

**UNENDORSED NOTES USED BY BANK OF NEW YORK  
IN FORECLOSURES**

**A STUDY BY THE HOUSING JUSTICE FOUNDATION  
JUNE 17, 2014**

When faced with foreclosure after the financial crisis of 2008, millions of U.S. homeowners filed bankruptcy cases. In the 12-month period ending December 31, 2008, there were 1,074,225 non-business bankruptcy filings.<sup>1</sup> This was a significant increase from 822,590 non-business filings in 2007, and nearly twice the 2006 filings of 597,965. The figures were worse in 2009, with 1,412,838 non-business filings. In 2010, the filings continued to increase with 1,536,799 non-business filings. The first decrease was in 2011, with 1,362,847 new filings. In 2012, the number of new filings was 1,181,016. In the five years after the financial crisis, 2008 – 2012, over 6.5 million Americans (6,567,725) filed for bankruptcy. The total is likely well over ten million because many of the filings were joint filings by spouses.

In millions of cases, the debtors were trying to save their homes from foreclosure, or simply escape the deficiency judgment that would follow them even after they lost their homes, as home prices fell over 50% in many of the hardest hit parts of the country, and the mortgage debt far exceeded the home values.

In most cases, filing for bankruptcy merely delayed the inevitable. With the filing, there was an automatic stay or stop to all collection activities, including foreclosure. But the stay was only temporary relief. Within a few months of the filing date, a bank would most often file a Motion to Modify or Set Aside the Stay, asking the court to allow the foreclosure to proceed, and in the vast majority of these cases, the bank's motion was granted.

In most of the cases from 2008-2012, the bank that asked the bankruptcy court for permission to foreclose was not the original mortgage lender. In most of these cases, the bank was acting as a trustee for a residential mortgage-backed securitized ("RMBS") trust. Thousands of these trusts were formed from 2004-2007, with loan pools of several trillion dollars of U.S. mortgage debt. The pools were sold to investors, who expected a return for 30 years from the stream of mortgage payments.

By the time the average mortgage loan was the subject of a bankruptcy court filing, that loan had been sold at least two, but often three or more times. The

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<sup>1</sup> [www.uscourts.gov/Statistics/BankruptcyStatistics/12-month-period-ending-december.aspx](http://www.uscourts.gov/Statistics/BankruptcyStatistics/12-month-period-ending-december.aspx)

lender (Countrywide Bank, FSB, for example) sold the loan to a related third-party (Countrywide Home Loans, Inc., for example) who sold the loans to a securities company known as a “depositor” (CWALT, Inc., for example), who then sold the loan, combined with several thousand other loans to form an RMBS trust (Alternative Loan Trust 2005-2, for example). Each trust had a trustee (The Bank of New York, for example) and that was the entity that eventually filed the Motion in bankruptcy court to allow it to pursue a foreclosure. The filing would be made, for example, by The Bank of New York, as Trustee for CWALT Alternative Loan Trust 2005-2, even though the debtors had taken a home loan from Countrywide Bank and made their monthly payments to Countrywide, until the time they defaulted.

When Bank of New York filed its Motion, typically the allegations in the Motion included a statement by the bank’s lawyer that:

Bank of New York as Trustee for the Certificateholders of CWALT 2005-2 is the holder of a secured claim against the Debtor evidenced by a note and mortgage, copies of which are attached hereto.

The note and mortgage attached by the Bank of New York showed Countrywide Bank, FSB, as the lender, not the Bank of New York or Countrywide Home Loans or the CWALT 2005-2 Trust. The endorsements on the note were the critical link between the Bank of New York as Trustee and the original lender, showing the bank’s right to proceed. On the last page of the Note itself, below the signatures of the borrowers, there was a stamp that would read “Pay to the Order of Countrywide Home Loans, Inc.” and, directly underneath, a signature of an officer of Countrywide Bank, FSB (Laurie Meder, Vice President, for example.) Because this endorsement identified a specific payee, Countrywide Home Loans, Inc., the endorsement was a “special endorsement.” Under the Uniform Commercial Code of most states, this special endorsement authorized Countrywide Home Loans, Inc., and only Countrywide Home Loans, Inc. to claim to right to enforce the note.

In the example, however, Countrywide Home Loans, Inc. also sold the loan. On the note, on the same last page, near the endorsement stamp of Laurie Meder, for example, there is a second endorsement that reads “Pay To The Order of \_\_\_\_\_” and directly underneath the blank line, a signature of an officer of Countrywide Home Loans, Inc. (Michele Sjolander, for example, as Vice President of Countrywide Home Loans, Inc.). Because this endorsement did not identify a specific payee, this was a “blank endorsement.” Under the Uniform Commercial Code of most states, this blank endorsement authorized anyone holding the note with the endorsement to claim the right to enforce the note.

On every note submitted in bankruptcy courts by the Bank of New York as Trustee for a CWALT, CWABS or CWABS trust (which held over \$500 billion

dollars of loans), that included an endorsement in blank or an endorsement to the Bank of New York, as Trustee, or an endorsement to the particular trust, that note does indeed serve as evidence of a secured claim against the debtor, noting, of course, that evidence can be successfully rebutted.

The terms of the trust agreements specified that the notes were to have been endorsed in blank, as the following provision from the Pooling and Servicing Agreement for CWALT Alternative Loan Trust 2005-72 (p.31) in subsection 2.01, Conveyance of Mortgage Loans specifies:

(i) (A) the original Mortgage Note endorsed by manual or facsimile signature in blank in the following form: "Pay to the order of \_\_\_\_\_ without recourse," with all intervening endorsements showing a complete chain of endorsement from the originator to the Person endorsing the Mortgage Note (each such endorsement being sufficient to transfer all right, title and interest of the party so endorsing, as noteholder or assignee thereof, in and to that Mortgage Note);

These endorsements were to have been made, and the notes delivered, by the closing date of the trust, reviewed by the document custodian or the trustee, and returned to the originators if there were any deficiencies, so they originator could correct the deficiencies or replace the loan with another qualified loan.

The trust agreements also make it clear that the endorsed notes were to have been delivered to the Master Servicer to be used in foreclosures, as the following provision from the Pooling and Servicing Agreement for CWALT Alternative Loan Trust 2005-72 (p.57) in subsection 3.12, Trustee to Cooperate; Release of Mortgage Files specifies:

From time to time and as shall be appropriate for the servicing or foreclosure of any Mortgage Loan...the Trustee shall, upon delivery to the Trustee of a Request for Release in the form of Exhibit M signed by a Servicing Officer, release the Mortgage File to the Master Servicer. Subject to the further limitations set forth below, the Master Servicer shall cause the Mortgage File or documents so released to be returned to the Trustee when the need therefor by the Master Servicer no longer exists, unless the Mortgage Loan is liquidated...

There is a very clear picture of what was supposed to happen whenever a trust wanted to foreclose on a loan in the trust: the servicer was to file a form, and the trustee was to deliver the endorsed note to the servicer to use in the foreclosure. This is what actually happened: in nearly 80% of the cases, Bank of New York used unendorsed notes, and an unsupported allegation that it had the right to foreclose for mortgage-backed trusts.

**UNENDORSED NOTES USED BY BANK OF NEW YORK  
IN FORECLOSURES:**

Bankruptcy Cases\* Filed in 2008 and 2009 In 3 Jurisdictions Were Reviewed;

Where Bank of New York, as a Trustee, filed a Motion To Set Aside or Modify the Automatic Stay To Allow A Foreclosure To Go Forward (usually for a CWABS, CWALT or CWMBBS Trust – that is, Countrywide);

To Determine How Often the Bank filed an ENDORSED NOTE (endorsed either in blank or to a trust or trustee) In Support of Its Motion.

**In 79% of the Cases, the Bank of New York Filed an Unendorsed Note.**

**WHY DOES BANK OF NEW YORK AS TRUSTEE MOST OFTEN USE UNENDORSED NOTES IN BANKRUPTCY COURT FORECLOSURES?**

**DID THE TRUSTS EVER RECEIVE THE ENDORSED NOTES AS PROMISED TO INVESTORS?**

**District of Massachusetts**

**Number of Cases With Filed Notes: 118**

**Number of Cases with Unendorsed Notes: 76**

**Percentage of Cases with Unendorsed Notes: 64%**

**Middle District of Florida**

**Number of Cases With Filed Notes: 190**

**Number of Cases with Unendorsed Notes: 168**

**Percentage of Cases with Unendorsed Notes: 88%**

**District of South Carolina**

**Number of Cases with Filed Notes: 19**

**Number of Cases with Unendorsed Notes: 14**

**Percentage of Cases with Unendorsed Notes: 74%**

**TOTAL NUMBER OF CASES: 327**

**TOTAL NUMBER OF CASES WITH UNENDORSED NOTES: 258**

**PERCENTAGE OF CASES WITH UNENDORSED NOTES: 78.899%**

\*only cases that ended in a Standard Discharge by 6-10-2014 were considered

**UNENDORSED NOTES FILED IN BANKRUPTCY COURTS  
BY BANK OF NY AS TRUSTEE FOR MORTGAGE-BACKED TRUSTS  
SEEKING TO MODIFY OR SET ASIDE THE STAY  
TO FORECLOSE**

**DISTRICT OF MASSACHUSETTS**

**CASE 08-10761, Unendorsed Note, Document 11, p. 7-9, filed 2-15-2008  
CWALT 2005-3CB**

**CASE 08-11269, Unendorsed Note, Document 11, p. 12-13, filed 3-10-2008  
CWALT 2006-OA12**

**CASE 08-11285, Unendorsed Note, Document 61-1, p. 1-2, filed 7-25-2008  
CWABS 2005-2**

**CASE 08-11618, Unendorsed Note, Document 78-2, p. 1-3, filed 7-2-2009  
CWABS 2004-12**

**CASE 08-11702, Unendorsed Note, Document 12, p. 7-8, filed 3-25-2008  
CWALT 2005-76**

**CASE 08-11865, Unendorsed Note, Document 11-2, p. 1-4, filed 5-27-2008  
CWALT 2006-OA9**

**CASE 08-12428, Unendorsed Note, Document 46-2, p. 1-3, filed 1-19-2010  
CWABS 2005-13**

**CASE 08-14187, Unendorsed Note, Document 18-2, p. 1-3, filed 12-1-2008  
CWABS 2005-7**

**CASE 08-14263, Unendorsed Note, Document 47-2, p. 1-4, filed 12-30-2008  
CWALT 2006-OA19**

**CASE 08-14321, Unendorsed Note, Document 7-2, p. 1-4, filed 7-11-2008  
MARM 2005-08**

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**DISTRICT OF MASSACHUSETTS**

**CASE 08-15111, Unendorsed Note, Document 26-2, p. 1-4, filed 10-7-2008  
GE-WMC Asset-Backed PT Certs. Series 2005-2**

**CASE 08-15342, Unendorsed Note, Document 12-2, p. 1-4, filed 8-8-2008  
CWALT 2005-56**

**CASE 08-13956, Unendorsed Note, Document 10-1, p. 1-2, filed 7-1-2008  
CWALT 2006-OA2**

**CASE 08-15551, Unendorsed Note, Document 15-2, p. 1-3, filed 8-21-2008  
CWABS 2005-4**

**CASE 08-16003, Unendorsed Note, Document 69-2, p. 1-4, filed 1-5-2009  
CWMBS 2005-2**

**CASE 08-16059, Unendorsed Note, Document 107-2, p. 1-6, filed 2-23-2010  
ABFC 2005-HE1**

**CASE 08-16560, Unendorsed Note, Document 10-1, p. 5-7, filed 9-25-2008  
CWALT 2005-19CB**

**CASE 08-16984, Unendorsed Note, Document 85-1, p. 1-5, filed 11-19-2009  
CWALT 2005-72**

**CASE 08-17202, Unendorsed Note, Document 17-1, p. 1-4, filed 12-4-2008  
CWABS 2004-29**

**CASE 08-17280, Unendorsed Note, Document 13-2, p. 1-4, filed 12-9-2008  
CWALT 2006-OA9**

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**DISTRICT OF MASSACHUSETTS**

**CASE 08-18002, Unendorsed Note, Document 9-2, p. 1-2, filed 11-10-2008  
CWABS 2005-13**

**CASE 08-18203, Unendorsed Note, Document 33-2, p. 1-3, filed 2-19-2009  
CWABS 2007-11**

**CASE 08-18274, Unendorsed Note, Document 17-2, p. 1-6, filed 12-9-2008  
CWMBS 2006-3**

**CASE 08-18413, Unendorsed Note, Document 15-1, p. 1-2, filed 1-6-2009  
CWMBS 2006-6**

**CASE 08-19142, Unendorsed Note, Document 9-1, p. 1-2, filed 2-13-2009  
CWABS 2005-14**

**CASE 08-19735, Unendorsed Note, Document 11-2, p. 1-4, filed 3-3-2009  
CWABS 2005-7**

**CASE 08-30634, Unendorsed Note, Document 26-2, p. 1-3, filed 10-8-2008  
CWABS 2004-10**

**CASE 08-30925, Unendorsed Note, Document 56-2, p. 1-4, filed 12-1-2008  
CWABS 2005-05**

**CASE 08-31114, Unendorsed Note, Document 25-2, p. 1-3, filed 3-12-2010  
CWABS 2005-13**

**CASE 08-40055, Unendorsed Note, Document 51-2, p. 1-3, filed 7-24-2008  
CWABS 2005-13**

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**DISTRICT OF MASSACHUSETTS**

**CASE 08-40066, Unendorsed Note, Document 70-2, p. 1-3, filed 11-13-2009  
CWABS 2005-AB4**

**CASE 08-40784, Unendorsed Note, Document 21-2, p. 1-3, filed 8-26-2008  
CWALT 2005-J2**

**CASE 08-40798, Unendorsed Note, Document 81-1, p. 1-2, filed 10-24-2008  
CWABS II, INC LFT 2005-4**

**CASE 08-41494, Unendorsed Note, Document 33-2, p. 1-3, filed 1-5-2009  
CWABS 2005-7**

**CASE 08-41587, Unendorsed Note, Document 8, p. 9-10, filed 6-10-2008  
CWALT 2005-49CB**

**CASE 08-41813, Unendorsed Note, Document 19-2, p. 1-3, filed 10-2-2008  
CWABS 2004-AB2**

**CASE 08-42192, Unendorsed Note, Document 43-2, p. 1-3, filed 11-7-2008  
CWABS 2005-13**

**CASE 08-42465, Unendorsed Note, Document 11-1, p. 1-3, filed 9-8-2008  
CWALT 2006-24CB**

**CASE 08-42667, Unendorsed Note, Document 17-2, p. 1-3, filed 9-1-2008  
CWABS 2006-8**

**CASE 09-42679, Unendorsed Note, Document 24-1, p. 12-15, filing 12-23-2008  
CWALT 2004-17CB**



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**DISTRICT OF MASSACHUSETTS**

**CASE 08-42877, Unendorsed Note, Document 30-2, p. 1-4, filed 12-15-2008  
CWABS 2005-17**

**CASE 08-43355, Unendorsed Note, Document 35-1, p. 1-2, filed 12-7-2009  
CWALT 2006-6CB**

**CASE 08-43587, Unendorsed Note, Document 39-1, p. 1-2, filed 9-17-2009  
CWABS 2006-3**

**CASE 09-10765, Unendorsed Note, Document 20-2, p. 1-4, filed 4-8-2009  
CWABS 2005-AB4**

**CASE 09-11274, Unendorsed Note, Document 20-1, p. 1-2, filed 6-5-2009  
CWALT 2005-55CB**

**CASE 09-11382, Unendorsed Note, Document 47-1, p. 1-3, filed 2-22-2010  
CWABS 2004-1**

**CASE 09-12012, Unendorsed Note, Document 27-1, p. 1-2, filed 4-24-2009  
CWALT 2005-37T1**

**CASE 09-12136, Unendorsed Note, Document 11-1, p. 1-2, filed 5-5-2009  
CWABS 2006-3**

**CASE 09-13337, Unendorsed Note, Document 46-2, p. 1-2, filed 1-27-2010  
CWALT 2005-85CB**

**CASE 09-14539, Unendorsed Note, Document 31-1, p. 1-3, filed 11-20-2009  
CWABS 2006-5**

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**DISTRICT OF MASSACHUSETTS**

**CASE 09-14710, Unendorsed Note, Document 17-1, p. 1-2, filed 7-23-2009  
CWALT 2005-32T1**

**CASE 09-16429, Unendorsed Note, Document 17-1, p. 1-2, filed 9-25-2009  
CWABS 2006-14**

**CASE 09-16641, Unendorsed Note, Document 12-1, p. 25 -29, filed 8-31-2009  
CWABS 2005-BC2**

**CASE 09-16886, Unendorsed Note, Document 47-2, p. 1-3, filed 2-19-2010  
CWALT 2006-18CB**

**CASE 09-16965, Unendorsed Note, Document 10-1, p. 1-4, filed 10-14-2009  
CWALT 2006-OA6**

**CASE 09-18015, Unendorsed Note, Document 20-1, p. 1-3, filed 12-11-2009  
CWABS 2006-17**

**CASE 09-18857, Unendorsed Note, Document 11-1, p. 14-16, filed 11-17-2009  
CWABS 2005-AB4**

**CASE 09-19095, Unendorsed Note, Document 16-1, p. 1-5, filed 1-4-2010  
STRUCTURED ASSET MTG INVESTMENT II TRUST 2006-AR8**

**CASE 09-19521, Unendorsed Note, Document 15-1, p. 18-20, filed 12-16-2009  
CWALT 2006-12CB**

**CASE 09-19643, Unendorsed Note, Document 8-1, p. 1-4, filed 12-7-2009  
CWMBS 2004-12**

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**DISTRICT OF MASSACHUSETTS**

**CASE 09-19971, Unendorsed Note, Document 10-1, p. 1-3, filed 12-14-2009  
CWABS 2006-18**

**CASE 09-20220, Unendorsed Note, Document 24-1, p. 1-4, filed 1-13-2010  
CWALT 2005-24**

**CASE 09-20509, Unendorsed Note, Document 13-1, p. 1-2, filed 12-14-2009  
CWALT 2006-24CB**

**CASE 09-21055, Unendorsed Note, Document 9-1, p. 1-3, filed 1-14-2010  
CWALT 2006-11CB**

**CASE 09-21750, Unendorsed Note, Document 11-2, p. 1-3, filed 12-21-2009  
CWABS 2005-17**

**CASE 09-31814, Unendorsed Note, Document 13-1, p. 1-3, filed 12-15-2009  
CWABS 2005-15**

**CASE 09-41991, Unendorsed Note, Document 63-1, p. 1-2, filed 11-20-2009  
CWALT 2004-05CB**

**CASE 09-43353, Unendorsed Note, Document 26-2, p. 1-3, filed 1-12-2010  
CWABS 2005-1**

**CASE 09-43985, Unendorsed Note, Document 11-1, p. 18-20, filed 1-26-2010  
CWALT 2005-30CB**

**CASE 09-43601, Unendorsed Note, Document 13-1, p. 1-3, filed 1-13-2010  
CWABS 2004-05**

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**DISTRICT OF MASSACHUSETTS**

**CASE 09-44443, Unendorsed Note, Document 9-1, p. 1-3, filed 12-16-2009  
CWABS 2004-10**

**CASE 09-44471, Unendorsed Note, Document 7-1, p. 24-30, filed 12-29-2009  
STRUCTURED ASSET MTG INVESTMENT II TRUST 2006-AR2**

**CASE 09-44817, Unendorsed Note, Document 14-1, p. 1-3, filed 12-11-2009  
CWABS 2006-18**

**CASE 09-20271, Unendorsed Note, Document 22-1, p. 1-2, filed 2-22-2010  
CWALT 2005-07CB**

**CASE 09-22629, Unendorsed Note, Document 15-1, p. 1-2, filed 2-24-2010  
CWALT 2005-32T1**

**CASE 09-45572, Unendorsed Note, Document 9-1, p. 1-2, filed 3-17-2010  
CWABS 2006-13**

**DISTRICT OF SOUTH CAROLINA**

**CASE 3:08-00951-jw, Unendorsed Note, Document 24, p. 7-9, filed 11-20-2009  
CWABS 2006-19**

**CASE 7:08-01294-hb, Unendorsed Note, Document 28, p. 7-9, filed 10-27-2008  
CWABS 2005-4**

**CASE 2:08-00277-jw, Unendorsed Note, Document 12, p. 7-11, filed 2-13-2008  
BEAR STEARNS ALT A (BS ALT A) TRUST 2004-3**

**CASE 2:08-00700-jw, Unendorsed Note, Document 17, p. 7-9, filed 7-31-2008  
ASSET BACKED CERTS. 2007-2**

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**DISTRICT OF SOUTH CAROLINA**

**CASE 3:08-00860-dd, Unendorsed Note, Document 27, p. 7-11, filed 10-7-2008  
CWABS 2006-BC3**

**CASE 2:08-02026-jw, Unendorsed Note, Document 21, p. 7-9, filed 9-16-2008  
CWABS 2006-25**

**CASE 3:08-02035-jw, Unendorsed Note, Document 30, p. 7-9, filed 9-4-2008  
CWABS 2003-BC4**

**CASE 7:08-03144-hb, Unendorsed Note, Document 11, p. 7-8, filed 7-7-2008  
CWALT 2005-06CB**

**CASE 3:08-03199-jw, Unendorsed Note, Document 18, p. 7-10, filed 12-18-08  
CWABS 2006-8**

**CASE 7:08-03868-hb, Unendorsed Note, Document 18, p. 7-9, filed 10-27-2009  
FFMLT 2004-FF10**

**CASE 7:08:05630-hb, Unendorsed Note, Document 9, p. 7-10, filed 10-3-2008  
CWMBS 2005-HYB6**

**CASE 3:08-07684-dd, Unendorsed Note, Document 34, p. 7-10, filed 4-27-2010  
CWABS 2005-4**

**CASE 7:08-08404-hb, Unendorsed Note, Document 60, p. 7-9, filed 3-4-2010  
CWABS 2005-16**

**CASE 3:09-00296-dd, Unendorsed Note, Document 30, p. 7-9, filed 5-11-2009  
CWALT 2005-J12**

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**MIDDLE DISTRICT OF FLORIDA**

**CASE 9:08-00160, Unendorsed Note, Document 60-4, p. 13-17, filed 9-8-2008  
CWALT 2007-OA10**

**CASE 9:08-00172, Unendorsed Note, Document 23-2, p. 18-20, filed 6-16-2008  
CWALT 2006-OC3**

**CASE 6:08-00251, Unendorsed Note, Document 21-2, p. 21-24, filed 6-19-2008  
CWALT 2005-84**

**CASE 8:08-00389, Unendorsed Note, Document 12-1, p. 1-5, filed 1-30-2008  
CWABS 2006-BC5**

**CASE 9:08-00458, Unendorsed Note, Document 108-2, p. 5, filed 6-17-2009  
ASSET BACKED CERTIFICATES 2007-3**

**CASE 6:08-00472, Unendorsed Note, Document 28-3, p. 23-26, filed 10-6-2008  
CWMBS 2005-4**

**CASE 3:08-00554, Unendorsed Note, Document 12, p. 1-3, filed 2-18-08  
CWALT 2005-AR1**

**CASE 6:08-00563, Unendorsed Note, Document 11-2, p. 2-3, filed 2-7-2008  
CWALT 2004-4**

**CASE 8:08-00734, Unendorsed Note, Document 46-1, p. 1-5, filed 6-3-2008  
CWABS 2006-SD4**

**CASE 8:08-00795, Unendorsed Note, Document 31-4, p. 19-21, filed 6-17-2008  
CWABS 2006-21**

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**MIDDLE DISTRICT OF FLORIDA**

**CASE 6:08-00926, Unendorsed Note, Document 12-1, p. 1-3 filed 3-3-2008  
CWABS 2006-22**

**CASE 6:08-00943, Unendorsed Note, Document 14-1, p. 1-3, filed 3-6-2008  
CWABS 2006-18**

**CASE 6:08-00979, Unendorsed Note, Document 17-1, p. 1-3, filed 9-21-2008  
CWABS 2006-18**

**CASE 9:08-00992, Unendorsed Note, Document 71-3, p.22-26, filed 9-3-2008  
SAMI II Trust 2006-AR7**

**CASE 6:08-01073, Unendorsed Note, Document 62-3, p. 1-3, filed 9-24-2008  
CWABS 2005-3**

**CASE 6:08-01123, Unendorsed Note, Document 12-1, p. 1-3, filed 2-22-2008  
CWABS 2006-14**

**CASE 6:08-01164, Unendorsed Note, Document 01164, p. 1-3, filed 3-14-2008  
CWABS 2006-1**

**CASE 9:08-01277, Unendorsed Note, Document 20-2 p.15, filed 5-8-2008  
CWALT 2005-85CB**

**CASE 8:08-01278, Unendorsed Note, Document 19-1, p. 1-3, filed 4-28-2008  
CWABS 2006-25**

**CASE 3:08-01457, Unendorsed Note, Document 11-1, p. 1-3, filed 4-8-2008  
CWABS 2007-BC1**

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**MIDDLE DISTRICT OF FLORIDA**

**CASE 3:08-01507, Unendorsed Note, Document 53-2, p. 1-3, filed 7-22-2008  
CWABS 2005-AB3**

**CASE 9:08-01574, Unendorsed Note, Document 31-2, p. 17-20, filed 6-20-2008  
CWMBS 2005-HYB7**

**CASE 6:08-01728, Unendorsed Note, Document 12-1, p. 1-5, filed 3-21-2008  
CWABS 2005-15**

**CASE 6:08-02063, Unendorsed Note, Document 28-2, p. 27, filed 7-17-2008  
CWMBS 2006-HYB1**

**CASE 8:08-02079, Unendorsed Note, Document 29-2, p.32, filed 3-27-2008  
CWALT 2006-OC3**

**CASE 3:08-02199, Unendorsed Note, Document 13-2, p. 1-5, filed 5-23-2008  
CWABS 2006-23**

**CASE 3:08-02206, Unendorsed Note, Document 51-1, p. 11, filed 9-3-2008  
CWALT 2005-59**

**CASE 8:08-02326, Unendorsed Note, Document 57-1, p. 1-3, filed 3-14-2008  
CWABS 2006-18**

**CASE 6:08-02668, Unendorsed Note, Document 16-1, p. 1-3, filed 4-14-2008  
CWABS 2006-11**

**CASE 3:08-02863, Unendorsed Note, Document 19-3, p. 24, filed 9-22-2008  
CWALT 2004-17CB**



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**CASE 8:08-02950, Unendorsed Note, Document 12-2, p. 17, filed 3-19-2008  
CWALT 2005-80CB**

**CASE 8:08-02978, Unendorsed Note, Document 34-3, p. 1-2, filed 8-29-2008  
CWALT 2005-75CB**

**CASE 3:08-03193, Unendorsed Note, Document 11-2, p. 1-4, filed 6-23-2008  
CHL MORTGAGE PASS-THROUGH TRUST 2003-21**

**CASE 3:08-03204, Unendorsed Note, Document 11-2, p. 1-3, filed 6-26-2008  
CWABS 2004-AB2**

**CASE 8:08-03248, Unendorsed Note, Document 8-2, p. 4, filed 3-26-2008  
CWALT 2005-76**

**CASE 8:08-03333, Unendorsed Note, Document 47-4, p. 25, filed 9-25-2008  
CWALT 2006-OA6**

**CASE 3:08-03463, Unendorsed Note, Document 16-2, p. 1-3, filed 9-12-08  
CWABS 2005-AB1**

**CASE 6:08-03524, Unendorsed Note, Document 15-3, p. 14, filed 8-25-2008  
CWABS 2005-14**

**CASE 6:08-03697, Unendorsed Note, Document 50-1 p. 2, filed 12-9-2008  
CWMBS 2004-5**

**CASE 3:08-03797, Unendorsed Note, Document 18-1, p. 1-3, filed 9-18-2008  
CWABS 2005-AB1**

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**CASE 8:08-03814, Unendorsed Note, Document 50-2, p. 1-4, filed 7-15-2008  
CWALT 2005-85CB**

**CASE 8:08-03872, Unendorsed Note, Document 12-2, p.14, filed 4-7-2008  
CWMBS (series unstated)**

**CASE 3:08-03969, Unendorsed Note, Document 16-2, p. 1-3, filed 8-20-2008  
CWABS 2005-16**

**CASE 6:08-03975, Unendorsed Note, Document 14-2, p. 23, filed 6-20-2008  
CWALT 2005-80CB**

**CASE 6:08-04039, Unendorsed Note, Document 15-1, p. 1-3, filed 6-27-2008  
CWABS 2006-14**

**CASE 8:08-04156, Unendorsed Note, Document 11-2, p. 1-3, filed 9-30-2008  
CWABS 2006-8**

**CASE 6:08-04188, Unendorsed Note, Document 28-2, p. 32, filed 8-26-2008  
CWALT 2006-OC6**

**CASE 9:08-04202, Unendorsed Note, Document 30-2, p. 1-3, filed 9-17-2008  
CWABS 2005-12**

**CASE 9:08-04286, Unendorsed Note, Document 8-2, p. 22, filed 4-25-2008  
CWALT 2005-65**

**CASE 6:08-04345, Unendorsed Note, Document 36-4, p. 19, filed 3-3-2009  
CWALT 2005-50CB**

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**CASE 6:08-04484, Unendorsed Note, Document 12-3, p. 1-3, filed 6-13-2008  
CWABS 2005-AB4**

**CASE 6:08-04556, Unendorsed Note, Document 12-1, p. 1-2, filed 7-15-2008  
CWABS 2007-9**

**CASE 6:08-04819, Unendorsed Note, Document 15-2, p. 1-5, filed 6-23-2008  
BVMBS 2004-2**

**CASE 9:08-04847, Unendorsed Note, Document 33-3, p. 19-23, filed 8-12-2008  
ALTERNATIVE LOAN TRUST 2007-OA2**

**CASE 8:08-04869, Unendorsed Note, Document 16-2, p. 1-3, filed 10-20-2008  
CWABS 2006-23**

**CASE 3:08-04940, Unendorsed Note, Document 18-2, p. 1-3, filed 12-1-2008  
CWABS 2005-16**

**CASE 6:08-05076, Unendorsed Note, Document 38-1, p. 1-3, filed 9-25-2008  
CWABS 2005-9**

**CASE 6:08-05125, Unendorsed Note, Document 29-3, p. 30, filed 8-12-2008  
CWALT 2006-OA8**

**CASE 3:08-05279, Unendorsed Note, Document 18-1, p. 1-3, filed 12-3-2008  
CWABS 2007-1**

**CASE 6:08-05382, Unendorsed Note, Document 12-1, p. 1-4, filed 7-18-2008  
CWALT 2005-63**

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**CASE 6:08-05392, Unendorsed Note, Document 16-2, p. 1-3, filed 7-17-2008  
CWALT 2006-15CB**

**CASE 9:08-05404, Unendorsed Note, Document 15-2, P. 24-26, filed 5-21-2008  
CWALT 2006-OC4**

**CASE 6:08-05550, Unendorsed Note, Document 13-2, p. 1-4, filed 9-16-2008  
CWABSA 2005-AB5**

**CASE 6:08-05667, Unendorsed Note, Document 64-2, p. 1-3, filed 11-12-2008  
CWABS 2005-17**

**CASE 6:08-05763, Unendorsed Note, Document 20-1, p. 1-4, filed 9-2-2008  
ENCORE CREDIT RECEIVABLES TRUST 2005-2**

**CASE 6:08-05782, Unendorsed Note, Document 14-1, p. 1-4, filed 9-25-2008  
CWABS 2005-7**

**CASE 6:08-05783, Unendorsed Note, Document 23-1, p. 1-3, filed 7-31-2008  
CWALT 2005-33CB**

**CASE 8:08-05806, Unendorsed Note, Document 11-2, p.29, filed 5-19-2008  
CWALT 2006-OA3**

**CASE 8:08-05898, Unendorsed Note, Document 13-2, p. 1-4, filed 6-4-2008  
CWALT 2005-59**

**CASE 8:08-06055, Unendorsed Note, Document 9-2, p. 1-5, filed 5-23-2008  
CWMBS 2006-HYB3**

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**MIDDLE DISTRICT OF FLORIDA**

**CASE 9:08-06094, Unendorsed Note, Document 28-3, p. 23-26, filed 6-27-2009  
CWALT 2005-AR1**

**CASE 6:08-06237, Unendorsed Note, Document 34-1, p. 1-6, filed 2-18-2009  
CWABS 2006-11**

**CASE 6:08-06278, Unendorsed Note, Document 28-2, p. 1-3, filed 9-16-2008  
CWABS 2006-12**

**CASE 9:08-06293, Unendorsed Note, Document 9-2, p. 1-5, filed 5-23-2008  
CWABS 2006-23**

**CASE 8:08-06331, Unendorsed Note, Document 12-2, p. 1-3, filed 7-16-2008  
CWABS 2005-16**

**CASE 3:08-06347, Unendorsed Note, Document 10-1, p. 1-3, filed 12-23-2008  
CWABS 2005-AB1**

**CASE 8:08-06730, Unendorsed Note, Document 34-2, p. 5, filed 9-10-2008  
IXIS 2005-HE2**

**CASE 6:08-06865, Unendorsed Note, Document 16-4, p. 27, filed 9-29-2008  
ALTERNATIVE LOAN TRUST 2007-OA3**

**CASE 3:08-06923, Unendorsed Note, Document 39-1, p. 25, filed 2-12-2009  
CWALT 2005-76**

**CASE 8:08-06959, Unendorsed Note, Document 18-1, p. 1-3, filed 9-9-2008  
CWABS 2005-3**

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**CASE 8:08-07080, Unendorsed Note, Document 13-1, p. 1-3, filed 9-25-2008  
CWABS 2006-2**

**CASE 8:08-07098, Unendorsed Note, Document 17-1, p. 1-5, filed 7-23-2008  
CWABS 2006-13**

**CASE 6:08-07253, Unendorsed Note, Document 20-4, p. 14, filed 1-14-2009  
CWALT 2004-36CB**

**CASE 8:08-07290, Unendorsed Note, Document 11-4, p. 1-2, filed 6-9-2008  
CWALT 2005-06CB**

**CASE 6:08-07599, Unendorsed Note, Document 12-2, p. 1-3, filed 11-8-2008  
CWABS 2005-4**

**CASE 8:08-07754, Unendorsed Note, Document 11-3, p. 7, filed 6-17-2008  
CWMBS 2005-4**

**CASE 8:08-07919, Unendorsed Note, Document 8-2, p. 1-3, filed 6-23-2008  
CWABS 2005-14**

**CASE 8:08-08220, Unendorsed Note, Document 107-1, p. 1-4, filed 11-4-2008  
SAMI II 2006-AR3**

**CASE 6:08-08349, Unendorsed Note, Document 14-3, p. 25, filed 11-3-2008  
HARBORVIEW 2006-CB1**

**CASE 6:08-08472, Unendorsed Note, Document 30-1, p. 1-3, filed 3-3-2009  
FFMLT 2004-FF10**

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**CASE 6:08-08644, Unendorsed Note, Document 19-4, p. 20, filed 11-26-2008  
CWMB5 2005-HYB5**

**CASE 8:08-08799, Unendorsed Note, Document 12-2, p. 1-4, filed 9-16-2008  
CWABS 2006-BC1**

**CASE 8:08-09402, Unendorsed Note, Document 25-4, p. 26, filed 1-12-2009  
CWALT 2007-OA7**

**CASE 8:08-09426, Unendorsed Note, Document 8-2, p. 1-3, filed 7-15-2008  
ASSET-BACKED CERTIFICATES 2007-2**

**CASE 8:08-09476, Unendorsed Note, Document 10-2, p. 1-3, filed 7-21-2008  
CWABS 2004-05**

**CASE 6:08-09601, Unendorsed Note, Document 13-1, p. 23, filed 1-22-2009  
CWABS 2005-IM2**

**CASE 9:08-09629, Unendorsed Note, Document 35-4, p. 1-3, filed 1-7-2009  
CWALT 2005-AR1**

**CASE 6:08-09660, Unendorsed Note, Document 11-1, p. 1-4, filed 1-15-2009  
BEAR STEARNS ALT-A TRUST 2004-11**

**CASE 8:08-09811, Unendorsed Note, Document 10-2, p.1-5. Filed 9-16-2008  
CWABS 2006-14**

**CASE 8:08-10340, Unendorsed Note, Document 12-3, p. 1-3, filed 9-2-2008  
CWALT 2006-26CB**

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**CASE 8:08-10592, Unendorsed Note, Document 27-2, p. 1-3, filed 10-3-2008  
CWABS 2005-11**

**CASE 9:08-10804, Unendorsed Note, Document 30-4, P. 22, filed 12-2-2008  
SAMI II 2006-AR4**

**CASE 8:08-11006, Unendorsed Note, Document 10-4, p. 22, filed 9-2-2008  
CWALT 2005-16**

**CASE 8:08-11032, Unendorsed Note, Document 11-4, p. 27, filed 8-26-2008  
CWALT 2006-OA10**

**CASE 9:08-11562, Unendorsed Note, Document 42-2, p. 4, filed 3-16-2009  
CWALT 2006-OA10**

**CASE 9:08-11591, Unendorsed Note, Document 8-3, p. 6, filed 9-8-2008  
SAMI II 2004-AR5**

**CASE 9:08-11827, Unendorsed Note, Document 35-3, p. 22, filed 3-16-2009  
CWALT 2006-43CB**

**CASE 8:08-13389, Unendorsed Note, Document 36-3, p. 26, filed 1-22-2009  
CWABS 2005-IM2**

**CASE 8:08-13510, Unendorsed Note, Document 14-2, p. 1-3, filed 9-17-2008  
CWABS 2006-13**

**CASE 9:08-13756, Unendorsed Note, Document 26-2, p. 4, filed 11-3-2008  
CWABS 2006-12**



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**CASE 9:08-15162 Unendorsed Note, Document 20-2, p. 1-4, filed 11-7-2008  
CWABS 2006-12**

**CASE 8:08-15196, Unendorsed Note, Document 14-4, p. 24, filed 12-2-2008  
CWALT 2006-OC4**

**CASE 9:08-15342, Unendorsed Note, Document 33-4, p. 22, filed 5-12-2009  
CWALT 2005-82**

**CASE 8:08-15714, Unendorsed Note, Document 12-2, p. 1-3, filed 11-11-2008  
CWABS 2005-16**

**CASE 9:08-15890, Unendorsed Note, Document 30-2, p. 1-6, filed 4-13-2009  
CWABS 2005-11**

**CASE 9:08-16469, Unendorsed Note, Document 19-1, p. 1-3, filed 3-2-2009  
CWABS 2006-20**

**CASE 8:08-16484, Unendorsed Note, Document 17-3, p. 22, filed 1-15-2009  
SAMI II 2006-AR3**

**CASE 8:08-17210, Unendorsed Note, Document 11-2, p. 7, filed 1-2-2009  
CIT MTG LOAN TRUST 2007-1**

**CASE 8:08-17244, Unendorsed Note, Document 28-2, p. 1-3, filed 2-19-2009  
CWABS 2005-17**

**CASE 9:08-18034, Unendorsed Note, Document 18-1, p. 1-2, filed 12-22-2008  
CWMBS 2006-J1**

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**CASE 8:08-18402, Unendorsed Note, Document 20-2, p. 1-6, filed 12-2-2008  
CIT MTG LOAN TRUST 2007-1**

**CASE 8:08-19027, Unendorsed Note, Document 27-1, p. 24, filed 4-14-2009  
FFMLT 2004-FF10**

**CASE 9:08-19532, Unendorsed Note, Document 13-1, p. 21, filed 4-9-2009  
SAMI II 2006-AR8**

**CASE 9:09-00082, Unendorsed Note, Document 18-2, p. 1-3, filed 3-18-2009  
CWABS 2005-AB4**

**CASE 8:09-00518 Unendorsed Note, Document 33-1, p. 1-3, filed 5-12-2009  
CWABS 2005-14**

**CASE 8:09-03807 Unendorsed Note, Document 13-4, p. 18-22, filed 5-8-2009  
CWALT 2006-OCB**

**CASE 9:09-04991 Unendorsed Note, Document 14-4, p. 13-14, filed 4-14-2009  
CWALT 2006-4CB**

**CASE 6:09-05145, Unendorsed Note, Document 13-2, p. 1-3, filed 6-1-2009  
CWABS 2005-16**

**CASE 6:09-05730 Unendorsed Note, Document 17-4, p. 16-18, filed 7-6-2009  
CWALT 2005-J4**

**CASE 9:09-05811, Unendorsed Note, Document 21-2, p. 1-4, filed 6-26-2009  
CWABS 2006-8**

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**CASE 6:09-06439 Unendorsed Note, Document 12-1, p.1-3, filed 7-14-2009  
CWABS 2005-17**

**CASE 6:09-06760, Unendorsed Note, Document 32-1, p. 17-21, filed 10-23-2009  
CWALT 2005-51**

**CASE 6:09-07167, Unendorsed Note, Document 17-1, p. 1-4, filed 9-2-2009  
CWMBS 2005-HYB10**

**CASE 6:09-06439 Unendorsed Note, Document 12-1, p.1-3, filed 7-14-2009  
CWABS 2005-17**

**CASE 6:09-06760, Unendorsed Note, Document 32-1, p. 17-21, filed 10-23-2009  
CWALT 2005-51**

**CASE 6:09-07167, Unendorsed Note, Document 17-1, p. 1-4, filed 9-2-2009  
CWMBS 2005-HYB10**

**CASE 6:09-06439 Unendorsed Note, Document 12-1, p.1-3, filed 7-14-2009  
CWABS 2005-17**

**CASE 6:09-06760, Unendorsed Note, Document 32-1, p. 17-21, filed 10-23-2009  
CWALT 2005-51**

**CASE 6:09-07167, Unendorsed Note, Document 17-1, p. 1-4, filed 9-2-2009  
CWMBS 2005-HYB10**

**CASE 6:09-06439 Unendorsed Note, Document 12-1, p.1-3, filed 7-14-2009  
CWABS 2005-17**

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CWALT 2005-51**

**CASE 6:09-07167, Unendorsed Note, Document 17-1, p. 1-4, filed 9-2-2009  
CWMBS 2005-HYB10**

**CASE 6:09-06439 Unendorsed Note, Document 12-1, p.1-3, filed 7-14-2009  
CWABS 2005-17**

**CASE 6:09-06760, Unendorsed Note, Document 32-1, p. 17-21, filed 10-23-2009  
CWALT 2005-51**

**CASE 6:09-07167, Unendorsed Note, Document 17-1, p. 1-4, filed 9-2-2009  
CWMBS 2005-HYB10**

**CASE 9:09-09168, Unendorsed Note, Document 14-1, p.13-14, filed 6-22-2009  
CWMBS 2003-30**

**CASE 8:09-09348 Unendorsed Note, Document 16-4, p. 20-22, filed 7-21-2009  
CWALT 2006-2CB**

**CASE 8:09-09664 Unendorsed Note, Document 15-1, p. 31-35, filed 7-23-2009  
CWALT 2006-OC2**

**CASE 6:09-10004 Unendorsed Note, Document 22-3, p. 1-3, filed 8-17-2009  
CWALT 2005-47CB**

**CASE 6:09-10518, Unendorsed Note, Document 16-1, p.23-25, filed 8-28-2009  
CWALT 2006-11CB**

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**CASE 3:09-10528 Unendorsed Note, Document 11-1, p. 1-4, filed 2-26-2010  
CWABS 2005-3**

**CASE 9:09-10592 Unendorsed Note, Document 17-1, p 1-4, filed 7-29-2009  
CWMBS 2004-12**

**CASE 9:09-11934 Unendorsed Note, Document 12-1, p. 17-20, filed 8-7-2009  
CWMBS2006-HYB2**

**CASE 8:09-13547, Unendorsed Note, Document 11-1, p. 28-32, filed 8-3-2009  
CWALT 2006OC9**

**CASE 9:09-14140, Unendorsed Note, Document 13-1, p. 21-23, filed 8-7-2009  
CWALT 2006-OC1**

**8:09-14265, Unendorsed Note, Document 13-1, p. 16-20, filed 7-24-2009  
CWABS 2005-IM2**

**8:09-14685, Unendorsed Note, Document 11-1, p.15-16, filed 7-30-2009  
CWALT 2005-70CB**

**6:09-15729, Unendorsed Note, Document 14-2, p. 1-2, filed 11-24-2009  
CWABS 2005-9**

**6:09-17067 Unendorsed Note, Document 16-1, p. 1-4, filed 1-12-2010  
CWALT 2005-84**

**6:09-18170, Unendorsed Note, Document 52-2, p. 1-3, filed 8-13-2010  
CWALT 2005-64CB**

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**CASE 8:09-18225 Unendorsed Note, Document 11-1, p. 1-3, filed 9-24-2009  
CWABS 2006-16**

**CASE 9:09-19767, Unendorsed Note, Document 17-1, p. 1-2, filed 10-5-2009  
RASC 2005KS8**

**CASE 8:09-19987 Unendorsed Note, Document 14-1, p. 1-2, filed 10-27-2009  
CWALT 2006-23CB**

**CASE 8:09-20900, Unendorsed Note, Document 11-2, p. 1-4, filed 10-23-2009  
American Home Mortgage Investment Trust 2004-4**

**CASE 8:09-22408 Unendorsed Note, Document 19-1, p. 1-4, filed 11-6-2009  
SAMI II 2006-AR7**

**CASE 9:09-22647, Unendorsed Note, Document 27-1, p. 26-30, filed 1-20-2010  
CWALT 2006-OA10**

**CASE 9:09-26788, Unendorsed Note, Document 38-1, p. 14-16, filed 3-27-2012  
CWABS 2005-16**

**CASE 9:09-27281, Unendorsed Note, Document 22-1, p. 1-2, filed 3-15-2010  
Alternative Loan Trust 2007-10CB**