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*Counsel for the ResCap Borrower  
Claims Trust*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:	)	Case No. 12-12020 (MG)
	)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,	)	Chapter 11
	)	
Debtors.	)	Jointly Administered
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**THE RESCAP BORROWER CLAIMS TRUST'S SUPPLEMENTAL  
SUBMISSION WITH RESPECT TO THE TRUST'S OBJECTION TO CLAIM  
NUMBER 4128 FILED BY DWAYNE F. AND TRINA M. POOLE**

On September 17, 2014, the ResCap Borrower Claims Trust (the "Borrower Trust") filed the *ResCap Borrower Claims Trust's Seventy-Fifth Omnibus Objection to Claims (No Liability Borrower Claims)* (ECF Doc. #7552) (the "Objection"). The Objection objected to a number of claims, including claim number 4128 (the "Claim") filed by Dwayne F. and Trina M. Poole (the "Claimants"). The Claimants filed an opposition to the Objection on October 17, 2014 (ECF Doc. # 7706). The Borrower Trust filed a reply to responses filed by several claimants, including the Claimants, on November 7, 2014 (ECF Doc. # 7727) (the "Reply"). On November 13, 2014, the Court held a hearing on the Objection and took the Objection to the Claim under submission.



On November 20, 2014, the Court entered an *Order Requiring Supplemental Submission of ResCap Borrower Claims Trust with Respect To the Trust's Opposition to Claim Number 4128 filed by Dwayne F. and Trina M. Poole* (ECF Doc. # 7784) (the "Order"). The Order required the Trust to provide a recorded copy of the assignment of the Claimants' deed of trust from Mortgage Electronic Registration Systems as nominee for Worldwide Mortgage Company to Debtor GMAC Mortgage, LLC (the "Assignment"). The Borrower Trust submits the attached copy of the assignment, which evidences that the Assignment was recorded on March 24, 2011 by the Recorder of Deeds for Franklin County, Missouri as document number 1104550. This document demonstrates that the Debtors had standing to initiate foreclosure of the Claimants' property, as discussed in ¶ 101 of the Reply.

Accordingly, for the reasons set forth in the Objection and the Reply, the Claim should be expunged in its entirety.

Dated: November 24, 2014  
New York, New York

/s/ Norman S. Rosenbaum  
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**Assignment**

**RECORDED IN**  
**SHARON L. BIRKMAN**  
**RECORDER OF DEEDS**  
**FRANKLIN COUNTY**  
**STATE OF MISSOURI**  
**DOCUMENT# 1104550**  
**03/24/2011 08:00 AM**  
**FEE: 30.00**  
**PAGES: 3**

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**MARGIN ABOVE RESERVED FOR RECORDING INFORMATION**

**ASSIGNMENT OF DEED OF TRUST**

**DATE OF INSTRUMENT: 3/21/2011**

**GRANTOR: Mortgage Electronic Registration Systems, Inc., as nominee for WorldWide  
Mortgage Company, its successors and assigns  
c/o GMAC Mortgage, LLC  
1100 Virginia Drive  
Fort Washington, PA 19034**

**GRANTEE: GMAC Mortgage, LLC  
c/o GMAC Mortgage, LLC  
1100 Virginia Drive  
Fort Washington, PA 19034**

**AFFECTED INSTRUMENT IF APPLICABLE: September 7, 2006, Document No. 0620410**

**LEGAL DESCRIPTION (CONTINUED ON NEXT PAGE IF APPLICABLE):** Part of the Southwest Quarter of Section 34, Township 43 North, Range 1 West of the 6th P.M. more fully described as follows:  
Commencing at a point that bears South 88 degrees 10 minutes East 1,407.1 feet South 45 degrees 41 minutes West 161.8 feet, South 15 degrees 14 minutes West 666.0 feet South 64 degrees 58 minutes East 75 feet, South 51 degrees 59 minutes East 58.0 feet, South 35 degrees 11 minutes East 79.0 feet and South 24 degrees 32 minutes East 200 feet from the West Quarter section corner of Section 34 and being the actual point of beginning of the following described property, continue South 24 degrees 32 minutes East (along the centerline of a 40 foot roadway) 290 feet to a point, thence leaving said road North 41 degrees 47 minutes East 814.0 feet to a point in the approximate center of Bourbeuse River, thence along the approximate center of the Bourbeuse River North 20 degrees 34 minutes West 299.8 feet to a point, thence leaving said river South 41 degrees 47 minutes West 836.6 feet to the actual point of beginning and being a tract of land shown in surveyors record 22 Page 47 executed by Norbert Wunderlich, Franklin County Surveyor

File No. 116718



### **ASSIGNMENT OF DEED OF TRUST**

This Assignment of Deed of Trust has an effective date of February 10, 2010.

FOR VALUE RECEIVED, Mortgage Electronic Registration Systems, Inc., as nominee for WorldWide Mortgage Company, its successors and assigns, c/o GMAC Mortgage, LLC, 1100 Virginia Drive, Fort Washington, PA, 19034, assignee of that certain Deed of Trust recorded in the office of the Recorder of Deeds of Franklin County, MO, on September 7, 2008, Document No. 0620410, originally executed by Dwayne F. Poole and Trina M. Poole in favor of Mortgage Electronic Registration Systems, Inc., as nominee for Worldwide Mortgage Company, its successors and assigns with respect to the following described property,

Part of the Southwest Quarter of Section 34, Township 43 North, Range 1 West of the 5th P.M. more fully described as follows: Commencing at a point that bears South 89 degrees 10 minutes East 1,407.1 feet South 45 degrees 41 minutes West 151.8 feet, South 16 degrees 14 minutes West 665.0 feet South 64 degrees 58 minutes East 75 feet, South 51 degrees 59 minutes East 68.0 feet, South 36 degrees 11 minutes East 79.0 feet and South 24 degrees 32 minutes East 200 feet from the West Quarter section corner of Section 34 and being the actual point of beginning of the following described property, continue South 24 degrees 32 minutes East (along the centerline of a 40 foot roadway) 290 feet to a point, thence leaving said road North 41 degrees 47 minutes East 814.0 feet to a point in the approximate center of Bourbeuse River, thence along the approximate center of the Bourbeuse River North 20 degrees 34 minutes West 299.8 feet to a point, thence leaving said river South 41 degrees 47 minutes West 836.6 feet to the actual point of beginning and being a tract of land shown in surveyors record 22 Page 47 executed by Norbert Wunderlich, Franklin County Surveyor, commonly known as 220 River Rock Drive, Union, MO 63084 (the "Property"),

has sold, assigned, transferred, conveyed, and set over the Deed of Trust to GMAC Mortgage, LLC, 1100 Virginia Drive, Fort Washington, PA, 19034.

WITNESS my hand and seal of the corporation this 21<sup>st</sup> day of March, 2011

File No. 116718



Mortgage Electronic Registration Systems, Inc.,  
as nominee for WorldWide Mortgage Company,  
its successors and assigns



BY:

[Signature]  
Cager Bradley  
Printed Name  
Assistant Secretary  
(Title)

**ACKNOWLEDGMENT**

STATE OF TEXAS )  
COUNTY OF Dallas ) ss.

BE IT REMEMBERED, that on this 2<sup>nd</sup> day of March, 2011, before me, the undersigned, a notary public in and for said county and state, came Cager Bradley Assistant Secretary (title) who is personally known to me to be the same person who executed, as such officer, the within instrument of writing on behalf of said Mortgage Electronic Registration Systems, Inc., as nominee for WorldWide Mortgage Company, its successors and assigns, and such person duly acknowledged the execution of the same to be the act and deed of the corporation.

IN WITNESS, I have set my hand and affixed by official seal the day and year last above written.

[Signature]  
Notary Public,

My Commission Expires:

10/21/2014

