

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT
IN AND FOR ORANGE COUNTY, FLORIDA

CASE NUMBER: 2008-CA-0025781

U.S BANK NATIONAL ASSOCIATION,
AS TRUSTEE FOR JPMMAC 2006-WMC4,

Plaintiff,

vs.

JESUS DUQUE, et al.,

Defendants,

DEFENDANT, JESUS DUQUE'S FIRST INTERROGATORIES TO PLAINTIFF

COMES NOW, Defendant, JESUS DUQUE, and requests the Plaintiff, pursuant to Rule 1.340, Florida Rules of Civil Procedure, to answer the attached Interrogatories within the time allowed by law.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via U.S. Mail to: Marie Campbell, Esquire, Florida Default Law Group, P.L., 9119 Corporate Lake Drive, 3rd Floor, Tampa, Florida 33634 this 5 day of November, 2008.



Charles P. Castellon
Florida Bar No.:0574287
12934 Deertrace Avenue, Suite A
Orlando, FL 32837
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Attorney for Defendant/DUQUE

INTERROGATORY 1 State the name and address of all parties answering or assisting in providing answers to these interrogatories.

INTERROGATORY 2 Please state whether you claim to possess legal or beneficial interest, or both interests, in the note or mortgage or both the note and mortgage, and if so, explain why you so claim, identifying any document(s) and clauses therein which gives you the interest(s) you claim and specifying, whether you claim rights as an owner or holder of the note or both, and specifying any other rights claimed. If you do not claim any such interest(s) or rights please explain why you do not claim such interest(s).

INTERROGATORY 3 Please state whether you claim to possess the authority or power to file and pursue foreclosure of this note or mortgage or both, and if so, explain why you so claim, identifying any document(s) and clauses therein which gives you the authority or power you claim. If you do not claim any such authority or power please explain why you do not claim such authority or power.

INTERROGATORY 4 Please state from what person or entity (“assignor”) you took assignment of the note and/or mortgage specifying the contact name, full legal name, address, and phone number of the assignor together with the date you took assignment, and state the same information for any person or entity to which the note and/or mortgage was ever assigned.

INTERROGATORY 5 Please state the date, amount and nature of and fully describe the consideration or value given in exchange for each and every assignment of the note and/or mortgage and identify from and to what person or entity such consideration or value was given providing the contact name, full legal name, address, and phone number of each such person or entity.

INTERROGATORY 6 Please state all parties that took assignment of the note and/or mortgage between the making of same and your taking assignment of same and provide the contact name, full legal name, address, and phone number of each such party.

INTERROGATORY 7 Please state whether between the time of making the Loan and the time of your taking assignment of the note and/or mortgage the original lender maintained ownership of the Loan.

INTERROGATORY 8 Please state whether and on what date the plaintiff owned the note and/or mortgage, took assignment of the note and/or mortgage, made an assignment of the note and/or mortgage, or had any interest in the note and/or mortgage and specify the nature of the interest had on that date.

INTERROGATORY 9 Please state if the note and/or mortgage was ever subject to or included in a "mortgage loan purchase agreement" or similar agreement and if so, please specify the name to the agreement, the date of the agreement and any amendments, and the parties to the agreement.

INTERROGATORY 10 Please state whether the note and/or mortgage was ever repurchased or reassigned from the buyer or assignee back to the original seller or assignor or to any predecessor of the buyer or assignee and if so state the dates of such and the parties involved.

INTERROGATORY 11 Please explain and describe, for the subject mortgage loan, the relationships among parties (including you, the original lender, any servicer, any custodian, any depository, any Special Purpose Vehicle or Special Purpose Entity etc. etc.), the structure of the securities offered (including the flow of funds or any subordination features) and any other material features of any transaction concerning the sale, transfer or assignment of the mortgage loan at any time between the making of same and your filing of the action at issue herein.

INTERROGATORY 12 Please identify each and every document which contains an obligation or option to repurchase the subject mortgage loan and explain fully the terms, conditions, costs to be incurred or paid by each party upon repurchase and whether and by whom, and from whom, the mortgage loan were ever repurchased.

INTERROGATORY 13 Please state, for the note and mortgage, whether and as of what date you secured the originals thereof and from whom providing the contact name, full legal name, address, and phone number of each such party.

INTERROGATORY 14 Please identify each and every document you obtained or reviewed in connection with your taking assignment of the note and/or mortgage and specify for each such document whether you maintain the original or a copy thereof.

INTERROGATORY 15 Please state all parties who have provided servicing of the mortgage loan and provide the contact name, full legal name, address, and phone number of each such party and the dates each began servicing the Loan.

INTERROGATORY 16 Please state for the history of the mortgage loan, the persons or entity who at any time collected mortgage payments specifying the applicable dates each such person or entity did so collect and specifying the full legal name, address, and phone number of each such party.

INTERROGATORY 17 Please state for the history of the mortgage loan, on whose behalf mortgage payments were collected specifying the applicable dates collection was made for each such person or entity and specifying the full legal name, address, and phone number of each such party.

INTERROGATORY 18 Please state for the history of the mortgage loan, a full description of the disposition of collected mortgage payments specifying any person or entity to which mortgage payments were delivered, transferred, or paid, the applicable dates each such person or entity received the payments and further specify the full legal name, address, and phone number of each such party.

INTERROGATORY 19 Please identify a representative of Plaintiff with knowledge of the facts necessary to respond to each of the interrogatories contained herein or if more than one, identify each such representative providing the name, address and telephone number for each with a brief summary of each representative's knowledge in this matter.

INTERROGATORY 20 Please state the exact date in which the Assignee, MERS, purportedly acquired ownership rights to the subject mortgage.

Signature

STATE OF _____

COUNTY OF _____

The foregoing instrument was sworn and acknowledged before me this _____ day of _____ 2008, by _____ who is personally known to me or who produced _____ as identification.

NOTARY PUBLIC, STATE OF

(Name of Notary, typed, printed
or stamped)

Commission No.