

S/F

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
CIVIL ACTION

U.S. BANK NATIONAL ASSOCIATION AS  
TRUSTEE FOR RASC 2005KS11,  
Plaintiff,  
vs.  
LINNEL GREEN A/K/A LINNEL L. GREEN , et al,  
Defendant(s).

CASE NO.: 09-001237-CI  
DIVISION: 19

RECEIVED  
SEP 14 2010  
BY: \_\_\_\_\_

NOTICE

Pursuant to Rule 4-3.3, Rules of Professional Conduct of the Rules Regulating The Florida Bar, the undersigned law firm hereby notifies the Court as follows:

1. An affidavit of indebtedness was served in the above-styled matter in support of Plaintiff's motion for summary judgment, ("the Affidavit").
2. The undersigned law firm has recently been notified that the information in the Affidavit may not have been properly verified by the affiant; and accordingly, the Affidavit is hereby withdrawn.
3. The undersigned law firm was not aware of the foregoing information when the Affidavit was filed with the Court.
4. The undersigned law firm drafted the Affidavit based upon the information and business records provided by its client, and to the best of its knowledge and information, believes, in good faith, that the amounts reflecting the indebtedness contained therein accurately reflected the information provided by its client and were believed to be correct when filed.
5. A new, properly verified affidavit will be filed when and as appropriate.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to all parties listed on the attached service list on this 10<sup>th</sup> day of September, 2010.

Respectfully submitted,  
Florida Default Law Group, P.L.  
P.O. Box 25018  
Tampa, Florida 33622-5018  
(813) 251-4766

Ce s. To  
Nikolay Kolev, Esq.  
Florida Bar No. 0028005  
Andrea Pidala, Esq.  
Florida Bar No. 0022848  
Colleen E. Lehmann, Esq.  
Florida Bar No. 0033496  
Attorneys' for Plaintiff

F09005050



## Service List

LINNEL GREEN A/K/A LINNEL L. GREEN  
c/o Matthew D. Weidner, Esq.  
1229 Central Avenue  
St. Petersburg, FL 33705

GALE W. GREEN  
c/o Matthew D. Weidner, Esq.  
1229 Central Avenue  
St. Petersburg, FL 33705

MAR2009

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
CIVIL ACTION

U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE  
FOR RASC 2005KS11,  
Plaintiff,

CASE NO.: 09-001237-CI  
DIVISION: 19

vs.

LINNEL GREEN A/K/A LINNEL L. GREEN, et al,  
Defendant(s).

AFFIDAVIT AS TO AMOUNTS DUE AND OWING

STATE OF pa

COUNTY OF Montgomery

BEFORE ME this day personally appeared Jeffrey Stephan  
Limited Signing Officer

(Affiant) who upon oath, deposes on personal knowledge and says:

1. This Affidavit is submitted in support of Plaintiff's Motion for Final Judgment for the purpose of showing: that there is no genuine issue as to any material fact, that Plaintiff is entitled to enforce the Note and Mortgage and Plaintiff is entitled to a judgment as a matter of law.

2. I am ISO (title), of GMAC MORTGAGE, LLC. GMAC MORTGAGE, LLC is the servicer of the loan. GMAC MORTGAGE, LLC is responsible for the collection of this loan transaction and pursuit of any delinquency in payments. I am familiar with the books of account and have examined all books, records, and documents kept by GMAC MORTGAGE, LLC concerning the transactions alleged in the Complaint. All of these books, records and documents are kept by GMAC MORTGAGE, LLC in the regular course of its business as servicer of the loan transaction and are made at or near the time by, and from information transmitted by, persons with personal knowledge of the facts such as your Affiant. It is the regular practice of GMAC MORTGAGE, LLC to make and keep these books, records, and documents. The books, records, and documents which

FILE\_NUMBER: F09005050

DOC\_ID: M001900

**\*F09005050\***

**\*M001900\***

Affiant has examined are managed by employees or agents whose duty it is to keep the books accurately and completely. Furthermore, Affiant has personal knowledge of the matters contained in the books, records and documents kept by GMACMORTGAGE, LLC.

3. I have personal knowledge of the facts contained in this affidavit. Specifically, I have personal knowledge of the facts regarding the sums of money which are due and owing to U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE FOR RASC 2005KS11 pursuant to the Note and Mortgage which is the subject matter of the lawsuit.

4. Plaintiff, U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE FOR RASC 2005KS11, is owed the following sums of money as of 05/10/09:

PRINCIPAL	\$120,016.38
INTEREST PER DIEM OF \$33.70 ( 10.25% interest rate)	9,171.09
PRE-ACCELERATION LATE CHARGES THROUGH January 14, 2009	395.98
PROPERTY INSPECTIONS	123.75
BANKRUPTCY FEES & COSTS	
TAXES	2,073.91
INSURANCE	2,979.29
SPEEDPAY FEE	7.50
BPO	166.00
NSF CHECK FEE	20.00
UNAPPLIED FUNDS	-6.70
TOTAL	\$ 134,947.20

5. U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE FOR RASC 2005KS11 has employed the services of the law firm of Florida Default Law Group, P.L. in this action against the Defendant(s), and is obligated to pay Florida Default Law Group, P.L. a reasonable attorney's fee for its services, along with all costs and expenses of this action. In this uncontested foreclosure case, we have agreed to pay the law firm of Florida Default Law Group, P.L. a flat fee of \$1,200.00. In the event the matter becomes contested, we have agreed to pay an hourly fee up to \$175.00 per hour.

FURTHER AFFIANT SAYETH NOT.

Type Name Here: \_\_\_\_\_

**Jeffrey Stephan**  
**Limited Signing Officer**

The foregoing instrument was sworn to and subscribed before me this 11 day of March 2009, by \_\_\_\_\_, who is personally known to me.

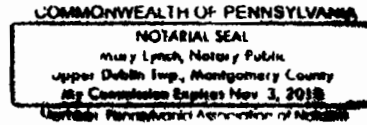
**Jeffrey Stephan**  
**Limited Signing Officer**

Type Name Here: \_\_\_\_\_

NOTARY PUBLIC, State of STATE OF \_\_\_\_\_

My commission expires: \_\_\_\_\_

F09005050-7440307320  
GMAC-CONV—abiven



**Service List**

LINNEL GREEN A/K/A LINNEL L. GREEN  
c/o Matthew D. Weidner, Esq.  
1229 Central Avenue  
St. Pettersburg, FL 33705

GALE W. GREEN  
c/o Matthew D. Weidner, Esq.  
1229 Central Avenue  
St. Pettersburg, FL 33705

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
CIVIL ACTION

U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE FOR RASC 2005KS11

Plaintiff,

CASE NO.: 09-001237-CI

DIVISION: 19

vs.

LINNEL GREEN A/K/A LINNEL L. GREEN et al,

Defendant(s),

AFFIDAVIT AS TO REASONABLE ATTORNEYS FEES

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

Before me, the undersigned authority, personally appeared Lisa Cullaro, who upon first being duly sworn on oath, deposes and says:

1. I am an attorney at law duly authorized to practice in the State of Florida and have been active in the practice of law in Florida since October 16, 1997. I am personally familiar with the fees usually allowed Plaintiffs for the services of their attorneys in suits of the kind and nature in which this affidavit is to be filed.
2. I am familiar with Rule 4-1.5(b) of the Rules Regulating the Florida Bar, and have taken into consideration the factors set forth in such Rule for the determination of reasonable attorney's fees.
3. I am also familiar with and have considered the dictates of the Florida Supreme Court in the case of Florida Patient's Compensation Fund vs. Rowe, 472 So.2d 1145 (Fla 1985) for the determination of reasonable attorney's fees.
4. In arriving at my opinion of the value of reasonable attorney's fees in this action, I have utilized and considered the following criteria:
  - a. The time and labor required, the novelty, complexity and difficulty of the questions involved, and the skill requisite to perform the legal services properly.
  - b. The likelihood that the acceptance of the particular employment will preclude other employment by the lawyer.
  - c. The fee or rate of fee customarily charged in the locality for services of a comparable or similar nature.
  - d. The amount involved and the results obtained.
  - e. The time limitations imposed by the client or by the circumstances.
  - f. The nature and length of the professional relationship with the client.
  - g. The experience, reputation and ability of the lawyer or lawyers performing the services.
  - h. Whether the fee is fixed or contingent.
5. Florida Default Law Group, P.L., (FDLG, P.L.) does not keep records of its time while it represents the Plaintiff pursuant to a flat fee arrangement; therefore, I have reviewed no specific time keeping records.
6. It is my opinion that a review of the actual file in this case would be unnecessary and futile. In my opinion, the specific steps and requirements for filing and litigating a mortgage foreclosure action in the State of Florida dictate that under no circumstance could the fee charged by FDLG, P.L. be unreasonable; therefore, I have not reviewed the actual file in this case.
7. Based upon my review as set forth, it is my opinion that a reasonable attorney's fee and paralegal fee is \$1,450.00.

FURTHER AFFIANT SAYETH NAUGHT.

\_\_\_\_\_  
LISA CULLARO

The foregoing instrument was subscribed and sworn to before me this 18 day of FEBRUARY, 2009, by Lisa Cullaro who is personally known to me.

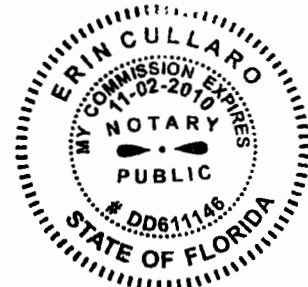
  
\_\_\_\_\_  
NOTARY PUBLIC, State of Florida

GMAC-CONV-abiven

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DOC\_ID: M002300

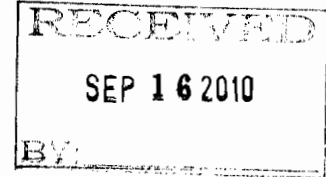


IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
CIVIL ACTION

GMAC MORTGAGE, LLC,  
Plaintiff,  
vs.

CASE NO.: 09-020110-CI  
DIVISION: 15

JOHN L. TURNER, et al,  
Defendant(s).



NOTICE

Pursuant to Rule 4-3.3, Rules of Professional Conduct of the Rules Regulating The Florida Bar, the undersigned law firm hereby notifies the Court as follows:

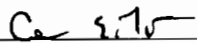
1. An affidavit of indebtedness was served in the above-styled matter in support of Plaintiff's motion for summary judgment, ("the Affidavit").
2. The undersigned law firm has recently been notified that the information in the Affidavit may not have been properly verified by the affiant; and accordingly, the Affidavit is hereby withdrawn.
3. The undersigned law firm was not aware of the foregoing information when the Affidavit was filed with the Court.
4. The undersigned law firm drafted the Affidavit based upon the information and business records provided by its client, and to the best of its knowledge and information, believes, in good faith, that the amounts reflecting the indebtedness contained therein accurately reflected the information provided by its client and were believed to be correct when filed.
5. A new, properly verified affidavit will be filed when and as appropriate.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to all parties listed on the attached service list on this 14<sup>th</sup> day of September, 2010.

Respectfully submitted,

Florida Default Law Group, P.L.  
P.O. Box 25018  
Tampa, Florida 33622-5018  
(813) 251-4766

  
Nikolay Kolev, Esq.  
Florida Bar No. 0028005  
Andrea Pidala, Esq.  
Florida Bar No. 0022848  
Colleen E. Lehmann, Esq.  
Florida Bar No. 0033496  
Attorneys' for Plaintiff

F09110550



## Service List

JOHN L. TURNER  
c/o Matthew D. Weidner, Esq.  
1229 Central Avenue  
St. Petersburg, FL 33705

DINA PANZITTA  
220 S SUN VISTA COURT #18  
TREASURE ISLAND, FL 33706-4400

SUN KETCH II CONDOMINIUM ASSOCIATION, INC.  
c/o RICHARD A. ZACUR, Esq.  
ZACUR, GRAHAM & COSTIS, P.A.  
P.O. BOX 14409  
ST. PETERSBURG, FL 33733

STATE OF FLORIDA  
c/o BILL MCCOLLUM, Esq.  
THE CAPITOL  
SUITE PL-01  
TALLAHASSEE, FL 32399

PINELLAS COUNTY  
c/o John Morroni, Chm. BOCC  
315 Court Street  
Clearwater, FL 34616

PINELLAS COUNTY CLERK OF THE CIRCUIT COURT  
c/o Ken Burke, Clerk  
315 Court Street  
Clearwater,, FL 34616

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
CIVIL ACTION

GMAC MORTGAGE, LLC,  
Plaintiff,

vs.

CASE NO.: 09-020110-CI  
DIVISION: 15

JOHN L. TURNER, et al,  
Defendant(s).

AFFIDAVIT AS TO AMOUNTS DUE AND OWING

STATE OF Pennsylvania

COUNTY OF Montgomery

BEFORE ME this day personally appeared Jeffrey Stephan, (Affiant) who  
upon oath, deposes on personal knowledge and says: Limited Signing Officer

1. This Affidavit is submitted in support of Plaintiff's Motion for Final Judgment for the purpose of showing: that there is no genuine issue as to any material fact, that Plaintiff is entitled to enforce the Note and Mortgage and Plaintiff is entitled to a judgment as a matter of law.

2. I am LSO (title), of GMAC MORTGAGE, LLC. GMAC MORTGAGE, LLC is the servicer of the loan. GMAC MORTGAGE, LLC is responsible for the collection of this loan transaction and pursuit of any delinquency in payments. I am familiar with the books of account and have examined all books, records, and documents kept by GMAC MORTGAGE, LLC concerning the transactions alleged in the Complaint. All of these books, records and documents are kept by GMAC MORTGAGE, LLC in the regular course of its business as servicer of the loan transaction and are made at or near the time by, and from information transmitted by, persons with personal knowledge of the facts such as your Affiant. It is the regular practice of GMAC MORTGAGE, LLC to make and keep these books, records, and documents. The books, records, and documents which Affiant has examined are managed by employees or agents whose duty it is to keep the books accurately and completely. Furthermore, Affiant has personal knowledge of the matters contained in the books, records and documents kept by GMAC MORTGAGE, LLC.

3. I have personal knowledge of the facts contained in this affidavit. Specifically, I have personal knowledge of the facts regarding the sums of money which are due and owing to Plaintiff or its assigns pursuant to the Note and Mortgage which is the subject matter of the lawsuit.

4. Plaintiff or its assigns, is owed the following sums of money as of 02/01/2010:




11872723

PRINCIPAL	\$194,019.99
INTEREST PER DIEM OF \$34.55 ( 6.50000% interest rate)	7,391.13
PRE-ACCELERATION LATE CHARGES THROUGH November 5, 2009	187.71
PROPERTY INSPECTIONS	42.50
INSURANCE	460.23
TITLE SEARCH	200.00
TOTAL	\$ 202,301.56

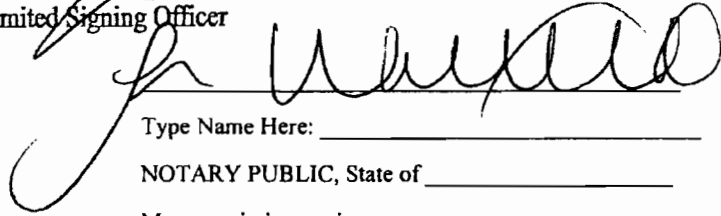
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5. Plaintiff or its assigns has employed the services of the law firm of Florida Default Law Group, P.L. in this action against the Defendant(s), and is obligated to pay Florida Default Law Group, P.L. a reasonable attorney's fee for its services, along with all costs and expenses of this action. In this foreclosure case, we have agreed to pay the law firm of Florida Default Law Group, P.L. a flat fee of \$1,200.00. In the event the matter becomes contested, we have agreed to pay an hourly fee up to \$175.00 per hour.

FURTHER AFFIANT SAYETH NOT.

  
Type Name Here: Jeffrey Stephan  
Limited Signing Officer

The foregoing instrument was sworn to and subscribed before me this 4th day of December, 2009,  
by Jeffrey Stephan, who is personally known to me.  
Limited Signing Officer

  
Type Name Here: \_\_\_\_\_  
NOTARY PUBLIC, State of \_\_\_\_\_  
My commission expires: \_\_\_\_\_

F09110550-0180162406  
GMAC-SPECFNMA-

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Trina Wiltbank, Notary Public  
Upper Dublin Two., Montgomery County  
My Commission Expires Sept. 10, 2013  
Member Pennsylvania Association of Notaries

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
CIVIL ACTION

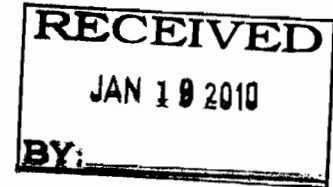
GMAC MORTGAGE, LLC,  
Plaintiff,

vs.

JOHN L. TURNER, et al,

Defendant(s).

CASE NO.: 09-020110-CI  
DIVISION: 15

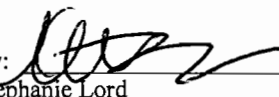


NOTICE OF FILING

Plaintiff, GMAC MORTGAGE, LLC, gives Notice of Filing of AFFIDAVIT AS TO REASONABLE ATTORNEYS FEES.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to all parties listed on the attached service list on this 17 day of January, 2010.

Florida Default Law Group, P.L.  
P.O. Box 25018  
Tampa, Florida 33622-5018  
(813) 251-4766

By:   
Stephanie Lord  
Florida Bar No. 44522  
Katherine Renninger  
Florida Bar No. 56891  
Christina N. Riley  
Florida Bar No. 46836



IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
CIVIL ACTION

GMAC MORTGAGE, LLC

Plaintiff,

CASE NO.: 09-020110-CI

DIVISION: 15

vs.

JOHN L. TURNER et al,

Defendant(s),

AFFIDAVIT AS TO REASONABLE ATTORNEYS FEES

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

Before me, the undersigned authority, personally appeared Lisa Cullaro, who upon first being duly sworn on oath, deposes and says

1. I am an attorney at law duly authorized to practice in the State of Florida and have been active in the practice of law in Florida since October 16, 1997. I am personally familiar with the fees usually allowed Plaintiffs for the services of their attorneys in suits of the kind and nature in which this affidavit is to be filed

2. I am familiar with Rule 4-1.5(b) of the Rules Regulating the Florida Bar, and have taken into consideration the factors set forth in such Rule for the determination of reasonable attorney's fees

3. I am also familiar with and have considered the dictates of the Florida Supreme Court in the case of Florida Patient's Compensation Fund vs. Rowe, 472 So.2d 1145 (Fla 1985) for the determination of reasonable attorney's fees

4. In arriving at my opinion of the value of reasonable attorney's fees in this action, I have utilized and considered the following criteria:

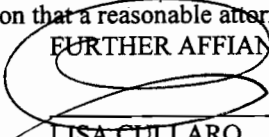
- a. The time and labor required, the novelty, complexity and difficulty of the questions involved, and the skill requisite to perform the legal services properly.
- b. The likelihood that the acceptance of the particular employment will preclude other employment by the lawyer
- c. The fee or rate of fee customarily charged in the locality for services of a comparable or similar nature
- d. The amount involved and the results obtained
- e. The time limitations imposed by the client or by the circumstances
- f. The nature and length of the professional relationship with the client
- g. The experience, reputation and ability of the lawyer or lawyers performing the services
- h. Whether the fee is fixed or contingent

5. Florida Default Law Group, P.L., (FDLG, P.L.) does not keep records of its time while it represents the Plaintiff pursuant to a flat fee arrangement; therefore, I have reviewed no specific time keeping records

6. It is my opinion that a review of the actual file in this case would be unnecessary and futile. In my opinion, the specific steps and requirements for filing and litigating a mortgage foreclosure action in the State of Florida dictate that under no circumstance could the fee charged by FDLG, P.L. be unreasonable; therefore, I have not reviewed the actual file in this case

7. Based upon my review as set forth, it is my opinion that a reasonable attorney's fee and paralegal fee is \$1,500.00.

FURTHER AFFIANT SAYETH NAUGHT.

  
LISA CULLARO

The foregoing instrument was subscribed and sworn to before me this 7 day of JANUARY, 2010, by Lisa Cullaro who is personally known to me.

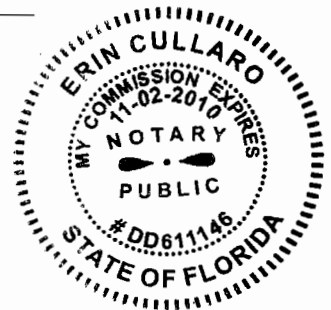
  
NOTARY PUBLIC, State of Florida

GMAC-SPECFNMA-

FILE\_NUMBER: F09110550



DOC\_ID: M002300



## Service List

JOHN L. TURNER  
c/o Matthew D. Weidner, Esq.  
1229 Central Avenue  
St. Petersburg, FL 33705

DINA PANZITTA  
220 S Sun Vista Court #18  
Treasure Island, FL 33706

SUN KETCH II CONDOMINIUM ASSOCIATION, INC.  
c/o RAMPART PROPERTIES, INC., R.A.  
9887 FOURTH STREET NORTH  
SUITE 301  
ST. PETERSBURG, FL 33702

STATE OF FLORIDA  
c/o Bernie McCabe, State Attorney 6th JC, R.A.  
14250 49th Street N.  
Room 1000  
Clearwater,, FL 33762

PINELLAS COUNTY  
c/o John Morrioni, Chm. BOCC  
315 Court Street  
Clearwater, FL 34616

PINELLAS COUNTY CLERK OF THE CIRCUIT COURT  
c/o Ken Burke, Clerk  
315 Court Street  
Clearwater,, FL 34616