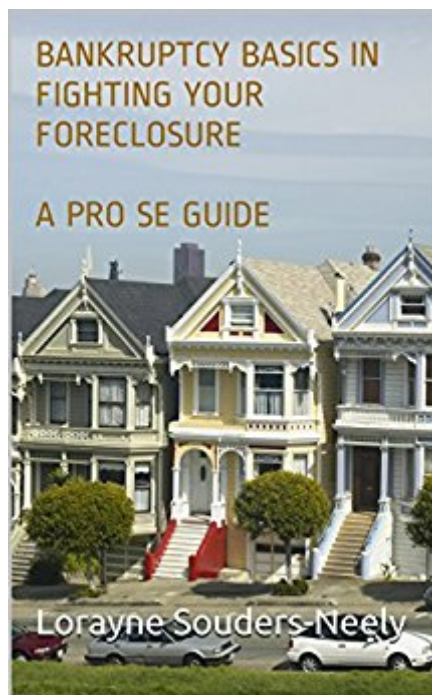


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# BANKRUPTCY BASICS IN FIGHTING YOUR FORECLOSURE A PRO SE GUIDE



## Synopsis

I realize not everyone can afford to hire an attorney. If you are one of those people then do not be discouraged. I will try and make this book as easy to understand as possible. Many people turn to Bankruptcy as a way to fight their foreclosure. In many non judicial as well as judicial states people flock to this court because it puts the foreclosure off. If there is a scheduled sheriff sale it is cancelled. This book was written in plain English for people that did not go to law school. There is much information that you will find useful if you are fighting a foreclosure and want to use the Bankruptcy court as a way to fight back. These cases are included: Russell v Aurora Loan Services. - You will learn that in bankruptcy court a servicer foreclosing in its own name must establish standing. Salazar v US Bank - You will learn that the true lender of your loan must "duly acknowledge and record" the assignment of deed of trust, under before any non judicial sale or the resulting foreclosure sale is void. In Nosek v. Ameriquest - You will learn why the Judge imposed \$650,000 in sanctions for stating that Ameriquest as the holder of the relevant mortgage and mortgage note when, in fact, Ameriquest was only the servicer. The Nosek case also explains how the servicer failed to correctly credit the chapter 13 payments to the debtor's account. Thompson v Wells Fargo - you will learn that these Pro se litigants were successful in stating that Wells Fargo is not the holder of the note and as a result the Judge requested that Wells Fargo refund to the debtors all of their Chapter 13 payments.

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