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IN THE COURT OF THE 15TH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

CASE NO. [REDACTED]

CITIMORTGAGE, INC.,)
 Successor by Merger with)
 ABN AMRO MORTGAGE GROUP,)
 INC.,)
 Plaintiff,)
 v.)
 [REDACTED])
 et al.,)
 Defendants.)

Deposition of:
 VICTORIA SCOTT
 taken on behalf of the Defendants
 November 20, 2013

Reported by:
 Rebecca L. Byrket, RPR, CCR, CSR
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 Successor by Merger with)
 ABN AMRO MORTGAGE GROUP,)
 INC.,)
 Plaintiff,)
 v.)
 [REDACTED])
 et al.,)
 Defendants.)

DEPOSITION OF WITNESS, VICTORIA SCOTT, produced,
 sworn and examined on November 20, 2013, between the hours
 of eight o'clock in the forenoon and five o'clock in the
 afternoon of that day, at the Comfort Inn & Suites, 100
 Comfort Inn Court, Conference Room, O'Fallon, Missouri,
 63366, before Rebecca L. Byrket, a Registered Professional
 Reporter, Certified Court Reporter, and Certified
 Shorthand Reporter within and for the State of Missouri.

APPEARANCES

The Plaintiff was represented by Mr. Victor
 Berwin of the law office of Akerman Senterfitt, LLP, 350
 East Las Olas Blvd., Suite 1600, Fort Lauderdale, FL 33301
 - (954) 463-2700.

The Defendants were represented via Skype and
 telephone by Mr. Evan M. Rosen, Attorney At Law, 2028
 Harrison Street, Suite 204, Hollywood, FL 33020 - (754)
 400-5150.

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QUESTIONS FOR CERTIFICATION

Page 85, Line 3, "And what was discussed at that meeting?"

(Original exhibit attached to the original transcript.)

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MR. ROSEN: Rebecca, you can start
 typing. So, Eric, I spoke with -- or Victor --
 excuse me. I spoke with Erin from Judge Oftedal's
 office who's the current foreclosure judge in Palm
 Beach County. He cannot address this issue. Judge
 Colton is also in trial. I received an e-mail from
 you this morning regarding a case of Smith v.
 Southern Baptist Hospital. Is it your intention to
 have both witnesses in the room for deposition?
 Rebecca, is Victor in the room?
 REPORTER: He just left.
 MR. ROSEN: Okay. So we'll wait
 until he comes back then. If you could please note
 the time is 11:01 a.m. on the record. We are ready
 to proceed.

MR. BERWIN: Mr. Rosen, I just came
 back into the room. This is Victor Berwin. This is
 improper to have the court reporter proceed to
 record our conversation. I do want to point out
 that we have agreed to voluntarily appear for these
 depositions, so this is not pursuant to a court
 order and this really doesn't involve the court
 being able to order these deponents to do anything
 because they're not -- these deponents are not under
 subpoena.

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1 That being said, we agree and we have
 2 agreed to appear here for a telephonic deposition.
 3 Now at the last minute, you are saying you want to
 4 videotape it or -- I'm not sure exactly what you
 5 want to do.
 6 MR. ROSEN: That is clearly not what
 7 we're saying.
 8 MR. BERWIN: Okay.
 9 MR. ROSEN: We don't want to
 10 videotape it at all. We wanted to be able to see
 11 the witness via Skype. There will be no recording
 12 going on whatsoever and had there been, we would
 13 have certainly noticed it and you have my word as an
 14 officer of the court, there will be no recording
 15 done whatsoever of this proceeding.
 16 MR. BERWIN: Okay. This is --
 17 MR. ROSEN: It's another way
 18 telecommunication wise for me to appear via
 19 voice-over-internet and via camera and microphone to
 20 see the witness and vice versa, to effectually get
 21 to the truth of the matter more easily.
 22 MR. BERWIN: Mr. Rosen, this is
 23 inappropriate for you to unilaterally have the court
 24 reporter record this. That is inappropriate. You
 25 should know that. And you instructed her to proceed

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1 recording without my permission. Whether you hired
 2 her or not, that doesn't mean you can start
 3 transcribing a deposition when there is no deponent
 4 here. That's improper. But aside from that, like
 5 I've said, we are ready to proceed with the
 6 depositions via telephone. Now --
 7 MR. ROSEN: And I'm certifying an
 8 issue in good faith because you objected to our --
 9 our use of Skype and under 1.310(d) and 1.280, the
 10 Rules of Civil Procedure, which do apply whether or
 11 not there's a court reporter or not and whether
 12 you've agreed to produce a person pursuant to
 13 deposition or not, the Rules of Civil Procedure
 14 still do apply. And at this point, I'm certifying
 15 the question because we're trying in good faith to
 16 work this out, but it's our opinion that at this
 17 point, you've not produced the witness. It's
 18 11:04 a.m. now --
 19 MR. BERWIN: Our witnesses -- our
 20 witnesses are here and ready to go.
 21 MR. ROSEN: -- ability to take this
 22 deposition and, therefore, I'm left with little
 23 choice. Let me ask you, Victor, this, if we can
 24 resolve one other issue.
 25 MR. BERWIN: We can resolve this

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1 issue. We're ready to go with the depositions. The
 2 deponents are here.
 3 MR. ROSEN: Okay. Well, that's my
 4 other question. We talked the other day on the
 5 phone about having both deponents in the room, and I
 6 told you that the rule, as my understanding of it,
 7 is that only one witness can be in the room at a
 8 time. Is it your intention to have both witnesses
 9 in the room?
 10 MR. BERWIN: Our intention is that we
 11 wanted to talk to you about that under the Smith
 12 versus Southern Baptist Hospital case, 564 So.2d
 13 1115. That's a 1990 case out of the 1st DCA. It
 14 applies here saying that you would have needed to
 15 obtain a court order to prevent a party from
 16 attending the deposition. That said --
 17 MR. ROSEN: Is this Dardashti v.
 18 Singer case, the 4th DCA case on this issue?
 19 MR. BERWIN: I don't know what you're
 20 referring to.
 21 MR. ROSEN: There's a case, Dardashti
 22 v. Singer, 407 2d 1098 that says just the opposite
 23 and we were preparing to e-mail that to you in
 24 response, but we didn't get a chance to yet. We
 25 have it in the works.

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1 MR. BERWIN: On the Smith -- Go
 2 ahead.
 3 MR. ROSEN: And that's a 4 DCA case
 4 so even if there's a conflict, the 4th DCA case
 5 would be binding in this issue and this is a 4 DCA
 6 civil matter.
 7 MR. BERWIN: Well, I think the
 8 actions you're taking here are inappropriate,
 9 discourteous and --
 10 MR. ROSEN: Likewise.
 11 MR. BERWIN: -- frankly, you know, if
 12 you wanted to see the witness, you could have flown
 13 out here to see the witness and you didn't do that.
 14 MR. ROSEN: We have a good faith
 15 reason not to do that and do you have any good
 16 reason not to have her on Skype, please let me know.
 17 MR. BERWIN: Yeah. You ambushed us
 18 with this and we agreed to telephonically appear as
 19 a courtesy to you. I'm here in Missouri. You could
 20 have appeared here in Missouri as well. You chose
 21 not to and you're recording our conversation.
 22 You're having the court reporter record our
 23 conversation without my permission, too, so that's
 24 another issue. That being said, we are ready to
 25 proceed with the depositions.

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1 MR. ROSEN: And if you appear in
 2 court, what's the difference? This is a proceeding
 3 --
 4 MR. BERWIN: This is not a
 5 proceeding --
 6 MR. ROSEN: -- via court reporter --
 7 MR. BERWIN: No, this is not a
 8 proceeding. This is a conversation between
 9 attorneys. The deponent's not in the room. You
 10 unilaterally instructed the court reporter to start
 11 recording our -- our conversation which is
 12 completely improper --
 13 MR. ROSEN: I'm ready to proceed,
 14 Victor. Can you produce your witness per our
 15 agreement? It's now 11:06 a.m. What's the first
 16 witness you want to bring?
 17 MR. BERWIN: I don't know what our
 18 agreement is, but, yes, I'm ready to produce the
 19 witness. Let me go outside the room and we're ready
 20 to start.
 21 MR. ROSEN: I'm ready to begin as
 22 well.
 23 MR. BERWIN: Are you recording this
 24 via Skype?
 25 MR. ROSEN: I'm not recording via

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1 Skype. I am viewing the witness via Skype on a
 2 computer.
 3 MR. BERWIN: Okay.
 4 MR. ROSEN: There's no recording
 5 taking place.
 6 MR. BERWIN: Okay. We believe that's
 7 improper, but we're not going to allow that to
 8 prevent the deposition from taking place, although
 9 we do object to it and I think what you've done is
 10 unprofessional and improper, but that being said,
 11 we'll produce the witness. And what about the
 12 second issue as to the sequestration?
 13 MR. ROSEN: It's our opinion that
 14 only one witness can be in the room at a time.
 15 MR. BERWIN: Are you refusing -- are
 16 you refusing to proceed if both witnesses are in the
 17 room?
 18 MR. ROSEN: Yeah, I am.
 19 MR. BERWIN: Okay. Okay. Again, we
 20 think you're -- you're incorrect and you're wrong
 21 and, again, I'm voicing my opposition to you
 22 transcribing this, and if this does appear before
 23 the court, I want it to be known that I did not
 24 agree for you to record this conversation that you
 25 and I are having and you instructed the court

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1 reporter over my objection to start recording it.
 2 But that being said, we will have one witness
 3 present.
 4 MR. ROSEN: Okay. Again, the only
 5 reason I'm recording is because I'm trying in good
 6 faith to resolve these issues and if need be,
 7 certify the issue for the court --
 8 MR. BERWIN: Okay. That doesn't --
 9 that's not a proper reason to record a conversation
 10 between attorneys, particularly when one side does
 11 not agree to you recording the conversation, but --
 12 MR. ROSEN: We can take that up
 13 another day, then, I guess, if you feel it
 14 necessary.
 15 MR. BERWIN: I'm going to tell the
 16 witness to enter the room. Ms. Scott is coming into
 17 the room.
 18 MR. ROSEN: Okay. I'd like to depose
 19 --
 20 MR. BERWIN: You told -- you said you
 21 didn't --
 22 MR. ROSEN: I thought about it since
 23 we last spoke. Is Francesca available?
 24 MR. BERWIN: Ms. Scott needs to leave
 25 early, I understand, so that's -- earlier, so that's

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1 why Ms. Scott is going to go first.
 2 MR. ROSEN: That's fair enough.
 3 IT IS HEREBY STIPULATED AND AGREED by and
 4 between counsel for the Plaintiff and counsel for the
 5 Defendants that this deposition may be taken in shorthand
 6 by Rebecca L. Byrket, a Registered Professional Reporter,
 7 Certified Court Reporter, and Certified Shorthand
 8 Reporter, and afterwards transcribed into typewriting; the
 9 signature of the witness being expressly reserved.
 10 VICTORIA SCOTT,
 11 of lawful age, produced, sworn and examined on
 12 behalf of the Defendants, deposes and says:
 13 EXAMINATION
 14 QUESTIONS BY MR. ROSEN:
 15 Q Good morning.
 16 A Hi.
 17 Q My name is Evan Rosen. If you could
 18 please state your name? I represent Mr. and
 19 Mrs. [REDACTED] in this case. Could you please state
 20 your name?
 21 A Victoria Scott.
 22 Q And your age?
 23 A Thirty-two.
 24 Q Your date of birth?
 25 A [REDACTED]

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1 Q I'm sorry. What was that?
2 A [REDACTED]
3 Q Could you please state your address?
4 MR. BERWIN: Mr. Rosen, we can
5 provide that to you off the record.
6 MR. ROSEN: Okay. Fair enough.
7 Q (By Mr. Rosen) Where did you live -- what
8 county did you live on or about November 30, 2011?
9 A St. Charles County.
10 Q And what county did you work in on or
11 about November 11th -- actually not about, but on
12 November 30, 2011?
13 A St. Charles County.
14 Q Since I'm appearing via telephone and I
15 can only see you via Skype, who else is in the room
16 if you could please tell me?
17 A The attorney, Victor, and then the court
18 clerk.
19 Q Okay. And I assume that's Victor Berwin?
20 A Yes.
21 MR. ROSEN: Mr. Berwin, can you
22 please state your appearance for the record?
23 MR. BERWIN: Mr. Rosen, it's
24 inappropriate for you to be asking me questions
25 during the deposition.

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1 MR. ROSEN: Okay. You want to state
2 your appearance?
3 MR. BERWIN: I think I already stated
4 it to the court reporter. It's Victor Berwin of
5 Akerman. Please do not ask me questions. It's
6 inappropriate.
7 Q (By Mr. Rosen) Ms. Scott, so do you
8 prefer Ms. Scott or Victoria?
9 A Doesn't really matter.
10 Q Okay. I'll stick with Ms. Scott for now
11 and feel free to call me Evan if you like. As far
12 as you understand, Mr. Berwin's presence in the
13 room, does he -- what is he doing there?
14 MR. BERWIN: Objection. Form.
15 Q (By Mr. Rosen) You can answer the
16 question. He can't answer questions for you.
17 There's no reason to keep looking at him.
18 MR. BERWIN: If you understand the
19 question, answer.
20 A He's sitting there.
21 MR. ROSEN: Mr. Berwin, if you have
22 an objection, please state it in a concise manner,
23 non-suggestive manner as per the Rules for Civil
24 Procedure. You're not to instruct the witness
25 anything else.

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1 Q (By Mr. Rosen) He's just sitting there
2 did you say?
3 A Yes.
4 Q And he represents CitiMortgage as far as
5 you know?
6 A Yes.
7 Q Okay. And he doesn't represent you
8 personally; right?
9 MR. BERWIN: Objection. Form.
10 Q (By Mr. Rosen) Again, you can answer the
11 question. Do you have any contract with him that he
12 represents you personally?
13 MR. BERWIN: Objection. Form.
14 Q (By Mr. Rosen) You can answer.
15 A No.
16 Q Okay. Have you ever had your deposition
17 taken before?
18 A No.
19 Q Any reason that you feel you're unable to
20 answer truthfully today?
21 A No.
22 Q You'll need to give full and complete
23 answers for the court reporter. You understand
24 that?
25 A Yes.

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1 Q Okay. If are there any documents that can
2 help you answer, please let us know, okay?
3 A I don't know.
4 Q No. If there are -- if there are any
5 documents during the course of the deposition that
6 can help you, will you please let me know?
7 A I have the complaint that I signed.
8 MR. BERWIN: Please listen to his
9 question.
10 MR. ROSEN: Again, Mr. Berwin, you
11 can't instruct the witness anything other than to
12 make an objection on the record in a non-suggestive
13 and concise matter.
14 Q (By Mr. Rosen) Please answer the
15 question. If there are any -- are there any
16 documents that might help you answer your questions?
17 A I don't know.
18 Q Okay. The court reporter has to verbalize
19 your answers so shaking your head or making "uh-huh"
20 or "huh-huh" noises don't transcribe to the record
21 very well. Do you understand that?
22 A Yes.
23 Q Okay. And I'm here to gather information.
24 If there's something you don't understand, you'll
25 please let me know?

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1 A Yes.
 2 Q Great. And if you answer, then I assume
 3 you understood it. Is that fair enough?
 4 A Yes.
 5 Q Great. If you need to take a bathroom
 6 break or any other break, please let us know, okay?
 7 A Yes.
 8 Q Great. Once a question is pending and you
 9 do take a break, though, you can't speak to anyone
 10 else while that question is pending. Do you
 11 understand that?
 12 A Yes.
 13 Q Are you taking any medication?
 14 A No.
 15 Q Okay. And I don't mean to pry personally.
 16 It's just a matter of questions that sometimes need
 17 to be asked just to make sure the record is clear.
 18 Are you feeling well today?
 19 A Yes.
 20 Q No cold or illnesses?
 21 A No.
 22 Q Okay. Are you taking any medication? I'm
 23 sorry. I asked you that. Have you had anything to
 24 drink, any alcoholic beverages or drugs other
 25 than -- or anything of any kind in that regard?

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1 A No.
 2 Q Your lawyer may object from time to time
 3 as you've heard him do -- or excuse me -- the lawyer
 4 in the room. He's not your lawyer.
 5 MR. BERWIN: Objection.
 6 Q (By Mr. Rosen) Mr. Berwin there may
 7 object from time to time in very limited
 8 circumstances and he may even tell you possibly not
 9 to answer for some reason, but those are very rare.
 10 For the most part, you'll still have to answer and
 11 just ignore the objection. Do you understand that?
 12 A No, I do not.
 13 Q Okay. So if there's an objection posed,
 14 for the most part, you're going to have to answer
 15 either way, so you can just proceed even if there's
 16 an objection posed. Do you understand that?
 17 A Not really.
 18 Q Okay. What is it that you don't
 19 understand about that?
 20 A When the attorney objects, who makes the
 21 call that I proceed with the answer?
 22 Q Well, that's what I'm saying. The rules
 23 of Florida allow you -- or excuse me, not allow, but
 24 require the answer to go forward even if there's an
 25 objection barring very limited circumstances. An

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1 officer in the court in Florida, that's the rules
 2 that are in Florida informing you of that. I don't
 3 mean to mislead you. I can read you the specific
 4 rule, if you like, but the answer must still come on
 5 the record and it will be taken subject to the
 6 objection anyway, so the objection will still be
 7 noted and preserved, but your answer will still need
 8 to come forward anyway. There's no judge to rule
 9 today, that's the issue. It goes on the record.
 10 Are you okay with that? And, again, Mr. Berwin
 11 can't answer. There's no reason to keep looking at
 12 him. If you don't understand, please let me know.
 13 A I understand.
 14 Q Great. Thank you. Did you prepare for
 15 this deposition?
 16 A Yes.
 17 Q How did you prepare?
 18 A I reviewed the documents.
 19 Q What document did you review?
 20 A I reviewed the complaint that I signed,
 21 the attachments and our systems that we use.
 22 Q Okay. The attachments, what attachments
 23 are you referring to?
 24 A The attachments to the verified complaint.
 25 Q And what are those attachments?

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1 A A copy of the note and the mortgage.
 2 Q Okay. The system that you reviewed, what
 3 system are you referring to?
 4 A DRI.
 5 Q ERI?
 6 A DRI.
 7 Q D as in David?
 8 A R as in Robert.
 9 Q R as in Robert, I as in income?
 10 A Yes.
 11 Q Do you know what that stands for, DRI?
 12 A I do not.
 13 Q You do not?
 14 A Correct.
 15 Q Okay. That's the case management system,
 16 DRI; is that right?
 17 A I do not know.
 18 Q Do you also use something called CitiLink?
 19 A Yes.
 20 Q Okay. And you did not use that for this
 21 particular case?
 22 A I used that for this particular case.
 23 Q You did use CitiLink, also?
 24 A Yes.
 25 Q Okay. And did you use a system called

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1 Maestro?
 2 A No.
 3 Q How about FileNet?
 4 A Yes.
 5 Q And did you use that for this case as
 6 well?
 7 A I do not recall.
 8 Q How about Vendorscape, did you use that in
 9 this case?
 10 A Yes.
 11 Q Okay. And tell me about DRI, what do you
 12 use DRI for?
 13 A DRI has the borrower's information and
 14 different correspondence throughout the company.
 15 Q So what would you have reviewed in that --
 16 in this particular case?
 17 A I reviewed it for the county of the
 18 property and I do not recall what else.
 19 Q Okay. You also said you used CitiLink in
 20 this case. Can you please tell me what in CitiLink
 21 that you used in this particular case, what you
 22 viewed in CitiLink in this particular case?
 23 A I reviewed the payment history.
 24 Q And the payment history, can you please
 25 describe that for me.

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1 MR. BERWIN: Objection. Form. You
 2 can answer.
 3 A Can you repeat the question, please?
 4 Q (By Mr. Rosen) What did you review --
 5 could you please describe the pay history for me?
 6 MR. BERWIN: Objection. Form.
 7 A It has the principal balance and other
 8 things that are due and owing and dates.
 9 Q (By Mr. Rosen) Anything else in the pay
 10 history?
 11 A I do not recall.
 12 Q You review pay histories as part of your
 13 job; right?
 14 A Can you repeat the question?
 15 Q You view pay histories as part of your
 16 job; right?
 17 A I did review pay histories as part of that
 18 job.
 19 Q And -- Okay. We're going to talk about
 20 that. Do you no longer verify complaints?
 21 A Correct.
 22 Q Okay. So when you did verify complaints,
 23 you viewed pay histories on a daily basis. Is that
 24 fair to say?
 25 A During the working week.

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1 Q Sure. And about how many of those did you
 2 view a day, approximately?
 3 A I viewed between five and eight a day.
 4 Q Okay. And how long were you -- how many
 5 days, weeks or months that best describe how long --
 6 you were viewing pay histories, five or eight a day,
 7 how long were you in that capacity, in that role?
 8 A About a month.
 9 Q Okay. We're going to talk about that in
 10 just one second, but I want to continue on with the
 11 other software that you use. You said you also used
 12 Vendorscape. Can you please tell me what you viewed
 13 in Vendorscape as part of this case?
 14 A I viewed the documents that the attorney
 15 uploaded that needed to be executed and the
 16 attachments that they provided.
 17 Q What were the documents that were uploaded
 18 that you referenced?
 19 A The complaint that I signed, the amended
 20 complaint that I signed.
 21 Q Anything else?
 22 A I reviewed the attachments that they
 23 provided.
 24 Q And what attachments are those?
 25 A They provided the copy of the original

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1 note and mortgage.
 2 Q Anything else?
 3 A I do not recall.
 4 Q So as far as you recall in this case, you
 5 reviewed the pay history, the complaint, the
 6 attachments to the complaint, which was a note and
 7 mortgage and was there anything else?
 8 A I reviewed the title search that the
 9 attorney provided.
 10 Q Title search. And how did -- how was the
 11 title search provided?
 12 A Through an attachment.
 13 Q Attachment where?
 14 A In Vendorscape.
 15 Q Okay. So complaint, title search, note,
 16 mortgage and pay history. Anything else?
 17 A I do not recall.
 18 Q What time -- do you have a conflict today?
 19 Do you have something to do after this deposition?
 20 A I will return back to work.
 21 Q What's that?
 22 A I will return back to work.
 23 Q Okay. And what time do you have to return
 24 to work?
 25 A There's no set time.

Page 25

1 Q No set time you said?
 2 A Correct.
 3 Q Do you know why your attorney -- or excuse
 4 me -- Mr. Berwin in the room there told me that you
 5 have a conflict and you need to get back sooner?
 6 MR. BERWIN: Objection. Form.
 7 That's not what I said.
 8 Q (By Mr. Rosen) You can answer that
 9 question.
 10 A I don't know.
 11 Q Okay. Let's continue on. How much time
 12 does it take to review all these documents in
 13 preparation for verifying the complaint?
 14 A For a complaint, in general, it would take
 15 a couple hours.
 16 Q Okay. And when you say couple, is that
 17 two, roughly?
 18 A I don't know.
 19 Q Okay. Well, is it more than two?
 20 A It would depend on the document.
 21 Q Okay. On average, how long would it take
 22 to review the documents to verify a complaint?
 23 MR. BERWIN: Objection. Form.
 24 A It would take -- it would take a couple
 25 hours.

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1 it typically take to review the systems on a given
 2 day for one particular case?
 3 MR. BERWIN: Objection. Form.
 4 Q (By Mr. Rosen) You can answer.
 5 A Again, it would take different amount of
 6 times for different questions.
 7 Q How long does it take you, roughly, to
 8 verify a complaint?
 9 A About --
 10 Q Actually -- well, let me -- before I say
 11 that, is there anything else that you do besides
 12 reviewing documents and reviewing the systems to
 13 verify a complaint?
 14 MR. BERWIN: Objection. Form.
 15 A I do not recall.
 16 Q (By Mr. Rosen) Okay. So you don't recall
 17 doing anything else other than reviewing documents
 18 and reviewing the systems; is that right?
 19 A I executed.
 20 Q What do you execute?
 21 A The documents.
 22 Q Are you there?
 23 A Yes.
 24 Q What do you execute?
 25 A The documents that need to be executed.

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1 Q (By Mr. Rosen) Okay. And how long does
 2 it take you to do whatever else you need to do to
 3 verify a complaint?
 4 A Can you rephrase your question, please?
 5 Q How long does it take you to do whatever
 6 else you need to do in addition to reviewing
 7 documents? I'll rephrase that. Do you do anything
 8 else before verifying a complaint besides reviewing
 9 documents?
 10 A I review our systems.
 11 Q Okay. How long does it take you to review
 12 systems -- the systems?
 13 A It depends on what's being asked in the
 14 document.
 15 Q Okay. On average, how long does it take
 16 you to review the systems?
 17 A It would just depend on what's being
 18 asked.
 19 Q On average, if you could, how long does it
 20 take to review the systems?
 21 MR. BERWIN: Objection. Form.
 22 Q (By Mr. Rosen) You can answer.
 23 A It would just depend on what kind of
 24 questions are being asked on how long it would take.
 25 Q Okay. In your experience, how long does

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1 Q Okay. So what is that that needs to be
 2 executed typically?
 3 A I executed complaints and affidavits.
 4 Q Okay. In this particular case, what did
 5 you execute?
 6 A I executed --
 7 Q If you need to look at something, I hear
 8 some paper shuffling, please let me know if you
 9 don't remember. You have to testify from personal
 10 knowledge, but if you don't remember and you want to
 11 look at something, please let me know.
 12 A I executed the amended verified complaint.
 13 Q Okay. And are you looking at -- I'm
 14 hearing papers shuffling.
 15 A I'm looking at the complaint that was
 16 provided at the beginning of the deposition.
 17 Q Okay. Again, if you can't remember
 18 something, please let me know. You can't look at a
 19 document. You have to testify from your personal
 20 knowledge, so if you could please -- just put those
 21 documents aside, but by all means, if there is a
 22 document that will help you refresh your
 23 recollection, then we can do it -- we can approach
 24 that. So besides verifying the complaint, which
 25 you've just now confirmed by looking at the papers,

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1 I understand, is there anything else that you signed
 2 in this case?
 3 A No.
 4 Q Okay. Where do you work?
 5 A I work for CitiMortgage.
 6 Q And where is that?
 7 A 1000 Technology Drive.
 8 Q And what are your hours?
 9 A 6 a.m. to 2:30 p.m.
 10 Q To 2:30 p.m.?
 11 A Yes.
 12 Q You work any place else?
 13 A No.
 14 Q When did you start working for
 15 CitiMortgage?
 16 A October of 2011.
 17 Q And what is your job title now?
 18 A Attorney management research and
 19 resolution.
 20 Q How long have you had that position?
 21 A Since February of 2012. I'm sorry.
 22 February of 2013.
 23 Q Okay. And prior to February 2013, what
 24 was your position?
 25 A I was a document control officer/quality

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1 control specialist.
 2 Q Okay. And you were in that position --
 3 when did you start at that position?
 4 A October 3, 2011.
 5 Q And then you stopped in February 2013?
 6 A Yes.
 7 Q Can you please describe your duties and
 8 responsibilities as an attorney management and
 9 research -- research and resolution position that
 10 you testified that you are currently in since
 11 February of 2013?
 12 A Yes. I send out service transfer e-mails
 13 and I review score cards for trending and I work on
 14 QC, the on-site audits for our firms.
 15 Q When you say -- Is there anything else,
 16 any other duties that you have in addition to those?
 17 A It can vary depending on the day.
 18 Q Okay. Can you give me some input as to
 19 what other duties you might have depending on the
 20 day?
 21 A Sometimes I send bill-back letters to the
 22 attorneys.
 23 Q Did you say bill-back letters?
 24 A Correct.
 25 Q Okay. Anything else?

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1 A Not that I can recall.
 2 Q Okay. You don't recall if you have any
 3 other duties?
 4 A Not at the moment.
 5 Q Okay. Can you please tell me what you
 6 mean by service transfer e-mails. What does that
 7 entail?
 8 A When service is being transferred to a
 9 different servicer, I inform the attorneys that this
 10 is going to happen.
 11 Q Okay. And when you say review score
 12 cards, what does that mean?
 13 A I review the attorney score cards and
 14 check for trending.
 15 Q Can you please describe what that means?
 16 MR. BERWIN: Objection. Form.
 17 A I review --
 18 Q (By Mr. Rosen) You can answer.
 19 A I review the score cards to check for
 20 trending between the attorneys and the business.
 21 Q And what is a score card?
 22 A I don't know.
 23 Q So you're reviewing score cards. What are
 24 you seeing in the score cards?
 25 A Reasons why there's possible delays.

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1 Q Okay. So you do score cards. What are
 2 you looking for in the score cards? You're looking
 3 for -- I think I just repeated your answer there.
 4 So are score cards measuring how quickly a
 5 foreclosure or slowly a foreclosure is moving along?
 6 A I do not know.
 7 Q So you're reviewing something you don't
 8 know what it's doing. Is that what you're saying?
 9 MR. BERWIN: Objection. Form.
 10 Q (By Mr. Rosen) You can answer.
 11 A I do not know.
 12 Q You don't know what you're saying?
 13 A I don't know what you're asking.
 14 Q Okay. I'm asking what are the score cards
 15 for? What are they scoring in the score cards?
 16 A The score cards have a lot of information
 17 and I review one part of it.
 18 Q Okay. When you say a lot of information,
 19 what's in the score cards?
 20 A I do not know everything that's in the
 21 score card.
 22 Q Okay. Well, what are you reviewing in the
 23 score cards?
 24 A Why there are delays in the foreclosure --
 25 Q What do you mean delays?

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1 A Please don't interrupt me.
 2 Q Okay. I'm sorry. I thought you were
 3 finished. Go right ahead.
 4 A I review why there's possible delays in
 5 the foreclosure timeline.
 6 Q Foreclosure timeline, you mean the
 7 litigation timeline?
 8 A The foreclosure timeline.
 9 Q What does that mean?
 10 MR. BERWIN: Objection. Form.
 11 A The amount that it takes for a
 12 foreclosure.
 13 Q (By Mr. Rosen) Is that from -- can you
 14 please explain what you mean the amount that it
 15 takes for a foreclosure? What is the starting date
 16 of the amount of time that it takes for a
 17 foreclosure?
 18 A I do not know.
 19 Q What is the ending date that a -- that
 20 you're measuring for the timeline -- foreclosure
 21 timeline or the amount of time it takes for a
 22 foreclosure?
 23 A It varies with states.
 24 Q What are you looking for as an ending
 25 date?

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1 A It varies with states.
 2 Q Okay. In Florida, what are you looking
 3 for for an end of the foreclosure timeline?
 4 A I do not recall.
 5 Q So you're looking for the timeline.
 6 What -- who are you reporting to on these score
 7 cards?
 8 A My manager.
 9 Q And who is that?
 10 A Shannon Greiner.
 11 Q Did you say Shannon?
 12 A Yes.
 13 Q Can you spell that for us?
 14 A S-h-a-n-n-o-n.
 15 Q And her last name?
 16 A Greiner.
 17 Q Can you please spell that as well?
 18 A G-r-e-i-n-e-r.
 19 Q And where are you getting the score cards
 20 from?
 21 A A SharePoint site.
 22 Q Is there someone that's sending those to
 23 you?
 24 A Yes.
 25 Q And who is that?

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1 A I do not know.
 2 Q Okay. Regarding the QC on-site audits
 3 that you said you do, what is that?
 4 A When a legal auditor and a business
 5 auditor go on site to the firms.
 6 Q And you were saying when an auditor comes
 7 to the firm, what are you doing when that happens?
 8 A When a legal auditor and a business
 9 auditor go to the firms, I do not know what takes
 10 place while they are there.
 11 Q Okay. But what are you doing while
 12 they're there?
 13 MR. BERWIN: Objection. Form.
 14 A I QC the reports that they provide me.
 15 Q (By Mr. Rosen) When you say QC the
 16 reports, what does that mean?
 17 A I look them over for quality control.
 18 Q You go over it for quality control. Can
 19 you please tell me what that means?
 20 A I audit it.
 21 Q What does that mean? What are you looking
 22 for? What are you auditing?
 23 A That there's no spaces that are empty,
 24 that do not need to be empty, that they've provided
 25 all the e-mails that they provide, that need to be

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1 provided.
 2 Q Okay. Anything else?
 3 MR. BERWIN: Objection. Form.
 4 A That would be -- And I make sure that the
 5 e-mails that needed to go out prior to the audits
 6 were sent and received back.
 7 Q (By Mr. Rosen) Anything else?
 8 A Not that I can recall.
 9 Q You said something about bill-back letters
 10 in your current duties. What are bill-back letters?
 11 A Letters informing the firms that they need
 12 to provide documentation for the invoices.
 13 Q Excuse me. Provide documents did you say?
 14 A No, that's not what I said. I said they
 15 need to --
 16 Q What did you say?
 17 A I said they are being informed that they
 18 need to provide documentation for invoices that were
 19 sent.
 20 Q Okay. And who is they?
 21 A The firm.
 22 Q The law firms?
 23 A Yes.
 24 Q So you're asking them for more information
 25 on invoices?

<p>Page 37</p> <p>1 A Yes.</p> <p>2 Q Okay. Prior to your duties as this</p> <p>3 attorney management role that we just discussed, the</p> <p>4 document control officer, slash, I believe you said</p> <p>5 quality vendor specialist. Is that what you said?</p> <p>6 A No.</p> <p>7 Q Quality -- what was it that you said?</p> <p>8 A Quality control specialist.</p> <p>9 Q Quality control specialist?</p> <p>10 A Yes.</p> <p>11 Q Okay. Regarding that title, document</p> <p>12 control officer or quality control specialist, what</p> <p>13 were your duties and responsibilities?</p> <p>14 A I'm sorry. Can you repeat your question?</p> <p>15 Q When you were a document control</p> <p>16 officer/quality control specialist, what were your</p> <p>17 duties and responsibilities?</p> <p>18 A I executed documents and then I audited</p> <p>19 documents that were executed by the document control</p> <p>20 team.</p> <p>21 Q What documents did you execute?</p> <p>22 A I executed affidavits and complaints.</p> <p>23 Q Anything else?</p> <p>24 A Not that I can recall.</p> <p>25 Q And what documents did you audit?</p>	<p>Page 39</p> <p>1 Q Right. And that's specifically to allege</p> <p>2 the amount that's owed by the borrower; is that</p> <p>3 right?</p> <p>4 A I do not know.</p> <p>5 Q You don't know whether those affidavits</p> <p>6 are -- whether they're used to allege the amount of</p> <p>7 the borrower is owed -- is owing?</p> <p>8 MR. BERWIN: Objection. Form.</p> <p>9 A They were amounts explaining what was due</p> <p>10 and owing for the foreclosure.</p> <p>11 Q (By Mr. Rosen) By who?</p> <p>12 A What?</p> <p>13 Q Who owed the money?</p> <p>14 A The borrower.</p> <p>15 Q Okay. Your title has never been a record</p> <p>16 custodian at CitiMortgage; right?</p> <p>17 A Correct.</p> <p>18 Q And do you know who the record custodian</p> <p>19 is at CitiMortgage?</p> <p>20 A I do not know.</p> <p>21 Q The responsibilities that you've described</p> <p>22 for me in your two roles at CitiMortgage or two</p> <p>23 different roles it seems -- or let me rephrase that.</p> <p>24 All of your responsibilities at</p> <p>25 CitiMortgage have been involved in loans that are</p>
<p>Page 38</p> <p>1 A I audited affidavits and complaints and I</p> <p>2 do not recall what else.</p> <p>3 Q Regarding affidavits that you mentioned,</p> <p>4 both executing and auditing, what affidavits are you</p> <p>5 referring to?</p> <p>6 MR. BERWIN: Objection. Form.</p> <p>7 A Affidavits of amounts due and owing.</p> <p>8 Q (By Mr. Rosen) Anything else?</p> <p>9 A Different states have them named</p> <p>10 differently, but generally they're affidavits of</p> <p>11 amounts due and owing.</p> <p>12 Q Okay. So affidavits to support a</p> <p>13 foreclosure alleging an amount that was due and that</p> <p>14 there was a breach, etc., things of that nature; is</p> <p>15 that right?</p> <p>16 A They were affidavits of amounts due and</p> <p>17 owing.</p> <p>18 Q Okay. And when you're referring to an</p> <p>19 affidavit of amount due and owing, that's</p> <p>20 specifically for foreclosures; correct?</p> <p>21 A Yes.</p> <p>22 Q And that's specifically used to allege the</p> <p>23 amount that is owed by the borrower; is that right?</p> <p>24 A They were amounts -- they were affidavits</p> <p>25 of amounts due and owing.</p>	<p>Page 40</p> <p>1 already in default. Is that fair to say?</p> <p>2 A No, it is not.</p> <p>3 Q Okay. What involvement do you have with</p> <p>4 loans that are not in default?</p> <p>5 A I don't have any involvement, but I</p> <p>6 currently do not deal with loans.</p> <p>7 Q Okay. Currently not dealing with loans.</p> <p>8 What is it that you're doing that doesn't deal with</p> <p>9 loans?</p> <p>10 A My current position deals with the</p> <p>11 attorneys.</p> <p>12 Q Okay. So there's nothing new other than</p> <p>13 what we've described. You're just differentiating</p> <p>14 that now you're working with attorneys regarding</p> <p>15 foreclosure cases and before you're working directly</p> <p>16 with the loans and the documents. Is that what</p> <p>17 you're saying?</p> <p>18 MR. BERWIN: Objection. Form.</p> <p>19 A Can you rephrase the question, please?</p> <p>20 Q (By Mr. Rosen) Sure. You said that you</p> <p>21 don't work with loans anymore. I'm just trying to</p> <p>22 clarify. So is what you're saying that your current</p> <p>23 position deals with attorneys, and before when you</p> <p>24 were in a prior position, the one prior position</p> <p>25 that we discussed, that's when you dealt with loans.</p>

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1 Is that what you're saying?
 2 A My prior position was me executing
 3 documents for loans. I no longer execute documents
 4 for loans.
 5 Q You no longer do that?
 6 A Yes.
 7 MR. BERWIN: Objection. Form.
 8 Q (By Mr. Rosen) You broke up for a second
 9 there. You said you no longer do that?
 10 A I no longer execute documents for loans.
 11 Q Okay. The attorneys' involvement -- do
 12 attorneys -- are any of the attorneys' involved in
 13 cases where there has not been a default on the
 14 loan?
 15 MR. BERWIN: Objection. Form.
 16 A I do not know.
 17 Q (By Mr. Rosen) Okay. The documents that
 18 you were signing for affidavit and complaints, are
 19 any of those being signed for cases in which there
 20 is not a default on a loan?
 21 MR. BERWIN: Objection. Form.
 22 A I do not know.
 23 Q (By Mr. Rosen) Okay. So it's possible
 24 that some of those things you're signing are for
 25 loans that are not in default?

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1 MR. BERWIN: Objection. Form.
 2 Q (By Mr. Rosen) You can answer.
 3 A I no longer execute documents.
 4 Q I understand that. But when you -- when
 5 you used to do that, I asked you if you were doing
 6 that for loans that were not in default and you said
 7 you don't know?
 8 A I execute documents. Me personally, I
 9 executed documents that were loans that were in
 10 foreclosure.
 11 Q Right. And those are loans that are in
 12 default; right?
 13 A Correct.
 14 Q Maybe if I rephrase that. Those are loans
 15 that people are allegedly not paying on; is that
 16 right?
 17 MR. BERWIN: Objection. Form.
 18 A I do not --
 19 Q (By Mr. Rosen) You may answer.
 20 A I do not know.
 21 THE WITNESS: Can I get a break,
 22 please?
 23 MR. ROSEN: Okay. Can you what?
 24 THE WITNESS: Can I have a break,
 25 please?

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1 MR. ROSEN: Of course. Not a
 2 problem. Rebecca, we're going to note that we're
 3 taking a break. It's 11:52 a.m. Eastern Time.
 4 (Whereupon, a brief break was taken.)
 5 Q (By Mr. Rosen) Ms. Scott, do you
 6 supervise anyone?
 7 A No.
 8 Q Did you supervise anyone in your prior
 9 position when you were verifying and signing
 10 documents?
 11 A No.
 12 Q Prior to working at CitiMortgage, what did
 13 you do immediately prior to October 3, 2011? What
 14 type of work did you do?
 15 A I was a paraeducator for special education
 16 students at a middle school.
 17 Q Did you say paraeducator?
 18 A Yes.
 19 Q What does that mean?
 20 A I assisted the students with special
 21 education.
 22 Q And how long did you do that?
 23 A I did that from September of 2003 to prior
 24 to working with CitiMortgage.
 25 Q And did you do that all the way up

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1 until -- was it October of 2011?
 2 A Prior to October of 2011.
 3 Q Okay. When did you stop being a
 4 paraeducator, roughly?
 5 A September of 2011.
 6 Q Okay. And prior to being a paraeducator,
 7 what type of work did you do?
 8 A I worked in a preschool.
 9 Q What was your role in the preschool?
 10 A I took care of the four-year-old students.
 11 Q How long did you do that?
 12 A Roughly five years.
 13 Q So from about 1997 to 2003; is that right?
 14 A From about 1999 to 2003.
 15 Q Okay. So about four years. And prior to
 16 preschool, teaching four-year-olds, what type of
 17 work did you do?
 18 A I was a minor in high school.
 19 Q Okay. Is high school the highest level of
 20 education you've achieved?
 21 A No.
 22 Q Okay. What is the highest level of
 23 education you've achieved?
 24 A I have an Associate's degree and some
 25 college.

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1 Q What is the Associate's degree in?
 2 A Art.
 3 Q And you say you have some college --
 4 A Yes.
 5 Q -- hours?
 6 A Yes.
 7 Q What college?
 8 A I attended Lindenwood University and
 9 Fontbonne University.
 10 Q Lindenwood and what was the other one?
 11 A Fontbonne University.
 12 Q Did you say Foxbond? I'm sorry. My phone
 13 is breaking up.
 14 A Fontbonne University.
 15 Q Okay. Can you spell that last one for us?
 16 A F-o-n-t-b-o-n-n-e University.
 17 Q And could you spell Lindenwood for us,
 18 please?
 19 A L-i-n-d-e-n-w-o-o-d.
 20 Q And what type of college courses did you
 21 take at those two institutions?
 22 A Can you please explain what institutions
 23 you're talking about?
 24 Q The two you just mentioned, Fontbonne and
 25 Lindenwood.

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1 A I took general education courses and I
 2 took classes towards special education.
 3 Q Were there any other institutions that you
 4 attended other than those two?
 5 A Yes.
 6 Q Where was that?
 7 A St. Charles Community College.
 8 Q And that's where you received the
 9 Associate's degree in art?
 10 A Yes.
 11 Q Okay. Are you married?
 12 A Yes.
 13 Q Okay. Now, you're here to testify about
 14 this particular case and specifically a verified
 15 first amended complaint to foreclose mortgage. I've
 16 given it to the court reporter an exhibit.
 17 MR. ROSEN: I'd like it to be marked
 18 if it hasn't been marked already. We can mark it as
 19 Defense Exhibit 1. And if Mr. Berwin has not seen
 20 that yet, if you could please hand that to
 21 Mr. Berwin.
 22 (Whereupon, the court reporter marked Exhibit A
 23 for identification.)
 24 Q (By Mr. Rosen) What's in front of you,
 25 what's been handed to the witness as Defense Exhibit

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1 A, that states -- that's a verified first amended
 2 complaint to foreclose mortgage. Isn't that what
 3 that says?
 4 A Yes.
 5 Q And if you flip three pages in, there's a
 6 signature that appears to be Victoria Scott. Is
 7 that your signature?
 8 A Yes.
 9 Q And it says that you signed or there's a
 10 date next to your name at least of 11/30/11. Is
 11 that the date you signed?
 12 A That's the date that's on the document.
 13 Q That wasn't my question, but thank you.
 14 Is that the date you signed?
 15 A Yes.
 16 Q Okay. And if you don't know, that's fine.
 17 Just -- you know, I'm just trying to get it clear
 18 here. Tell me, did you take -- undertake any
 19 training to verify a complaint?
 20 A Yes.
 21 Q Would you please describe the training
 22 that you took?
 23 A I did side-by-side training with other
 24 document control officers and I also took some
 25 computer courses.

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1 Q Okay. Now we talked earlier about the
 2 documents that you reviewed in this case prior to
 3 verifying. We talked about the process briefly.
 4 Other than reviewing the documents and reviewing the
 5 systems which we discussed, is there anything else
 6 that you do to verify the complaint in this
 7 particular case or generally?
 8 A I review the documents and I review -- I
 9 rely on our systems.
 10 Q Okay. In addition or besides those two
 11 things, anything else that you do?
 12 A Not that I can recall.
 13 Q Do you keep a log of complaints that you
 14 verify?
 15 A I did at the time.
 16 Q You did?
 17 A Yes.
 18 Q Where was that kept?
 19 A On my computer.
 20 Q Was that stored, if you know, locally on
 21 your computer or was it --
 22 A I don't know that stuff.
 23 Q You don't know?
 24 A Yeah.
 25 Q Do you still use that same computer?

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1 A No.
2 Q If we were to ask you to try and find that
3 log, do you think you'd be able to get it?
4 A I do not know.
5 Q Who was your supervisor when you were
6 verifying complaints?
7 A David Burnett.
8 Q And he was the supervisor at the time that
9 you verified the complaint in this case?
10 A Yes.
11 Q And did you supervise anyone?
12 MR. BERWIN: Objection. Form.
13 A No.
14 Q (By Mr. Rosen) Do you read the complaint?
15 A Yes, I read the complaint.
16 Q So your knowledge of this case is based
17 upon a review of what you see in the systems and the
18 documents; isn't that right?
19 A Yes.
20 Q Describe the office space you worked in
21 when you were verifying complaints.
22 MR. BERWIN: Objection. Form.
23 Q (By Mr. Rosen) Was it a desk or a cubicle
24 office?
25 A You broke up. You need to repeat that.

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1 Q Sure. Describe the office space that you
2 worked in when you verified the complaint in this
3 case.
4 MR. BERWIN: Objection. Form.
5 A I work at a desk.
6 Q (By Mr. Rosen) Was it in an office or an
7 enclosed room?
8 A No.
9 Q No? Where was the desk?
10 A On the floor.
11 Q Okay. Were there other people in the room
12 with you?
13 A Yes.
14 Q Were you sitting at the desk by yourself?
15 A Yes.
16 Q How many other people are in the room?
17 A I don't recall.
18 Q Roughly?
19 A I can't even estimate.
20 Q Hundred?
21 A I can't even --
22 Q Was it more than -- you know, is it more
23 than 10?
24 A Yes.
25 Q Okay. More than 20?

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1 A Yes.
2 Q Okay. Can you say if it's more than 30?
3 A Yes.
4 Q Okay. Is it more than 40?
5 A Yes.
6 Q Okay. How about more than 50?
7 A That I don't know.
8 Q Okay. So it's something more than 40, but
9 you're not sure how much more?
10 A Correct.
11 Q Is that fair? Okay. What are those
12 people doing in the room?
13 MR. BERWIN: Objection. Form.
14 A Their jobs.
15 Q (By Mr. Rosen) Okay. And what are those
16 jobs?
17 MR. BERWIN: Objection. Form.
18 A I don't know.
19 Q (By Mr. Rosen) Are there other people
20 verifying complaints?
21 A Yes.
22 Q Are other people doing anything other than
23 verifying complaints?
24 A Yes.
25 Q What -- what might some of those other

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1 things be?
2 A I don't know.
3 Q Okay. When you were in this room, you
4 were signing the complaints?
5 A I executed the documents after I verified
6 them.
7 Q Yeah. Okay. And executing them means
8 signing; right?
9 A Yes.
10 Q Okay. And who was next to you when you
11 were signing the complaint in this case?
12 A I do not recall.
13 Q Okay. Did you also execute anything else
14 in that room at that time --
15 A Yes.
16 Q -- during that time? Okay. And those
17 were the affidavits?
18 A I do not recall.
19 Q Okay. Well, you said earlier you signed
20 affidavits and complaints; right?
21 A Yes.
22 Q And was anyone else in the room signing
23 those affidavits?
24 A I don't know what the other people were
25 signing.

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1 Q That's not what I'm asking. Was anyone
 2 else in the room while you were signing the
 3 affidavits?
 4 A I work in a big office floor so there were
 5 lots of people working.
 6 Q Okay.
 7 A I don't work in an office.
 8 Q Anyone next to you while you were signing
 9 the affidavit --
 10 A Not at my desk.
 11 Q -- affidavits? Not at your desk?
 12 A No.
 13 Q Okay. When you sign affidavits, those
 14 were later notarized; right?
 15 A Affidavits are notarized.
 16 Q And when will those get notarized?
 17 A At the signing meeting that would take
 18 place.
 19 Q So you were signing, no one else was next
 20 to you, I'm not understanding how the affidavits are
 21 notarized. Can you please explain that?
 22 A Well, the complaint is not notarized.
 23 Q Right. And the affidavits I'm referring
 24 to. That's what we're talking about.
 25 A But I did not sign any affidavits for this

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1 case.
 2 Q I understand. Generally when you were
 3 signing affidavits is what I was referring to. When
 4 do those get notarized?
 5 A At the signing meeting.
 6 Q Okay. And where was the signing meeting?
 7 A In a conference room.
 8 Q Not at your desk?
 9 A Correct.
 10 Q Where are the records kept for this case
 11 at the time you verified the complaint?
 12 A I don't recall.
 13 Q Do you know where the records are kept in
 14 this case now?
 15 A I do not know.
 16 Q Okay. Let's take a look at the complaint,
 17 Defense Exhibit A. The first sentence says,
 18 "Plaintiff, CitiMortgage, Successor by Merger with
 19 ABN, A-M-R-O, AMRO Mortgage Group, Inc."; right?
 20 A Can you repeat that, please?
 21 Q I'm reading from the very first sentence
 22 underneath the title, "Plaintiff, CitiMortgage,
 23 Inc., Successor by Merger with ABN AMRO Mortgage
 24 Group, Inc." Isn't that what that says?
 25 A That is what that says.

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1 Q Okay. How did you know that CitiMortgage
 2 was successor by merger to ABN Amro Mortgage Group?
 3 A I reviewed the merger document.
 4 Q Okay. And I asked you earlier about all
 5 the documents that you reviewed, did I not?
 6 A Yes.
 7 Q And you didn't say anything about a merger
 8 document; isn't that right?
 9 A I do not recall.
 10 Q So you reviewed a merger document. What
 11 did that merger document say?
 12 A I do not recall everything that was on the
 13 document.
 14 Q What did the merger document look like?
 15 A A piece of paper on the -- it was a screen
 16 shot of a piece of paper.
 17 Q How do you remember that you looked at
 18 that?
 19 A Because it's how I would have to verify
 20 that.
 21 Q You recall reviewing that specific
 22 document in this case?
 23 A I reviewed the merger document for this
 24 case.
 25 Q Do you remember what you reviewed after

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1 the merger document?
 2 A I do not recall.
 3 Q Do you remember what you reviewed before
 4 the merger document?
 5 A I do not recall.
 6 Q Do you remember where you were when you
 7 reviewed the mortgage document -- the merger
 8 document?
 9 A At my desk.
 10 Q Do you remember if anyone was near you
 11 when you reviewed the merger document?
 12 A I do not recall.
 13 Q Do you remember roughly what time of the
 14 day it was when you reviewed the merger document?
 15 A I do not recall.
 16 Q Do you remember how long you looked at the
 17 merger document?
 18 A I do not recall.
 19 Q Do you recall how long the merger document
 20 was, how many pages?
 21 A I do not recall.
 22 Q Okay. "This is an action to foreclose a
 23 mortgage on real property located in Palm Beach
 24 County." That's the next thing under paragraph 1.
 25 Isn't that what that says?

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1 A Can you repeat that, please?
 2 Q Sure. Next to number 1 on the Defendant's
 3 A1 it says, "This is an action to foreclose a
 4 mortgage on real property located in Palm Beach
 5 County, Florida." That's what that first part says.
 6 Am I right?
 7 A Yes. And then there's a comma.
 8 Q Sure. And we'll talk about that in just
 9 one second. That's all before the comma. What does
 10 an action mean?
 11 MR. BERWIN: Objection. Form.
 12 A It means that it's something for the
 13 foreclosure to take -- to happen. It's an action
 14 coming for the foreclosure.
 15 Q (By Mr. Rosen) Without using the word
 16 "action", if you could describe what action means in
 17 your best -- to your best understanding
 18 A Something to take place.
 19 Q Okay. And how do you know the real
 20 property is located in Palm Beach County, Florida?
 21 A I looked in the DRI system.
 22 Q Okay. What does venue mean?
 23 MR. BERWIN: Objection. Form.
 24 A I do not understand what you're asking.
 25 Q (By Mr. Rosen) The word "venue", what

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1 does that mean?
 2 MR. BERWIN: Objection. Form.
 3 A I don't -- a location.
 4 Q (By Mr. Rosen) Okay. How do you know the
 5 venue for this matter is in Palm Beach County,
 6 Florida?
 7 MR. BERWIN: Objection. Form.
 8 A It is listed in our DRI system.
 9 Q (By Mr. Rosen) "On November 30, 2006,
 10 there was executed and delivered a Promissory Note."
 11 That's in paragraph 2, the beginning of paragraph 2;
 12 is that right?
 13 A Can you repeat that, please?
 14 Q Sure. The beginning of paragraph 2
 15 states, "On November 30, 2006, there was executed
 16 and delivered a Promissory Note and a Mortgage
 17 securing payment of the Note." And there's more
 18 continuing, but I just wanted to confirm that's what
 19 that beginning part says there; right?
 20 A Yes.
 21 Q How do you know that it's true and correct
 22 that there was executed and delivered a promissory
 23 note and mortgage --
 24 A I reviewed a copy --
 25 Q -- on November -- Go ahead.

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1 A No, you can finish.
 2 Q That was it. I was going to say on
 3 November 30, 2006.
 4 A I reviewed a copy of the promissory note
 5 and the mortgage and saw that they were executed on
 6 November 30, 2006.
 7 Q What does securing payment of the note
 8 mean?
 9 MR. BERWIN: Objection. Form.
 10 A I don't know.
 11 Q (By Mr. Rosen) Okay. How do you know
 12 it's true and correct that the mortgage --
 13 nevermind. How do you know it's true and correct
 14 that the mortgage was recorded in the official
 15 records [REDACTED]
 16 A I reviewed the recording information on
 17 the copy of the mortgage.
 18 Q Okay. How do you know the property was
 19 then owned by and in possession by the mortgagor?
 20 A I reviewed a title search.
 21 Q And where on the title search does it tell
 22 you who's in possession of a property?
 23 A I do not recall.
 24 Q If I asked you to produce or CitiMortgage
 25 to produce a copy of that title search, it should

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1 still be in the computer; right?
 2 MR. BERWIN: Objection. Form.
 3 A I don't know.
 4 Q (By Mr. Rosen) Okay. What does -- the
 5 term "mortgagor", what does that mean?
 6 MR. BERWIN: Objection. Form.
 7 A Mortgagor is the person who the mortgage
 8 is for.
 9 Q (By Mr. Rosen) Is that the bank or the
 10 borrower?
 11 A That would be the bank.
 12 Q Okay. And true and correct copies, what
 13 is a true and correct copy? What does that mean?
 14 A That it's a true and correct copy.
 15 Q Okay. How do you know it's true and
 16 correct that [REDACTED] is a married man?
 17 A It lists it on the mortgage.
 18 Q And is that the same way that you knew
 19 that [REDACTED] is a married woman?
 20 A You will have to give me a moment.
 21 [REDACTED] the Third, a married man, and [REDACTED]
 22 [REDACTED] married woman, is listed on the
 23 mortgage.
 24 Q Okay. And how do you know they executed
 25 the mortgage -- Strike that. Let's keep going.

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1 A Can you rephrase that, please?
 2 Q No. There's no question pending. Let's
 3 talk about the -- number 5 in the complaint. It
 4 says, "The Plaintiff is entitled to enforce the
 5 Note." How do you know that's true and correct?
 6 A Number 5 says, "The Plaintiff is entitled
 7 to enforce the Note as a holder in possession and to
 8 foreclose the Mortgage securing the Note." The note
 9 is endorsed in blank and the note -- the original
 10 note and mortgage were sent to the firm prior to
 11 signing this document.
 12 Q So let me rephrase that. How do you know
 13 the plaintiff's entitled to enforce the note?
 14 A The note is endorsed in blank and the
 15 original note and mortgage were sent to the firm
 16 prior to executing this document.
 17 Q They were sent to where?
 18 A The firm.
 19 Q Okay. How do you know they were sent to
 20 the firm prior to your executing this?
 21 A I relied on our system that said it was.
 22 Q What your system said, which was this was
 23 sent to the attorney prior to your executing?
 24 A You have to repeat that. You broke up.
 25 Q Sure. What in your system indicated that

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1 the note was sent to the attorney prior to your
 2 executing the complaint?
 3 A There was a note in our system that says
 4 original note and mortgage sent to the firm --
 5 Q Okay. What system was that?
 6 A -- along those lines. What?
 7 Q What system was that?
 8 A DRI.
 9 Q And what is the name of that part of the
 10 DRI that would say such a thing?
 11 A The log.
 12 Q The log? And does it tell you the date
 13 and time that the note was transferred to the
 14 attorney?
 15 A No. It says the date and time that the
 16 note was put into the log.
 17 Q You mean date and time it was scanned into
 18 the log?
 19 A No. The date and time that the note was
 20 placed into the log.
 21 Q How was the note placed into the log? I'm
 22 picturing a log on the computer record; right?
 23 A It's a record in our system.
 24 Q Right. So how does an original document
 25 placed into the computer log or system?

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1 A A note was placed into the log stating
 2 that the original note and mortgage were sent to the
 3 firm.
 4 Q Okay. Does it say who entered that?
 5 A I'm sorry. What?
 6 Q Does it say who entered that log note?
 7 A It says who enters it.
 8 Q And who was the person that entered that
 9 log note?
 10 A I do not recall.
 11 Q And when was the log note entered?
 12 A I do not recall.
 13 Q Where were you when you saw that log note?
 14 A Sitting at my desk.
 15 Q Do you recall if you saw it prior to
 16 seeing that log note?
 17 A I do not recall.
 18 Q Do you recall what you saw after that log
 19 note?
 20 A I do not recall.
 21 Q Do you recall approximately what time of
 22 the day you saw that log note?
 23 A I do not recall.
 24 Q Do you recall when the log note was
 25 entered?

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1 A I do not recall.
 2 Q What does it mean to be a holder?
 3 MR. BERWIN: Objection. Form.
 4 A A holder is the person who has possession
 5 of the note or who it is endorsed to.
 6 Q (By Mr. Rosen) Nothing else?
 7 A Not that I can recall.
 8 Q How was the plaintiff entitled to
 9 foreclose the mortgage?
 10 MR. BERWIN: Objection. Form.
 11 A Can you rephrase that, please?
 12 Q (By Mr. Rosen) Sure. How do you know
 13 it's true and correct that the plaintiff is entitled
 14 to foreclose the mortgage?
 15 MR. BERWIN: Objection. Form.
 16 A Because the note secures the mortgage and
 17 CitiMortgage is the holder of the note.
 18 Q What is a purchase money mortgage?
 19 MR. BERWIN: Objection. Form.
 20 REPORTER: I didn't hear your
 21 question. Can you say it again?
 22 Q (By Mr. Rosen) Sure. What is a purchase
 23 money mortgage?
 24 MR. BERWIN: Objection. Form.
 25 A It's a mortgage that they're purchasing.

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1 Q That who's purchasing?
 2 A The mortgagor. That would be ABN Amro.
 3 Q Are you shaking your head and looking at
 4 Mr. Berwin?
 5 A No.
 6 Q That's what I just saw on here.
 7 A I did not look at Mr. Berwin.
 8 Q Who's sitting to your left?
 9 A Mr. Berwin.
 10 Q Okay. You understand that you can't rely
 11 on anyone else's input while you're under oath in
 12 deposition. This is based on your personal
 13 knowledge; correct?
 14 A Yes.
 15 Q Okay. So a purchase money mortgage is a
 16 mortgage that ABN Amro purchased. Is that what
 17 you're saying?
 18 A No. A purchase money mortgage --
 19 MR. BERWIN: Objection. Form to the
 20 question by the way. You can answer.
 21 A It's a mortgage that is purchased by the
 22 person that executed the mortgage.
 23 Q (By Mr. Rosen) In this instance, it was
 24 purchased by -- the person who executed the mortgage
 25 was [REDACTED]

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1 MR. BERWIN: Objection. Form.
 2 Q (By Mr. Rosen) If you don't recall, you
 3 got to tell me you don't recall. You can't look at
 4 documents while you're testifying unless there's
 5 something that can refresh your recollection. So
 6 you don't recall who signed the mortgage?
 7 A I'm looking at who executed the mortgage.
 8 Q Okay. Well, again --
 9 A I do not recall.
 10 Q -- it's to the best of your recollection.
 11 Then that's fine. Will looking at the mortgage
 12 helps refresh your recollection as to who signed it?
 13 A Yes.
 14 Q Okay. When you're done looking at that,
 15 close the paper and look up and we can go back to
 16 answering the question if your memory's been
 17 refreshed.
 18 A [REDACTED]
 19 Q Wait. Wait. You can't read from that
 20 document. Has your memory been refreshed?
 21 A I do not recall the exact name.
 22 Q You don't recall who signed the mortgage?
 23 A The borrowers.
 24 Q Okay. And you just looked at the
 25 mortgage; right?

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1 A Yes.
 2 Q And that didn't refresh your recollection
 3 as to who signed it?
 4 A I was trying to get the names correct.
 5 Q Okay. Would it help to look at it again?
 6 I don't want you to read from the document. You're
 7 allowed to look at it if it would help refresh your
 8 recollection. Feel free to go ahead and do that.
 9 A [REDACTED] and [REDACTED]
 10 [REDACTED] executed the mortgage.
 11 Q Okay. What does it mean -- a lien
 12 superior, what does that mean?
 13 MR. BERWIN: Objection. Form.
 14 Q (By Mr. Rosen) And, again, just looking
 15 at me and not looking at any papers, what does it
 16 mean, a lien superior?
 17 A Am I not allowed to look at the paragraph
 18 you're reading from?
 19 Q If you -- if there's some reason that will
 20 help refresh your recollection as to the answer,
 21 then sure, we can take a look at that if you like.
 22 Will that help you? First of all, do you not
 23 remember what a lien superior is?
 24 A A lien superior would be the first lien.
 25 Q Okay. And what is a superior indignity

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1 mean?
 2 MR. BERWIN: Objection. Form.
 3 A I do not know.
 4 Q (By Mr. Rosen) What does it mean superior
 5 to any prior or subsequent right?
 6 MR. BERWIN: Objection. Form.
 7 A I do not know.
 8 Q (By Mr. Rosen) What does it mean superior
 9 in any prior or subsequent title?
 10 MR. BERWIN: Objection. Form.
 11 A I do not know.
 12 Q (By Mr. Rosen) Okay. And what does it
 13 mean for claim -- and, again, it looks like you're
 14 looking at something again. Just based upon your
 15 personal knowledge, what is a lien superior to any
 16 prior or -- excuse me -- to any prior or subsequent
 17 claim mean?
 18 MR. BERWIN: Objection. Form.
 19 A I do not know.
 20 Q (By Mr. Rosen) How about do you know what
 21 a lien superior in dignity to any prior or
 22 subsequent lien means?
 23 MR. BERWIN: Objection. Form.
 24 A I don't know.
 25 Q (By Mr. Rosen) Okay. And do you know

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1 what a lien superior indignity to any prior or
 2 subsequent interest arising out of the mortgagee or
 3 the mortgagee predecessor in interest? Do you know
 4 what that means?
 5 MR. BERWIN: Objection. Form.
 6 A That is not a fact that I verified.
 7 Q (By Mr. Rosen) Okay. How do you know
 8 that Anthony and Kharla were current owners of the
 9 property at the time of the lawsuit?
 10 MR. BERWIN: Objection. Form.
 11 A Can you repeat your question, please?
 12 Q (By Mr. Rosen) Sure. How do you know
 13 that [REDACTED] were the current
 14 owners of the property at the time of the lawsuit?
 15 A I reviewed a title search.
 16 Q How do you know the property is subject to
 17 the mortgage in this case?
 18 A The mortgage -- the mortgage is -- lists
 19 the property.
 20 Q Okay. What is a condition precedent?
 21 MR. BERWIN: Objection. Form.
 22 A I don't know.
 23 Q (By Mr. Rosen) What is acceleration of
 24 the note and mortgage, what does that mean?
 25 MR. BERWIN: Objection. Form.

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1 A I do not know.
 2 Q (By Mr. Rosen) What does it mean -- How
 3 did you know that it was true and correct that there
 4 was a default in the payment of the amount due under
 5 the note?
 6 A I relied on our systems on the payment
 7 history.
 8 Q And that same -- Strike that. One minute.
 9 I'm sorry.
 10 How do you know the plaintiff -- how do
 11 you know it's true and correct that the plaintiff
 12 declared the full amount payable under the note and
 13 mortgage to be due and payable?
 14 A I'm sorry. Can you repeat that?
 15 Q Sure. How do you know that the plaintiff
 16 declares the full amount payable under the note and
 17 mortgage to be due and payable?
 18 A Can you rephrase that, please?
 19 Q Sure. Are you looking down at something?
 20 A I'm looking at the paragraph that you were
 21 reading.
 22 Q Okay. Let's take that paragraph away. If
 23 you could just hand that back to the court reporter.
 24 Based on your personal knowledge, at the time the
 25 lawsuit was filed, how do you know it's true and

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1 correct the plaintiff declared the full amount
 2 payable under the note and mortgage to be due and
 3 payable?
 4 A I do not know.
 5 Q What is a deficiency?
 6 MR. BERWIN: Objection. Form.
 7 A A deficiency is less than something.
 8 Q (By Mr. Rosen) Okay. As it relates to a
 9 foreclosure action, what is a deficiency?
 10 MR. BERWIN: Objection. Form.
 11 A Can you repeat that, please?
 12 Q (By Mr. Rosen) Sure. As it relates to a
 13 foreclosure action, what is a deficiency?
 14 MR. BERWIN: Objection. Form.
 15 A A deficiency is less than something so
 16 it's a --
 17 Q (By Mr. Rosen) If you don't know, it's
 18 perfectly fine to say you don't know.
 19 A Can you rephrase your question, please?
 20 Q Sure. I don't want you to guess. No one
 21 here wants that. Do you know what a deficiency is
 22 as it relates to a foreclosure action?
 23 MR. BERWIN: Objection. Form.
 24 A A deficiency is an amount due.
 25 Q (By Mr. Rosen) Okay. Anything else to

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1 describe what a deficiency is as it relates to a
 2 foreclosure action?
 3 MR. BERWIN: Objection. Form.
 4 A I don't know.
 5 Q (By Mr. Rosen) What does discharge in
 6 bankruptcy mean?
 7 MR. BERWIN: Objection. Form.
 8 A That a bankruptcy has been discharged.
 9 Q (By Mr. Rosen) What does that mean if you
 10 could describe that --
 11 MR. BERWIN: Objection. Form.
 12 Q (By Mr. Rosen) -- without using those
 13 same words?
 14 MR. BERWIN: Objection. Form.
 15 Q (By Mr. Rosen) What's your understanding
 16 of that?
 17 A That's a statement. I -- it just means
 18 that somebody has been discharged from a bankruptcy,
 19 relieved from a bankruptcy.
 20 Q So it means relieved from a bankruptcy?
 21 MR. BERWIN: Objection. Form.
 22 THE WITNESS: I need a break, please.
 23 Q (By Mr. Rosen) Is that right?
 24 MR. ROSEN: You need another break?
 25 THE WITNESS: Yes, please.

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1 MR. ROSEN: Okay. Sure. We can take
 2 another break. Rebecca, I assume you're going to
 3 mark the time on the record so when you guys are
 4 ready, let me know, okay? We're almost done,
 5 Victoria. We really don't have a lot more. I'd be
 6 surprised if it was more than 15 or 20 minutes
 7 hopefully.
 8 (Whereupon, a brief was taken at 11:47.)
 9 Q (By Mr. Rosen) Ms. Scott, did you speak
 10 to anyone while we were on break?
 11 A I spoke with Francesca.
 12 Q Excuse me?
 13 A I spoke with Francesca.
 14 Q Okay. And did you speak with anyone while
 15 you were on the prior break?
 16 A I spoke with Francesca.
 17 Q And what did you say to Francesca at the
 18 prior break?
 19 A Which break are you talking about?
 20 Q The first break you took.
 21 A Her hair.
 22 Q Anything else?
 23 A Where the bathroom was.
 24 Q Anything else?
 25 A Not that I can recall.

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1 Q And the second -- this last time you spoke
 2 with Francesca, what did you guys speak about?
 3 A That it was cold in the lobby.
 4 Q Okay. Anything else?
 5 A That I can't find where any water is, like
 6 a drinking fountain.
 7 Q Okay. Anything else?
 8 A Not that I can recall.
 9 Q Okay. How do you know it's true and
 10 correct at the time of signing the complaint that
 11 the amount due and owing was 267,407.98?
 12 A I don't have the paper in front of me to
 13 know that the numbers are correct.
 14 Q How did you know at the time of the
 15 complaint that that was what was true and correct?
 16 MR. BERWIN: Objection. Form.
 17 A Am I allowed to look at the complaint?
 18 MR. BERWIN: Did you hear her
 19 response to your prior question?
 20 MR. ROSEN: I did not. I didn't know
 21 there was one.
 22 A I said I don't know if your numbers are
 23 correct without looking at the document.
 24 Q (By Mr. Rosen) Okay. So let's take a
 25 peek at Defense Exhibit A. I want to point your

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1 attention to paragraph 12.
 2 MR. ROSEN: Rebecca, if you could
 3 please hand that to the witness. Thank you.
 4 Q (By Mr. Rosen) Paragraph 12, which is at
 5 the bottom of the second page says, "There is now
 6 due and owing the principal sum of 267,407.98
 7 together with interest accruing thereon, comma."
 8 Isn't that what that first part says?
 9 A Yes.
 10 Q And how did you know that was true and
 11 correct?
 12 A I relied on our systems, the payment
 13 history.
 14 Q And it says next, "Together with all sums
 15 that may be due for taxes, insurance, escrow
 16 advances, and expenses and costs of suit including
 17 but not limited to filing fees, recording fees,
 18 title search and examination fees, fees due for
 19 service of process and other such -- or such other
 20 costs as may be allowed by the court." Isn't that
 21 what the rest of that sentence says?
 22 A Yes.
 23 Q And how did you know that was true and
 24 correct?
 25 A Because there were other fees listed on

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1 the payment history.
 2 Q Do you know which specifics in this
 3 instance?
 4 A I do not recall.
 5 Q Okay. Let's go ahead and hand that back,
 6 A1 back to Rebecca, please, the court reporter.
 7 Thank you. How do you know the plaintiff is
 8 obligated to pay attorneys' fees?
 9 A Because we hired the attorneys. They
 10 don't work for free.
 11 Q Okay. And is there a contract or
 12 something that requires that?
 13 MR. BERWIN: Objection. Form.
 14 A I don't know.
 15 Q (By Mr. Rosen) You don't know. Okay.
 16 Who is Cocoplum Property Owners of Palm Beach County
 17 or Palm Beach? Excuse me.
 18 A I don't know.
 19 Q How do you know if it's true and correct
 20 at the time of the complaint that Cocoplum Property
 21 Owners of Palm Beach might have some claim or
 22 command in the subject property by virtue of all
 23 unpaid assessments?
 24 A Can I look at the document and see what
 25 you're saying?

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1 Q Sure. See if that will help -- you don't
 2 remember how you know that?
 3 A I would like to look at the document and
 4 see if what you said was what was on the document.
 5 Q That's fine. Let's take a look at that.
 6 Take a look at Defense A1. I want to direct your
 7 attention to paragraph 14. It's at the very top of
 8 the page. And that sentence at the top says, "That
 9 the Defendant, Cocoplum Property Owners of Palm
 10 Beach, might have some claim or demand in the
 11 subject property by virtue of all unpaid
 12 assessments, comma." Isn't that what that says
 13 there?
 14 A Yes.
 15 Q And how did you know that was true and
 16 correct?
 17 A It was in the title report -- the title
 18 search.
 19 Q What would have shown in the title report
 20 to tell you that?
 21 A I do not recall.
 22 Q And, again, do you remember how many pages
 23 the title report was?
 24 A I do not recall.
 25 Q Do you recall when you reviewed the title

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1 report?
 2 A Prior to executing this document.
 3 Q Do you recall what you reviewed prior to
 4 looking at the title report?
 5 A I do not recall.
 6 Q Do you recall what you reviewed after
 7 looking at the title report?
 8 A I do not recall.
 9 Q Do you recall who was next to you, if
 10 anyone, when you reviewed the title report?
 11 A I do not recall.
 12 Q And do you recall where you were when you
 13 reviewed the title report?
 14 A At my desk.
 15 Q Do you recall how long it took you to
 16 review the title report?
 17 A I do not recall.
 18 Q What does it mean -- And if you could go
 19 ahead and close that back again. Thank you. What
 20 does it mean for a subject property to be inferior
 21 to another's interest?
 22 MR. BERWIN: Objection. Form.
 23 A Can you repeat your question, please?
 24 Q (By Mr. Rosen) Sure. What does it mean
 25 that a subject property -- or excuse me -- an

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1 interest in a subject property is inferior to the
 2 interest of another?
 3 MR. BERWIN: Objection. Form.
 4 A It would --
 5 MR. ROSEN: Mr. Berwin, could you
 6 state what your objection is to that question?
 7 MR. BERWIN: Sure. Calls for a legal
 8 conclusion as have many of your questions.
 9 Q (By Mr. Rosen) Let's go ahead. You can
 10 answer.
 11 A You're going to have to repeat it now.
 12 Q Sure. Let's go ahead and take a look at
 13 paragraph 14. Let's take a look at that last
 14 sentence of paragraph 14. That says, "The
 15 above-described interest of said Defendant(s) in the
 16 subject property is inferior to the interest of the
 17 Plaintiff in said property." Is that what that
 18 says?
 19 A Yes.
 20 Q And how do you know that's true and
 21 correct?
 22 MR. BERWIN: Objection. Form.
 23 A I do not know.
 24 Q (By Mr. Rosen) Okay. What is a writ of
 25 possession? You can go ahead and close that back

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1 up. Thank you.
 2 MR. BERWIN: Objection. Form.
 3 A I did not hear you. I'm sorry.
 4 Q (By Mr. Rosen) What is a writ of
 5 possession?
 6 MR. BERWIN: Objection. Form.
 7 A I don't know.
 8 Q (By Mr. Rosen) When you signed the
 9 complaint, your title at that time was document
 10 control officer; right?
 11 A Yes.
 12 Q There's a document that authorizes you to
 13 be a document control officer for CitiMortgage;
 14 isn't that right?
 15 A Yes.
 16 Q What is that document?
 17 A I don't know.
 18 Q Do you know where it is?
 19 A I do not know.
 20 Q In this particular case, did you verify
 21 and sign the first draft presented to you of the
 22 complaint?
 23 A I'm not understanding your question. You
 24 need to rephrase.
 25 Q Sure. Were there multiple drafts of the

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1 complaint in this case?
 2 A I don't -- you need to rephrase it. I'm
 3 not --
 4 Q Okay. What I'm -- what I want to know is
 5 did you sign and review the very first draft that
 6 was presented to you or were there multiple drafts
 7 that were presented before you eventually signed?
 8 A I don't recall.
 9 Q What happens -- Were there any errors in
 10 this draft that you found?
 11 A I do not recall.
 12 Q Okay. What happens if you find errors?
 13 MR. BERWIN: Objection. Form.
 14 A If we found errors, we were to reject the
 15 document.
 16 Q (By Mr. Rosen) And then what happens?
 17 A The attorney would review and re-upload.
 18 Q And that didn't happen in this case;
 19 right?
 20 A I do not recall.
 21 Q Approximately -- Did that ever happen
 22 where you had to reject a document?
 23 A I don't recall.
 24 Q Are you ever provided originals of the
 25 note and mortgage to review?

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1 A No.
 2 Q And the note and mortgage in this case
 3 that you reviewed was a copy on the computer?
 4 A It was a copy on the computer.
 5 Q Did you meet with Mr. Berwin prior to this
 6 deposition?
 7 A Yes.
 8 Q I'm sorry. I didn't hear an answer. Did
 9 you respond?
 10 A Yes.
 11 Q You did. Okay. And the answer is, yes,
 12 you did meet with Mr. Berwin prior to this
 13 deposition?
 14 A Yes.
 15 Q How long did you meet with him?
 16 A Approximately two hours.
 17 Q And who else was there?
 18 A Francesca Shamel.
 19 Q Francesca. Anyone else?
 20 A No.
 21 Q Where was the meeting?
 22 A I'm sorry. Can when repeat that?
 23 Q Where was the meeting?
 24 MR. BERWIN: Objection. You're
 25 getting into attorney/client privileged information.

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1 I'm here as the deponent's attorney.
 2 MR. ROSEN: That was already
 3 testified to that she's not being represented by
 4 you.
 5 MR. BERWIN: Well, I disagree with
 6 that so --
 7 MR. ROSEN: Okay. Well, I haven't
 8 asked of any communications yet.
 9 MR. BERWIN: Right. I see where
 10 you're going.
 11 MR. ROSEN: Okay. Well, let's keep
 12 going.
 13 Q (By Mr. Rosen) You can go ahead and
 14 answer that question. Where was the meeting?
 15 A Are you saying when or where?
 16 Q You can answer.
 17 A I need you to rephrase whether you are
 18 saying when or where.
 19 Q Sure. Well, we can do both. We covered
 20 when. I need to know where?
 21 A It was at CitiMortgage.
 22 Q And, actually, I think you said how long
 23 it was, we talked about that, but we didn't talk
 24 about when it was. When was the meeting?
 25 A Yesterday.

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1 Q About what time did it start?
 2 MR. BERWIN: Objection. You're
 3 asking attorney/client information here.
 4 Q (By Mr. Rosen) You can answer.
 5 MR. BERWIN: No. I'm going to
 6 instruct the witness not to answer. We can have the
 7 judge decide that one.
 8 MR. ROSEN: To be clear, and I'm
 9 trying in good faith to resolve this, I'm not asking
 10 about any content of any communications, and
 11 furthermore, it's already been discussed about the
 12 relationship with you present. Your objection is
 13 noted and you're refusing to answer that and you're
 14 instructing the witness not to answer at this point
 15 when the meeting started; is that right?
 16 MR. BERWIN: Well, why don't you --
 17 is that your question, when the meeting started?
 18 MR. ROSEN: That's my pending
 19 question.
 20 MR. BERWIN: Okay. Go ahead. You
 21 can answer.
 22 A 3:00 p.m.
 23 Q (By Mr. Rosen) And when did it end?
 24 A I do not know the exact time.
 25 Q Okay. Roughly?

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1 A Approximately 5:00 p.m.
 2 Q And what was discussed at that meeting?
 3 MR. BERWIN: Objection. I'm
 4 instructing the witness not to answer.
 5 MR. ROSEN: Duly noted. We'll go
 6 ahead and certify that question then.
 7 MR. BERWIN: That's fine. And the
 8 objection is that it violates the attorney/client
 9 privilege.
 10 Q (By Mr. Rosen) Okay. Other than anything
 11 we've discussed so far, anything else you can add --
 12 like to add?
 13 MR. BERWIN: Objection. Form.
 14 Q (By Mr. Rosen) You can answer.
 15 A No.
 16 MR. ROSEN: Okay. You have the right
 17 to read the deposition transcript --
 18 MR. BERWIN: Excuse me, Mr. Rosen.
 19 Before you go on, I have some questions I'm going to
 20 ask here.
 21 MR. ROSEN: Please do. My apologies.
 22 EXAMINATION
 23 QUESTIONS BY MR. BERWIN:
 24 Q Mrs. Scott, do you understand that I'm
 25 representing you here today at this deposition as

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1 your attorney?
 2 A I understand that I work for CitiMortgage
 3 and you represent CitiMortgage.
 4 Q Do you understand that I'm representing
 5 you here today?
 6 A Yes.
 7 Q Okay. So when you testified earlier -- if
 8 you testified earlier something to the contrary,
 9 that was a misunderstanding on your part; correct?
 10 A Yes.
 11 MR. ROSEN: Objection. Form.
 12 MR. BERWIN: Can I please -- Madam
 13 Court Reporter, can I please see the Exhibit A?
 14 Q (By Mr. Berwin) Ms. Scott, directing your
 15 attention to Exhibit A, I'm showing you the exhibit
 16 in this -- that counsel has had marked as Exhibit A.
 17 There's a mortgage attached as an exhibit to the
 18 verified first amended complaint. Do you see that?
 19 A Yes.
 20 Q Okay. Does that refresh your recollection
 21 as to who the mortgagor is?
 22 A Yes.
 23 Q Who is the --
 24 MR. ROSEN: Objection. Improper
 25 refreshing.

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1 Q (By Mr. Berwin) Who is the mortgagor in
 2 this case -- mortgagor in this case?
 3 A The mortgagor is -- is ABN Amro Mortgage
 4 Group, Inc. The borrower is the mortgagor under the
 5 security instrument and the mortgagee is ABN Amro
 6 Mortgage Group.
 7 Q Okay. So you needed this document to
 8 refresh your memory as to that?
 9 A Yes.
 10 MR. ROSEN: Objection. Improper
 11 refresh.
 12 MR. BERWIN: Mr. Rosen, if you could
 13 just keep your objections to form. You know better
 14 than that. You were telling me before -- please
 15 don't -- yes?
 16 MR. ROSEN: No. That's a form
 17 question and that's an objection that could be
 18 stated in a concise and non-argumentative matter and
 19 that's what I'm citing.
 20 Q (By Mr. Berwin) Do you know what position
 21 the lien of plaintiff was on the property at the
 22 time you verified the complaint?
 23 A It was in first lien.
 24 Q And how did you know that?
 25 A It was in our DRI system.

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1 Q Now as to this complaint, you were
 2 verifying the facts in the complaint, not any legal
 3 conclusions; correct?
 4 A Yes.
 5 MR. ROSEN: Objection. Form.
 6 Q (By Mr. Berwin) Paragraph 10 of the
 7 complaint states, "Plaintiff declares the full
 8 amount payable under the Note and Mortgage to be due
 9 and payable." Is that a statement?
 10 MR. ROSEN: Objection. Form.
 11 A Yes.
 12 Q (By Mr. Berwin) Directing your attention
 13 to paragraph 6 of the complaint, it states, "The
 14 Mortgage of the Plaintiff is a purchase money
 15 mortgage being a lien superior in dignity to any
 16 prior or subsequent right, title, claim, lien or
 17 interest arising out of mortgagee or the mortgagee's
 18 predecessors in interest."
 19 MR. ROSEN: Objection. Form.
 20 MR. BERWIN: I didn't ask a question
 21 yet.
 22 Q (By Mr. Berwin) Do you know what a
 23 purchase money mortgage is?
 24 A It's a --
 25 MR. ROSEN: Objection. Form.

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1 MR. BERWIN: Can you please let the
 2 deponent finish her answer?
 3 Q (By Mr. Berwin) You can answer if you
 4 know.
 5 A I do not recall.
 6 Q So you had testified earlier that -- What
 7 position was the lien in?
 8 A First.
 9 Q Okay. Does that mean it was the most
 10 superior lien?
 11 A Yes.
 12 Q Do you know if the loan was used to
 13 purchase the property?
 14 A Yes.
 15 Q Was it used to purchase the property?
 16 A Yes, because it's a purchase money
 17 mortgage.
 18 Q Okay. So does that -- now you just
 19 testified that you know what a purchase money
 20 mortgage is. Is that what you're saying?
 21 A Yes.
 22 MR. ROSEN: Objection. Form.
 23 Q (By Mr. Berwin) And what is your
 24 understanding of what a purchase money mortgage is?
 25 A That the loan purchases the mortgage and

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1 further questions as well.
 2 (Whereupon, the deposition of VICTORIA SCOTT was
 3 concluded at 12:22 p.m.)
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1 it is a first lien.
 2 Q That the loan is used to purchase the
 3 property?
 4 A Yes.
 5 MR. ROSEN: Objection. Form.
 6 Q (By Mr. Berwin) I'm sorry. I don't know
 7 if that was clear.
 8 A No.
 9 Q What is your understanding as to what a
 10 purchase money mortgage is?
 11 MR. ROSEN: Objection. Form.
 12 Q (By Mr. Berwin) You can answer.
 13 A A purchase money mortgage is a loan used
 14 to purchase the mortgage property -- property.
 15 MR. BERWIN: I have no further
 16 questions at this time.
 17 MR. ROSEN: Okay. Mrs. Scott, you
 18 have the right to read the deposition transcript to
 19 see if there's any errors and make changes to those
 20 errors if there are any or you can waive that right.
 21 MR. BERWIN: We'll read.
 22 MR. ROSEN: Okay.
 23 THE WITNESS: I would like to read
 24 it.
 25 MR. ROSEN: Very good. I have no

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1 CERTIFICATE
 2 STATE OF MISSOURI
 3 SS
 4 COUNTY OF ST. LOUIS
 5 I, REBECCA L. BYRKET, a Registered Professional Reporter,
 6 Certified Court Reporter, and Certified Shorthand Reporter
 7 within and for the State of Missouri, do hereby certify
 8 that there came before me, at the Comfort Inn & Suites,
 9 100 Comfort Inn Court, Conference Room, O'Fallon,
 10 Missouri,
 11 VICTORIA SCOTT,
 12 who was by me first duly sworn to testify to the truth of
 13 all knowledge touching and concerning the matters in
 14 controversy in this cause; that the witness was thereupon
 15 carefully examined under oath, and said examination was
 16 reduced to writing by me; and that this deposition is a
 17 true and correct record of the testimony given by the
 18 witness, and said deposition is herewith returned to Mr.
 19 Evan M. Rosen, Attorney At Law, for filing with the Court.
 20 I further certify that I am neither attorney nor counsel
 21 for, nor related nor employed by any of the parties to the
 22 action in which this deposition is taken; further that I
 23 am not a relative or employee of any attorney or counsel
 24 employed by the parties hereto, or financially interested
 25 in this action.

Rebecca L. Byrket, RPR, CCR, CSR

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1 IN THE COURT OF THE 15TH JUDICIAL CIRCUIT
 2 IN AND FOR PALM BEACH COUNTY, FLORIDA

3 CASE NO. [REDACTED]

4 CITIMORTGAGE, INC.)
 5 Successor by Merger with)
 6 ABN AMRO MORTGAGE GROUP,)
 7 INC.)
 8 Plaintiff,)
 9 v.)
 10 [REDACTED] III,)
 11 et al.,)
 12 Defendants.)

13 CERTIFICATE OF OFFICER AND
 14 STATEMENT OF DEPOSITION CHARGES
 15 (Rule 57.03(a)(2)(a), Sec. 492.590 RSMO 1985)
 16 DEPOSITION OF VICTORIA SCOTT
 17 taken on behalf of the Defendants
 18 November 20, 2013

19 Firm having custody of the original transcript
 20 Law Offices of Evan M. Rosen, P.A., 2028 Harrison Street,
 21 Suite 204, Hollywood, Florida, 33020

22 TAXED IN FAVOR OF Evan M. Rosen
 23 TOTAL \$456 10

24 TAXED IN FAVOR OF Akerman Senterfitt, LLP
 25 TOTAL \$190 55

Upon delivery of transcripts, the above charges have not been paid. It is required that all charges will be paid in the normal course of business to:
 MORIARTY REPORTING & VIDEO, LLC
 777 WHISPERING FOREST DRIVE
 BALLWIN, MO 63021
 (636) 230-8838

Rebecca L. Byrket, RPR, CCR, CSR

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1 COMES NOW THE WITNESS, VICTORIA SCOTT, and
 2 having read the foregoing transcript of the deposition
 3 taken on the 20th day of November, 2013, acknowledges by
 4 signature hereto that it is a true and accurate transcript
 5 of the testimony given on the date hereinabove mentioned.

6
 7 _____
 8 (WITNESS)

9
 10
 11 Subscribed and sworn to me before this
 12 _____ day of _____, 2013/14.

13
 14 My Commission expires: _____

15
 16 _____
 17 NOTARY PUBLIC

18
 19
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 21
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1 DECEMBER 3, 2013
 2 Victor Berwin
 3 Akerman Senterfitt, LLP
 4 350 East Las Olas Blvd., Suite 1600
 5 Fort Lauderdale, FL 33301

6 In re CITIMORTGAGE, INC., Successor by Merger with ABN
 7 AMRO MORTGAGE GROUP, INC v. [REDACTED] et
 8 al.
 9 (Signature page of Victoria Scott)
 10 Dear Mr. Berwin,
 11 This letter is incorporated as part of VICTORIA SCOTT'S
 12 deposition that she gave in the above-styled cause of
 13 action. Please have her read over her deposition instead
 14 of waiving that right, which I have enclosed. If she has
 15 any corrections, please have her make them on the
 16 CORRECTION SHEETS that I have enclosed. For each
 17 CORRECTION SHEET that she marks on, please have her sign
 18 her name down at the bottom where it says Deponent. If
 19 she does not have any corrections, then please mark NO
 20 CORRECTIONS diagonally across one of the CORRECTION SHEETS
 21 and also sign down at the bottom of the CORRECTION SHEET
 22 where it says Deponent.

23 After she is through reading the deposition, please have
 24 her sign the last page of the transcript. Her signature
 25 MUST BE notarized before the transcript is sent back to
 me.

I would appreciate it if you could send back the Signature Page and CORRECTION SHEETS to me by no later than January 3, 2014. My return address is 777 Whispering Forest Drive, Ballwin, Missouri, 63021. If you have any questions, please feel free to call me at (636) 230-8838 and I'll be glad to help in any way I can.

Sincerely,
 Rebecca L. Byrket, RPR, CCR, CSR
 cc: All counsel of Record

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1 CORRECTION SHEET
 2 OF WITNESS VICTORIA SCOTT

3 PAGE ____ OF ____

4 Re: CITIMORTGAGE, INC., Successor by Merger with
 5 ABN AMRO MORTGAGE GROUP, INC. v. [REDACTED]
 6 et al.

7 Upon reading the deposition, and before subscribing
 8 thereto, VICTORIA SCOTT, has indicated the following
 9 changes should be made:

10 Page Line Should read:
 11 Reason assigned for change:

12
 13 Page Line Should read:
 14 Reason assigned for change:

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 16 Page Line Should read:
 17 Reason assigned for change:

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 19 Page Line Should read:
 20 Reason assigned for change:

21
 22 Page Line Should read:
 23 Reason assigned for change:

24 _____
 25 VICTORIA SCOTT

1 CORRECTION SHEET
2 OF WITNESS VICTORIA SCOTT

3 PAGE ____ OF ____

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15 Reason assigned for change:

16 Page Line Should read:

17 Reason assigned for change:

18 _____
19 VICTORIA SCOTT

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