

1 So we have this copy that, you know, we go with what  
2 we have, which is c copy, in my case of the other prop-  
3 erty, we sign it. We think, okay, this person should  
4 not be here, we notarize it, I send it back and that is  
5 it.

6 On the case of 8038, Tangelo Drive, we did the same  
7 thing, but, yet, she make the payment, make every  
8 payment, and then there was two other followup  
9 statement until the third followup statement, if I re-  
10 member correctly, that they stopped receiving it. She  
11 carried the payment to the bank itself, and the bank  
12 just couldn't figure out what was going on.

13 So, there is a lot of things that was different between  
14 the two modification and we couldn't figure out why.  
15 The paperwork was very sloppy, and the timing was  
16 not really give us a lot of time to get things straight-  
17 ened out, but, you know, in both case, we and she  
18 make the effort to try and make it work. We went to  
19 the bank often to try to straighten this thing out, but  
20 it didn't seem to help in her case.

21 **THE COURT:** Okay.

22 **BY MS. YEH HO:**

23 **Q.** You are the one – did Karen ask you to sign it any-  
24 way for the 8038 Tangelo Drive, Boynton Beach, Flor-  
25 ida 33436, and you refused?

26 **A.** I did not sign it.

27 **Q.** you refused to sign?

28 **A.** Yes.

29 **Q.** Because you don't believe you should be on the  
30 mortgage?

31 **A.** Right.

32 **Q.** And you are a man and Karen is a woman, your  
33 permanent streamline application went through, and  
34 Karen Ho's streamline modification had to come all  
35 the way to this Federal Court?

1     **A.** As I said earlier, I can tell the difference, that  
2     seems to me it is indicating some of the issue of, you  
3     know, I am -- the other property went through, the  
4     other one did not. Then they start asking questions  
5     like -- after much later on, the didn't even serve us be-  
6     fore foreclosure, asking questions about marital sta-  
7     tus and those information and the request seems to  
8     either excuse or it seems like she was treated a little  
9     bit differently.

10    **THE COURT:** Anything else?

11    **BY MS. YEH HO:**

12    **Q.** Did Karen put 20 percent down on the property at  
13     the 8038 Tangelo Drive, Boynton beach, Florida --

14    **THE COURT:** Are you taking about the original pur-  
15     chase?

16    **MS. YEH HO:** Yes.

17    **THE COURT:** What is the relevance of that?

18    **MS. YEH HO:** Establishing damages.

19    **THE COURT:** How does that establish damages?

20    **MS. YEH HO:** They foreclosed on my property, I lost  
21     the property, I lost all my initial investment into the  
22     property, and also the upgrades and then payments,  
23     everything. So, it's like you put your heart and soul  
24     into a place, and then because they violate -- I don't  
25     know if this a conclusion of the law now, but we al-  
26     ready established RESPA and then -- SO HOW IT'S  
27     Equal Credit Opportunity Act, that they discriminate  
28     against me. Because they failed to honor FEMA -- not  
29     FEMA, Fannie Mae approval, I lost all my initial in-  
30     vestment and whatever I put in the property, and  
31     Wing Ho already had testified that every time they  
32     call me, it caused stress.

33     It caused me to loss sleep, it caused me a medical con-  
34     dition because of their phone call, but they tried to  
35     produce that because their phone call -- they tried to

1 establish because I am not following the law. The law  
2 is very clear.

3 **THE COURT:** Okay. Why don't we move on from  
4 there. Okay?

5 **MS. YEH HO:** Okay.

6 **BY MS. YEH HO:**

7 Q. So, at this point that – in your belief, in your obser-  
8 vation, what do you see Karen Yeh Ho's denial of her  
9 streamline permanent loan modification, the settle-  
10 ment, it is because she is a --

11 **THE COURT:** I think he already said that it is based  
12 upon gender. He already said that.

13 **MS. YEH HO:** Thank you. I conclude my –

14 **THE COURT:** Questions?

15 **MS. YEH HO:** - questions. I rest my – I reserve --

16 **THE COURT:** Now the Defense gets to ask him some  
17 questions.

18 **MS. YEH HO:** Yes, your Honor. I reserve to rebuttal.

19 **THE COURT:** Redirect.

20 **MS. YEH HO:** Redirect.

21 **THE COURT:** Redirect.

22 **MS. YEH HO:** Okay. Thank you, your Honor.

23 **THE COURT:** Thank you. You can resume your seat.

24 **CROSS-EXAMINATION**

25 **BY MS. HOLLADAY:**

26 Q. Hi, Mr. Ho.

27 A. Hello.

28 Q. I have a few clarifying questions based on your tes-  
29 timony moment ago.

30 At the time that the Tangelo property was purchased,  
31 you and your wife, Ms. Karen Yeh Ho, were married,  
32 correct?

33 A. That is correct.

1     **Q.** It is correct that at the time that a loan was obtained on the Tangelo property you signed the mortgage for that loan, correct?

2     **A.** on the closing, yes.

3     **Q.** Okay. At any point in time between the time you signed the mortgage and today, have you and your wife ever been declared legally separated or divorced?

4     **A.** No.

5     **Q.** And at the time the property was purchased, the Tangelo Drive property was purchased, were you and your wife both on the title, you had a deed in both of your names?

6     **A.** I believe so.

7     **Q.** Okay. You had mentioned another loan modification with Wells Fargo, I believe it was Via Lugano Circle?

8     **A.** Yes, 100 Via Lugano Circle.

9     **Q.** Isn't it true that both you and your wife signed that loan modification?

10    **A.** And so did my son – no, no, my son didn't, but we did. Yes, we both signed the loan modification.

11    **Q.** That is because you and your wife were both on the mortgage for that property?

12    **A.** Well, there was a number of – there were three names on it, right. Brian Ho, my son, our son, was also on the loan modification, so all three names appear on the loan modification agreement, and as I described earlier, at that time, doesn't look like it is appropriate for him to be on the loan modifications.

13    **Q.** And so, was it your testimony you then crossed it off and just you and Karen signed?

14    **A.** Yes.

15    **Q.** Okay. Just so we have the record clear, we are going to pull up Exhibit 14, Wells Fargo Exhibit 14.

1 **MS. HOLLADAY:** I have hard copies if your Honor  
2 would like those.

3 **THE COURT:** If you have them, sure.

4 **MS. HOLLADAY:** Okay.

5 **THE COURT:** Why don't you give me all of the ex-  
6 hibits.

7 **MS. HOLLADAY:** That works. I will give you Karen  
8 C. Yeh Ho exhibits also. May I approach the witness?

9 **THE COURT:** Yes.

10 **BY MS. HOLLADAY:**

11 Q. If you will take a look at that, sir. I just want to  
12 confirm and make sure everything is clear for the rec-  
13 ord. Your son Brian's name does not appear on this  
14 loan modification agreement, crossed off or otherwise,  
15 is that correct?

16 A. It is not here.

17 **THE COURT:** I am sorry?

18 **THE WITNESS:** It is not on this scheduled paper.

19 **BY MS. HOLLADAY:**

20 Q. When the original mortgage was taken out on the  
21 Tangelo property, did you see the uniform residential  
22 loan application that was submitted for that loan?

23 A. Um-m-m, do you have a copy?

24 **MS. HOLLADAY:** We're going to pull up Exhibit 3.

25 **THE WITNESS:** What was your question again?

26 **BY MS. HOLLADAY:**

27 Q. Are you familiar with this document? Did you see  
28 it at the time that the application was submitted?

29 A. No.

30 Q. Okay.

31 A. This borrower's name is KH.

32 Q. Do you see, sir, about halfway through the page  
33 where it says, title will be held, and lists Ms. Yeh Ho  
34 and yourself. Do you see that line?

35 A. Where is that?

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1     **Q.** It is about halfway down.

2     **A.** Okay.

3     **THE COURT:** I'm sorry, I am having trouble hearing  
4     you.

5     **THE WITNESS:** Okay, yes, I saw the line.

6     **BY HOLLADAY:**

7     **Q.** Is that a correct statement that that is, in fact, how  
8     title was held by you and Ms. Yeh Ho as joint tenants?

9     **A.** Yes, the deed has my name on it what we finally  
10    closed the loan.

11    **MS. HOLLADAY:** I don't have anything further, your  
12    Honor.

13    **THE COURT:** Just so I am clear, sir, this Exhibit 3  
14    that your wee just shown, this is for the Tangelo Drive  
15    property, correct? Yes?

16    **THE WITNESS:** The one that is on the screen?

17    **THE COURT:** Yes.

18    **THE WITNESS:** Yes, Tangelo Drive.

19    **THE COURT:** Okay, And you and your wife – this is  
20    the original loan application when you purchased the  
21    property is that correct?

22    **THE WITNESS:** Yes, that is what it says.

23    **THE COURT:** And there is a section on this docu-  
24    ment about a third of the way down that says, prop-  
25    erty will be – and it is a checkmark, primary resi-  
26    dence; is that correct? Do you see the checkmark?

27    **THE WITNESS:** Yes.

28    **THE COURT:** When you bought this it was to be your  
29    primary residence?

30    **THE WITNESS:** Yes, it was meant to be our primary  
31    residence.

32    **THE COURT:** All right. Thank you.

33    **THE WITNESS:** I would like to add one other thing.  
34    Although it says here it doesn't have the cross out and  
35    the copy –

1     **THE COURT:** Are you talking about Exhibit 14?  
2     **THE WITNESS:** I am talking about, yeah, Exhibit  
3     14. In my affidavit, I have attachment as to what was  
4     sent back to Wells Fargo Bank, and that was actually  
5     – I just want to be sure that, you know, we didn't pull  
6     it out, and that was -- really what they receive is ac-  
7     tually from the current servicer of that loan, and we  
8     have a dispute with the current servicer of the loan,  
9     which is Specialized Home Loan Servicing, actually  
10    Specialized Loan Servicing, LLC, and in it we ask –  
11    you know, during the dispute we asked them for other  
12    documents, and then they – I used that particular doc-  
13    ument. Of course, you know, I have those information  
14    also. I used that because Specialized they have a in-  
15    formation also. I use that because Specialized they  
16    have a stamp that says Wells Fargo received that doc-  
17    ument and from the fax – I think the fax line that say  
18    Wells Fargo and how many pages. It is in my affidavit  
19    attachment.

20    So, it is not – it is not – the fact that this document,  
21    the 14, did not have the cross out on the copy, I just  
22    want to clarify that it is what was submitted back to  
23    Wells Fargo Bank. If you want to refer to that docu-  
24    ment I submitted in my affidavit, it is there.

25    **THE COURT:** Okay.

26    **MS. HOLLADAY:** Honor, we would move to strike  
27    that entire testimony as discussing documents not in  
28    evidence.

29    **THE COURT:** I will deny your motion. You can ask  
30    him some additional questions, Ms. Yeh Ho.

31                   **REDIRECT EXAMINATION**

32                   **BY MS. YEH HO:**

33    **Q.** The document 14 that you mention, that is admit-  
34    ted in evidence, this is a document that you did not  
35    sign and I did not sign – I am testifying, sorry.

1     **THE COURT:** I am sorry, Exhibit 14, you both – you  
2     and your husband appear to have signed it.

3     **MS. YEH HO:** We sign a different document, a copy,  
4     copy, copy. That is the one he sign in affidavit. Wells  
5     Fargo Bank is the one submitting this. We have no  
6     idea about this.

7     **THE COURT:** So, I'm sorry, you are saying – and you  
8     can ask your husband. On Exhibit 14 that I have on  
9     the third –

10    **MS. YEH HO:** Exhibit 14 –

11    **THE COURT:** Exhibit 14 –

12    **MS. YEH HO:** The document that we sign says says  
13    copy, copy, copy. The document they file in the public  
14    record did not say copy, copy, copy.

15    **THE COURT:** Well, the document, Exhibit 14, has a  
16    recording –

17    **MS. YEH HO:** Yes, they record it, we did not record  
18    it.

19    **THE COURT:** But your husband and your signatures  
20    are on page six.

21    **MS. YEH HO:** The document that we sent to Wells  
22    Fargo Bank is the one that he has in the affidavit. The  
23    document this, he is saying ---

24    THE COURT: Go ahead and ask him.

25    **BY MS. YEH HO:**

26    **Q.** Is this document the one that we signed on the day  
27    that we sent it back?

28    **MS. YEH HO:** I shouldn't say we, right, I should say

29    **THE COURT:** Go ahead and ask him.

30    **BY MS. YEH HO:**

31    **Q.** The one with Brian Ho's name on it, we cross it off,  
32    and we just sign in front of the notary and stick it to  
33    the envelope and send it back to Wells Fargo Bank, is  
34    that the same document as this one?

35    **A.** No. That is why I was trying to clarify to the Judge

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1      **Q.** Exhibit 14?

2      **A.** – a little earlier, we respond back, we sign it, we  
3      cross it out, but the copies is not this document here.

4      **MS. YEH HO:** Right, I totally agree with him.

5      **THE COURT:** All right.

6      **MS. YEH HO:** I am sorry.

7      **THE COURT:** Can you clarify with your husband, is  
8      he saying you did not sign – on Exhibit 14, on page six  
9      where there are two signature, is he saying you did  
10     not sign that?

11     **MS. YEH HO:** Exhibit page six, the signature – the  
12     signature is ours.

13     **THE COURT:** That is what I –

14     **MS. YEH HO:** The document is not the one we signed.

15     **THE COURT:** Are you saying that they took another  
16     piece of paper and stuck it on here that you signed,  
17     this is not the actual document?

18     **MS. YEH HO:** Look at the date, it says March 20,  
19     2014, the notary.

20     **THE COURT:** Yes.

21     **MS. YEH HO:** It says March 20, 2014.

22     **THE COURT:** Yes.

23     **MS. YEH HO:** When we signed the mortgage modifi-  
24     cation it was back in November 2013. Wing Ho's affi-  
25     davit with attachment –

26     **THE WITNESS:** I think you may need to refer to the  
27     exhibit that you submit.

28     **MS. YEH HO:** Yes, my exhibit.

29     **THE COURT:** Do you have any other questions for  
30     your husband?

31     **MS. YEH HO:** Yes.

32     **BY MS. YEH HO:**

33     **Q.** So, you are saying this, the one that has March 20,  
34     2014, it's not the one that you signed in November  
35     2013, the one that you send it back?

1     **A.** In November we received the package, as I men-  
2     tioned a little bit earlier, it was kind of confusing and  
3     sloppy, and then we did – I don't have to repeat again,  
4     go through that. We have a copy, and we send back.  
5     That is different than what this document is.

6     **MS. YEH HO:** Because this document shows March  
7     20, 2014.

8     **THE COURT:** I can see that. Thank you.

9     **MS. YEH HO:** That is all I wanted to clarify. That is  
10    what I try to redirect.

11    **THE COURT:** Are you finished redirecting or do you  
12    have more questions?

13    **MS. YEH HO:** I rest.

14    **THE COURT:** You are finished with this witness?

15    **MS. YEH HO:** Yes.

16    **THE COURT:** Thank you, sir, you can step down.

17    **MS. YEH HO:** Does he have to go out?

18    **THE COURT:** He can stay, but if he stays you can't  
19    call him back later. Do you intend to call him back  
20    again?

21    **MS. YEH HO:** No.

22    **THE COURT:** Then he can stay. Do you have any  
23    other witnesses, anyone else who is going to testify?

24    **MS. YEH HO:** Your Honor –

25    **THE COURT:** Do you have any other witnesses, peo-  
26    ple you are going to bring in and testify?

27    **MS. YEH HO:** It is me.

28    **THE COURT:** You are going to testify?

29    **MS. YEH HO:** Yes, because I have to admit how much  
30    I suffer through this.

31    **THE COURT:** Okay. Get on the stand.

32    **MS. YEH HO:** May I bring paperwork?

33    **THE COURT:** It depends. What are you going to do  
34    with the paper? Are these your exhibits?

35    **MS. YEH HO:** No, this is my writing.

1     **THE COURT:** You already submitted that to me.  
2     **MS. YEH HO:** I don't have a brain like a computer.  
3     **THE COURT:** You seem to have a pretty good  
4     memory. Have a seat.

5

6                   **KAREN YEH HO, PLAINTIFF, SWORN**  
7     **THE COURT:** Tell me your name for the record,  
8     please.

9     **MS. YEH HO:** My name is Karen Yeh Ho.

10    **THE COURT:** Thank you.

11    **MS. YEH HO:** Last name is Y-E-H H-O. Wells Fargo  
12    Bank decided to call me Karen Y. H-O. I don't know  
13    where the Y. come from. I would like to answer ques-  
14    tion and answer.

15    **THE COURT:** Well, let's make ti easy, all right. Just  
16    tell me your story, and if they have an objection to  
17    something you say, they can raise the objection. We  
18    are not in front of a jury, so we don't have to have you  
19    ask yourself a question. It is going to be very cumber-  
20    some, and it is easier fro me to just let you testify.  
21    Again, they can object to something that you say that  
22    they feel is inappropriate or improper. Okay?

23    **THE WITNESS:** Yes, your Honor.

24    **THE COURT:** Go ahead.

25    **MS. YEH HO:** My name is Karen Yeh Ho. I always  
26    like to buy real estate properties and obtaining my  
27    own credit for the mortgage, credit cards, and even  
28    though I am married to my husband for many, many  
29    years, I always pretty independent in my finance and  
30    in my investments. Even though he saying no, I just  
31    go ahead and I went about and I buy my own proper-  
32    ties, obtaining credit. My friends would lend me  
33    money for the mortgage for me to purchase the place  
34    because they know that I would pay back.

1 So, when I received the streamline permanent loan  
2 modification from Wells Fargo Bank, they are the suc-  
3 cessor mortgage servicer from AmTrust Bank.

4 I made payments on time. In fact, I made extra pay-  
5 ments, and without knowing it, my monthly payment  
6 was put in called pending suspending account, and I  
7 have no ideas what pending suspending account is un-  
8 til in 2016, when my –another two properties come  
9 into – asking for huge sum of monthly payments, 9174  
10 was asking one month, the next month, \$6,000, an-  
11 other month, \$9,000 in 2006. My Yacht Harbor house  
12 went to service – successor service was –

13 THE court: I am sorry, I am having trouble under-  
14 standing what your are saying, ma'am.

15 Why are we talking about property from 2006?

16 **MS. YEH HO:** 16.

17 **THE COURT:** 16, I am sorry.

18 **MS. YEH HO:** Another two-service company send us  
19 the statements. Even though we made extra \$500  
20 payment toward the mortgage, principal, they were  
21 accusing us of not making mortgage payments, and  
22 those mortgage payments was actually put in so-  
23 called pending account. I didn't know that.

24 **MS. HOLLADAY:** Objection, your Honor. I am not  
25 sure why suspense payments and anything in 2016 re-  
26 ally matters. This is a relevance grounds.

27 **THE COURT:** I am trying to understand. What does  
28 this have to do with this case, ma'am?

29 **MS. YEH HO:** I am getting to it.

30 **THE COURT:** All right, go ahead.

31 **MS. YEH HO:** I am getting to it.

32 **THE COURT:** All right, go ahead.

33 **MS. YEH HO:** So we just went ahead and paid the  
34 mortgage in full because we don't want to go through  
35 what we went through with Wells Fargo anymore, we