

June Elliott Neyer, Borrower
Leland Anthony Neyer, Co-borrower
324 North Main Street
P.O. Box 970
Alturas, CA 96101-0970
Debtors to GMAC Financial et al

October 15, 2013

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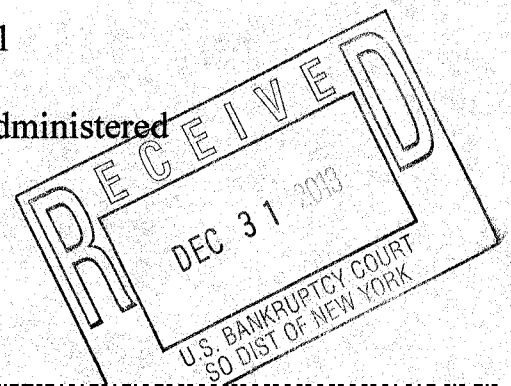
*Counsel for the Debtors and
Debtors in Possession*

*Counsel for the Official Committee of
Unsecured Creditors*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
MANHATTAN OFFICE
One Bowling Green
New York, NY 10004-1408**

In re:)
)
RESIDENTIAL CAPITAL, LLC, et al,)
)
)
Debtors.)
_____)

Case No. 12-12020 (MG)
Chapter 11
Jointly Administered



Debtor's reply to:

**NOTICE OF FILING OF EXHIBITS 2 THROUGH 21 COMPRISING THE PLAN
SUPPLEMENT TO THE JOINT CHAPTER 11 PLAN PROPOSED BY
RESIDENTIAL CAPITAL, LLC, ET AL, AND THE
OFFICIAL COMMITTEE OF UNSECURED CREDITORS**

Dear OFFICIAL COMMITTEE OF UNSECURED CREDITORS

Please take note that my wife and I have a prior Federal Lawsuit against
Homecomings GMAC and RESIDENTIAL CAPITAL, LLC, ET AL that goes back to June
17, 2009. This date is well before your action.

Therefore the following Court has jurisdiction over OUR ENTIRE CASE! And it
follows that the current bankruptcy action by RESIDENTIAL dated October 11, 2013 has no
lawful affect against Leland Anthony and June Elliott Neyer.

Your prompt reply is advised and demanded.

**UNITED STATES DISTRICT COURT OF APPEALS
FOR THE NINTH CIRCUIT**

**Attn: Molly C. Dwyer, Clerk & Laura Castillo, Deputy Clerk
UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT
P.O. Box 193939
San Francisco, Ca 94103
(415) 355-8000**

June E. Neyer, Borrower
Leland Anthony Neyer, Co-Borrower
Plaintiffs

Vs.
GMAC HOMECOMINS FINANCIAL BANK
Et al. currently known as RESIDENTIAL CAPITAL
Defendants

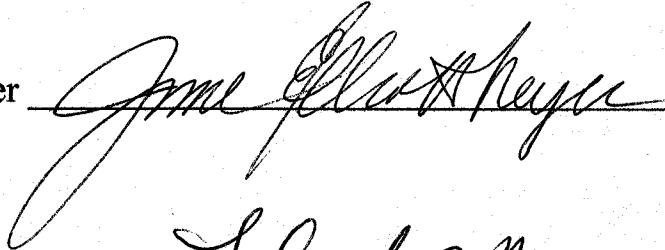
**NO. 11-17722
D.C. No, 2:09-cv-01671-GEB
filed: June 17, 2009**

Re: **ACCOUNT NUMBER:** 7423226489
PROPERTY ADDRESS: 1685 Count Road 70, Canby, Ca 96015

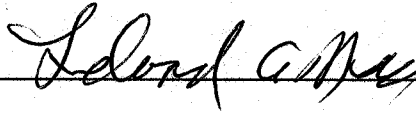
October 15, 2013

Sincerely,

Borrower: June Elliott Neyer

A handwritten signature in cursive script, appearing to read "June Elliott Neyer", written over a horizontal line.

Co-Borrower: Leland Anthony Neyer

A handwritten signature in cursive script, appearing to read "Leland Anthony Neyer", written over a horizontal line.

COPY

June Elliott Neyer, Borrower
Leland Anthony Neyer, Co-borrower
324 North Main Street
P.O. Box 970
Alturas, CA 96101-0970

September 12, 2013

Ocwen Loan Servicing, LLC
Escrow Analysis Department
P.O. Box 780
3451 Hammond Avenue
Waterloo, IA 50704-0780
1-800-766-4622
1-800-746-2936

**DETAILED OCWEN HARDSHIP LETTER
&
DEMAND FOR REFUND OF OUR SURPLUS
CHECK**

**UNITED STATES DISTRICT COURT OF APPEALS
FOR THE NINTH CIRCUIT**

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**GMAC HOMECOMINS FINANCIAL BANK
Et al.,
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Ocwen Loan Servicing, LLC
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1-800-766-4622
(407) 737-6174

Re: **ACCOUNT NUMBER: 7423226489**
PROPERTY ADDRESS: 1685 Count Road 70, Canby, Ca 96015

Dear Customer Care Center,

Pursuant to the current OCWEN letter dated September 04, 2013 and received by us on September 12, 2013, regarding ALTERNATIVES TO FORECLOSURE.

We are responding with this **DETAILED OCWEN HARDSHIP LETTER** that clearly establishes we are in ninth circuit court of appeals since June 17, 2009.

Pursuant to your ESCROW ANALYSIS date of August 30, 2013 and received by us on September 6, 2013. Whereas, from your letter, it is apparent that we have a **SURPLUS AMOUNT** of \$6,715.67 under our ACCOUNT NUMBER that is in an amount that nobody has ever bothered to tell us about.

It is an absolute that the **HISTORY OF A PRIOR FRAUDULENT FORECLOSURE** was executed against us by Homecomings.

As a matter of our payment history, back in June of 2009 we had successfully timely paid the full amount of each prior Monthly Mortgage Payment for the prior five years for 60 payments. Then Homecomings returned our full timely paid monthly

payment and immediately filed a false and FRAUDULENT FORECLOSURE NOTICE on our property as cited above.

We tried all of the reasonable steps and procedures to convince GMAC HOMECOMINGS that they made a mistake to no avail!

In order to amplify the extent of existing mortgage fraud by mortgage companies, we have taken the liberty of reviewing MORTGAGE DAILY.com web sight, which includes 50 separate lawsuits involving Homecomings for fraudulent Mortgage Acts by Ditech, GMAC MORTGAGE LLC, and Homecomings Financial LLC which were all filed as *Voluntary Petitions for Relief* by the lenders.

Therefore based on prior fraudulent mortgage company acts that occurred before 2008, it is clear that GMAC Homecomings Financial Network and their subordinates, including OWEN were involved in hundred if not thousands, of fraudulent foreclosure cases against innocent homeowners.

That said for our mortgage company opponents and their prior and current fraudulent forecclosurc schemes that numbers in the thousands.

DEMAND FOR REFUND OF OUR SURPLUS CHECK

We now get back to our current problem with OCWEN. Therefore, pursuant to **Section 3** entitled "SURPLUS" we clearly have a situation where our current **Anticipated Low Point exceeds the Maximum Permitted Low Point for Analysis Period**. Since we have no "shortage" that was cause by our acts and in fact we have a **Surplus Amount** of \$6,715.67.

Since we are in the Ninth Circuit Federal Court already over the issue of a FRAUDULENT FORECLOSURE by GMAC HOMECOMINGS in 2009, then it follows that pursuant to a reasonable request, we are hereby demanding that you immediately, send us a check in the amount of \$6,715.67 which is OUR MONEY that you have used without any interest or penalty being paid since 2009!

Sincerely,

June E. Neyer , Borrower _____

Leland A. Neyer, Co-Borrower _____