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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

Kristin Bain,
Plaintiff,
vs. Case No. 09-CV-00149-JCC
Metropolitan Mortgage Group, Inc.; IndyMac Bank, FSB; Mortgage Electronic Registration Systems; Regional Trustee Service; Lenders Processing Service, Inc., inclusive,
Defendants.

DEPOSITION OF GREGORY N. ALLEN
Taken January 13, 2010, 2010

CINDY L. SCHULTZ, RMR, CRR, CLR
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The deposition of GREGORY N. ALLEN, taken on January 13, 2010, commencing at 1:49 a.m., taken at 1400 Rand Tower, 527 Marquette Avenue, South, Minneapolis, Minnesota, before Cindy L. Schultz, Registered Merit Reporter, Certified Realtime Reporter, Certified LiveNote Reporter, and Notary Public of and for the State of Minnesota.

APPEARANCES

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NOTE: The original transcript will be filed with Law Offices of Melissa A. Huelsman pursuant to the applicable Rules of Civil Procedure.

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WITNESS: GREGORY N. ALLEN

EXAMINATION BY PAGE
Ms. Huelsman. 5

INSTRUCTIONS NOT TO ANSWER
None

DOCUMENT REQUESTS
None

PLAINTIFF EXHIBITS MARKED/REFERRED TO
No. 1: Agreement for Signing Authority. . . .14
LPS-BAIN 0005 - 0013
No. 2: 8/26/08 Appointment of Successor Trustee.16
LPS-BAIN 0003 - 0004
No. 3: 9/3/08 Assignment of Deed of Trust. . .16
LPS-BAIN 0001 - 0002
No. 17: First Addendum to Default Services Agreement. 14
LPS WOOD 0823 - 0827

Exhibit C

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GREGORY N. ALLEN,
being first duly sworn, was examined and testified as follows:
EXAMINATION
BY MS. HUELSMAN:
Q. Could you state your name for the record, please.
A. Greg Allen.
Q. Gregory or just Greg?
A. I go by Greg; it is Gregory.
Q. Okay. And is it A-L-L-E-N?
A. Correct.
Q. All right. Why don't you tell me your business address.
A. 1270 Northland Drive, Suite 200, Mendota Heights, Minnesota.
Q. All right. And you are an employee of LPS?
A. Correct.
Q. Can you tell me what your position is there?
A. Assistant vice president of customer support.
Q. Okay. Can you give me -- I'm sorry.
You are here testifying today as an employee of LPS; do you understand that?
A. Yes.
Q. Okay. So when I ask you questions and I

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refer to "you," it's about your personal knowledge in your role as an employee of LPS. Okay?
A. Okay.
Q. All right. And I got started because I was trying to hurry, but I wanted to go over a few rules of depositions. Have you ever had your deposition taken before?
A. No.
Q. Okay. I assume Mr. Spoonemore went over the rules with you, but we need to make sure that we don't talk over each other, because this nice lady has to take down everything we're saying. And I talk very fast, so I'm already making her life miserable. You need to make certain that you say yes or no when you answer. Don't say mm-hmm or un-unh, because that's vague and ambiguous in the deposition transcript.
If you don't know the answer to a question, it is perfectly acceptable to say "I don't know." I would rather have you say that than guess at an answer. This is important, also, because you're swearing to testify under oath under penalty of perjury, and if you guess and it turns out later you're wrong, then I can make something of the fact that you gave me a wrong answer. And so it's just best to not guess. But I can ask you for your best estimate of something or your

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best recollection, and then that's perfectly acceptable if you're truly providing me with your best estimate or your best recollection and not guessing. Okay?
A. Okay.
Q. And if any of my questions are unclear, you don't understand them, please let me know, because I will rephrase them. I want your best testimony. I'm not trying to trick you. I really want you to understand the question that I'm asking so you can provide me with an accurate response. Okay?
A. Okay.
Q. All right.
Why don't you give mow your education after high school.
A. I received a BA in sociology from the University of Iowa.
Q. And when did you receive that?
A. It was '95.
Q. Okay. And did you go to college straight out of high school?
A. Yes.
Q. Okay. So why don't you give me your work history after you left college.
MS. HUELSMAN: Josh?
MR. SPOONEMORE: Josh, are you there?

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MR. RATAEZYK: I'm here. Ready.
MS. HUELSMAN: Okay. Perfect. We're on Greg Allen --
MR. RATAEZYK: Okay.
MS. HUELSMAN: -- who just told us a little bit of background information, and that's it.
MR. SPOONEMORE: Assistant vice president of customer support.
MR. RATAEZYK: I'm sorry, what was that?
MR. SPOONEMORE: Assistant vice president of customer support.
MR. RATAEZYK: Okay.
A. And I believe my degree was '95, but it could have been '94 --
Q. Okay.
A. -- as far as when I got the degree --
Q. Okay.
A. -- to be specific.
Q. I'm not going to check with the University of Iowa.
Okay. So why don't you give me your work history, beginning after you graduated from college.
A. And this will be to the best of my recollection --
Q. Yes.

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A. -- for some of it.
Q. Yes.
A. I worked for Northwest Mortgage as a default loan counselor, then worked for Principal Residential Mortgage as a supervisor in customer service on the -- for a call center, then I had a variety of interim jobs. It's around the time the that I relocated to the Twin City area. I'm trying to think.
Q. He can't help you.
A. I know.
When I came to the Twin Cities, I worked for -- I had employment with Allied Interstate, a collection agency. I worked, at one time, as a Realtor; I worked, at one time, as a financial planner; and worked for LPS--or at that time it was different company name--as a representative, and it's during that time when I segued away from the company and tried to pursue a career as a Realtor, and then I rejoined the company as a supervisor for an audit team. And then I moved away from the company to pursue a career as a financial consultant, and then it was November of '08 when I rejoined LPS. My role is as vice president of customer support. That's the -- the trail of employment to the best of my recollection.
Q. Okay. And can you tell me what your job

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duties are in your current role?
A. I'm the department manager over the document execution and referral functions -- support functions that we provide and, also, I liaison the bankruptcy mail processing with a third-party vendor.
Q. Who is that third-party vendor?
A. It is another division of LPS, and I believe they're going by the name of Aptitude Solutions.
Q. That's Aptitude Solutions?
A. I believe so.
Q. Okay. And what role do they perform in bankruptcy cases?
A. There's no role in the -- the cases. The mail that can get generated at times gets processed.
Q. Does that mean that they process received mail or they process outgoing mail?
A. They process received mail.
Q. So mail that's received by Fidelity -- or, excuse me, LPS related to bankruptcy cases goes through this Aptitude company, is that what you're saying?
A. The -- Could you repeat that?
Q. Is Aptitude processing mail received by LPS that relates to bankruptcy cases?
A. The mail that is received by -- that is sent to LPS is processed --

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Q. Okay.
A. -- by this -- this third party, so part of my responsibilities is to liaison that relationship.
Q. To make sure that LPS gets the mail?
A. To make sure that if a client sends their mail to us, that it gets processed.
Q. Okay. Does it manage outgoing mail for LPS?
A. My understanding is they manage just general -- any packet -- outgoing packages that would need to be sent.
Q. So when documents executed by LPS employees need to be sent out to attorneys within the attorney network -- or to servicers, is it done through this Aptitude company?
A. Yes.
Q. Can you explain that process to me?
A. The -- the -- Well, I'll refer to it as the mailroom --
Q. Okay.
A. -- has packages that go out to the various firms, so the documents that get executed by LPS or clients are put into those packages and then sent back to the requester.
Q. Okay. And Aptitude tracks the -- those packages?

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A. There is -- they retain tracking information that is sent through the mail service?
Q. All right. So do you supervise Bethany Hood and Christina Allen?
A. I supervise Bethany Hood. I do not supervise Christina Allen.
Q. Okay. And what job title does Bethany Hood have?
A. She's a manager.
Q. Of what department?
A. Within customer support.
Q. Okay. And what is her job function?
A. She manages the bankruptcy mail as well as the document execution.
Q. And she actually signs documents herself, correct?
A. Correct.
Q. Do you execute documents on a regular basis, as well? And by that I mean Appointment of Successor Trustee, Appointment Assignment, those kind of documents.
A. Yes.
Q. So you are authorized by lenders and/or servicers to sign documents on their behalf?
A. Yes.

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Q. Okay. Do you know which companies you have authorization to sign on behalf of?
A. Yes.
Q. Can you tell me what they are, please?
A. I know a number of them. I have a -- a list at my desk that I refer to because of the number of them, but I know that some of them are EverHome or EverBank, EMC, JPMorgan Chase, Wilshire. Some of them could also apply; potentially a MERS authority. Those are the ones that I can recall at this particular time, but there are more.
Q. Okay. And can you explain to me -- When you said the MERS in some particular cases, can you explain that to me, please?
A. Could you rephrase that question?
Q. Well, you said that in some relationships it can involve MERS. I can't remember the exact word you said, but can you explain?
A. It varies by client. In some cases MERS, as far as who is a potential authorized signer, because the clients grant the signing authority and MERS grants their signing authority.
Q. Okay. So, in other words, you don't have any authority to act on behalf of MERS independent of some other entity, correct? So, in other words, there's no

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document that says, "we, MERS, allow Greg Allen to sign documents on our behalf" without mention of any other entity; is that correct? It's in conjunction with a lender or a servicer?
A. Correct.
Q. Okay. I'm not trying to trick you.
A. No.
Q. All right. So, in other words -- well, let's use this one. I'm going to use Exhibit 1 as well as Exhibit 17 -- oops. Sorry. You have them. Would you pull out Exhibit 17 and Exhibit 1?
A. Exhibit 17, correct?
Q. Yeah, and Exhibit 1.
A. Okay.
Q. Take a look at these documents.
A. (Reviewing documents.)
Q. Okay?
A. Okay.
Q. All right. So we were just talking a minute ago about MERS giving signing authority. Is this -- this is the kind of document we were talking about where MERS gives the authority in conjunction with another entity, in this case IndyMac Bank --
A. Okay.
Q. -- is that correct?

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A. Yes, the agreement for signing authority references Mortgage Electronic Registration Systems, Inc., IndyMac Bank, and Fidelity National Foreclosure Solutions, Inc.
Q. Which is the predecessor to LPS, correct, Fidelity?
A. Correct.
Q. So you prepared -- excuse me. You signed declarations in several of the cases that we're here talking about. One is the case brought by Kristi Bain, the second is brought by Steve Bell, and the other has been brought by Edmund Wood in his capacity as trustee for the Batemans and for Mr. -- for Bateman and Lee. Is that your understanding?
A. Yes.
Q. And you signed these declarations based upon your personal knowledge, correct?
A. Correct.
Q. And in the declaration regarding Ms. Bain, you asserted that signatures which were made on an assignment and an Appointment of Successor Trustee by Ms. Hood and Christina Allen were done so under the authority granted in these documents that we're looking at here today; is that correct, Exhibit 1 at 17?
A. Yes, this looks to be the MERS authority

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and -- by IndyMac Bank.
Q. Okay. If you want to turn to Exhibits 2 and 3, you can see the documents that I'm talking about. They're in your stack. 2 and 3, they're on the bottom.
A. Okay.
Q. So Ms. Hood and Ms. Allen when they signed these documents were doing so under their authority granted in the Exhibits 1 and 17 that we were looking at, correct?
A. Correct.
Q. I'm going to turn your attention to Exhibit 2, which is the Appointment of Successor Trustee, and you'll notice on the second page across from Ms. Allen's signature there's a handwritten notation that has an asterisk, and it says: "Effective 9/3/08." Do you see that?
A. Yes.
Q. Do you know who inserted that handwritten notation?
A. No.
Q. Do you know for what purpose it was inserted?
A. No.
Q. Do you know if it was inserted on the original document?
A. No.

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Q. Would there be any way to find out who out added that to the document or why or when?
A. I don't know.
Q. You don't know if there's a way to find why it was inserted or who did it? I want to make sure you understood my question.
A. You're asking -- Your question is if there's a way to find out why the "Effective 9/3/08" was put on there?
Q. Yes.
A. I can -- I can speculate --
Q. Okay.
A. -- what I -- I mean, the only thing, posing a question to the firm that prepared the document. But I -- I don't know why the "Effective 9/3/08" date was put on there.
Q. And there's no way to know when it was put on there, right?
A. Not that I'm aware of.
Q. Okay. So if an LPS employee alters a document -- actually, do you know what, let me back up a bit. I already have this testimony from Mr. Hymer this morning, but I want to make sure that you have the same understanding as I. It's my understanding that these documents, when they're blank, as in unsigned,

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are uploaded onto the system by the attorneys from the attorney network; is that correct?
A. Correct.
Q. The assignment and appointment documents, correct?
A. Correct.
Q. And then that essentially triggers -- or sends a message to LPS that somebody needs to sign the document, correct?
A. Correct. There's -- there's something that becomes known to LPS that the document has been submitted.
Q. Right. His -- his -- his explanation to me, in general, was that it gets posted up to the system, and that is what is seen on the screen, and that without there being any accompanying message, indicates that it needs to be signed; is that correct?
MR. SPOONEMORE: I'm going to object. I'm not actually sure that that properly characterizes his testimony, but. . .
MS. HUELSMAN: I'm not attempting to mischaracterize it, so. . .
Q. What happens? Why don't you tell me what happens?
A. Sure. When a document is submitted by an

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attorney, they do that within Process Management, and when they submit it, it prints --
Q. Oh, okay.
A. -- in our office, the physical document.
Q. Okay.
A. And then there is a process that gets launched in the -- within Process Management.
Q. Can you explain that to me, please.
A. The way the functionality is set up, the firms can go into the individual file in the Desktop and submit their document that needs to be executed, and then there's a process with that -- that's used as workflow that has events, and when those events become due, that's how it's understood that a document has been submitted.
Q. Okay.
A. So they're basically tracking steps for the process along the way from submission to getting it sent back to the requester.
Q. Okay. And then so how does the person, you know, the employee, whether it's Ms. Hood or Ms. Allen, actually sitting at LPS'S offices, how does she see that and know what to do?
A. When the documents come off the printer, there is staff that gets them to a team that does

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perform a high-level review of the document to make sure that it is, in fact, a document that's in the Desktop, that it -- to verify the document type; if they submitted an SOT, is it an SOT; and is it a document based on our signing authority that gives us the ability to execute it and to check for any type of verbiage related to attesting to facts.
And if it passes that review, then it gets directed to the authorized signer, who then executes the document. It goes through an notarization process and gets sent back to the attorney.
Q. So Ms. Hood or Ms. Allen would not be the person who was actually scrutinizing the document beforehand; is that right?
A. I can't speak to what they may have or have not done --
Q. Okay.
A. -- but I can share that there is a team that does put the documents that come through through that review process.
Q. Are they members of that team?
A. They are members of a customer support team.
Q. Okay. So it's a customer support team that reviews the documents?
A. Correct, for -- for documents that LPS may be

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able to execute.
Q. Right. Okay.
Does LPS undertake any steps at that review process to verify that the information contained on the document is accurate?
A. The -- There's a review done of the -- to make sure that it's for the right file of the document type. But I'm not sure -- Could you elaborate on that question?
Q. Sure. So, for example, the Appointment of Successor Trustee says that MERS, as nominee for successors or assigns of an undescribed entity, says that it wants to -- I'm sorry, then it says that it wants to appoint Regional Trustee as the trustee. So when it's in this review process, does anyone at MERS undertake to ascertain whether, in fact, IndyMac or MERS, or whoever, actually wants to appoint Regional Trustee as the trustee?
MR. SPOONEMORE: Other than the fact that it's coming from the attorney?
A. The need for the document is decided by the firm that's working the file. So that would be something that they would determine --
Q. Okay.
A. -- and if they needed to, they would draft it

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and submit it for execution.
Q. So, in other words, in this case Regional Trustee is submitting the document to LPS for signature, telling -- that says, "We should be appointed as the trustee," but the fact that MERS and -- and/or IndyMac has -- has designated Regional Trustee as the intended trustee is indicated on LPS's system, correct?
A. Could you rephrase the second part?
Q. The document is coming from Regional Trustee to LPS, correct?
A. Correct.
Q. Okay. And I was asking if anybody at LPS undertakes verification to make certain that, in fact, MERS and/or IndyMac has actually made a decision to appoint Regional Trustee as the trustee?
A. It seems that that need would fall in line with the signing authority that grants the list of -- the list of approved signers' approval to sign documents related to the foreclosure process --
Q. Okay.
A. -- that are created by the attorneys.
Q. Okay.
Turning to the Assignment of Deed of Trust document, again, this document would have been received

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from Regional Trustee, correct?
A. Correct.
Q. Okay. And it says that MERS wants to assign its interest in the Deed of Trust to IndyMac Federal Bank, correct?
A. Correct.
Q. Does LPS employees -- or do LPS employees undertake any review or investigation to determine whether, in fact, that is what MERS wants to accomplish?
A. There's not that type of review. The review is related to the signing authority that is granted from MERS to execute documents, if needed -- if that need was deemed by the attorney working the file as part of the foreclosure process.
Q. Okay. So --
A. So the review is, is this a document type that we can execute based off of our assignment authority we've been granted.
Q. Okay. So the LPS employees are essentially relying upon the attorneys to have provided them with documents that contain accurate information?
A. Yes.
Q. Okay. So you testified a little bit ago that you said the LPS employees, the team makes a high-level

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review. Do you recall using that phrase?
A. Yes.
Q. Can you explain to me what you mean by a high-level review before it goes on to the document execution person?
A. What I mean by the high-level review is -- is the record -- is the loan that the document is for one in the Desktop, is it the document type that's been submitted, is there any glaring verbiage reflected within the document about attesting to facts or something that requires attention by the client themselves for handling, and has it been prepared in a way that allows LPS to execute it based off of our signing authority.
Q. Okay. So you -- you just said that the team is looking for facts that need -- might need to be looked into. You said attesting to the verbiage, correct?
MS. HUELSMAN: Go ahead and read back his answer.
(The record was read as requested.)
A. Correct.
Q. I was using that phrase, okay?
A. Yes. Correct.
Q. Okay. So what kind of verbiage would give

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rise to a need to talk to the servicer?
A. If the attorney noted it -- specifically noted it within the request. Within the document, if it reflected the verbiage that there was attesting to a fact within the -- it would depend on any variation of that. That's the -- the phrase, so to speak, that would be looked for.
Q. But, for example, looking at this assignment, document, isn't the signer, Bethany Hood, attesting to the fact that MERS wants to assign the Deed of Trust to IndyMac Federal Bank?
MR. SPOONEMORE: That's a mischaracterization, I object. Bethany Hood isn't representing; MERS is representing. That's a gross misinterpretation of the document.
MS. HUELSMAN: No. Ms. Hood is signing on behalf of MERS; therefore, she is making an affirmation on behalf of MERS.
MR. SPOONEMORE: MERS is making the affirmation.
MS. HUELSMAN: She's making it on their behalf.
MR. SPOONEMORE: Yeah, as MERS is the one making the affirmation.
Q. So could you please answer the question,

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Mr. Allen?
A. MERS is making the reaffirmation.
Q. Mr. Allen, you're not allowed to parrot your attorney's response. Please --
MR. SPOONEMORE: He's --
MS. HUELSMAN: -- answer --
MR. SPOONEMORE: -- answered your --
MS. HUELSMAN: -- the question.
Are you coaching him, Mr. Spoonemore?
MR. SPOONEMORE: No. I'm saying the premise of your question --
MS. HUELSMAN: Well --
MR. SPOONEMORE: -- is --
MS. HUELSMAN: -- a speaking --
MR. SPOONEMORE: -- misleading.
MS. HUELSMAN: -- objection is providing your client with an answer -- your client with an answer to a question, and that's improper.
MR. SPOONEMORE: Well, and a misleading legal premise to your question is clearly objectionable, because this client is not an attorney. When you represent Mr. Hood is representing, that is a gross legal mischaracterization of this document. I'm allowed to correct that.
MS. HUELSMAN: Well, I disagree. When

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people sign documents in their capacity as alleged officers of the company, they are, in fact, making a representation.
If MERS can figure out how, as a corporation, which doesn't exist except on paper, it can sign documents itself, then, in fact, it can say that it's doing so without the assistance of a person.
MR. SPOONEMORE: Legally it is MERS making the representation. People are authorized to sign on behalf of MERS. That doesn't make them making the representation; it makes MERS making the representation.
Q. Okay. So when did MERS tell Ms. Hood that this is what it wanted to do?
A. I would think within the -- when granting the signing authority.
Q. No. When did MERS specifically say to Bethany Hood, We want to assign our interest in the Deed of Trust referenced herein to IndyMac Federal Bank? When did that occur?
MR. SPOONEMORE: Counsel knows very well that MERS can operate through counsel, which is their agent. Again, you're asking misleading questions of this witness, and you know it. You know that MERS's counsel made this request, and that's an agent of MERS.

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MS. HUELSMAN: Well, then, you can explain to Regional Trustee why they violated their duty to -- to the Deed of Trust doc by acting on behalf and as an agent for somebody when they're supposed to be acting as a neutral in conjunction with a foreclosure sale. Is that your representation, Counsel?
MR. SPOONEMORE: That's not us. You can go after whoever you want, but as far as what we're doing, you're way off base here.
Q. When did MERS give instruction to Bethany Hood to assign this Deed of Trust? Whether it came through Regional Trustee or Santa Claus, I don't care. When did MERS give this instruction to Ms. Hood?
MR. SPOONEMORE: Objection; form. Objection; badgering and argumentative.
A. When submitting assignments, the firms are responsible for the entities within that.
Q. So your understanding is that Regional Trustee communicated with MERS and received instruction?
A. I don't know what Regional Trustee did or did not do.
Q. So it's irrelevant what happened behind the scenes? LPS has a document that came up through its system, you have an assigning document, and so LPS's

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employees signed; is that correct?
A. If a document is submitted and it is a document that we can execute based off a signing authority that's been granted, yes, LPS would execute it.
Q. Can you explain to me how LPS's services help lenders and mortgagees lower their costs and reduce processing time associated with non-judicial foreclosures?
A. LPS's services can help provide workflow of what needs to be done within the process that can then help the efficiency that it's done, within which, then, in turn, could benefit to a servicer or a client.
Q. And can you explain to me how that occurs? How does it help them lower their costs and reduce processing time?
A. It could help -- If the process is done more efficiently, it could help to reduce attorney costs.
Q. How?
A. By it not taking as long. There isn't as much -- if there is additional work that may need to be done.
Q. Because, for example, Regional Trustee can send these documents for signature to LPS rather than being required to send them to IndyMac or to the

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servicer, correct?
A. Document execution is an example of a support service that can help to streamline that function.
Q. Okay. In your deposition you've asserted that MERS acts as a nominee in county land records -- excuse me, I said "deposition," and I meant declaration. I'm sorry. MERS acts as a nominee in county land records for lenders and servicers. How do you know that?
A. I reviewed the information from the Web site that was included within -- My understanding of MERS is they act as the mortgagee nominee, and in the event foreclosure proceedings are needed, then it's possible that it would need to be assigned out of MERS, into the name of the servicer in question.
Q. So your understanding is that assignments are transferring the Deeds of Trust to servicers, correct?
A. Yes.
Q. Does LPS ever undertake to find out -- in the context of foreclosure or bankruptcy proceedings, does it ever endeavor to find out who actually has the note?
A. No.
Q. Does it have access to the information regarding who has the note?
A. Not that I'm aware of.

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Q. Okay. And you testified in your declaration that once, for example, in this case the assignment and the Appointment of Successor Trustee documents are signed, that they were sent to Regional Trustee to be recorded. Do you recall that?
A. I recall the declaration reflecting that.
Q. And that's your understanding of what actually did happen here as regards the appointment and the assignment document that we're looking at?
A. Correct.
Q. And then once they're sent out to Regional Trustee for recording, does LPS obtain copies of those recorded documents?
A. No.
Q. It doesn't? So Regional Trustee is not required to send back copies to indicate they've been recorded?
A. Not to LPS.
Q. Okay. Does it make a notation on the platform?
A. It could depend on the client. If that was something that they wanted to track, then it's possible.
Q. Okay. But it's not necessarily standard operating procedure?

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A. Correct.
Q. Okay.
And if they are, for some reason, sent back to LPS, or copies, I would say, are they sent through the electronic imaging system or are they mailed or both?
A. If it -- if a client's request was to have it provided in the Desktop, then a firm could be asked to image a recorded copy. In the event LPS received one, we would automatically forward it on to the client.
Q. And you talked a minute ago about the -- MERS Web site that you looked at before you signed the declaration. Do you remember that?
A. Yes, I remember stating that I referred to the information within the declaration --
Q. Okay.
A. -- that reflected that.
Q. And when you looked at that information on MERS's Web site before signing the declaration, was that the first time you had looked at MERS's Web site?
A. Can I see the -- the --
Q. I don't have it, but I actually have it up electronically if you wanted to see that.
A. No.
Q. I didn't think you'd need it.

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A. What I meant was -- What I'm saying is, I referred to, in the declaration --
Q. Oh.
A. -- there was an exhibit --
Q. That's -- that's it.
A. -- that reflected that. That's what I referred to.
Q. Okay. That's it. And, I'm sorry, I didn't print it because I didn't think we'd need it for deposition, but this (indicating) is it.
A. Okay.
Q. So this is what you were talking about, the attachment to your exhibit?
A. Do we -- Can I review a copy of it just to confirm? But, yes, that's --
Q. Will I have to print it?
MR. SPOONEMORE: Do you happen to have one handy? I just didn't think we'd need it as an exhibit. Thank you.
A. Correct. That looks to be the same.
Q. So was that the first time that you'd looked at MERS's Web site?
A. Yes.
Q. Okay. And did you look at any other part of MERS's Web site before signing that declaration?

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A. No.
Q. And do you ever have any -- In the context of doing your business at LPS, do you ever have any contact or communications directly with MERS?
A. No.
Q. Do you know if MERS has a client relationship with LPS?
A. My understanding is that MERS, if they chose to, could grant signing authority, and that's the extent of my knowledge on it related to document execution.
Q. Okay. Because my understanding is that attorneys in the attorney network have agreements that are called--I'm looking for them--Network Agreements, and they also have Technology Agreements, correct?
A. Correct.
Q. And then servicers, lenders, or banks have Default Servicing Agreements; is that correct?
A. Correct.
Q. Okay. Just one minute. I want to review my notes.
No further questions.
MR. SPOONEMORE: I have no questions. We will read and sign. Thank you.
(The deposition was terminated at 2:34 p.m.)

STATE OF MINNESOTA)
: ss CERTIFICATE
COUNTY OF HENNEPIN)

I, Cindy L. Schultz, RMR, CRR, CLR, a notary public in and for the County of Hennepin, certify that I reported the deposition of GREGORY N. ALLEN, who was first duly sworn by me, having been taken on January 13, 2010, at 1400 Rand Tower, 527 Marquette Avenue, South, Minneapolis, Minnesota;

I further certify that I am not a relative or employee or attorney or counsel of any of the parties or a relative or employee of such attorney or counsel;

That I am not financially interested in the action and have no contract with the parties, attorneys, or persons with an interest in the action that affects or has a substantial tendency to affect my impartiality; that all parties who ordered copies have been charged at the same rate for such copies;

That the right to read and sign the deposition by the Witness was not waived.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Minneapolis, Minnesota, this 20th day of January 2010.

_____
Cindy L. Schultz, RMR, CRR, CLR
My commission expires 1/31/2010