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STATE OF RHODE ISLAND AND PROVIDENCE
PLANTATIONS

NEWPORT, RI SUPERIOR COURT

-----x

WILLIAM FREEMAN,

Plaintiff,

v.

Case No.
NC-2012-0214

JP MORGAN CHASE BANK, NA,
as the acquirer of certain
assets of Washington Mutual
Bank,

Defendant.

-----x

October 7, 2016
9:15 a.m.

CONFIDENTIAL

Deposition of MICHAEL McCORMICK, taken
by plaintiff, at the Eisenberg Law Office,
308 East Washington Avenue, Madison,
Wisconsin, by Anita K. Foss, a Registered
Professional Reporter and Notary Public.

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APPEARANCES:

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BY: BRIAN A. HERMAN
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MICHAEL McCORMICK,

called as a witness herein, having been first duly sworn on oath, was examined and testified as follows:

COURT REPORTER: What type of transcript would you like?

MR. WRIGHT: Do you do it E? I'd like a hard -- I probably need a hard copy, though.

MR. HERMAN: I'll let you know depending on what he says.

EXAMINATION

BY MR. WRIGHT:

Q. Could you state your full name for the record?

A. Michael Patrick McCormick.

Q. Mr. McCormick, my name is Steve Wright. We've never met before; is that right?

A. That is correct.

Q. Correct. And I represent Mr. William Freeman, who is the plaintiff in this case, and JPMorgan Chase is the defendant. Mr. Freeman brought an action

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seeking declaratory judgment, basically saying that Chase is not the holder of this loan. And we're taking your deposition here today in connection with that matter. Are you currently employed?

A. No.

Q. And when were you last employed?

A. August 12th of 2016.

Q. And for whom?

A. Miller & Miller Law, LLC.

Q. And for how long did you work for Miller & Miller?

A. Approximately two months.

Q. And that was -- so that would go back -- would be June till August?

A. Yeah, June 18th to about August 12th.

Q. That's pretty about. Okay. And you left there, and you're seeking employment now?

A. That's correct.

Q. Where do you live?

A. In Madison.

Q. And have you always lived in

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Madison?

A. Yes.

Q. And are you looking in this area for work?

A. In Madison and Milwaukee.

Q. As an attorney?

A. Yes.

Q. And prior to the last position you had that began in June of this year, where did you work?

A. For JPMorgan Chase.

Q. And what did you do for JPMorgan Chase?

A. I analyzed loans that were in litigation and confirmed business records, reviewed the loans, reviewed any sworn document that I had to sign off for that loan that's in litigation, and executed those sworn documents for those loans.

Q. And so you were supporting the litigation, is that a fair term, fair way of describing it, of JPMorgan Chase?

A. My title was legal specialist three, and I worked in the legal

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department.

Q. And what does the three mean as opposed to one or two or four?

A. I would imagine the pay rate.

Q. Oh, okay.

MR. HERMAN: Try not to imagine stuff today. Just tell him what you know, no guessing, no imagining.

BY MR. WRIGHT:

Q. And how long were you with JPMorgan Chase?

A. I worked at JPMorgan Chase from October of 2011 through June 16, 2016.

Q. Now, you described, and if I get it wrong, tell me, but I think you described part of your job with JPMorgan Chase would be to analyze the documents. You're speaking about the loan documents?

A. Correct.

Q. Okay. And that would be the note and the mortgage and any assignments?

A. Correct.

Q. And did you work on any of the matters at JPMorgan Chase that originated

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from Washington Mutual?

MR. HERMAN: I'm going to object to the form. You can answer that if you understand the question.

THE WITNESS: Could you repeat the question?

BY MR. WRIGHT:

Q. Yeah. Let me do it this way. I'll just withdraw that. I'm going to -- why don't we mark this as -- this one's marked one, so let's mark this McCormick A.

(Exhibits A and B marked for identification.)

MR. WRIGHT: Why don't you articulate it, then I'll say if I agree.

MR. HERMAN: Sure. At the request of JPMorgan Chase and Mr. McCormick, I've asked counsel whether we could agree to keep as confidential today's transcript and not disseminate it in any way or use it for purposes other than litigation, with the caveat that if the matter goes to

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2 trial and the transcript becomes
3 necessary to use at litigation, counsel
4 would be free to do so.

5 And obviously, counsel
6 would also be free to ask us for
7 permission to use the transcript for
8 other purposes or disseminate the
9 transcript for other purposes. But
10 otherwise, the transcript would be
11 limited in use for purposes of this
12 litigation only.

13 MR. WRIGHT: Yeah, that's fair.
14 I mean, what I'll do is -- if I don't
15 -- if I wanted to use it, either me or
16 the client or the other attorney for
17 Mr. Freeman, if we use it, we would ask
18 Mr. Herman first and give him 14 days
19 to tell us yes or no, or at least an
20 opportunity to go to court to object to
21 us using it.

22 MR. HERMAN: Right. And the idea
23 is just to prevent public dissemination
24 of the transcript.

25 MR. WRIGHT: Right.

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BY MR. WRIGHT:

Q. Okay. I'm going to have you look at this; it's marked as Exhibit B also. But before I do, let me go back to A and have you look at it and see if you can identify that document.

MR. HERMAN: Okay. Go ahead.

THE WITNESS: Yeah, this is an affidavit that I reviewed and executed.

BY MR. WRIGHT:

Q. Okay. In connection with the matter of William Freeman versus JPMorgan Chase Bank N.A.?

A. Yes.

Q. Pending in the Rhode Island Superior Court?

A. Yes.

Q. Newport Division -- Newport County. Now, do you know where you were when you signed that document?

A. Yes. I was at 111 East Wisconsin Avenue, in Milwaukee, Wisconsin, at the Chase tower.

Q. And is that where you worked at

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the time?

A. Correct.

Q. And if I go to the, it looks like it's Bates stamped as page 12; is that right?

MR. HERMAN: Actually, the number that you're looking at on the left is a document footer put on by my law firm in connection with the drafting of the document. This document doesn't have Bates pages on it. But you can maybe just refer to this as the signature page.

MR. WRIGHT: Okay.

BY MR. WRIGHT:

Q. Can you look at the signature page of A and tell me whether or not that's a true and correct copy of your signature?

A. Yes, it is.

MR. HERMAN: And just for purposes, if it makes life easier on the witness, I have a -- I have the original wet ink signature of this affidavit.

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MR. WRIGHT: All right. Let me -- you want to look at that one, and then I'll just refer to it as A.

MR. HERMAN: Sure, that's fine.

MR. WRIGHT: Okay. And then we both have the same thing, I hope.

THE WITNESS: That's fine with me.

BY MR. WRIGHT:

Q. Make it easier. Okay. So you were at the Chase tower in Milwaukee when you signed that?

A. Correct.

Q. And that's while you were employed by Chase?

A. Correct.

Q. And did you review this document before you signed it?

A. Yes.

Q. And you see where it says in paragraph two -- and let me ask you if I read this correctly. "This affidavit is made based upon my personal review of JPMorgan Chase Bank National Association's

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business record -- business records as more fully described below, and my knowledge as to how those records are kept."

When did you begin with Chase, in 2011?

A. Correct.

Q. When was the first time that you recall having seen either one or both of the loans that are referred to in paragraph three? And that is, when is the first time you saw the promissory note, the original promissory note on the loan for 39 Side Road, Compton, Rhode Island?

MR. HERMAN: Can you read back that question, please?

COURT REPORTER: "When was the first time that you recall having seen either one or both of the loans that are referred to in paragraph three? And that is, when is the first time you saw the promissory note, the original promissory note on the loan for 39 Side Road, Compton, Rhode Island?"

MR. HERMAN: So --

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MR. WRIGHT: So that was a
confusing question.

MR. HERMAN: Yeah. Can you
repeat that one?

MR. WRIGHT: I was trying to do
that. The first part of it was even
worse.

MR. HERMAN: Fair enough.

BY MR. WRIGHT:

Q. So when was the first time you
saw the note on -- that is the subject of
this litigation that has -- that is
supported by a mortgage or secured by a
mortgage on 39 Side Road, Little Compton,
Rhode Island?

MR. HERMAN: Can I just ask you
to clarify? Is your question did he
see the original note or when did he
see a copy of the note?

MR. WRIGHT: Yeah, the original.
First time he saw the original.

THE WITNESS: I've never seen the
original note.

BY MR. WRIGHT:

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Q. Okay. When was the first time you recall having seen a copy of either one or both of those loans? And one loan is the 39, 39 Side Road loan, then the other loan would be 135 Randolph loan.

MR. HERMAN: I'm going to object to the form.

THE WITNESS: When I began reviewing this affidavit.

BY MR. WRIGHT:

Q. Okay. So not prior to the time that you signed this affidavit?

A. Correct.

Q. Prior, but not -- you read it -- you saw the notes first time in connection with signing this affidavit?

A. Yes.

Q. And those were the originals?

A. No.

Q. So in paragraph seven on the -- when we talk about the Side Road, it says that Mr. Freeman executed a promissory note payable to Washington Mutual Bank, F.A., and it talks about the principal amount of

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\$595,000, and attached hereto as Exhibit A is a copy of the Side Road note. How do you know that's a copy of the original?

A. Well, there are many copies of the note, and the copy that is used for Exhibit 1 is from the origination file.

Q. Okay. Can you explain that to me? The copy is from the origination file?

A. Right. At Chase, business records are kept in a system called iVault. It's an image storage system. And within that image storage system is the origination file, all the documents that are used to originate the loan, which would contain the note and mortgage.

Q. So that's a computer file, is that what you're saying? It's like a --

A. Yeah, image and storage system.

Q. Do you know where the original of this note is?

A. That would have been stored down in a facility down in Monroe, Louisiana.

Q. Oh. And the other electronic facility is located where? Or the -- where

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you said they stored -- the documents were stored electronically, what is that?

A. It's called iVault.

Q. Does that have an address?

A. Well, it's a computer system.

Q. Oh, I see. Now, did you work for Washington Mutual Bank at any time?

A. No.

Q. So sometime -- do you remember when JPMorgan Chase acquired the assets of Washington Mutual Bank from the FDIC as receiver of that institution?

A. Yes.

Q. And do you know on or about when that took place?

A. September, 2008.

Q. And you began working in 2011, was that correct, with Chase?

A. Correct.

Q. And do you recall the first time you saw a copy of the note was when you were working on this affidavit; is that correct?

A. Correct.

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Q. All right. So you have not seen the original?

A. No.

Q. Okay. And is there -- do you know where the original is kept, or was kept, when you worked at JPMorgan Chase?

A. Yes.

Q. Where?

A. Monroe, Louisiana.

Q. And how do you know that?

A. From business records.

Q. But you have not actually seen the original --

A. No.

Q. -- of either note, either the Side Road note or the Randolph Avenue note?

A. Correct.

Q. So when you say they're copies of the -- they're copies, you don't mean to say that they're copies of the originals or copies of a copy that you saw on the computer system at Chase; is that correct?

A. They're images that I saw on the iVault system.

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Q. Right. Now -- so you weren't around when Washington Mutual Bank failed and went into receivership? You weren't working for Chase?

A. Correct.

Q. For whom were you working? I think that was in 2008.

A. Yes, September of 2008 I was working at Fresh Start Legal Group.

Q. And that's here in Madison?

A. Yes.

Q. And what type of law did you practice?

A. Bankruptcy, insolvency, and creditors' rights.

Q. No debtors?

A. That would include, yeah, debtors and creditors.

Q. Debtors' trusts?

A. Correct.

Q. There are precious few, but there are some. Commentary.

In bankruptcy, did you do work in Chapter 11 or Chapter 7 or both?

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A. My work was mainly in Chapter 7s and Chapter 13s. One of the firms I had worked at in the past I did some work on Chapter 11 cases and Chapter 12 cases.

Q. Were you mainly working for creditors or debtors, or both? Not mainly --

A. Well, at Fresh Start Legal Group it was all debtor work. When I worked at Krekeler Strother, that was probably 70 percent debtor work and 30 percent creditor work.

Q. And so you would do defend -- would you also do debtor/creditor work in the state courts?

A. Yes.

Q. And that would be what type of work, collections or --

A. Yeah, the -- when I was at Krekeler Strother, 30 percent was collections, which was done at state court. And while I was at Krekeler Strother, I also did foreclosure defense work and consumer rights actions in federal court.

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Q. When were you licensed -- first licensed as an attorney in Wisconsin? I'm making an assumption that you are, but --

A. April of 2001.

Q. And you went to -- what law school did you attend?

A. California Western School of Law.

Q. And when did you begin your studies, your legal studies?

A. In September of 1997.

Q. So were you going part-time as a law student?

A. Full-time.

Q. Full-time. Okay, I got it. And then you became a member of the Wisconsin Bar when?

A. In April of 2001.

Q. Are you a member of any other bar?

A. No.

Q. Are you a member of the Federal Bar in Wisconsin?

A. No.

Q. Were you -- is there a separate

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application for the Federal Bar?

A. Well, I'm admitted to practice in the Western District of Wisconsin and the Eastern District of Wisconsin.

Q. Okay. And going to this affidavit. So did you -- when you signed this affidavit, do I have it right when I say that you -- the documents you looked at were images on a computer screen?

MR. HERMAN: Object. I mean, is your question limited to the note document or all documents that he looked at?

BY MR. WRIGHT:

Q. Well, what did you review other than the notes and the mortgages which you reference in this -- what other documents in connection with Mr. Freeman's loan did you review?

MR. HERMAN: And if you need to review the affidavit to answer that question, take your time.

THE WITNESS: In addition to images in iVault, I would have looked

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at screen shots in MSP, LISA, and the
doc line report.

BY MR. WRIGHT:

Q. MSP. What is that?

A. It stands for mortgage servicing
program.

Q. Sounds right. Was that system
installed -- do you know whether or not
that system was installed when Chase took
over Washington Mutual?

A. I don't know.

Q. Excuse me, that's not right. Was
that system installed by Chase when they
acquired the assets of Washington Mutual
from the FDIC?

A. I don't know.

Q. Okay. When you first saw the
note in connection with this matter, was
it -- did it have an endorsement on it?

A. Can you repeat the question?

Q. Yeah. When you first saw the
note -- and let's break it down. So Side
Road, the Side Road one, did the note you
recall have an endorsement on it, or an

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assignment?

A. One of the images shows an endorsement on the note.

Q. Okay. And which one? Do you know which one that is?

A. It would have been in the iVault system.

Q. So no, you don't know off the top of your head? It's okay, by the way.

A. What's that?

Q. You don't know -- well, let's just move on, so -- so let's focus on the Side Road note. You say in paragraph eight it was secured by a mortgage, and that the mortgage was attached as Exhibit 2.

A. Correct.

Q. And then you say, on or about March 16, 2013, on paragraph nine, an assignment of the 39 Side Road mortgage from the FDIC, Federal Deposit Insurance Corporation, as receiver of Washington Mutual Bank, formerly known as Washington Mutual Bank, F.A., to JPMC, which means JPMorgan Chase, was executed. Okay. Is

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that an accurate statement?

A. Yes.

Q. How did you know that?

A. From looking at the recorded assignment of mortgage.

Q. So to your knowledge did Chase -- JPMorgan Chase acquire this particular note? And we're talking about the 39 Side Road loan note. Did it acquire it from the FDIC as receiver?

A. Yes.

Q. And do you know when you saw the note there was an assignment on it, but did you have anything -- did you see -- prior to signing this affidavit, you told me that you had not seen the note, the Side Road note; is that correct? Promissory note?

A. The original note?

Q. Yeah, a copy of it or to -- or whether you saw the original or a copy or anything, did you see the 39 Side Road note prior to filing -- signing this affidavit?

A. Yes, I saw copies of the note.

Q. And for what purpose?

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A. For reviewing this affidavit.

Q. All right. Okay. But prior to that task, you had not seen the promissory note?

A. Correct.

Q. Okay. And let's just, for the purposes of the thing, that was about March 2, 2016 was the date your signature is dated. So is it fair for me to assume that sometime in February, perhaps, you saw the note for the first time, the Side Road note?

A. I don't recall the exact date.

Q. Do you recall having made any corrections to this affidavit when it was delivered to you?

A. Yes.

Q. And what did you correct?

MR. HERMAN: I want to be careful that we don't get into privilege and work product issues. The affidavit was prepared by our firm. And if he made corrections to that, I think there's a risk of touching on privilege issues.

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So why don't we take these questions one at a time. Why don't you answer the question of whether you remember making any corrections, and then we'll go from there.

THE WITNESS: I do remember making corrections.

BY MR. WRIGHT:

Q. Okay. Distinctly?

A. Yes.

Q. Do you remember how many?

A. No.

Q. Were they corrections, or were they just typographical errors?

A. They would have been factual corrections.

Q. All right.

A. And typographical corrections.

Q. Okay. And do you recall what the factual corrections were that you made?

A. I do not recall.

Q. But you do recall having made them?

A. Yes.

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Q. Okay. And what is it that causes you to recall having made corrections that you can't recall what they were?

A. Well, I don't think there was any affidavit or declaration that came across my desk where I didn't make corrections or changes to them.

Q. Okay. Fair enough. And that was your job --

A. Correct.

Q. -- right? To make sure that the statements contained in affidavits that you were signing under oath were accurate and fairly represented the facts as you knew them from the business records of JPMorgan Chase?

A. Yes.

Q. And did those records include the records of Washington Mutual Bank as they related to these two loans?

A. Since the loan originated with Washington Mutual Bank, yes.

Q. But you personally don't have any knowledge as to the recordkeeping

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procedures of Washington Mutual Bank?

A. No.

Q. So is it -- did you just assume that what you were looking at when you were working for JPMorgan Chase as it relates to these two loans and the records of Washington Mutual, you assumed that they were business records of Washington Mutual, or not?

MR. HERMAN: Can you repeat that?

COURT REPORTER: "Did you just assume that what you were looking at when you were working for JPMorgan Chase as it relates to these two loans and the records of Washington Mutual, you assumed that they were business records of Washington Mutual, or not?"

MR. HERMAN: I'm going to object to the form. Maybe you could rephrase that one.

BY MR. WRIGHT:

Q. Let's go loan by loan. When you reviewed the business records of JPMorgan Chase that you recite in paragraph four and

1
2 five, you say -- let's take paragraph five.
3 It says, "I make this affidavit based on my
4 review of JPMC's records relating to the
5 Freeman loan, and from my own personal
6 knowledge of how they are kept and
7 maintained." Did those records that you
8 looked at include records of Washington
9 Mutual Bank?

10 A. Yes.

11 Q. And are you, in this affidavit,
12 declaring that the records of Washington
13 Mutual are now business records of JPMorgan
14 Chase?

15 MR. HERMAN: You're asking if the
16 affidavit says that?

17 BY MR. WRIGHT:

18 Q. Yeah. Included in these review
19 of JPMorgan Chase records, is the word you
20 use, and that relating to the Freeman loans
21 and your -- let's stop right there. So the
22 records, did
23 they -- that you're referring to in
24 paragraph five that I just read, that first
25 sentence, does that include records of

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Washington Mutual Bank?

A. Yes.

Q. But you don't make a distinction between their records and JP Morgan -- Washington Mutual Bank's records and JP Morgan's records?

A. In this affidavit, no. Washington Mutual Bank is out of business.

Q. And of course you know -- you have no knowledge of their recordkeeping practices when they were in business?

A. Who's "they?"

Q. Washington Mutual.

A. No.

Q. All right. So is it -- is it accurate for me to say that in connection with making this affidavit, that you blended the records of Washington Mutual and referred to them globally as the records, business records, of JPMorgan Chase?

MR. HERMAN: I'm going to object to the use of the word "blended," and suggest that maybe we point to a

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specific record that you're talking about.

BY MR. WRIGHT:

Q. So the original note was not originally a record of JPMorgan Chase; correct?

A. Could you repeat the question?

Q. Yeah. The note was originated on 39 Side Road with Washington Mutual Bank?

A. Correct.

Q. And when JP Morgan -- well, I don't know if you would know this, but let me ask you if you do. Do you know what type of computer system Washington Mutual was using at the time it failed?

A. No.

Q. Okay. Do you know if the system was the same as JPMorgan Chase's?

A. No.

Q. You don't know, or do you know it wasn't, or -- that's like a yes, we have no bananas question.

A. I don't know what systems Washington Mutual used.

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Q. Okay. But included in paragraph five, when you say the word JPMorgan Chase's records, does that include records that originated with Washington Mutual?

A. Yes.

Q. And you know that because it appeared on your computer screen when you accessed the information?

A. Yes.

Q. And is that true also with respect to the 135 Randolph loan?

A. Yes.

Q. All right. Now, in paragraph eleven, you say that JPMorgan Chase acquired certain assets of Washington Mutual Bank -- we'll call it WaMu -- from the FDIC as receiver of WaMu by purchase and assumption agreement. How do you know that?

A. From the purchase and assumption agreement.

Q. Okay. C.

(Exhibit C marked for

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identification.)

MR. WRIGHT: The back of each page has nothing to do with this case. I suppose we should probably -- you can look at that. The back of each of the pages just -- you'll see.

THE WITNESS: You use recycled paper?

MR. WRIGHT: You know, instead of throwing it in the garbage, I flip it over.

MR. HERMAN: So we're clear, this appears to be at least part of or some of the purchase and assumption agreement, Exhibit C. But the reverse sides of the pages have information unrelated to the purchase and assumption agreement as a result of, I guess, counsel's recycling of paper.

BY MR. WRIGHT:

Q. Yeah. So with that in mind, had you seen a document similar to Exhibit C prior to today?

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MR. HERMAN: Sans the -- without the reverse side pages and the blood on the front.

MR. WRIGHT: Right.

THE WITNESS: Correct.

BY MR. WRIGHT:

Q. And this is the document that you looked at, Exhibit C or a similar document to Exhibit C, that told you that the Washington Mutual loan or loans with Mr. Freeman had been acquired by JPMorgan Chase?

MR. HERMAN: Can you read that back again?

COURT REPORTER: "And this is the document that you looked at, Exhibit C or a similar document to Exhibit C, that told you that the Washington Mutual loan or loans with Mr. Freeman had been acquired by JPMorgan Chase?"

MR. HERMAN: I don't think that's what the affidavit says.

BY MR. WRIGHT:

Q. Okay. Well, let me ask you that

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then. Is that --

A. That document and other documents at Chase.

Q. And what are the other documents at Chase?

A. The MSP screen shot, SCR1.

Q. Let me stop you at that. Was there a -- did you know how screen shots were taken? What was the practice of taking the screen shots, how regular or often they were taken?

MR. HERMAN: Objection to form.

BY MR. WRIGHT:

Q. Well, let's start at the beginning. What is a screen shot?

A. Basically, if I'm looking at the MSPSCR1 screen, I go into, I don't know if it's settings, but you go into -- into paint, and then on your keyboard you take a, you know, a picture of what's on the screen, it's like a print screen, it says, and then you just basically turn that into a PDF document and it goes into the -- into the file.

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Q. Into the electronic file?

A. Correct.

MR. HERMAN: Can we clarify which file you mean?

THE WITNESS: The supporting documents file.

BY MR. WRIGHT:

Q. Okay. So you would have the document already available to you electronically?

A. Correct.

Q. And then you could print it off from your screen; correct?

A. Yeah. I would turn it into a PDF format and put it into the supporting documents folder.

Q. Why?

A. To support the fact that the loan is actually here and I'm going to work it.

Q. Okay. Now what in the purchase and assumption agreement between the FDIC and JPMorgan Chase tells you that Mr. Freeman's loans, the two loans that we're talking about here, were acquired in

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connection with this agreement with the
FDIC, Exhibit C?

A. Can I look at this?

Q. Absolutely.

MR. HERMAN: Can you read back
the question as long as he's looking?

COURT REPORTER: "Now what in the
purchase and assumption agreement
between the FDIC and JPMorgan Chase
tells you that Mr. Freeman's loans, the
two loans that we're talking about
here, were acquired in connection with
this agreement with the FDIC, Exhibit
C?"

THE WITNESS: Article three.

BY MR. WRIGHT:

Q. And article three says the
purchase of assets, and then describes,
article three one, the assets purchased by
assuming bank.

A. Yep.

Q. And then -- okay. Can you go to
whatever section in article three it is
that tells you that the loans with

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Mr. Freeman, and are the subject of this litigation, were acquired by way of this document by JPMorgan Chase?

A. For specific loans, no.

Q. Isn't it true that there is no schedule of what loans were sold?

A. I don't know.

Q. Well, you read the agreement; right?

A. Yes.

Q. Is there a schedule of assets?

A. I don't know.

Q. Well, take your time. Refresh your memory.

A. I don't know if there is a list of loans.

Q. Well, who -- your job was to analyze the documents in connection with litigation that JPMorgan Chase was -- either brought or defending regarding foreclosures of residential mortgages. And it's your testimony you don't know how you would identify this loan as being -- well, let me -- you don't know whether Exhibit C

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tells you whether the Freeman loans were acquired in connection with that purchase?

MR. HERMAN: Object to the form.

THE WITNESS: From the purchase and assumption agreement, no. But from looking at MSP SCR1, the loan is with Chase. The loans.

BY MR. WRIGHT:

Q. That system that you described, that MSP, is Chase's system --

A. Yes.

Q. -- correct? Okay. So you know by looking at their system that Chase claims to own the note, is that what you're saying?

A. Chase owns the loans.

Q. Okay. And where -- and it acquired the loans from the FDIC as receiver of Washington Mutual Bank; correct?

A. Correct.

Q. By way of a document that you reviewed that's minus the blood on the first page, but

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the -- and the back pages, that you referenced in order to determine whether or not those loans were Chase's; is that correct?

A. Correct.

Q. But isn't it true that there is no schedule of assets?

A. I don't know.

Q. Well, did you ever try to inform yourself as to whether or not there were a schedule of assets?

A. No.

Q. Does the agreement require a schedule of assets to be filed by JPMorgan Chase?

MR. HERMAN: Objection, calls for a legal conclusion.

THE WITNESS: I don't know.

BY MR. WRIGHT:

Q. What did you look at when you looked at that Exhibit C? Did you read it?

A. I've read the entire document. But not in connection with this loan.

Q. In connection with what?

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A. That I need to be familiar with the purchase and assumption agreement to do my job.

Q. All right. And when you were doing your job, other than looking at the MSP that was Chase's, what told you that those were -- they weren't notes that were originated by JPMorgan Chase, right, these Freeman loans?

A. Correct.

Q. How do you know that they are owned by Chase?

A. From looking in the MSP system.

Q. Because Chase says they are?

A. In the system, it shows that it's a bank-owned loan. Both of the loans are bank owned.

Q. By virtue of the codes?

A. By virtue of the codes. And in the plain language it says it's owned by -- the investor is JPMorgan Chase Bank N.A.

Q. Not Wells Fargo?

A. No.

(Exhibit D marked for

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identification.)

BY MR. WRIGHT:

Q. I had the court reporter mark a document as Exhibit D.

MR. HERMAN: So the record's clear, this is a compilation of documents Bates numbered Chase Free 4137 through 4144.

BY MR. WRIGHT:

Q. Can you identify Exhibit D?

A. Yes.

Q. And what do you know that to be?

A. These are screen shots from the MSP system as they relate to loan number ending 3457 and loan number ending 7924.

MR. HERMAN: Check the first loan number.

MR. WRIGHT: Yeah, yeah, it's 3454, maybe.

THE WITNESS: 3454 and 7924.

BY MR. WRIGHT:

Q. So let's start with the 3454, which I think is the first page and then goes a bit. So is this what you were

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describing earlier as the screen shot you would look at enable to determine -- well, this is not the screen shot that you would look at, 'cause this one is dated 7/11/16. But is this a screen shot that you were referring to earlier?

A. Yes, it's a screen shot from the MSP system, loan number ending 3454.

Q. And that's page 1 of Exhibit D. And the second page, is that the same thing?

A. No, it's a different screen shot from the MSP system.

Q. Okay. How many -- well, all right. Let me ask it this way. Let's go back to the first one here. It says, right below where the word is typed in, the loan number, and then right below that, you see where I am, the L-N-T-H, and it's --

A. Yep.

Q. That's the loan number, is that what that is? Because it looks like it's the same as the one on top of it, where it does the 3454. Is that what LNTH stands

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for?

A. LNTH would stand for loan transfer history.

Q. Okay. And this, the date over here, 7/11/16, shows this was after you left Chase. But did you see a screen shot that was similar to the one that we're looking here at page 1?

A. Yes.

Q. And does that tell you that Chase owns this note?

A. No.

Q. Okay. And what does -- what does page 1 of Exhibit D tell you?

A. It tells me the loan transfer history.

Q. Okay. The second line right below the LNTH, or the line below that, says "tran date old slash INV." What does that mean?

A. I don't know.

Q. How about "new slash INV HTNM," what does that mean?

A. I don't know.

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Q. And what about S/R/M, what does that mean?

A. I don't know.

Q. And additional transfer information, what does that refer to?

A. I would imagine the transferring of --

MR. HERMAN: Don't imagine.

Don't imagine, don't guess. It's been a while since you worked. Just whatever you remember.

THE WITNESS: Transfer information.

BY MR. WRIGHT:

Q. But there is no transfer information on this sheet, is there, on page 1?

A. There's some information below the dotted line.

Q. Okay. And that is the information that begins out on the left-hand side with the 1/18/12?

A. Correct.

Q. And then if I move to the right,

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there's a horizontal line and then a slash and then another horizontal line. What is that?

A. I don't know.

Q. Do you recall having seen screen shots with that information on it?

A. Yes.

Q. But you don't know what that means when you look at it?

A. No.

Q. And did you know? I mean, just forgotten, is that -- or you just never knew?

A. I never knew.

Q. Okay. What's this -- as I move down on the line to the right, X99 slash 013. What does that say?

A. The only thing that I know about that is X99 is the investor number.

Q. Okay.

A. Or investor ID.

Q. All right. And how do you know that?

A. From looking at the MSP SCR1

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screen shots.

Q. Okay. And the X99 stands for what?

A. Bank-owned loan.

Q. All right. Now, are you aware that an employee or representative of JPMorgan Chase has testified differently as to that code?

MR. HERMAN: Objection.

MR. WRIGHT: I'm asking him.

THE WITNESS: No.

MR. HERMAN: Also misstates the testimony, so --

BY MR. WRIGHT:

Q. Let's go to page --

MR. HERMAN: When you're done with this, if we could take a quick break, I have to take some cold medication.

MR. WRIGHT: Oh, all right. I'll just finish this page quick.

BY MR. WRIGHT:

Q. So the number two after the 013, what does that stand for?

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A. I don't know.

Q. And the letter N, what does that stand for?

A. I don't know.

Q. And then the word M-A-I-N-T, or the initials M-A-I-N-T, what does that stand for?

A. I don't know.

Q. And category and investor loan number. And is there -- and then what's the investor loan number?

A. The investor loan number would be the -- would be the loan number assigned to this loan.

Q. Okay. And what is it?

A. The last four digits are 3454.

Q. Okay. And then if I go to the second line there, or the next line down, I have a horizontal line and a slash and then another horizontal line and another back slash, and then a horizontal line. Looks like a date might go in there or -- you see that, though, the blank -- forget what I just asked you. Strike that.

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But you see that what I just referred to, the three horizontal lines and two slashes in between?

A. Yes. Yes, I see that.

Q. Okay. What does that indicate?

A. I don't know.

Q. Well, did you remember seeing that when it was your job to read these and determine that Chase owned the note that you were looking at?

A. Not from this screen shot.

Q. No. Okay. What does the -- did you ever see this screen shot? Do you recall ever seeing a screen shot similar to this?

A. Yes.

Q. Why would you be looking at that? What does it tell you?

A. It has the loan transfer history.

Q. Where?

A. It's really nowhere on this because of the fact that Chase purchased certain assets from Washington Mutual Bank through the FDIC.

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Q. But how do you know these two notes, these two Freeman notes, were among those assets?

A. Because it's -- it's now a JPMorgan Chase bank-owned loan.

Q. But how did they come to own it?

A. They purchased it from the FDIC.

Q. And how do I know that, other than taking Chase's word for it?

A. From the purchase and assumption agreement.

Q. And where does it say that? You have it right there. Tell me where it says that.

A. Mainly article three.

Q. But you -- it's true, is it not, that there is no schedule of assets to the purchase and assumption agreement?

MR. HERMAN: Asked and answered.

THE WITNESS: That I don't know.

BY MR. WRIGHT:

Q. Okay. Have you ever seen a schedule of assets that were representative of the assets that were acquired from the

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FDIC by Chase as receiver of Washington Mutual Bank?

A. No.

Q. Do you know if one exists?

MR. HERMAN: Asked and answered.

THE WITNESS: I don't know.

MR. HERMAN: Let's take five minutes.

MR. WRIGHT: Yeah.

(Break taken.)

BY MR. WRIGHT:

Q. So let's go back to D. Yeah, D. So we're on the front -- we finished off the first page, except for this second line, the last typed line there, about -- below the 1/18/12. If I go back to this 8/1/10 date, what is that?

A. I don't know.

Q. And is there any correlation between the fact that there's like -- the line above it there's a date, and then there's a similar blank -- well, not even similar. Is that how it appeared when you looked at it, do you recall, as the way

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we're seeing it here, this particular screen shot?

A. I don't recall.

Q. Do you know what the, after the 8/1 of '10, that 121500.00 means?

A. I don't know.

Q. And then going to the last -- moving to the right on that line, past the loan number 3454, we have a dot 00000000. Do you know what that means?

A. I do not know.

Q. And then we have the same thing again. Do you know what that means?

A. I don't know.

Q. And then there's a plus sign and a double zero and then a decimal point and then six zeroes after that. Do you know what that stands for?

A. I don't know.

Q. Okay. And then at the bottom of the page it says, "printed by Z," letter Z, "692729." What's that stand for?

A. That is an employee identification number.

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Q. Okay. That's not your employee ID?

A. No.

Q. Okay. You recall yours? You recall that that's not yours?

A. I definitely recall that that is not mine.

Q. And moving through the next page on the exhibit, at the top it says "3270 Explorer," and then it says, "loan master M-A-I-N-T and display (M -- capital M, capital A, capital S, one slash INV one, and the parentheses are closed. What does MAS1 stand for?

A. I don't know.

Q. What does slash -- well, do you know what I-N-V one, which follows the MAS1, do you know what that stands for?

A. I-N-V would mean investor.

Q. Now, is this how it appeared with this MAS when you saw it?

A. Yes.

Q. MAS1?

A. Correct.

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Q. And did you not know when you saw it what it meant?

MR. HERMAN: What what meant?

BY MR. WRIGHT:

Q. What those initials meant, MAS.

A. I don't know. It could be an acronym that stands for something, or an abbreviation of a word like I-N-V to -- it is definitely known to me as to mean investor.

Q. Yeah, the I-N-V, you've made that clear. But the MAS1. So your job was to look at these things and determine whether or not the affidavit you were signing were accurate and whether or not in fact they were actually owned by JPMorgan Chase. And you're telling me that when you did that, you did not familiarize yourself with the initials or find out what MAS1 stands for?

A. No.

Q. Did you, like, refuse to educate yourself on that?

MR. HERMAN: Objection. Don't answer that.

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BY MR. WRIGHT:

Q. Did you ever ask anyone what that meant?

A. No.

Q. Were you curious?

A. No.

Q. Curious now?

A. No.

Q. Okay. All right. So going on this -- so when we look at it says -- now, what's this -- below that 156 JPMorgan Chase, N.A. What's the 156 stand for?

A. 156 is loans that came from Washington Mutual Bank and EMC.

Q. Who's EMC?

A. That is a really good question. I did look into that and did some research. The only thing that I can come up with is Everybody's Mortgage Company.

MR. HERMAN: Are you asking --
I'm sorry, was your question what does EMC stand for?

BY MR. WRIGHT:

Q. Who is EMC?

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MR. HERMAN: I think he's asking a generic question, what is EMC. Not what it stands for, but what is EMC.

THE WITNESS: I don't know. I mean -- I would guess it's a loan --

MR. HERMAN: Don't guess. Please don't guess.

BY MR. WRIGHT:

Q. Okay. I don't know either, so --

A. I think it was a loan servicer that Baird Sterns owned.

MR. HERMAN: No guessing. Tell him what you know or don't know.

THE WITNESS: Okay.

BY MR. WRIGHT:

Q. All right. Now, so those were loans that were -- EMC the loans they were acquired by Chase, is that your understanding?

A. That is my understanding.

Q. Okay. And you mentioned them in connection with the Washington Mutual notes? Or what was the relationship between EMC and the Washington Mutual

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notes? How did that come up? I forgot how that came up.

MR. HERMAN: So let me just make sure the record's clear. You asked him what does 156 stand for, and he gave some testimony after that.

MR. WRIGHT: Okay.

BY MR. WRIGHT:

Q. All right. Then if I go below the line there, after the 156, the next thing it says loan number 3454, and then to the right the borrower name is Freeman, F-R-E-E-M-A-N, William, and then R. Is that how it looked when you saw it?

A. Yes.

Q. Did it also have these numbers after the loan number? Did it have a black mark? See the black mark after -- or before the 3454?

A. The screen shots on MSP do not have the loan number redacted.

Q. They do not?

A. They do not.

Q. Okay. So it's fair to say that

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there's other numbers that precede the three, and it's the full loan number, and we're just shown the last four digits of the loan number on the screen shot?

A. Correct.

Q. All right. Then it says -- I'm going to jump a little bit. Then it says "MSP loan master maintenance and display." You see that?

A. Yes.

Q. What is that referring to?

A. I don't know.

Q. And then the next line down it says name, and it says WR, and then there's a space, it says Freeman. And it says "type 13." Then it says "first MTG comma." I'll stop there. What does type 13 mean?

A. I don't know.

Q. And the initials C-O-N-V-E-N stand for?

A. I don't know.

Q. And W slash O?

A. Oh, CONVN would mean conventional.

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Q. Okay. And the W slash O-I-N-S?

A. Without insurance.

Q. Okay. And what does that mean?

A. I don't know.

Q. Just so I'm clear, you don't know what the CONVEN W slash O I-N-S means?

MR. HERMAN: Other than what he's already testified it means?

BY MR. WRIGHT:

Q. Right, yeah. Is there different -- like when I go back to the 13, type 13, is there a type 12?

A. I don't know.

Q. Did all the screen shots that you looked at, whether it be -- well, did all of the screen shots from the Chase loans that were in the Chase system that were -- it was your understanding were acquired by JPMorgan Chase from the FDIC as receiver of the Washington Mutual Bank, did they -- did any of them say anything different than type 13 or have a type -- different type number after?

A. I don't know. I only feel

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comfortable talking about these two loans.

Q. And -- all right. And then there's parentheses that comes, and then there's the initials ARM, and the parentheses are closed. That's what? What does that stand for?

A. Adjustable rate mortgage.

Q. Are you guessing? I mean, kind of the inflection in your voice --

A. Nope.

Q. Okay. So you know that that stands for that. And the word group, what does that refer to?

A. I don't know.

Q. All right. Then the next line, it's got a couple of dashes and then it says I-N-V one. What's that stand for?

A. Investor one.

Q. Okay. Who's that?

A. That would be this screen shot.

Q. All right. That's what I'm confused. So the investor one, that -- is that the same -- is that the reference -- is that I-N-V one the same as the I-N-V one

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that's up on the top in the parentheses?

A. Yes.

Q. Okay. And then it says investor, and it has a comma, says service fees, and then it has dashes out to about the end of the paper to the right, bottom left. What does that mean, service fees, as it relates to this screen shot?

A. I don't know.

Q. When you looked at screen shots, had you seen those words? Had you seen a similar screen shot to the one we're looking here at page 2 on Exhibit D regarding the MSP loan maintenance or master -- master M-A-I-N-T and display?

A. Yes.

Q. Then go down. It says X99. You see that?

A. Yes.

Q. That's the one, two, three, four, five line down. What does X99 stand for?

A. That's the investor ID, or number.

Q. And do you know what the X stands

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for?

A. No.

Q. And what the 99 stands for?

A. No.

Q. And those words appear right below this I-N-V-C-A-T. Do you see that?

A. Yes.

Q. That should be I-N-V space C-A-T. So is that what that is, the investor is X99 and C-A-T refers to the 013? Am I reading that right?

A. Yes.

Q. Okay. And then it has the loan number. And above it -- or below it is the number or investor loan number, and below it is the 3454 and the sales slash repurchase, and then a couple -- three dashes, and F-N-M-A laser, or what is -- beginning with the "sale slash repurch," what does that mean?

A. I don't know.

Q. And the F-N-M-A laser?

A. I don't know.

Q. How about the -- moving to the

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right, F-N-M-A-D-E-L?

A. I don't know.

Q. And the next line, the X99 we already talked about. The three -- and moving along it says, F-L-A-G below sale slash repurchase. What does that mean?

A. I don't know.

Q. Okay. And then the date, what does that mean?

A. It means date.

Q. And CD?

A. Don't know.

Q. And then it says "date changed status." What does that mean generally?

A. I don't know.

Q. Well, does it mean anything to you looking at this screen shot? Does that tell you who owns the note or -- what on here tells you that Chase owns this particular loan?

A. Okay, it would be on line -- line seven, beginning with I-N-V space JPMorgan Chase Bank, N.A.

Q. So that would be line -- oh, I

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see. So you're counting the first line as the number. So -- all right. The line you're referencing is the I-N-V, and it says JPMorgan Chase Bank, N.A.

A. Yes. JPMorgan Chase Bank, N.A. is the investor.

Q. Okay. This screen shot references a note that was originally owned by or originally made to Washington Mutual Bank; right?

A. No.

Q. Okay. To whom was the loan originally made? Oh, by whom was the loan originally made?

A. From having reviewed the note for this loan number, it was originated by Washington Mutual Bank, F.A.

Q. Okay. So is it -- did -- do you know whether or not JPMorgan Chase, N.A. was the investor at the time the loan was originated?

MR. HERMAN: Can you repeat that?

BY MR. WRIGHT:

Q. Yeah. Do you know whether or not

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JPMorgan Chase was the investor on this loan at the time the loan was originated?

A. Do I know whether or not --

Q. Yeah.

A. -- JPMorgan Chase was the investor at the time the loan originated?

Q. Yes.

A. Yes.

Q. And was it?

A. Was JPMorgan Chase the investor at the time when the loan originated?

Q. Yes.

A. No.

Q. So how did it become the investor after that?

A. It purchased the loan from -- from Washington -- from the FDIC.

Q. All right. And when did it do that? Does the screen shot tell me that?

A. I don't know.

Q. You don't know whether page 2 of Exhibit D tells me or has something in it that tells you that JPMorgan Chase is the owner of the loan that's identified on it?

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A. Yes.

Q. Where is that?

A. I-N-V JPMorgan Chase Bank, N.A.
I-N-V stands for investor.

Q. Right. And do you know what date it became the investor? "It" meaning JPMorgan Chase.

A. Yes, that would be from the -- the purchase and assumption agreement.

Q. Where do I see that on this page, or do I?

A. I don't know.

Q. Oh. Well, that's fair enough. Where do you see that?

A. Well, I see that it's -- it's a bank-owned loan because it shows that the investor is JPMorgan Chase Bank, N.A.

Q. But let's, you know, go back to the beginning. This loan originated on March 11, 2005?

A. Correct.

Q. Does this screen shot on Exhibit D, page 2, tell me or does it -- does that tell you or is there something in that

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screen shot on page 2 of Exhibit D that --
where I can go to and find out that
JPMorgan Chase acquired that in 2005? Or
no, not five, but 2008.

A. I don't know.

Q. And what's there that tells you
that JPMorgan Chase Bank owns this? Just
that reference there where it says
investor?

A. Correct.

Q. Okay. Have you ever seen -- have
you seen screen shots from other Washington
-- loans that originated from Washington
Mutual Bank, N.A.?

A. Yes. But I don't feel
comfortable talking about other loans --
other loans for borrowers.

Q. Yeah, but just generally, though,
did they all have the JPMorgan Chase as
investor, do you recall?

A. I don't recall.

Q. Do you recall whether or not
there was ever a different name after the
I-N-V that we were just talking about?

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A. In regards to what?

Q. Well, another investor on one of the WaMu notes that you recall having looked at.

A. Not in relation to these two loans?

Q. Right.

A. I don't recall.

Q. All right. Now, who's at 3415 Vision Drive in Columbus, Ohio?

A. JPMorgan Chase Bank.

Q. And that's -- that appears after the initials H-D-R. And that means -- what does that stand for?

A. I don't know.

Q. All right. Guaranteed fee is service fee; right? What does that mean?

A. I don't know.

Q. And it says then, below that, it says "rate" and there's a -- a space, and then it looks like it has a percentage sign, and then it says "rate or dollar sign amount." What is that all referring to?

A. I don't know.

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Q. All right. And then it says "conventional arm monthly MTA." What does MTA mean?

A. I don't know.

Q. And did you -- is that because you don't recall? Did you ever know?

A. No.

Q. And did you ever know what G-U-A-R fee, dash, dash, dash, dash, service fee, and then four dashes. Did you ever know what that meant?

A. No.

Q. And the F-R-C-D, which -- well, going back up there to the next line after the Columbus, Ohio, it says C-O-N-V-A-R-M, and the word monthly, M-T-A. And then following that it comes to, looks like zero zero decimal point and then five zeroes following that. What does that mean?

A. I don't know.

Q. Can you tell by looking at this screen shot what the interest rate that Chase was charging on the loan?

MR. HERMAN: And you're limiting

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your question to the M-A-S-I-N-V one screen?

BY MR. WRIGHT:

Q. Yeah, page 2 of Exhibit D.

A. No.

Q. Then I go down, I see this F-R-C-D, and then there's a line going across. What does the F-R-C-D stand for?

A. I don't know.

Q. Okay. Did you ever know, if you recall?

A. No.

Q. And then moving -- going back up a line, there's this word "impaired." What does that mean?

A. I don't know what that is in reference to.

Q. Do you recall having seen that word before when you were an employee of JPMorgan Chase in reviewing the screen shots?

A. I don't recall.

Q. And then we have, moving on that same line to the right, there's a space and

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then it says S-C-A-C-C. What's the S-C stand for?

A. I don't know.

Q. And the A-C-C?

A. I don't know.

Q. C-D?

A. I don't know.

Q. Then moving on that same line, I-N-T?

A. I don't know.

Q. And then "in," and then A-D-V, and then the initials capital B, capital A, capital L. What is that one? Do you know what any of that stands for?

A. I don't know.

Q. I think I already asked you this, but F-R-C-D, you don't know what that means?

A. I don't know what that means.

Q. And then the next line down, "contract slash pool number." And then what does that mean?

A. I don't know.

Q. And then I-N-V-S-C-H-E-D.

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A. (No audible answer.)

Q. And then D-E-F. Well, let's start with the first one. I-N-V, what does that stand for?

A. Investor.

Q. And then the next initials, S-C-H-E-D. Schedule; is that correct?

A. I don't know what that's in reference to.

Q. Okay. And how about the D-E-F?

A. I don't know.

Q. And how about the I-N-T?

A. I don't know.

Q. And then moving right along, I-N-V, A-C-T. You know what I-N-V stands for as it's used there?

A. Investor.

Q. And then A-C-T?

A. I don't know.

Q. D-E-F?

A. I don't know.

Q. I-N-T?

A. I don't know.

Q. And I-N-V?

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A. Investor.

Q. And S-C-H-E-D?

A. I don't know.

Q. And P-R-I-N?

A. I don't know.

Q. And B-A-L?

A. Don't know.

Q. Have you ever seen a screen shot, while you were working at JPMorgan Chase, where there was -- there was in fact a contract slash pool N-O and there was a number that followed below it?

A. No.

Q. How about with the next category, that I-N-V-C-H-E-D-D-E-F-I-N-T? Have you ever seen it with any values next to it, or any numbers?

A. I don't recall.

Q. So what is this -- as an employee for Chase whose job it is to read these things, what is this telling you, this contract slash pool number? What does it tell you?

A. I don't know.

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Q. And what does it tell you as to anything else on that line? Just moving right along. Stop wherever you can or can't. And tell me what the rest of that stuff means.

A. I don't know.

Q. And then we're -- then I have a line that goes all the way across and it kinds of separates it, and then we have three dashes, and it says "third-party service fees" and another three dashes. What does that stand for?

A. Third-party service fees.

Q. Who's the third party?

A. I don't know.

Q. And F-H-L-M-C?

A. I don't know what that stands for.

Q. And then we have, looks like it's about six dashes, and then "excess service fees," and then five more dashes. What does -- are these dashes, do they mean anything, or are they there to separate the text?

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A. I don't know.

Q. Because one has five and one has six,
I -- you know, I was just wondering if there's any significance to that. And what does excess service fees stand for as it relates to this screen shot?

A. I don't know.

Q. Have you ever seen those words on a screen shot when you worked at Chase?

A. I don't recall.

Q. This is -- do you recall whether or not this looks like something you looked at when you were at Chase?

A. Yes. When I reviewed the affidavit, I needed to know who the investor was, so I looked at the MS1 slash N-V -- I-N-V-1 screen shots to verify that it's a bank-owned loan.

Q. So the word investor is kind of a misnomer; right? It's -- if Chase owns the note, how is it the investor? I don't understand that. The investor is somebody who invests whatever it is that you're

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selling; right?

A. Correct.

Q. And what you were selling then was mortgage-backed securities?

MR. HERMAN: Objection.

BY MR. WRIGHT:

Q. What were you selling? What was being sold by Chase?

A. I didn't sell anything for Chase.

Q. No, I know. But when it says "investor," what does that mean?

A. It means that JPMorgan Chase bank owns the note.

Q. Well, have you ever seen, though, a different name other than JPMorgan Chase after those initials?

A. For these two loans, no.

Q. Okay. For any loan that you recall having looked at that was originated by Washington Mutual Bank?

A. I don't feel comfortable answering about other loans.

Q. Okay. And the reason why you feel comfortable about this is 'cause

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you've studied these screen shots?

A. Yes, and it's sitting right in front me, and I -- I can interpret who the investor is from the screen shot.

Q. And did you review these before you signed the affidavit, these screen shots?

A. Yes.

Q. And did you review them since then?

A. Yes.

Q. And did you have any discussions with anyone about your testimony here today?

A. Yes, I discussed with Brian --

Q. Not what you discussed.

MR. HERMAN: You can just answer whether we talked.

THE WITNESS: Yes, we did.

BY MR. WRIGHT:

Q. Yes. And did you review these screen shots in preparation for this deposition?

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Q. And so -- and anything else did you do to prepare for this deposition, other than talk with Mr. Herman and review these screen shots?

A. I talked to some people in the legal department.

Q. Okay. In the JPMorgan Chase legal department?

A. Yes.

Q. About the -- this particular loan?

A. Yes.

Q. When I go, like, down to the bottom, I see this life of loan, and it's got a colon and then "legal action complex." Now, this is -- what are the -- in order -- does someone fill that in at some point and put in "legal action complex"?

A. I don't know.

Q. I mean, what I'm trying to get at is, is there another choice that you could pick, like legal action simple, or no legal action, or -- you know what I'm saying? Is

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there another entry that could go into that life of loan -- what appears to be a life of loan category?

A. I don't know.

Q. Do you recall ever having seen other words than "legal action complex" on looking at a WaMu note that was in connection with your job at JPMorgan Chase?

A. I don't recall.

Q. And what about this -- do you know why this was categorized or put into this -- or identified as "legal action complex"?

MR. HERMAN: Talking about your client?

MR. WRIGHT: I'm going to swear you in.

THE WITNESS: No, I don't know.

MR. WRIGHT: I may be complicated, but not complex.

MR. HERMAN: Fair enough.

BY MR. WRIGHT:

Q. So this L-M-E-S-C-R, what does that stand for, do you know?

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A. I don't know.

Q. And then after it, after the colon, is "receiving L-M-I-T and impound quote from escrow department." What is that? What is all that? What does that tell you? What did that tell you when you were looking at this as an employee of Chase?

A. I don't know. I would have no reason to question that line.

Q. Okay. So there's information on this screen shot that is beyond what you were doing for Chase and provides information that was beyond what you needed it for? It gave you the information you needed, but it also gave you additional information?

A. Yeah, the only information that I needed from the screen shot was as to who the investor is.

Q. Okay. Now, I'm looking, when I go down here, there's -- see where it says C-O-R-R slash plan and a colon?

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Q. What does that stand for?

A. I don't know.

Q. And then below that it has like a bunch of dashes and then it ends with a star. Do you know -- have you ever seen it look differently on another screen shot, that line?

A. I don't recall.

Q. What -- do you know what that means with the star?

A. No.

Q. And then it says "additional message -- messages," and then has the star and then a series of dashes after that. Do you know what that means?

A. No.

Q. Have you -- okay. And then it says P-F15, colon, and then owner slash assignee. What's that there for?

A. I don't know.

Q. And then "press PF14 for memos." What does that mean?

A. I don't know.

Q. What does receiving L-M-I-T -- I

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think I know the answer to this, but I'll just ask you. Impound. Do you know what the word impound means in there?

A. Nope.

Q. "Impounds." Have you ever heard that term while you were working at Chase?

A. No.

Q. And why would they be getting -- why would they -- who's the escrow department?

A. They're the escrow department.

Q. Chase?

A. At Chase.

Q. Oh, okay. Do you recall ever having seen a screen shot of a Washington Mutual loan that had some different information after the initials L-N-E-S-C-R?

A. I don't recall.

Q. Let's look at page 3. It looks like the information above the first full line across the page is the same as it was on page 2; is that right?

A. No.

Q. What's different?

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A. At the end, it's U-S-R-1.

Q. All right. And what does that mean?

A. I don't know.

Q. And this is just -- page 3 is just another screen shot?

A. From the MSP system, correct.

Q. Of loan 3454?

A. Correct.

Q. All right. Now, there's a bunch of stuff here. Let's see if I can -- is -- now this, again, is the MSP loan master maintenance and display screen; right?

A. Yes.

Q. And page 1 was the loan transfer history screen; right?

A. The first page, yes.

Q. Is there any information below the U on page 3, U-S-R-1 dot dot user fields, and then dashes all the way across the page, leaving about an inch to the right-hand side blank, is there anything in this USR1 dash dash user fields? What does that refer to?

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A. I don't know. I would not have used this screen shot for my affidavit.

Q. Okay. Had you -- have you seen this screen shot prior to today?

A. No.

Q. Had you seen -- oh. Okay. So are you looking at it for the first time today?

A. Yes.

Q. Okay. Now here it says again, about a third of the way down, it says "press PF14 for memos." Do you know if there's additional memos that, if I pressed -- if I was on that thing, I pressed PF14, I would get additional memos?

A. I don't know.

Q. I'm going to go back up to where it says "release." You see that? One -- I'm counting below the first line across the top, it's the one, two, three --

A. I see it.

Q. Okay. So I think that's five lines down. Yeah, five lines down. Release, what does that mean?

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A. I don't know.

Q. And then below it has a month, date and year below a blank line, a line that has -- goes across but has nothing in it. What -- have you ever seen that with a date put in below the word release, the screen shot?

A. I don't recall.

Q. What does that mean to you when you're --

A. Yeah, when I was reviewing loans, to me that would be when the servicer was released.

Q. Who was that?

MR. HERMAN: Who's what?

BY MR. WRIGHT:

Q. Who's -- oh, I see what you're saying.

A. Who's ever servicing the loan.

Q. All right. So that indicates there's no release, is that what it --

A. I don't know.

Q. What is under the board, there's these numbers 031605. Does that stand for

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3/16/05?

A. Yes.

Q. And that's the date of the loan;
right?

A. No.

Q. Or what is that date?

A. The loan boarding date.

Q. What does that mean?

A. I don't know.

MR. HERMAN: So just --

MR. WRIGHT: Somebody gotta know.

MR. HERMAN: Well, yeah, but -- I mean, I have a general objection. He says he didn't look at this document before, he's not familiar with this document. You had a witness, a 30(b)(6) witness from Chase, you could have asked him those questions. I don't think you did.

MR. WRIGHT: No.

MR. HERMAN: So let's move on to a different document.

MR. WRIGHT: Well, I'll get you out of here.

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MR. HERMAN: I know, but --

MR. WRIGHT: Let me take this deposition.

MR. HERMAN: Understood. But he's not here as the 30(b)(6) deponent.

MR. WRIGHT: I'm just asking him a question. He just has to say yes, no, or I don't know, that's all. I'll get you out of here no problem. I wouldn't do that to you. That's such a nice --

BY MR. WRIGHT:

Q. Let's go to the next page. So that would be page 4. Now, this is a screen shot of the same loan; right?

A. Yes.

Q. Correct? And it says -- and then it says, on the second line below the line that goes across, William Freeman, X-X-O. Is that his social security number?

A. That is his redacted Social Security number.

Q. Right. The last four digits, and then O-C stands for?

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A. I don't know.

Q. And moving along that line to the end, man zero. What does that stand for, M-A-N, zero?

A. I don't know.

Q. And then below the word loan is a date of 4/1/12. What's the significance of that date?

A. That would be the payment due date.

Q. Okay. So looking at this screen shot, this indicates to you that the loan was due for April 1, 2012?

A. Yes.

Q. The payment that was -- so you -- in all fairness to you, you would not have seen this, this thing -- this screen shot when you were working at Chase?

A. No, I would have looked at this screen shot for this affidavit.

Q. Okay. All right. Then it's got the Side Road -- 39 Side Road address, Little Compton, it's got a zip -- Little Compton doesn't merit a four-digit zip --

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and then after that it's got zero zeroes dash zero zero, and then dash four zeroes. What does that stand for?

A. I don't know.

Q. Now, the next line it says L-I-T-S-T-P. Do you know what those stand for?

A. Litigation stop.

Q. And what does that mean?

A. It means litigation stopped, do not proceed to foreclosure.

Q. Why? I mean, why? Do you know why that was there or was -- had you seen this screen shot when you were working at Chase that said litigation stopped, do not proceed to F-C?

A. I do not recall.

Q. Now, do you recall, in the course of your employment with Chase, another loan where the litigation stopped, do not proceed to F-C, appeared?

A. Yes.

Q. The other loan from Mr. Freeman?

A. I thought the question was in

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reference to other loans.

Q. Yeah.

A. Other than these two loans.

Q. Yeah. Why would they like -- what would be -- do you understand -- did you have anything to do with making that distinction?

A. No.

Q. Okay. Does that mean anything to -- did that mean anything to you as an -- in your employment for Chase in carrying out your duties and responsibilities?

A. No.

Q. And then -- and I think I asked you this, but I'll just ask you again so I'm sure. You don't recall having seen this particular screen shot when you were at Chase?

MR. HERMAN: I'm sorry?

BY MR. WRIGHT:

Q. You don't recall having seen this screen shot, or a screen shot similar to this one on page 4, when you were an employee at Chase?

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MR. HERMAN: I'm going to object,
that misstates his testimony.

BY MR. WRIGHT:

Q. Do you recall?

A. Yes.

Q. And was -- all right. But you
didn't see one that said 7/5/16; right?

A. Correct.

Q. But you're telling me that the
information is all the same on the one you
saw on that particular date or other 16
dates?

A. No.

Q. Okay. So what is similar to this
screen shot on page 4 as Exhibit D to the
ones that you reviewed when you were
working at Chase?

A. The redacted social security
number, the name of the borrower, a due
date.

Q. Do you recall having seen the
"litigation stopped do not proceed to F-C"
when you were there?

A. I don't recall, no.

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Q. Now, what is this -- I'm looking across from this date of 4/1/12, and I'm going to the word amount. And in parentheses, 13 months, close parentheses. What does that stand for?

A. I don't know.

Q. And W-U below it, what does that stand for?

A. I don't know.

Q. And then it's got a two, a colon, and then the initial P. What does that stand for?

A. I don't know.

Q. And then below that it's got the 3951 decimal point zero zero A-S-S-U-R-A-N-T, and then the word renewal. What does that stand for?

A. That's in reference to hazard insurance through Assurant.

Q. Who's Assurant? Is that an insurance company?

A. Yes.

Q. Is that -- and that value, that 3951, is that an amount of money that --

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that the insurance costs? Is that what it's referencing?

A. It's referencing the total amount of hazard insurance paid to date.

Q. By whom?

A. Chase.

Q. How do you know that? How would I know that looking at this?

A. I don't know how you would know that.

Q. How is it that you know it?

A. Just from familiarity looking at these SCR1 screen shots.

Q. And Assurant, is that -- that's an insurance company?

A. Correct.

Q. And it says renewal. That means what?

A. I don't know.

Q. Now, who picked that insurance company?

A. I don't know.

Q. Not you?

A. No.

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Q. Right. Okay. Do you know whether or not Chase owns that insurance company?

A. I don't know.

Q. Or has an interest in --

A. I have no idea.

Q. Have you ever seen a name of a different insurance company in that line on a screen shot relating to a loan owned by Chase?

A. No.

Q. Always Assurant when there is somebody there, when there is a name there?

A. I don't know if it would always be Assurant.

Q. You don't know if it would always be?

A. Right.

Q. And then this -- this 848 dash five five, this 84855 --

A. Yes.

Q. -- R-C-V, what's that initials that follow it?

A. I don't know.

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Q. Then it has a colon and a dash. Have you ever seen something other than a dash after the R-C-V colon?

A. I don't recall.

Q. Now, then I move down, and the next thing on that -- in that column, so to speak, is this .28 and then it has a dash and it says analyzed C-O-U-P-M-O. What does that -- that mean?

A. I don't know.

Q. And what's the 20 -- is that a value for that particular item, that .28, or how's that related?

A. I don't know.

Q. And the date, below the analyzed coupmo, 1/21/12, and then the word ten -- what's that date signify?

A. I don't know.

Q. And then -- but that -- you left Chase in when, '13, '14?

A. I left Chase in -- June the 16th of 2016.

Q. Okay. And do you recall this 1/21/12 date being on the screen shot when

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you looked at it?

A. I don't recall.

Q. And you don't know what that means?

A. No.

Q. Or the number ten, which appears after the date below that -- those words?

A. Correct.

Q. And then I'm going down a little bit, and it says pending payment. And then below it it says 1/17. What is that?

A. I don't know.

Q. Now -- and then go below that, it says P-F-2 for additional messages. If you were on that screen and you did that, what would happen?

A. I don't know.

Q. You never -- you don't recall having ever pressed PF2 for additional messages?

A. I never pressed PF2 for additional messages.

Q. How about PF14 for memos?

A. I never pressed that.

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Q. All right, next page. Now we're going to a different loan; is that correct?

A. That is correct.

Q. And by the way, if I can go back quick, just one question on the last page we were on.

A. Yes.

Q. It says at the top in bold print "3270 explorer: Customer service work station." What's -- now the other one, the one before it, talked about the loan maintenance and display, and I think the first page said something about the loan transfer history. So there's -- are there additional screen shots besides the three ones that we're looking at here that one could get when they were on the system?

MR. HERMAN: Are you asking if there's additional screen shots or additional screens?

MR. WRIGHT: Yeah, screens, that's a better way to put it.

THE WITNESS: Yes, there are additional screens.

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BY MR. WRIGHT:

Q. And do you know what the additional screens are that aren't here?

A. No, I don't know.

Q. So let's see -- make sure I understand this. So there's a screen shot of the loan transfer history as it relates to loan number 3454?

A. Correct.

Q. And there's a screen shot of the three MSP loan master maintenance and display for 3454 loan; right?

A. Yes.

Q. And then we're looking at the 3454 loan; we have this MSP loan master and maintenance?

A. Yep.

Q. And are there -- all right. And then -- now we're going to the last -- what's this -- do you know what S-V-R-1 stands for at the top?

A. Service one.

Q. What is that -- what did that -- what does that indicate to you?

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A. That we're servicing this loan,
that Chase is servicing this loan.

Q. Going back to this 7924 loan.
It's one, two, three, four, page 5 of
Exhibit D. This is now on this 7924 loan
service history screen shot, it looks like
the same, if I go back to page 1 on the
3454 one, that's -- it's the same screen of
a different loan; is that accurate?

MR. HERMAN: Object, you referred
to the document wrong, but go ahead.

MR. WRIGHT: Correct me.

MR. HERMAN: You said loan
service screen something.

MR. WRIGHT: Screen shots.

MR. HERMAN: Right. It says --

MR. WRIGHT: Loan transfer. I'm
sorry.

THE WITNESS: So this would be
the loan transfer history for loan
number ending 7924.

BY MR. WRIGHT:

Q. Okay. And we have -- on the
first page we have a similar screen shot,

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do we not, of 3454? That is a loan transfer history screen shot of --

A. Correct.

Q. Right. However, below the initials F-R-C-D is a dotted line that goes across the page, and there's no information below it; right?

A. Correct.

Q. But on page 1 of Exhibit D, there's information below that line?

A. There is.

Q. Yeah. And I'm wondering, what's the difference?

A. I don't know.

Q. And looking at it, what does it tell you -- or let me put it another way. Let me withdraw that. Why is there information on page 1 for the -- of Exhibit D of 3454, and not information -- is it -- well, let me ask it another way. I'll withdraw that.

Do you see that on the first screen shot of 7924 that we're looking at in Exhibit D --

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A. Yes.

Q. -- it says "no loan transfer history available for this loan"?

A. Yes.

Q. Now, that's different than the 3454; correct?

A. Correct.

Q. So what does that mean, there's no loan transfer history?

A. It means that there is no loan transfer history.

Q. Because why?

A. I don't know.

Q. Was it transferred?

A. No.

Q. But it was transferred to Chase by the FDIC; right?

A. No, it was purchased by Chase from the FDIC.

Q. Okay. So if I look at the 7924 screen shot of the loan transfer history, when you looked at it it says no loan transfer history available for this loan, how -- how do you know that Chase owns that

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loan?

A. From looking at the screen shots
INV1.

Q. Help me out with that. What is
that -- I don't know what that means.

A. So page -- the next page for loan
ending 7924 is MAS1/INV1, where on the line
beginning with I-N-V, it says JPMorgan
Chase Bank, N.A., so they are the investor.
So therefore, it's a bank-owned loan.

Q. Does it tell me anywhere when --
you agree with me that Chase did not own
either of the Freeman loans at the time
they were originated?

A. Correct.

Q. So somehow it got to Chase;
right?

A. Yes.

Q. It was some way transferred,
whether by purchase, whether by the
assumption, whatever; right?

A. Yes.

Q. Okay. So what I'm wondering is,
how do you know that from this screen shot?

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How do you know that Chase owns this note?

A. Because they're listed as the investor.

Q. Were they the investor prior to the FDIC taking over the bank as receiver?

A. I don't know.

Q. Do you know who would know?

A. No.

Q. Do you know if anybody -- do you know if anybody at Chase knows?

A. No.

Q. Did you know and have forgotten when you were there?

A. No.

Q. When you looked at the screen shot and no loan transfer history available for this loan, did that cause you to do anything differently than when it doesn't say that on the screen shot?

A. Absolutely not.

Q. Why is that information there? Why does it say no loan transfer history available when a person at Chase doesn't care about it being there that's

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responsible for it?

MR. HERMAN: I'm sorry?

BY MR. WRIGHT:

Q. Do you know why that's there? I mean, what is -- who's that for? How does that say there's no loan transfer history and then I read your affidavit and there is a transfer history?

A. I don't know.

Q. Yeah, but how did you know? So when you said -- go back to your affidavit, it's Exhibit A.

MR. HERMAN: Don't use that one.

That's the fake one.

MR. WRIGHT: No, no.

BY MR. WRIGHT:

Q. So I think we're talking about -- let's see if we can agree on that. We're talking about the loan that was made not to the Side Road but to the -- to the Randolph, 135 Randolph. This is what we're talking about on this screen shot, 7924; correct?

A. That's correct.

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Q. All right. You said you read -- you're familiar with the mortgage on the 135 Randolph?

A. Correct.

Q. You also say that in paragraph three, "Mr. Freeman informed JPMorgan Chase that Randolph Avenue is rental property."

A. Yes.

Q. Was that a fact that was known, if you know, at the time the loan was made?

A. No, I don't know.

Q. Were there records that you looked at that indicated that was known at the time the loan was made, that the property was rental property?

MR. HERMAN: He just said he didn't know.

MR. WRIGHT: I'm asking him if there's records that would tell him that.

THE WITNESS: Would there be records that tell me that?

BY MR. WRIGHT:

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Q. Yeah.

A. Yes.

Q. Okay.

MR. HERMAN: We've been going over an hour. Can we take a five-minute break?

MR. WRIGHT: Yeah, and then I'll wrap up and --

MR. HERMAN: Sounds good.

MR. WRIGHT: Yeah, I'll get you out of here.

(Break taken.)

BY MR. WRIGHT:

Q. When you say, in paragraph 28 of your affidavit -- it says the account number was changed on the Randolph loan.

A. Yes.

Q. It says it was initially 2957. Whose number -- was that a WaMu number or a Chase number? Was it originally a WaMu number that was changed, or was it changed from WaMu to a Chase number?

MR. HERMAN: Object to the question based on the length of the

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question.

THE WITNESS: It was --

BY MR. WRIGHT:

Q. So the last -- it says, "The account number for the 135 Randolph loan was subsequently changed, and the last four digits of the account are now 7924."

A. Correct.

Q. Who did that?

A. Chase.

Q. All right. And was that an internal change, or did they switch it from the loan number it had when it was a WaMu loan?

A. Chase was the one that changed the loan number.

Q. Okay. Do you know why they did that?

A. No, I don't.

Q. Hmm. So -- is it accurate that your only knowledge that took place was by reading a letter written by somebody else on September 28, 2011, or was there some other way that you figured that the loan

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changed?

A. That would have been the business record that I relied upon for that statement in that paragraph.

Q. Now, are there any screen shots available with the loan number 2957?

MR. HERMAN: Are you -- are you asking -- you said screen shots.

BY MR. WRIGHT:

Q. Yeah, is there like a -- is there -- if I go -- if I went to the Explorer system before the loan was changed, right, and I went to look up the last four digits of the 2957, would I find anything there?

MR. HERMAN: Do you mean if you got back in a time machine --

MR. WRIGHT: Yeah.

MR. HERMAN: If you got in a time machine and you went back to 2010 --

MR. WRIGHT: How about when he was looking at it?

BY MR. WRIGHT:

Q. How about when you were there,

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did you -- how do you know the loan number was changed, other than reading it in the letter? Or is that the only way you know?

A. For paragraph 28, the business record that I relied upon was the letter stating that the loan number has been changed.

Q. And -- all right. In paragraph 31 it says, "As set forth above," and that Chase acquired certain assets of WaMu from the FDIC as receiver of WaMu by virtue of a P-A-A; right?

A. Yes.

Q. All right. So is this Exhibit C the -- or what you're referring to?

A. As the PAA, yes.

MR. HERMAN: Minus the blood and the wrong information on the back side of each page.

BY MR. WRIGHT:

Q. Right. Right. Answer that one for him.

A. Yes.

Q. Okay. I'm confused, because I

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don't know where I'd find that in Exhibit C. I will tell you that I've searched by day with a torch and I can't find it.

MR. HERMAN: What can't you find?

MR. WRIGHT: This loan being purchased in that agreement.

MR. HERMAN: Is that a question?

BY MR. WRIGHT:

Q. Yeah. I'm asking where is it? Show me where it says that these loans were purchased in this agreement.

A. Article three.

Q. Yeah, but it doesn't say the Freeman loan was purchased; right? It just says certain assets.

A. Correct.

Q. Let's go look at it. Okay. So I've opened the Exhibit C to article three. And can you tell me where in there I can read and it says the Freeman notes were acquired by JPMorgan Chase by virtue of the Exhibit C?

A. It doesn't get that specific.

Q. Well, did you in your -- the

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2 course of your duties and responsibilities
3 at JPMorgan Chase, did you come to learn
4 that Washington Mutual Bank had put these
5 loans in a trust or some type of an
6 investor agreement and were just retaining
7 servicing rights of some of their assets?

8 MR. HERMAN: Put what loans?

9 BY MR. WRIGHT:

10 Q. Loans that you claim were
11 acquired in connection with that purchase
12 and assumption agreement. Did you come to
13 find that out?

14 MR. HERMAN: I object to the
15 question. Are you asking him about the
16 Freeman loans or are you asking him
17 about some other loans?

18 BY MR. WRIGHT:

19 Q. Freeman. Let's start with
20 Freeman. Did you come to find out that
21 Mr. Freeman's loans had been sold or -- had
22 been placed into an investor pool by
23 Washington Mutual?

24 A. No, they're bank-owned loans.

25 Q. They're bank-owned loans but --

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you say you saw the notes; right?

A. Yes.

Q. And --

(Exhibits E and F marked for
identification.)

BY MR. WRIGHT:

Q. So the court reporter's marked E.
So you have Exhibit E in front of you?

A. I do.

Q. And let me just -- well, let's
just go with that. So have you seen
Exhibit E before?

A. Yes.

Q. And is what you're looking at
there a true and correct copy of exhibit --
or a true and a correct copy of the note --
the same note that you'd seen before?

A. Yes.

Q. All right. It was -- did it
have -- when you saw it, did it have that
written on it, those handwritten numbers
across the top of the first page?

A. I've looked at several copies.
One of the copies would have that written

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on it.

Q. What about the original?

MR. HERMAN: Objection.

BY MR. WRIGHT:

Q. Did the original have that on it?

A. I never seen the original.

Q. All right. And this -- you ever watched Comedy Central?

A. Yes.

Q. You recognize that swirl over there on the -- your left, top left of that note?

A. Yes.

Q. What does that swirl indicate?

A. That it's a stamp on the original note.

Q. Why do they put a stamp on it?

A. To indicate that it's the original note.

Q. And that's -- so that's -- we're talking about the stamp that's on Exhibit E on the top right-hand corner; right?

A. Correct.

Q. What about the -- this mark

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that's on the top right-hand corner or top left-hand corner?

A. It's a -- yeah, it's a bulls-eye stamp. It's another original stamp.

Q. Two. Are they both Chase's stamps?

A. Yep.

Q. So they stamped it twice so they would know it was the original?

A. I don't know why they stamped it twice.

Q. When you saw it, was it stamped twice, do you recall?

A. I've never seen the original note.

Q. So the note that you looked at in order to make the affidavit, you don't know whether it was the same as the original?

A. The notes that I looked at to make the affidavit were several copies of the note.

Q. I don't understand. Several different copies?

A. Certainly. I mean, once the

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2 loan's originated, it's not going to have
3 really anything other than the borrower's
4 signature on it. So there's going to be an
5 image of that, and there's going to be
6 images, you know, of the note when
7 different things are -- are written onto it
8 or stamped onto it.

9 Q. Can you tell me whether the stamp
10 on the top right was there -- which stamp
11 on the top of that note was there first?

12 A. I don't know.

13 Q. Do you know whether or not they
14 were there at the same time?

15 A. I don't know.

16 Q. And the ones on the screen didn't
17 have those stamps?

18 A. There would be an image of this
19 note in the system as it appears here.

20 Q. But you've seen -- did I -- is it
21 correct for me say that you've testified
22 that you've seen different images of the
23 same note?

24 A. Yes.

25 Q. And that you did not see the

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original when you signed the affidavit?

A. Correct.

Q. If you go to the last page of that note. Let's go back, 'cause it's got -- yeah, that one. Do you know who witnessed that?

A. No.

Q. Now, it has, at about the middle of the page, it says "pay to the order of," and then there's a space in there, and it says "without recourse." Now, do you know whether that was on that -- I'm going to call it the Cynthia Riley endorsement -- do you know whether that was on the note when you looked at it?

A. Yes. Well, not the original note, but an image of it. I would have found an image of the blank endorsement.

Q. Have you seen -- had you seen the note without that endorsement?

A. Yes, I've seen images of the note without the endorsement.

Q. And did you see images without the endorsement when you were working at

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Chase?

A. I believe you had asked that, and I answered that.

Q. Well, answer it again. Humor me.

A. Can you repeat the question?

Q. Yeah. When you went -- you were working at Chase and you left in what, '13?

MR. HERMAN: No.

MR. WRIGHT: '14, '16?

MR. HERMAN: '16.

BY MR. WRIGHT:

Q. So you began in -- I don't want to put words in your mouth. You began working at Chase --

A. 2011.

Q. And left in 2016?

A. Correct.

Q. When you first saw that note on the MS -- wherever you saw it, in the electronic files --

A. Sure.

Q. -- did it have that endorsement on it?

A. I did see an image with that

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endorsement on it.

Q. Did you see an image without that endorsement on it?

A. Yes.

Q. And do you recall when you saw that?

A. When I was reviewing the business records for this loan.

Q. And so -- so is it your testimony that that endorsement went on that note after Washington Mutual failed?

MR. HERMAN: Objection, mischaracterizes what he said.

MR. WRIGHT: I asked him if it is.

THE WITNESS: I don't know.

BY MR. WRIGHT:

Q. You don't know when that endorsement went on?

A. Correct.

Q. But you know that you've seen it while you were working at Chase without an endorsement?

A. Yes.

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Q. All right. Does that tell you that it went on after Washington Mutual Bank failed, the endorsement?

A. No.

Q. Does it tell you that the endorsement was on there before Washington Mutual Bank failed?

A. Yes.

Q. So how -- so -- you're suggesting, I guess, that this note was endorsed in blank and held by Washington Mutual up until it failed and then was transferred to Chase by the FDIC pursuant to the purchase and assumption agreement?

A. Yes.

Q. Do you know who put that endorsement on there?

A. No.

Q. Do you know if Cynthia Riley actually signed that?

A. I don't know.

Q. Do you know if she's -- are you aware that she has testified in other proceedings about her endorsement?

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A. No.

Q. Do you have any basis for disputing her statement that she never endorsed a note herself?

MR. HERMAN: Object. He doesn't know her, hasn't read her testimony.

BY MR. WRIGHT:

Q. You never met Ms. Riley when you were an employee of Chase?

A. No.

Q. Do you know whether or not she was employed by Chase when you were employed by Chase?

A. I don't know.

Q. Do you know when she left Chase, or is she still there? Let me ask you that way. Is she still an employee of Chase?

A. I don't know if she ever was.

Q. Okay. Let's look at F, Exhibit F. Do you have Exhibit F in front of you?

A. I do.

Q. Do you recognize that document?

A. I do.

Q. And what is it? What do you know

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it to be?

A. It is a note signed by William R. Freeman.

Q. And who is the note made payable to?

A. It is endorsed in blank.

Q. Okay. Let's -- all right. So looking at that endorsement, do you know when that endorsement was placed on that note?

A. I do not.

Q. Okay. And going back to the first page, do you see the stamp there that's, like, over the loan number, or over a number --

A. I do.

Q. -- on the first page?

A. Yes.

Q. And that's -- what do you identify that as? What do you call that?

A. It's an original stamp seal.

Q. And it was your testimony that that stamp was placed on there by somebody from Chase, JPMorgan Chase?

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A. Yes.

Q. So it was placed on there after the note was signed?

A. Yes.

Q. And had you seen this note while you were working at Chase without that, I'll call it a swirl, Comedy Central logo, whatever you want to call it, had you seen this particular note while you were working at Chase without that swirl?

A. Yes.

Q. How's that? I mean, what -- did that indicate anything to you?

A. No, it's just a -- there would be a -- an image of this note in the origination file signed by the borrower with really nothing else on it other than the signature --

Q. And then --

A. -- and the witness signature.

Q. Yeah, he signed it. All right.

MR. HERMAN: You can -- are you conceding your client signed it?

MR. WRIGHT: Yeah. He signed the

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original.

BY MR. WRIGHT:

Q. So this endorsement on the page 6 of eight --

A. Yes.

MR. HERMAN: I'm sorry, it's labeled six of six.

BY MR. WRIGHT:

Q. Six of six. Again, you've seen this note without that endorsement on it?

A. Yes.

Q. So when you explained that you looked and you see it in the electronic file, as you go -- does that historical -- is that kept historically, that file?

A. Yes.

Q. So at some point in time the note would start appearing in that file with this endorsement on it?

A. Yes.

Q. And do you know when that would be?

A. I don't recall.

Q. If I go back, if I were to look

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at all the screen shots, would I be able to tell?

A. Perhaps.

Q. Okay. Would you be able to tell?

A. Sure.

Q. So if I -- okay.

MR. WRIGHT: All right, enough is enough. Any questions?

MR. HERMAN: Yeah, I have a few questions.

EXAMINATION

BY MR. HERMAN:

Q. First, my friend marked as Exhibit B a document which has, on its face, affidavit in support of summary -- sorry. Has on its face affidavit in support of JPMorgan Chase Bank N.A.'s motion for summary judgment. Can you look at this document carefully, including the signature page, and then I'm going to ask you a couple questions.

A. Okay.

Q. So first, looking at paragraph twelve of the affidavit, do you

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observe anything with respect to the
typeface?

A. Yeah, the word "loans" is in a
different typeface.

Q. On the affidavit that you signed
in connection with this matter, was that
different typeface on the affidavit?

A. No.

Q. If you look at the signature
page, the last page, can you tell me how
your name is spelled under the signature
line?

A. M-I-C-H-A-E-L, P,
M-C-C-O-R-M-I-C-K.

Q. So that looks like McCormick to
you?

A. Yes.

Q. Okay. And --

A. It's not a very good copy. It
kind of looks like the R and the M are
blended together.

Q. You see where it lists your title
as -- can you read for the court reporter
what it says is your title?

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A. Authorized siglar.

Q. Was authorized siglar a title that you used while you were at Chase?

A. No.

Q. Would you have signed a document that listed your title as authorized siglar?

A. No.

Q. The next line, it says "Date: March space 2016." Would you have signed a document, an affidavit, without putting the date there?

A. No.

Q. In the notary block, it refers to -- can you read for the court the name of the state?

A. State of Wbaontin.

Q. Can you spell that?

A. W-B-A-O-N-T-I-N.

Q. Looking at this signature page -- I'm sorry. Under -- by the way, do you know where the state of Wbaontin is?

A. I do not.

Q. Have you ever lived in the state

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of Wbaontin?

A. No.

Q. Okay. Looking under the words "sworn to and subscribed," can you tell the court reporter how your last name is spelled?

A. Yes. It's M-I-C-H-A-E-L, P, M-C-C-O-N-N-I-C-K.

Q. So McConnick?

A. That is not my name.

Q. That's not your name. Would you have signed a sworn document that listed your name as McConnick?

A. No.

Q. And looking at --

MR. WRIGHT: Well, I'm going to object to that, it doesn't list his name as McConnick on the signature line.

BY MR. HERMAN:

Q. Would you have signed a document where in the notary block it listed your name as Michael McConnick?

A. No, because I drafted the notary

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block.

MR. WRIGHT: Well, you would have, okay, because you couldn't do it any other way. But that's all right.

BY MR. HERMAN:

Q. Sir, did you sign this document?

A. No.

Q. How many affidavits did you sign in this case?

A. One.

Q. And I showed you a copy, or counsel marked as Exhibit A an affidavit, and I put in front of you a wet signature document. Is the wet signature document the one that you signed in this case?

A. Yes.

Q. And can you tell me how your name is spelled on that, on that sworn to and subscribed to area on the wet signature document I put in front of you?

A. Yes. On the notary block, my last name is spelled M-C-C-O-R-M-I-C-K.

Q. And that is the correct spelling of your name?

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A. Correct.

Q. And is there a date filled in under your -- the date you signed the document?

A. Yeah. On the signature block, the date is filled in as March 2, 2016.

Q. And in the notary block, can you tell the court reporter what state is listed?

A. The state of Wisconsin.

Q. Is that the state you live in?

A. That is the state that I live in.

Q. And is Exhibit A, the signature page on Exhibit A, a correct copy of the signature page on the wet signature document you've been looking at today?

A. Yes.

Q. Okay. Is the wet signature document the only affidavit you signed in connection with this case?

A. Correct.

Q. And is Exhibit A a copy of the document you signed?

A. Yes.

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Q. Okay. Did you sign a document that looks like Exhibit B?

A. No.

Q. Have you ever seen, prior to your preparation for your deposition, Exhibit B?

A. No.

Q. Changing topics for a second. In connection with your employment at Chase, did you receive training on the use of the MSP system?

A. Yep. We had classroom training, we had side by side training, and regular on-the-job training and --

Q. Looking at Exhibit D that was introduced today, are these screen shots from the MSP system?

A. Yes.

Q. Now, for what purpose did you look at these screen shots in signing your affidavit?

A. The first purpose was to look at the SCR1 screen shot to verify that Chase is servicing the loan. I would have looked at the MVR1 screen shot to verify that

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JPMorgan Chase Bank, N.A. is the investor of the loan and, therefore, it's a bank-owned loan.

Q. Okay. Counsel asked you some questions about the MAS1/INV1 screen shot and, in particular, he asked you about various fields and words on that document. And you indicated during your testimony that you did not know what those fields mean; is that correct?

A. That is correct.

Q. With respect to the fields that you did not know what they mean, did you rely upon any of those fields in connection with your affidavit?

A. No.

Q. Looking at the MAS1/INV1 screen for loan ending 3454, what information would you have looked at and relied upon in connection with signing your affidavit?

A. I would have looked at the line that begins I-N-V JPMorgan Chase Bank, N.A.

Q. Okay. And did you understand and were you trained on what that meant at the

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time you signed the affidavit?

A. Yes.

Q. There is a reference on this screen shot to X99. Would you have reviewed that in connection with signing your affidavit?

A. Yes.

Q. What would you do with that X99 number? In other words, what did X99 mean to you?

A. It's the investor ID or investor number.

Q. Is there a resource that you can go to at Chase to correlate an investor number like X99 to confirm that that's a bank-owned loan?

A. Yeah, that would be the -- the LISA system.

Q. Okay. And would you have --

A. Which stands for Loan and Investor Servicing Answers.

Q. Would you have looked at the LISA system in connection with executing the affidavit that you signed in connection

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with this case?

A. Yes.

Q. And counsel asked you some questions about a screen that's labeled USR1.

Did you look at USR1 in connection with signing this affidavit?

A. No.

Q. Counsel asked you some questions about the SCR1 screen. What would you have looked at SCR1 for purposes of signing the affidavit?

A. To verify the borrower's name, the last four digits of the social security number, the last four digits of the loan number, and the property address.

Q. Okay. Now, counsel asked you some questions about some of the entries on the SCR1 screen, and you indicated that you did not know what some of the entries mean; is that correct?

A. Right. I'm not involved in the accounting.

Q. With respect to the entries you

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described earlier that were the reason you looked at this document, the SCR1 screen, did you have training and understand what those entries meant at the time you executed your affidavit?

A. Yes.

Q. And does the same go for the SCR1 and MAS1/INV1 screens with respect to the loan ending 7924?

A. Yes.

Q. You understood the information relied upon you in connection with signing the affidavit?

A. Yes.

Q. Sir, how much time did you spend, to the extent you remember, how much time did you spend in connection with working on and verifying the information in the affidavit you signed in this matter?

A. Five-plus hours.

Q. And did you read the affidavit in its entirety?

A. Certainly.

Q. And did you review all of the

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exhibits that were referenced in there?

A. I did.

Q. And did you review all the Chase business records that you felt were necessary to confirm the information in the affidavit?

A. I did.

MR. HERMAN: I have no further questions.

RE-EXAMINATION

BY MR. WRIGHT:

Q. Mr. McCormick, do you realize there was over a thousand pages attached to your affidavit?

A. Yes.

Q. So your testimony is that you read it in five hours?

A. No, my testimony was that I reviewed it.

Q. Oh. But you didn't read it all?

A. I reviewed it.

Q. But you said it was true and correct copies of the records.

How would you know that without

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reading it?

A. Well, in the affidavit, it's -- I'm just verifying factual statements. So in terms of, like, a lot of the correspondence that's attached to the affidavit, it says that the correspondence was sent to the borrower.

Q. Yeah, but let's not talk about the correspondence. And I don't want counsel to miss his plane, we're already late.

But what is it in Chase's records that caused you to state that it is the owner of these two notes?

A. That would be the LISA system and the MSP system.

Q. So those are Chase systems?

A. Correct.

Q. So that's like buying a boat and calling yourself captain; right? I mean, you can do that, but it doesn't make you the owner.

MR. HERMAN: That's not a question.

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BY MR. WRIGHT:

Q. You testified that that affidavit was the only one that you signed in connection with this, the only --

A. That's correct.

Q. You signed something else in connection with this case, did you not? You signed a declaration that's on file with the Rhode Island Courts?

A. Perhaps.

Q. So there's something else you signed?

A. I don't know.

Q. Okay. Well, if there was a -- another pleading on file or a document on file with the Rhode Island courts that have your signature, would you dispute that you signed that?

A. No.

MR. HERMAN: Show him the document.

THE WITNESS: I don't recall signing any other document in this case.

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MR. WRIGHT: Okay. Good enough.
That's it.

(Deposition concluded at 12:09
p.m.)

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MICHAEL McCORMICK

Subscribed and sworn to
before me this day
of 2016

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October 7, 2016

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E	112	Copy of the note
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