

State of Connecticut

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ATTORNEY GENERAL



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Hartford

September 27, 2010

Michael A. Carpenter, Chief Executive Officer
William B. Solomon, Jr., General Counsel
Ally Financial Inc. / GMAC Mortgage
Headquarters
P.O. Box 200
Detroit, MI 48265-2000

RE: Defective Affidavits filed by GMAC Mortgage in Connecticut Foreclosure Actions

Dear Messrs. Carpenter and Solomon,

I write to request that you immediately suspend activity in all residential mortgage foreclosure actions and post-foreclosure eviction actions currently pending in Connecticut Superior Court for which GMAC Mortgage (now a subsidiary of Ally Financial Inc.) served as loan servicer.

Recent media reports indicate that GMAC submitted thousands of defective affidavits and other foreclosure related documents to courts in twenty-three states. Incredibly, GMAC allegedly appointed one person to review and sign thousands of foreclosure related documents **each month** and provide affidavits to the courts attesting to the legal justification of the foreclosure actions. Although courts routinely rely on such affidavits, GMAC now admits that its affiant did not actually review the documents to ensure accuracy and did not sign them in the presence of a notary.

These failings are not mere technicalities, as Ally's spokespersons have dubiously claimed. As a consumer advocate and attorney, I am dismayed and shocked that GMAC has so blatantly skirted legal requirements and procedural safeguards in order to increase the volume and pace of the foreclosure pipeline.

In addition to seeking your confirmation that all foreclosure related activity unrelated to mediation will be suspended, I request that you provide the following information regarding GMAC's practices and foreclosure actions in Connecticut:

- 1) Provide the case names and docket numbers of all GMAC's Connecticut foreclosure actions and summary process actions in which defective affidavits, including affidavits in support of summary judgment motions and affidavits of debt, were filed.
- 2) Detail the measures that GMAC plans to take with respect to each affected foreclosure action and post-foreclosure eviction action, including (a) when and how it will inform each defendant and the Connecticut Superior Court regarding the defective affidavits and documents, and (b) whether it plans to withdraw the defective affidavits.
- 3) Identify all persons GMAC relied on to review and sign Connecticut foreclosure related documents, (*i.e.* all "robo-signers" such as Jeffery Stephan), and describe the relationship of such persons to GMAC and to companies retained by GMAC to provide mortgage foreclosure related administrative and processing services, (*i.e.* vendors such as Lender Processing Services).
- 4) Explain what GMAC will do to ensure the integrity of affidavits and other documents it will submit in the future to the Connecticut Superior Court, (such as the newly required affidavit regarding federal loss mitigation programs, affidavits in support of summary judgment motions, and affidavits of debt), including a description of the additional resources and personnel that GMAC will employ and an explanation of the procedural changes GMAC will undertake.

Please comply with these requests by October 15, 2010. If you have any questions or concerns, you may call Assistant Attorney General Joseph J. Chambers at (860) 808-5270.

Very truly yours,



RICHARD BLUMENTHAL

cc. Elizabeth M. DeSilva, Esq., Legal Counsel
GMAC ResCap

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