California business.

17
18 8. Any use of the name "Nationwide Posting and Publication, Inc. since its 2013
19 dissolution is cause for void actions taken using the name when the name is not a legal
20 California business effective 12/20/13. This is further reason for the void instruments to
21 be removed from the county land records in my opinion.

22
23 9. The misuse of the name has misled the public at large in my opinion. The perception
24 of the use of the name as an active and a legal business since 2013 and the name
25 Nationwide Posting and Publication used to conduct legal notices and auctions has been
26 misleading at best.

1 10. The title insurance company, First American Title Company (FATCO), has been
2 attached to the name as the alleged owner of the name Nationwide Posting and
3 Publication, Inc. FATCO alleges that Nationwide Posting and Publication is a sub
4 division of FATCO. FATCO title insurer appears to have mislead the courts and public at
5 large in taking California properties without properly registering the trade name
6 Nationwide Posting and Publication, Inc. as a legal business and misusing the name
7 since December 20, 2013.

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9 11. The address previously used by Linda Stevens who is reflected as the previous owner
10 of the now defunct company Nationwide Posting and Publication Inc. coincides with the
11 current address being used as Nationwide Posting and Publication Inc. the dummy and
12 defunct business carrying out alleged legal foreclosure proceedings: 1. Ordering
13 Publications from The Register 2. Posting Sale Notices on doors of homes. 3.
14 Administering auctions. The defunct dummy business Nationwide Posting and
15 Publication allegedly associated with FATCO in El Dorado Hills California is 5005
16 Windplay Dr Ste 1 in El Dorado Hills, California 95762. They can be contacted via
17 phone at (916) 939-0700 for pricing, hours and directions.

18
19 12. My company issued cease and desist orders dated May 16, 2018 and May 18, 2018
20 to: The Orange County Register, "FATCO", their affiliates and representatives, regarding
21 the unauthorized use of the name Nationwide Posting and Publication Inc. The U.S.
22 Department of Justice, The California Secretary of State, IRS criminal division, The
23 Orange County District Attorney and other agencies have been notified of the Cease and
24 Desist Order to the people illegally operating under a dummy defunct company
25 Nationwide Posting and Publication, Inc. since 12/20/2013 and now without my
26 authority continue to use my company name. We have sent the insurance division of
27 FATCO a claim for damages and demanded a retraction of all notices, postings and
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1 publications which used the name Nationwide Posting and Publication since 2013 - as
2 remedy to all who may have been harmed by use of a dummy defunct business.

3
4 13. I will cooperate with Billie's Attorney Swan to remove any presumed authority of
5 Nationwide Posting and Publication, Inc. to have caused the misdeeds of people who
6 recorded and posted documents against the Powers property. I will assist attorney Swan
7 in her efforts to cancel all instruments recorded against Billie Powers San Juan
8 Capistrano Unincorporated, California (APN 125-120-27) property title with misuse of a
9 defunct dummy business Nationwide Posting and Publication and unauthorized use of
10 Nationwide Posting and Publication, Inc. as of April 12, 2018. I have not authorized the
11 use of Nationwide Posting and Publication for any publications, postings or auctions
12 since my 4/12/2018 acquisition and organization of Nationwide Posting and Publication
13 Inc.

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15 14. It is my opinion, the misuse of a defunct dummy business Nationwide Posting and
16 Publication, Inc. is evidence enough to show that the August 8, 2016 auction activities by
17 people using Nationwide Posting and Publication, Inc are void and illegal related to the
18 Billie Powers property. No duly perfected title exists in accordance to section 2924 of
19 CCP.

20
21 14. I have over 9 years of experience running a warehouse line for a mortgage company
22 whereby I was required to thoroughly understand California Commercial Codes. I ran my
23 mortgage company Residential Mortgage Service from July 1, 1995 until December 31,
24 2010. I also have completed extensive classroom time in title and lending. I will be
25 cooperative with Billie Powers attorney and give my opinion concerning the documents
26 filed on Billie Powers home as supported by California Supreme court case Bank of New
27 York Mellon vs. Preciado (March 19, 2014) 224 Cal.App.4th Supp 1] .

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1 15. The Title is alleging to be held by The Bank of New York Mellon as Trustee, the
2 name used on Title is not reflected in any assignment, and the name is misleading to give
3 an appearance of the name used on the void assignment recorded October 10, 2010,
4 notarized by Jon Secrist, which Billie has proven void through notary bond claim. The
5 use of an altered Trust name is misleading. Expert testimony of financial and real estate
6 witnesses will establish defective duly perfected title a requirement of Section 2924 of
7 CCP.

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9 16. I have reviewed a correspondence email sent to Billie from the Vice President of the
10 purported Bank of New York Mellon as Trustee, known as Gavin Tsang, attesting to the
11 fact that the Bank of New York Mellon is not the owner of the property or any loan
12 associated with the Powers property. In email, Mr. Gavin states Bank of New York
13 Mellon did not authorize any foreclosure against the Billie Power San Juan California
14 Property.

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16 17. I have been informed by Billie Powers that she has expert legal analysts who have
17 knowledge of the collateral deposit accounts, investor records and the misuse of the
18 defunct dummy name Nationwide Posting and Publication, Inc. who will show that no
19 investors have any interest in her property. I have reviewed limited investor records that
20 show investor records are in conflict with what is being presented on documents recorded
21 against Billie's property.

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23 18. I am available to testify if requested to present the illegal use of Nationwide Posting
24 and Publication, Inc, and the undisclosed use of a sophisticated use of trademarks and a
25 patented process through which this entire charade of deception has stolen the Powers
26 title, or use of a licensing arrangement and it has had nothing to do with a UCC3
27 instrument.

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1 19. I have also reviewed what is called a "Pay off Statement" sent to Billie from Select
2 Portfolio Servicing, Inc. (SPS) in January 2018, and the most current sent this month
3 May 2018, which it is evident SPS continues to charge on the account allegedly
4 foreclosed upon in the name of BILLIE RENE POWERS and it is accruing interest,
5 paying escrow and taxes in the POWERS identity and entity name. The disclosure of
6 accumulating interest, payment of taxes, forced insurance reveals that there may have not
7 been a lawful foreclosure based on expenses being paid with use of the entity assigned to
8 Billie Powers under Social Security Act of 1935. The misuse of the Billie Powers entity's
9 trust by debt collectors could be established as identity theft under insurance, IRS, title,
10 escrow and FDCPA violations.

11 Further Affiant Sayeth Naught. I declare, under penalty of perjury, that the
12 foregoing is true and correct. Executed this 29th day of May 2018 at Orange, California.

13
14 
15 Valerie Lopez, Declarant

16 Owner/President
17 Nationwide Posting and Publication, Inc.