

19-7529

No.

ORIGINAL

Supreme Court, U.S.
FILED

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In the

SUPREME COURT OF THE UNITED STATES

Veronica A. Williams,
Petitioner,

v.

LITTON LOAN SERVICES

HSBC BANK USA NA

GOLDMAN SACHS GROUP

FREMONT HOME LOAN TRUST 2006-C

MORTGAGE BACKED CERTIFICATES SERIES 2006-C

OCWEN

STERN & EISENBERG PC LLC

STATE OF NEW JERSEY

Respondents.

PETITION FOR A WRIT OF CERTIORARI

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QUESTIONS PRESENTED

This case sadly shows how the lower courts failed to facilitate due process for this Petitioner. Decisions were made in support of Defendants collectively worth over \$4 Trillion, despite hard, irrefutable evidence of their guilt.

The Defendants engaged in tortious acts of fraud that continue today. The deceit and delays perpetrated by the Defendants and the legal professionals and others who supported them, have extended this fraud over 15 years, and counting.

The questions presented are:

1) How long will legal deception, fraud and stonewalling be allowed to obfuscate and enable financial fraud at the expense of borrowers *and* investors?

2) Do process errors supersede the facts *and* the law?

3) Are designated Federal Pro Se organizations allowed to deny assistance to Pro Se Petitioners who reveal illegal acts; even acts by people and organizations in power?

4) What changes to the Dodd Frank Act H.R. 4173 are needed to close the holes unearthed by the repeal of the Glass Steagall Act of 1932? What additional regulations are needed to control fraud?

The Defendants in this case – Litton Mortgage Servicing LP is the Parent of Litton Loan Servicing LP (Litton Loan); Hong Kong Shanghai Banking Corporation (HSBC Bank USA, N.A.); The Goldman Sachs Group (Goldman Sachs); Fremont Home Loan Trust 2006-C Mortgage-Backed Certificates, Series 2006-C (Fremont); Ocwen Financial Corporation (Ocwen); Stern & Eisenberg, PC; The State of New Jersey (NJ) – each played an integral role in the facilitation of the extensive reign of fraud identified in this case. Some of the acts are identified in this writ; many are identified in the filings with the lower courts (see Appendix C p. 209 - 217); more will be explained at trial (see Appendix F p. 351)

The infrastructure of knowledge, human capital and more has been erected to eradicate financial fraud. This Petitioner's effort advocates a smooth transition. The world has had a glimpse of the fervor of people in many countries who oppose financial fraud. The United States should join others in leading the way to virtually eliminate vulnerabilities in the world's financial system. This achievement will help improve life for billions around the globe.

TABLE OF CONTENTS

QUESTIONS PRESENTED	i
LIST OF APPENDICES	iv
TABLE OF AUTHORITIES	v
PETITION FOR WRIT OF CERTIORARI.....	1
OPINIONS BELOW.....	9
JURISDICTION.....	9
STATUTORY PROVISIONS INVOLVED	9
STATEMENT OF THE CASE.....	17
A. Statutory Background	17
B. Facts and Procedural History	19
REASONS FOR GRANTING CERTIORARI.....	22
I. Repeated Defiance of Federal and State	
Laws By Defendants.....	23
II. There is Indisputable Evidence of Attempts	
to Litigate by Multiple Parties.....	23
III. Information Needed to Expose and Quantity the	
Magnitude of this Fraud Must Be	
Subpoenaed.	24
A. The Decision Below Is Incorrect.....	25
B. This Case Is an Ideal Vehicle to Resolve This	
Recurring Issue of National	
Importance.	25
CONCLUSION.....	33

APPENDIX

Appendix A

Opinion of the United States Court of Appeals for the Third Circuit, *In Veronica A. Williams v. Litton Loan, HSBC, Goldman Sachs, et. al.*,

No. 19-1032 (October 8, 2019)A-1.....34

Opinion of the United States District Court of New Jersey, *In Veronica A. Williams, Litton Loan Servicing, HSBC Bank, Goldman Sachs, et. al.* No. 2:16-cv-5301-ES-JAD, Filing No.116 (December 17, 2018) ...

.....A-2.....42

Response to USDCNJ Opinion, *In Veronica A. Williams, Litton Loan Servicing, HSBC Bank, Goldman Sachs, et. al.* No. 16-5301 (ES) (JAD)(April 2, 2019)A-3..... 77

Appendix B

Proof of Fraudulent Mortgage.....184

Appendix C

Selected filings with NJ Courts, U.S. District Court of New Jersey, U.S. Court of Appeals Third Circuit..... 209

Appendix D

USDCNJ Filing #99.....218

Appendix E

Constitutional, Statutory Provisions338

Appendix F

The Flow of Financing.....351

Appendix G

Petitioner's Professional Profile.....352

TABLE OF AUTHORITIES

Cases

David Brash v. PHH Mortgage Corp. (Case No. 4-09-cv-00146-(CDL)), the U.S. District Court of Georgia (11th District) jury awarded Plaintiff \$21M,340

Sealy Davis v. Ocwen Federal Bank, et al. 212th District Court, Galveston, Texas. (2005). \$11.5 million verdict. Unfair debt collection of a mortgage loan in servicing loan. Click for PRNewswire release & Mortgage Damage AwardsAppE...338

U.S.A. et. al. vs. HSBC, Civil Action No. 16-0199, <https://www.justice.gov/opa/file/822931/download>, HSBC \$479M Federal settlement LINKAppE....338

U.S.A. et. al. vs. Goldman Sachs, Civil Action No. ____ . Settlement Agreement signed by CA, IL, US Asst. Atty Genl, Goldman Sachs, <https://www.justice.gov/opa/file/839891/download>, Goldman Sachs \$5B Federal settlement LINK.....338

United States vs. Goldman Sachs et. al. 277 U.S. 338 (1928), <https://www.courtlistener.com/opinion/101302/united-states-v-goldman/>AppE....338

Constitutional Provision

U.S. Const. art. III, § 2, cl. 2..... 9 & 338

U.S. Const. Sixth Amendment 10 & 338

U.S. Const. Seventh Amendment..... 10 & 338

Statutes (Relevant Statutory Provisions)

18 U.S.C. § 1346.....338

15 U.S.C. § 1692.....10 & 338

15 U.S.C. § 45.....338

388 U.S.C. § 4101.....338

18 U.S.C. § 3301.....338

18 U.S.C. § 1007.....10 & 338

Federal Torts Act11 & 338

18 U.S.C. § 1962.....11 & 338

Dodd Frank Act of 2010, Pub.L. 111-203 124 Stat. 1376-2223 PDF Pub. L. No. 111-203, 124 Stat. 1376-2223....338

Glass Steagall Act of 1933 repealed Nov. 12, 1999

12 U.S.C. 378 FDIC 5000 Circular 1248, June 22, 1933
Fraser-GPO [link](#)340

FDIC Statement of Policy 5000 ([link](#)) 340

FDIC Statement of Policy 8000 ([link](#)) 340

Regulations

12 C.F.R. § 340.412 & 338

12 C.F.R. § 371.4338

12 C.F.R. § 811.2338

12 C.F.R. § 932.7338

12 C.F.R. § 100.1 (c)338

12 C.F.R. § 1003.5 (a).....338

12 C.F.R. § 1006338

12 C.F.R. § 1007.104338

12 C.F.R. § 1012.40 (c)338

12 C.F.R. § 1010.105 (d)(2)(i)338

12 C.F.R. § 1016.4 (a).....338

12 C.F.R. § 1022.42338

12 C.F.R. § 1024.2338

12 C.F.R. § 1024.9338

12 C.F.R. § 1024.10338

12 C.F.R. § 1024.14338

12 C.F.R. § 1026.3413 & 338

12 C.F.R. § 1026.3914 & 338

12 C.F.R. § 1026.41338

12 C.F.R. § 1070 (B) (C)(D) (E)338

12 C.F.R. § 1080 (6) (8) (10)338

Other Authority

California Code, Financial Code –

FIN § 50140-50146 (2012) [VIEW](#) 338

Ocwen \$2.1B Federal & State settlement, Consumer
Financial Protection Bureau (CFPB) Dec. 19, 2013 Release &
BizJournal.....14 & 338

PETITION FOR WRIT OF CERTIORARI

This case is an ideal vehicle for resolving financial fraud, including fraud associated with escalating foreclosures that have risen dramatically in recent decades. The origination and subsequent administration of this Petitioner's mortgage violated virtually every Federal banking rule (12 CFR § 340.4 , 12 CFR § 371.4 , 12 CFR § 811.2 , 12 CFR § 932.7 , 12 CFR § 100.1 (c) , 12 CFR § 1003.5 (a) , 12 CFR § 1007.104 , 12 CFR § 1012.40 (c) , 12 CFR § 1010.105 (d)(2)(i) , 12 CFR § 1016.4 (a) , 12 CFR § 1022.42 , 12 CFR § 1024.2 , 12 CFR § 1024.9 , 12 CFR § 1024.10 , 12 CFR § 1024.14 , 12 CFR § 1026.34 , 12 CFR § 1026.39 , 12 CFR § 1026.41 , 12 CFR § 1070 (B)(C)(D)(E) , 12 CFR § 1080 (6)(8)(10), See Appendix E p. 338 - 350). Litton Loan, HDBC and the other Defendants violated Federal Statutes (see complaint¹). The illegal gains from breaking these regulations and Federal statutes *far outweigh* the penalties imposed. In other words, without imprisonment the financial penalties are woefully insufficient. The Defendants failed to provide proper documents even after repeated requests by this Petitioner. Fremont and Litton Loan (when owned by Goldman Sachs) provided written commitment that they would comply with Federal banking rules. Their comments and letters proved to be red herrings that violated Federal torts laws².

¹ See Complaint filed with the U.S. District Court of New Jersey Case 2:16-cv-05301-ES-JAD. http://finfix.org/Federal-Complaint-Amended-2018_Case_2-16-cv-05301.pdf

² Ibid.

Defendants used this Petitioner's honesty and forthrightness to deceive. This Petitioner told Fremont and Litton Loan that the monthly payment amount did not match the agreement that she signed. This Petitioner also told Litton that the mortgage agreement had not been filed with NJ³, ⁴, ⁵. Litton withdrew the foreclosure. They later filed a forged agreement, and filed for foreclosure again. NJ required that I travel to Trenton to get a copy of the foreclosure action and agreement. Due to health and lack of money caused by the fraud, I was unable to make the trip. At least 4 law firms have been hired to stop this Petitioner. HSBC hired a new law firm for Litton Loan and all other Defendants, and another new law firm to do the foreclosure. This Petitioner hired an attorney who withdrew and did not tell me about the foreclosure. My former attorney sent a fraudulent letter signed by both my attorney and the attorney representing HSBC and the other Defendants.

Several hearings were held without this Petitioner's knowledge. This Petitioner appealed to NJ Appellate Court,

³ See mortgage master amortization included in Discovery filed with NJ Court in 2014. http://finfix.org/proof/DD/Discovery-Documents_ALL_11-18-14.pdf

⁴ See financial analysis backed by evidence presented to NJ Judge and filed with NJ Appeals Court in 2019 http://finfix.org/NJSuperior_2019/Case-Docket_F-00839-13_FILING-NJ-Superior-Court_6-21-19.pdf pp. 100 +

⁵ See Report by Expert recognized by NJ, NY State and Federal Courts describing forged mortgage agreement, consistent with this Petitioner's claims since 2006. http://finfix.org/USAppealsCt/Case_19-1032_More-Evidence-of-Fraudulent-Mortgage_6-21-19.pdf

Docket No. F-00839-13. NJ Court verbally gave her nonsensical requirements so she moved her case to Federal Court. Focused on fraud, not the illegal foreclosure, this Petitioner tried again in NJ Foreclosure Court. A Judge ignored evidence presented, then the Appellate Court stonewalled me. The facts and law support my case. USCA denied my appeal based on due process. I was denied assistance provided to other Pro Se litigants⁶.

While this Petitioner is not a lawyer, her education in legal procedures began long before she became a FINRA⁷ Arbitrator in 2009. This Petitioner made a diligent effort to follow the Rules of Federal Procedure and the rules of NJ Courts. Ye the lower Courts seem to blame poor process as the reason for repeatedly denying this claim. If the Court places process above the facts and the law, may God help us all.

This is a case of predatory financial and legal fraud that extends coast to coast and beyond. My case began with an attempt by a Defendant to convince me to pay a bill that did not fit the mortgage agreement that I signed. When I

⁶ See filing to the U.S. Court of Appeals, Third Circuit on October 31, 2019 references in Appendix A.

⁷ This Petitioner was recruited and became an Arbitrator for the Financial Industry Regulatory Authority (FINRA) in 2009.

pointed this out to the servicing firm, they offered a modification to fix their error. That was one of the first of numerous acts of fraud that continue today. By 2006, verbal and written commitments were made to fix their error. Rather a Defendant filed a foreclosure action but this Petitioner was never given a copy of the mortgage agreement or RESPA documents required by law. This Petitioner told the Defendant that she never received these documents and that the mortgage had not been filed with the State of New Jersey as required. The Defendants again promised to fix their error. Instead, the firm withdrew the foreclosure filing, filed a forged mortgage agreement, filed a second foreclosure complaint and was awarded an illegal foreclosure. Despite several request since early 2006, the Defendants have failed to provide this Petitioner a copy of the "legally" executed mortgage agreement. This Petitioner's only copy is the fraudulent agreement in the New Jersey Foreclosure files.

While fighting back, this Petitioner uncovered systemic, financial, legal and operational fraud that spans coast-to-coast and beyond. The fraud has been perpetuated by the Defendants and their supporters for the ensuing decade.

Worse, as fraud persists catastrophic damages continue to mount. Yet, most who understand what is happening, and those who continue to gain illegally, will not speak up. Many who attempted to stop these crimes have been shut down by our legal system. "What good will it be for someone to gain the whole world, yet forfeit their soul?" [Matthew 16:26, Bible]

This case implicates lawyers, Judges, NJ State employees and others who work in or service our judicial systems. Corruption in New Jersey is well known. This was corroborated on November 25, 2019 by a survey⁸ conducted for the Garden State Initiative (GSI) and Fairleigh Dickinson University's School of Public & Global Affairs (See <https://www.gardenstateinitiative.org/updates/2019/11/22/gsi-fdu-poll>). They found that NJ ranks #1 in population exodus, with 44% of our residents fleeing the state. Corruption was cited as one of the top 4 reasons for people leaving.

This case also implicates past and current executives at powerful financial service firms. Actions by two Defendants as far back as 1996 set the stage for some of the crimes that

⁸ Released Nov. 25, 2019, according to a survey conducted for the Garden State Initiative (GSI) and Fairleigh Dickinson University's School of Public & Global Affairs , 44% of New Jersey residents are planning to leave the state in the not so distant future See <https://www.gardenstateinitiative.org/updates/2019/11/22/gsi-fdu-poll>

followed against this Petitioner and others (will be presented at trial). Only a *fee large enough to support retirement* might make the risk of taking on this case worthwhile for most attorneys.

The widespread, well validated belief is that representing this Petitioner will be a career ending move, if not worse. It is quite understandable, therefore, that my 10—year effort to find an attorney to represent me, *whom I could afford* – failed.

The likely cost to U.S. citizens of fraud uncovered in this case is in the Billions of dollars. Filing #99 with the U.S. District Court of New Jersey (Appendix D p. 218 - 337) provides a broad, but not comprehensive, overview of my case. Filing dated October 31, 2019 with the U.S. Court of Appeals (Appendix C p. 209 - 217) highlights recent efforts, and unfair denials, in my quest to find an attorney to represent me. This document also explains how the Federal initiative to support Pro Se litigants failed me.

The likely astronomical cost to U.S. citizens coupled with the systemic denial of representation by our Federal system warrants the waiver of Supreme Court of the United States Rule 28.8 for my case. While I do not hold a Bar ID, I am a

U.S. Citizen with crucial expertise to present this case as well as having served our country as a good citizen. I deserve the right to represent myself (Appendix F p. 351).

Please note that the thousands of pages filed with the Courts do not represent the entirety of supporting documentation for this case. Also note that this Petitioner does not have the resources to provide all available evidence. The numbers and other evidence show, however, that this is a multi-state problem with global tentacles.

The legal delays since 2009 have been sufficient to allow the statutes of limitation to expire for many of the illegal acts exposed in this case. Hearing this case in open court is essential to deter others from committing the same or similar acts in the future. This is the last opportunity *in this case* for our legal system to prove its veracity and strength. God will continue to bring truth to light. I pray that my story is told *first* in our Courts, after the Supreme Court of the United States (SCOTUS) approves my constitutional right to self-representation and a jury trial in front of my peers.

The widespread and egregious actions observed by this Petitioner are an affront to our financial, legal and democratic processes and institutions.

The Third Circuit refused to reconsider its rule and held that this Petitioner's "appeal does not present a summarily question". The "entire controversy doctrine" quoted in the appeal is superseded by the repeated denial of this Petitioner's right to due process. That decision is wrong. This case is an ideal vehicle for resolving the important questions posed herein as well as mitigating fraud because this Petitioner would be an excellent candidate to receive a judgment and damages for wanton fraud and violation of several Federal laws.

The lower court's refusal to exercise jurisdiction over this Petitioner's claim is also wrong and warrants this Court's review. This Petitioner challenged Defendants collectively worth over \$4 Trillion (U.S.) who continue to perpetrate *and benefit from* fraud. The Third Circuit refused to hear this Petitioner. Thus, here too, this Petitioner's fate turns on the fact that she has been unable to retain reliable counsel and represents herself. This sort of disparity is profoundly unfair and antithetical to the national character of our financial and tort laws, and to our nation's constitution. This Court's prompt review is required.

OPINIONS BELOW

The opinion of the Court of Appeals, Third Circuit (10/8/19) is in Appendix A (p. 34). This Petitioner's response to the opinion of the U.S. District Court of New Jersey issued its opinion Dec. 17, 2018 (see Appendix A p. 34).

JURISDICTION

The Court of Appeals issued its opinion on October 8, 2019.

CONSTITUTIONAL & STATUTORY & OTHER PROVISIONS

See Appendix E (p. 338 – 350)

Third Amendment To The United States Constitution

U.S. Const. art. III, § 2, cl.

The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States;—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been

committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed. VIEW

Sixth Amendment To The United States Constitution

In all criminal prosecutions, the accused **shall enjoy the right to a speedy and public trial**, by an impartial jury of the state and district wherein the crime shall have been committed.... VIEW

Seventh Amendment To The United States Constitution

In Suits at common law, where the value in controversy shall exceed twenty dollars, **the right of trial by jury shall be preserved**, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law. VIEW

15 U.S.C. § 1692

(a) ABUSIVE PRACTICES

There is abundant evidence of the use of abusive, deceptive, and unfair debt collection practices by many debt collectors. Abusive debt collection practices contribute to the number of personal bankruptcies, to marital instability, to the loss of jobs, and to invasions of individual privacy.

(b) INADEQUACY OF LAWS

Existing laws and procedures for redressing these injuries are inadequate to protect consumers. VIEW

18 U.S.C. § 1007

18 U.S. Code § 1007. Federal Deposit Insurance Corporation transactions

Whoever, for the purpose of influencing in any way the

action of the Federal Deposit Insurance Corporation, knowingly makes or invites reliance on a false, forged, or counterfeit statement, document, or thing shall be fined not more than \$1,000,000 or imprisoned not more than 30 years, or both. VIEW

Restatement of Federal Torts Act⁹

1. Restatement of Torts (Second), sec 525: "One who fraudulently makes a misrepresentation of fact, opinion, intention or law for the purpose of inducing another to act or *to refrain from action* in reliance upon it, is subject to liability to the other in deceit for pecuniary loss caused to him by his justifiable reliance upon the misrepresentation."

2. Restatement of Torts (Second), sec 551(1): "One who fails to disclose to another a fact that he knows may justifiably induce the other to act *or refrain from acting* in a business transaction is subject to the same liability to the other as though he had represented the nonexistence of the matter that he has failed to disclose...."

3. Restatement of Torts (Second), sec 531: "One who makes a fraudulent misrepresentation is subject to liability to the persons or class of persons whom he intends or has reason to expect to act or *to refrain from action* in reliance upon the misrepresentation, for pecuniary loss suffered by them through their justifiable reliance in the type of transaction in which he intends or has reason to expect their conduct to be influenced." VIEW

18 U.S.C. § 1962

18 U.S. Code § 1962.Prohibited activities

⁹ See Claim filed by Petitioner with U.S. District Court o New Jersey, Count VII p. 14 - 15
http://finfix.org/Federal-Complaint-Amended-2018_Case_2-16-cv-05301.pdf

(a) It shall be unlawful for any person who has received any income derived, directly or indirectly, from a pattern of racketeering activity or through collection of an unlawful debt in which such person has participated as a principal within the meaning of section 2, title 18, United States Code, to use or invest, directly or indirectly, any part of such income, or the proceeds of such income, in acquisition of any interest in, or the establishment or operation of, any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce.

(b) It shall be unlawful for any person through a pattern of racketeering activity or through collection of an unlawful debt to acquire or maintain, directly or indirectly, any interest in or control of any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce.

(c) It shall be unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity or collection of unlawful debt. VIEW

12 C.F.R. § 340.4

§ 340.4 Restrictions on the sale of assets by the FDIC regardless of the method of financing

(a) A person may not acquire any assets of a failed institution from the FDIC if the person or its associated person:

(3) Has demonstrated a pattern or practice of defalcation regarding obligations to any failed institution;

(5) Would be prohibited from purchasing the assets of a covered financial company from the FDIC under 12 U.S.C. 5390(r) or its implementing regulation at 12 CFR part 380.13.

(c) For purposes of paragraph (a) of this section, a person or its associated person has demonstrated a "pattern or practice of defalcation" regarding obligations to a failed institution if the person or associated person has:

(1) Engaged in more than one transaction that created an obligation on the part of such person or its associated person with intent to cause a loss to any insured depository institution or with reckless disregard for whether such transactions would cause a loss to any such insured depository institution; and VIEW

12 C.F.R. § 1026.34

12 CFR § 1026.34 - Prohibited acts or practices in connection with high-cost mortgages.

(a) Prohibited acts or practices for high-cost mortgages -

(3) Refinancings within one-year period. Within one year of having extended a high-cost mortgage, a creditor shall not refinance any high-cost mortgage to the same consumer into another high-cost mortgage, unless the refinancing is in the consumer's interest. An assignee holding or servicing a high-cost mortgage shall not, for the remainder of the one-year period following the date of origination of the credit, refinance any high-cost mortgage to the same consumer into another high-cost mortgage, unless the refinancing is in the consumer's interest. A creditor (or

assignee) is prohibited from engaging in acts or practices to evade this provision, including a pattern or practice of arranging for the refinancing of its own loans by affiliated or unaffiliated creditors.

(5) Pre-loan counseling -

(i) Certification of counseling required. A creditor shall not extend a high-cost mortgage to a consumer unless the creditor receives written certification that the consumer has obtained counseling on the advisability of the mortgage from a counselor that is approved to provide such counseling by the Secretary of the U.S. Department of Housing and Urban Development or, if permitted by the Secretary, by a State housing finance authority. **VIEW**

12 C.F.R. § 1026.39

12 CFR § 1026.39 - Mortgage transfer disclosures.

(b) Disclosure required. Except as provided in paragraph (c) of this section, each covered person is subject to the requirements of this section and shall mail or deliver the disclosures required by this section to the consumer on or before the 30th calendar day following the date of transfer.

(d) Content of required disclosures. The disclosures required by this section shall identify the mortgage loan that was sold, assigned or otherwise transferred, and state the following, except that the information required by paragraph (d)(5) of this section shall be stated only for a mortgage loan that is a closed-end consumer credit transaction secured by a dwelling or real property other than a reverse mortgage transaction subject to § 1026.33 of this part: **VIEW**

Ocwen \$2.1B Federal & State settlement – EXCERPT

CFPB, State Authorities Order Ocwen to Provide \$2 Billion in Relief to Homeowners for Servicing Wrongs

DEC 19, 2013

Largest Nonbank Servicer Will Also Refund \$125 Million to Foreclosure Victims and Adhere to Significant New Homeowner Protections

WASHINGTON, D.C. — Today, the Consumer Financial Protection Bureau (CFPB), authorities in 49 states, and the District of Columbia filed a proposed court order requiring the country's largest nonbank mortgage loan servicer, Ocwen Financial Corporation, and its subsidiary, Ocwen Loan Servicing, to provide \$2 billion in principal reduction to underwater borrowers. The consent order addresses Ocwen's systemic misconduct at every stage of the mortgage servicing process. Ocwen must also refund \$125 million to the nearly 185,000 borrowers who have already been foreclosed upon and it must adhere to significant new homeowner protections.

"Deceptions and shortcuts in mortgage servicing will not be tolerated," said CFPB Director Richard Cordray. "Ocwen took advantage of borrowers at every stage of the process. Today's action sends a clear message that we will be vigilant about making sure that consumers are treated with the respect, dignity, and fairness they deserve."

The proposed Ocwen Consent Order is available [SIGNED 12/12/13] at:

https://files.consumerfinance.gov/f/201312_cfpb_consent-order_ocwen.pdf

Borrowers Pushed into Foreclosure by Servicing Errors

The CFPB and its partner states believe that Ocwen was engaged in significant and systemic misconduct that occurred at every stage of the mortgage servicing process. According to the complaint filed in the federal district court in the District of Columbia, Ocwen's violations of consumer financial protections put thousands of people across the country at risk of losing their homes. Specifically, the complaint says that Ocwen:

- **Engaged in illegal foreclosure practices:** One of the most important jobs of a mortgage servicer is managing the foreclosure process. But Ocwen mishandled foreclosures and provided consumers with false information. Specifically, Ocwen is accused of:
 - Providing false or misleading information to consumers about the status of foreclosure proceedings where the borrower was in good faith actively pursuing a loss mitigation alternative also offered by Ocwen; and
 - Robo-signing foreclosure documents, including preparing, executing, notarizing, and filing affidavits in foreclosure proceedings with courts and government agencies without verifying the information.
- **Provide \$2 billion in relief to underwater borrowers:** Over a three-year period, Ocwen must complete sustainable loan modifications that result in principal reductions totaling \$2 billion. If Ocwen fails to meet this commitment, it must pay a cash penalty in the amount of any shortfall to the CFPB and the states.
- **Provide \$125 million in refunds to foreclosure victims:** Ocwen must refund \$125 million to consumers

whose loans were being serviced by Ocwen, Homeward Residential Holdings, or Litton Loan Servicing, and who lost their homes to foreclosure between Jan. 1, 2009 and Dec. 31, 2012. All eligible consumers who submit valid claims will receive an equal share of the \$125 million. Borrowers who receive payments will not have to release any claims and will be free to seek additional relief in the courts. Ocwen will also pay \$2.3 million to administer the refund process. Eligible consumers can expect to hear from the settlement administrator about potential payments.

- **Properly process pending requests:** For loans that are transferred to Ocwen, the company must determine the status of in-process loss mitigation requests pending within 60 days of transfer. Until then, Ocwen cannot start, refer to, or proceed with foreclosure.

The Ocwen consent judgment entered by the court can be found

at: https://files.consumerfinance.gov/f/201403_cfpb_entered-judgment-with-exhibits_ocwen.pdf

U.S. District Court for the District of Columbia 13-cv-2025
(RMC) [VIEW](#)

STATEMENT OF THE CASE

A. Statutory Background

1. This Petitioner was denied due process and documents filed with the Courts were ignored. Her first claim filed with NJ Court (Docket No. ESSX L-000081-11) was withdrawn (upon the Court's advice) after the Defendants

failed to appear and she was hospitalized. A law firm was retained, filed a new complaint, then withdrew, so this Petitioner filed the Discovery document with the NJ Court in 2014. This document included the mortgage amortization of her home with copies of legal mortgage agreements filed with the state of NJ, starting at inception when her home was purchased in August 1983. This document clearly shows that the remaining balance on her mortgage was far less than the amount on the forged mortgage agreement from Fremont. This filing also included written confirmation of the correct amount that should have been on RESPA and other documents that Federal law requires but were never provided by Fremont. The fraud escalated after March 2006. The former Fremont employees who were the point persons responsible for the forgery, filing and initial cover-up of the fraudulent mortgage are on this Petitioner's witness list. Others involved in this fraud were employees of or hired by the other Defendants. The legal fraud that ensued was such a wanton defiance of our laws and integrity¹⁰ that it warrants full prosecution of the lead people and entities responsible.

¹⁰ This is one of many Federal actions against one of more of these Defendants over the years. See *United States vs. Goldman Sachs et. al.* 277 U.S. 269 (1928),

B. Facts and Procedural History

This Petitioner has insisted countless times since 2006 that the mortgage bill did not match the agreement she signed. Verbal, written, undeniable proof was presented to the Defendants, many others as well as the Courts for the State of New Jersey, the U.S. District Court of New Jersey and the U.S. Court of Appeals Third Circuit, and now to the U.S. Supreme Court¹¹. Despite irrefutable facts and evidence, this Petitioner has been denied due process and justice at virtually every step. Since 2009, she has been subjected to unwarranted and deceptive legal delays. This case exposes egregious and massive crimes whose impact is far beyond that imposed against this Petitioner. Many of the facts and procedures in this case are presented in Court filings (see Appendix C p. 209). U.S. District Court of NJ Filing No. 99 (see Appendix D p 218 - 337) provides one summary and valuable insights of this case.

Damages began to mount in 2006 and continue to escalate today. Due to the Defendants' actions this Petitioner lost lucrative 20-year Federal Supply Schedules

¹¹ After 13 years of verbal and written requests, the Defendant's attorney on Dec. 11, 2019 emailed this Petitioner a partial copy of the fraudulent mortgage.

(GSA¹² Contracts GS-35F-0427R and GS-10F-0104P) as well as long- established Corporate business relationships and other sources of revenue. Virtually all of her assets were wiped out. Many organizations did not respond to this Petitioner's requests, including the Federal Deposit Insurance Corporation (FDIC) who failed to respond to her Freedom of Information Act (FOIA) requests.

Damages to this Petitioner's firm went beyond revenue. Actions attacked her firm's assets as well. One example is trademarks for brands established over 40 years ago. The U.S. Patent and Trademark Office (USPTO) received petitions to cancel copycat trademarks that were filed shortly before and during the illegal foreclosure. Two remain under review, USPTO Petition Nos. 92071829 & 92072082. Other major corporations and others intensified as the illegal foreclosure drew near and exploded after the illegal foreclosure was granted. (note the timeline¹³ will be updated at trial). Efforts to cancel remaining copycats – <http://www.discover-it.com/trademark-history.html> – will be

¹² GSA, the General Services Administration, a Federal agency, settled after cancelling this Petitioner's company's schedules after the Defendants' actions caused her firm to miss requirements. The Defendants then forced a hearing while this Petitioner was still recovering from major surgery. This forced her to settle for less from GSA and also caused her to be hospitalized again.

¹³ See timeline at <http://www.finfix.org/Fraud-Timeline.html>.

paid as soon as money is available.

To reiterate, the negative impact was beyond revenue and assets. This Petitioner's firm had attained a strong Paydex¹⁴ score and her FICO¹⁵ score was sound. Her firm's and personal credit was decimated, dropping from over \$20M and well over \$750K respectively, to \$0.00.

This Petitioner's doctors determined that the intense stress caused her health challenges, resulting in 8 major surgeries and additional hospitalizations. Despite sharing this information with the Internal Revenue Service, her firm's appeals were denied. The IRS assessed her firm massive penalties and interest for filing taxes late when she was hospitalized or recovering. These fines were imposed despite her firm's earning dropping to zero taxable income! Was the decline in taxable income so precipitous that the IRS did not believe the facts presented?

The Defendants' acts caused this Petitioner personal losses that continue today. Through a program administered and funded by the State of New Jersey, in 2014 an unlicensed company owned by a New Jersey and resident of

¹⁴ Paydex is a numerical score used by Dun & Bradstreet to assess a firm's creditworthiness. See <http://products.dandb.com/paydex/>

¹⁵ A FICO score measures consumer's creditworthiness. See <https://www.fico.com/en/products/fico-score>

Texas¹⁶, solicited this Petitioner, performed unlicensed major capital improvements on her home, paid for by the State of New Jersey program. The company insisted upon an unacceptable contract and never paid for their damages which continue to mount. The damages caused by this company could reach 50% of the property value, particularly if this case does not reach trial in the next year.

These are just a few of the many acts by the Defendants that hurt this Petitioner. A series of predatory acts and catastrophic damages will be presented at trial. Damages to this Petitioner are depraved indifference at best. Targeting her as a victim of fraud and dragging it out for 15 years suggest she was selected due to her public successes¹⁷.

REASONS FOR GRANTING PETITION FOR WRIT OF CERTIORARI

This case presents important and recurring questions on which the lower courts are in acknowledged conflict. Most cases probably do not reach Federal Court because the legal cost exceeds the cost of losing most homes, especially those less than \$1M. Our current financial, regulatory and legal systems do not allow viable defense for the poor and middle

¹⁶ This company was assigned the most lucrative half of the State of New Jersey as its territory.

¹⁷ This Petitioner's select achievements dating back to 1971 are displayed at www.VeronicaWilliams.com.

class against this fraud. This case will shine light on those problems and by doing so, help to bring parity by attacking fraud on multiple fronts.

I. Repeated Defiance of Federal and State Laws by Defendants.

This is the rare case that raises a recurring issue of national importance on which citizens from multiple states are impacted and whose costs and time make litigation implausible. This case will have a significant impact on this Petitioner as well as countless current and future property owners.

II. There Is Indisputable Evidence of Attempts to Litigate by Multiple Parties.

Indisputable evidence has been filed but repeatedly dismissed. My research found several attempts to litigate similar actions using the RICO statute. The RICO relevant actions are facilitators for this scam but it is not the root cause. It is difficult to win without focusing on the root cause of this compounding financial crime. Without decades of detailed records, this case could be challenging to explain to non-financial experts. It is particularly difficult without issuing subpoenas to all financial and operational entities involved. I am quite capable and ready to explain the

complexities of this case in open Court to a jury of my peers.

This Petitioner is prepared to simplify the complexity of this case for the jury. She has prepared a multimedia presentation that includes links to evidence, testimonies, interrogatories and other supporting evidence. This presentation will be available at www.FinFix.org and can be available as it is presented during or after trial.

III. Information Needed To Expose and Quantify the Magnitude of this Fraud Must Be Subpoenaed.

Indisputable evidence has been filed but repeatedly dismissed. Subpoenas have been stonewalled by failing to issue dates required by subpoenas approved by the NJ Court. This Petitioner has been blocked continually in her effort to quantify the magnitude of fraud that she recognizes from her expertise and experience.

The FDIC has repeatedly failed to respond to this Petitioner's FOIA requests. It has been understood for well over a decade that auditors "are not geared towards the detection of fraud"¹⁸. The information that this Petitioner

¹⁸ Yeoh, P. (2010). Causes of the global financial crisis: Learning from the competing insights. *International Journal of Disclosure and*

seeks will likely reveal that hers is not the only mortgage agreement forged by Fremont. Based on Fremont's SEC filings, the dollar amount of discrepancies had to be an order of magnitude greater to draw attention to uncovered debts. Such a magnitude is what a FDIC audit often results in cease and desist orders.

A. The Decision Below Is Incorrect.

This case presents extensive evidence of massive, coast-to-coast financial and legal fraud. Several Federal and State law have been broken. The decision was made without allowing the Petitioner to appear before the Appeals Court. This is a prime example that begs to be heard by in the United States Supreme Court.

B. This Case Is an Ideal Vehicle to Resolve This Recurring Issue of National Importance.

This is an inherently national issue that arises with great frequency. Uncoordinated actions and regulations across the states is just one fact that paves the way for such massive fraud to succeed. Additionally, since Petitioner is an especially strong candidate for discretionary relief, this is the ideal case to resolve the question.

The FDIC issued Fremont¹⁹ a cease and desist order in 2007. The State of California enacted a Residential Mortgage Lending Act in 2012. Chapter 2 of this Act specified licensing requirements for Residential Mortgage lenders. This is just one step taken since the FDIC closed Fremont. The fraud perpetrated against this Petitioner by Fremont, based in California, was in 2006. The damage had been done.

The funds withheld from this Petitioner would cause the debt to be uncovered by Fremont. The fraud against this Petitioner alone, however, was not sufficient to produce an amount of uncovered debt to warrant closing Fremont. Fremont filed many trusts with the SEC. This suggests that there may have been a substantial number of fraudulent mortgages that forced Fremont to be shut down. With terms up to 30 years, the magnitude of this crime could be in the billions of dollars and continue for decades. The \$169,492.34 initially stolen from this Petitioner would have yielded the Defendants *at least* \$1,039,630.58²⁰ for a home purchased for \$88,000 if she did not fight back. This is validated in

¹⁹ Fremont Investment and Loan was based in California.

²⁰ See Appeal filed with NJ Superior Court June 2019

http://finfix.org/NJSuperior_2019/Case-Docket_F-00839-13_FILING-NJ-Superior-Court_6-21-19.pdf, Attachment I, p. 89. Updated is over \$1,087,011.83.[VIEW](#) \$\$

documents presented to a NJ Chancery Court Judge in May 2019, and in Appeal Docket No.F-000839-13 filed with the State of New Jersey in June 2019.^{21,22}

The path of this fraud may not be simple to follow. It is the complexity of mega financial fraud that contributes to its success. State and Federal regulations do not adequately protect against this fraud. Many homeowners and lawyers assume that records presented by banks are correct, so foreclosures proceed without verifying the numbers. Subpoenas are not issued and audits are seldom done before foreclosures are finalized. The homeowner simply loses their home, or refinances. Both actions hide the fraud perpetrated by illegal foreclosures. This is one way that mortgages are illegally reclassified as sub-prime. In the case of this Petitioner, it appears that the mortgage administrator cashed payments without recording them. Such nationwide fraud is a likely contributor to our country's foreclosure crisis

²¹ See U.S. Court of Appeals, Third District filing on Oct. 30, 2019 http://finfix.org/USAppealsCt/Case_19-1032_Petition-for-Hearing_10-30-19.pdf

²² See Appeal filed with NJ Superior Court in June 2019 http://finfix.org/NJSuperior_2019/Case-Docket_F-00839-13_FILING-NJ-Superior-Court_6-21-19.pdf

along with improperly rated MBSs and other CDOs²³ that underlie subprime mortgages. This is a variant of what some in the financial services industry call “Fool’s Folly”. (PROVERBS 26:4). The Petitioner will use her Flow of Financing diagram (Appendix E p. 338 – 350)) to explain how the collective actions of the defendants inflicted damages on investors, borrowers and others throughout the flow of financing.

It would have been much easier and far less expensive if this Petitioner had just paid the illegal \$169,492.34. Her personal and business credit would not have been wiped out, her firm’s Federal contracts would not have been cancelled, her Federal security clearances would have been approved, which would have affirmed her Federal job offer and task orders for her company. Her forty year plan would have paid off quite handsomely. Paying the defrauded amount was not a major expense at that time²⁴.

This massive fraud may not have been brought to light if this Petitioner had taken the easy way out. But her conscious and responsibility as a citizen prevented her from

²³ MBS – mortgage backed security; CDO – collateralized debt obligation. For definitions see <https://www.thirdway.org/memo/your-cheat-sheet-for-the-big-short#:~:targetText=A%20CDO%20is%20a%20sort,loans%20to%20credit%20and%20loans.>

²⁴ This Petitioner was a successful business owner with lucrative Federal contracts and Enterprise Corporate clients.

doing that²⁵. She believes in choosing the harder right than the easier wrong. She knows that those who suffer the most are poor and middle class Americans who work hard most of their lives to buy their homes. The Petitioner's research suggest that many of these illegally gained profits were moved offshore. This Petitioner could not let that continue. She prays that the U.S. Supreme Court takes the next step towards putting a stop to this fraud by granting her constitutional right to a trial in front of a jury of her peers.

1. The fraud perpetuated in this case is quintessentially national in character.

2. This case is an especially good vehicle for bringing national fraud to light and, thus, accelerating the steps to stop fraud.

3. The global effects²⁶ of financial fraud can be mitigated after acts in this case are brought to light.

The Defendants' well evidenced acts beg a question. Is the Defendants' reign of fraud against this Petitioner payback for her providing Federal authorities evidence that

²⁵ See U.S. Court of Appeals, Third District filing on Oct. 30, 2019 http://finfix.org/USAppealsCt/Case_19-1032_Petition-for-Hearing_10-30-19.pdf

²⁶ The United States plays a critical role in the global economy. Improper financial acts in our country have attracted criticism from leaders for decades. See. Yeoh, P. (2010). Causes of the global financial crisis: Learning from the competing insights. *International Journal of Disclosure and Governance*, 7(1), 42-69.
doi:<http://dx.doi.org.libproxy.temple.edu/10.1057/jdg.2009.18> (p 57-58)

precipitated fines against HSBC, Goldman Sachs and Ocwen? Or, are their actions merely depraved indifference?

Sanctions, disbarment, firing or paying record breaking fines are not sufficient penalties for crimes that *fly in the face* of our Nation's laws. The United States should follow the example of **Iceland by imprisoning top bankers**²⁷. Iceland's bankers reported crimes had less impact than the crimes alleged against people and entities identified in this case.

Record breaking fines have not deterred these Defendants. Decisions against these Defendants and others imposed heavy penalties, yet financial crimes by these firms continue. Ocwen paid \$2.1B for "Ocwen's systemic misconduct at every stage of the mortgage servicing process"²⁸ while at the same time this firm was forging ahead with an illegal foreclosure against this Petitioner! Goldman Sachs paid \$5.1B for mortgage fraud²⁹ in 2016 but did not

²⁷ "If Iceland Can Jail Bankers for the Crash Then Why Can't America?", Tim Worstall, Forbes magazine, Oct. 24, 2015, Forbes.com, <https://www.forbes.com/sites/timworstall/2015/10/24/if-iceland-can-jail-bankers-for-the-crash-then-why-cant-america/#ded52452b30c>

²⁸ Consumer Protection Financial Bureau Press Release Dec. 13, 2013. <https://www.consumerfinance.gov/about-us/newsroom/cfpb-state-authorities-order-ocwen-to-provide-2-billion-in-relief-to-homeowners-for-servicing-wrongs/>

²⁹ See DOJ April 11, 2016 Press Release <https://www.justice.gov/opa/pr/goldman-sachs-agrees-pay-more-5-billion-connection-its-sale-residential-mortgage-backed> that states "conduct in the packaging, securitization, marketing, sale and issuance of residential

stop! HSBC paid \$491M but did not stop! These fines are about 0.3389% and 0.0017% of their assets, respectively. Remember, these figures do not include off-balance sheet transactions which probably reduce these percentages further. The fines are laughable to banks with billions of dollars in assets. Obviously the penalties did not alter their actions. The reason – the gains far exceed the penalties, so the penalties are a negligible cost of doing business. These fines are not even a slap on the wrist. HSBC carries mortgages on its balance sheet after hijacking billions in US assets. Goldman Sachs was in a position to stop or limit Litton Loan's impact, but they accelerated damages imposed. Again, fines have not stopped these Defendants. Without imprisonment the financial penalties are woefully insufficient.

This case is a prime example of why SCOTUS Rule 28.8 defies our nation's constitution. Rule 28.8 prevents citizens from protecting the laws of our country. It is clear that the lower courts do not want the damaging evidence in this case to come to light within our legal system. This Petitioner prays that the U.S. Supreme Court will display

the integrity and voracity of our nation's legal system by granting this Petitioner's Writ of Certiorari.

To deny this writ is not only a denial of this Petitioner's constitutional rights, it also discourages others who want to demonstrate basic responsibilities of citizenship. "It Shouldn't Be This Hard to Service Your County"^{30, 31} Millions of our ancestors fought and died for our right to life, liberty and the pursuit of happiness³². This is one of the unalienable rights in the U.S. Declaration of Independence which led the way to our U.S. Constitution 11 years later. 232 years later and forevermore, we must honor their sacrifices by protecting these rights. To do so, my case must be heard in open court in front of a jury of my peers.

The repeal of the Glass Steagall Act, limitations of the Dodd Frank Act, and lack of fairness and decency have allowed these Defendants and others to commit crimes that have gone unchecked for decades. The result has widened the wealth gap, shrunk our middle class and escalated

³⁰ Title of Book released October 22, 2019, "It Shouldn't Be This Hard to Serve Your Country", authored by former Veterans Affairs Secretary David Shulkin. See <https://www.publicaffairsbooks.com/titles/david-shulkin/it-shouldnt-bethis-hard-to-serve-your-country/9781541762640>

³¹ United States Court of Appeals, Third Circuit, Case No. 19-1032 Filing on October 31, 2019. http://finfix.org/USAppealsCt/Case_19-1032_Petition-for-Hearing_10-30-19.pdf

³² U.S. Declaration of Independence, in Congress, July 4, 1776.. <https://www.archives.gov/founding-docs/declaration-transcript>

turmoil of all types in our country and abroad. Financial crimes violate our right to “life, liberty and the pursuit of happiness”³³. Exposing the facts in my case is just one step towards achieving economic parity. By granting my constitutional rights to a speedy trial and a trial in front of a jury of my peers, the Court allows another step to be taken towards deterring fraud by shining lights on the Defendants’ bad acts. To deny my right to a trial, is to deny rights for which millions of our ancestors have fought and died.

CONCLUSION

For the reasons set forth above, this Court should grant the petition for certiorari.

Respectfully submitted,

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³³ Ibid.