The industry list that lasts







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At ALFN we believe that our business is your business. As a membership association, our investment runs deep because your people are our people.

We know business is built on relationships, trust and results. That's why everything we do centers on one thing: people. Connecting you to the right business partner. Leveraging our experts and thought leaders to educate you. Making available our technological resources to drive value to your bottom line. Creating, refining and promoting our platforms, in print, online and face-to-face, to elevate your brand.

On the following pages, you'll find some of the best people doing some of the best work in mortgage servicing today. We're proud that they're ALFN members and we hope you'll make the decision to do business with us, and them, today.

REPRESENTING, DEFENDING AND EDUCATING AMERICA'S MORTGAGE SERVICING INDUSTRY.

ABOUT THE ALFN

The ALFN is a professional organization comprised of members of the legal and financial services industries. Our mission is to serve our members through leadership, education, advocacy, and professional development. ALFN's membership roster consists of over 200 members that include law firms, foreclosure trustee's and ancillary service providers covering all 50 states.

ABOUT THIS DIRECTORY

This guide is updated and published twice a year by the American Legal & Financial Network (ALFN). For online member searches and additional contacts, use our online member directory at ALFN.org. All rights reserved. For information on membership, dues, sponsorship or events contact ALFN at info@alfn.org.

Publications

alfn angle

The ANGLE is the ALFN's premier publication, published quarterly in digital format. Each issue includes updates, contributions and regular sections like Snap Shot, Q&ALFN and On the Books.

legal updates

Brief, member-authored directives covering local, state and federal legal issues sent directly to over 4,000 mortgage servicing professionals.

picture the future

Published each year at ANSWERS by the Junior Professionals & Executives Group. Picture the Future showcases a mix of young professionals who stand out for their leadership and commitment to the mortgage servicing industry.

legalist

This thing right here in your hands. Fabulous isn't it?

WILLed

A quarterly publication brought to you by ALFN's Women in Legal Leadership practice group. The purpose of WILLed is to disseminate information, promote unity, and provide updates to our members.

Groups

amicus brief

Meets as-needed and determines, drafts and files amicus briefs on behalf of the ALFN in cases deemed to have direct impact on practitioners and clients.

conference planning

Aids the ALFN Executive Team and Board of Directors in planning the ALFN's flagship event, the annual leadership conference, ANSWERS, held each July.

marketing

Includes veteran marketers and business development professionals tasked with increasing brand awareness for the Association and attracting additional mortgage servicing personnel to ALFN events, webinars and publications.

women in legal leadership

The largest practice group in the ALFN, WILL is designed specifically as a forum for women in the mortgage servicing industry to cultivate women leaders. This group hosts its own summit each April called WILLPOWER.

junior professionals & executives

JPEG is the ALFN's young professionals network attracting stand-out practitioners under 40 years of age or with fewer than five years of industry experience. JPEG hosts periodic mixers, volunteer opportunities, publishes Picture the Future: The Annual List,

and offers participants educational opportunities.

legislative & regulatory policy group

Closely examines, monitors and provides updates on legislative and regulatory issues impacting practitioners, clients and the industry at large. This Group plays a distinct role in planning the ALFN's annual Advocacy Day held each spring in Washington, D.C.

bankruptcy

Focuses on recent cases, bankruptcy rules changes and other issues affecting mortgage servicers. This group coordinates webinars, authors content for ALFN publications and helps host the ALFN Bankruptcy Intersect program each February.

complex litigation

This group focuses on complex litigation covering all aspects of default services and creditors' rights legal issues.

Events

answers

The ALFN's flagship event, ANSWERS, is held each July. An invitation-only event, ANSWERS attracts over 300 mortgage servicing professionals and is now in its 15th year offering education, networking and business development.

lega/

alfn webinars

Top-notch education right from your desk. ALFN webinars regularly attract 150+ attendees and are offered free-of-charge to mortgage servicers. With over five years of archived edu-cation at alfn.org, live Q&A sessions with speakers, and complimentary marketing to over 5,000 industry professionals, there's no better option to maximize your membership ROI.

intersect

Bankruptcy Intersect is held each February and Foreclosure Intersect is held each November. This two-part Intersect program drills down on industry trends, forecasts issues to come, and reinforces positive communication between your Foreclosure and Bankruptcy departments, legal counsel, borrowers and investors.

onsite trainings

Day-long, servicer-specific seminars are coordinated periodically by servicer request. Attendees are client-selected with remaining opportunities offered through a lottery process available to all members.

willpower summit

This event, held each April, is the definitive summit for sharing, development and networking for women leaders in the industry.

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Throughout the ALFN Legalist, our official member directory updated, printed, and distributed twice each year, you'll see enhanced listings that look just like this one. Your free, basic listing stays under your state(s) of membership, and here we call out your brand, state of membership, contact information, and logo. We also include a one paragraph description of your services. Enhanced listings are just \$295 a year and they include enhancements to your online listing at ALFN.org as well. Your brand will populate at the top of the list when mortgage servicers or other potential business partners search your state or service via our online portal. Two page profile spreads are available for \$995 in the first year and \$495 annual renewals (does not include photography).

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In Florida with Gilbert Garcia Group

Entrepreneurship is at the heart of the story behind Gilbert Garcia Group, a women- and minority-owned and operated ALFN attorney member in Florida. It's also the impetus behind the firm's expansion and its focus on community. Often representing the firm publicly is principal and Managing Partner Michelle Gilbert, a woman who invests as much in her industry as she does in her own firm.

Gilbert Garcia Group maintains memberships and a high level of involvement in many major industry associations, often with leadership roles and substantial volunteer work on behalf of the industry.

As a collaborative leader, Gilbert works with practitioners from across the country, competition down the street, her lawmakers and regulators on Capitol Hill, and both the consumers and clients on each side of the legal issues she weighs everyday.

Gilbert's (standing, far left) partners, Jennifer Lima-Smith (front right), Managing Litigation/Risk Management Attorney, Laura Layne Walker (front left), Managing First Legal Attorney, Robert Garcia, Jr. (standing, center), Managing Attorney for Business Law and Amy McGrotty (standing, right) Managing Attorney for Foreclosure and Closings, manage key parts of the firm's business.

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PICTURED Albert D. Gibson, Esq. Managing Partner (L) and Monika E. Siwiec. Esq. (R)

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Responsiveness and a focus on creating specifically-tailored solutions for our clients are the foundation of The Gibson Law Firm, P.A. Founding partner, and ALFN member, Albert D. Gibson set out to create a boutique practice that understood the continually changing landscape of the mortgage servicing industry, and could provide its clients with innovative and effective litigation strategies.

Coming from the Nation's leading law firms, most recently working exclusively with servicers, lenders and creditors, Albert D. Gibson and Monika E. Siwiec offer big-firm experience, while maintaining a small-firm feel. The Gibson Law Firm, P.A. obtains cost-efficient and effective results. while at the same time fostering one-on-one relationships with our clients. Our firm defends creditors' and servicers' rights, focusing our practice on post-judgment and collection litigation, complex debt recovery, foreclosure litigation from inception through post-judgment, bankruptcy and federal litigation, up and through the appeals process.

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Headquartered:
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Member: Meritas Global
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Industry Practice Areas
Foreclosure
Bankruptcy
Evictions
REO

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State Snapshot from Woods Oviatt



Contact our Editor Natalie Grigg, Esq. at ngrigg@woodsoviatt.com

JUDICIAL

DEFICIENCY JUDGMENTS ALLOWED

REDEMPTION PERIOD NONE

Analysis: State of the State

In February 2016, after taking office, Chief Judge Janet DiFore announced the Excellence Initiative in New York, which was designed to evaluate overall court operations and improve timelines. As a result of this initiative, we have seen multiple courts scheduling Administrative Dismissal days or status conferences, with the expectation that counsel appear and report the file is moving forward, and if not, the reason for the delay. Additionally, the Courts have adopted numerous strategies for dealing with the backlog including Mandatory Appearance Parts, centralizing the adjudication of cases with fewer judges, employing quasi-judicial staff to assist with settlement conferences, and even utilizing court attorneys in the upstate judicial districts to draft decisions on the backlog of motions. Overall, the initiative has resulted in a report from a vast majority of counties that the backlog of foreclosure cases has reduced in volume, statistics that have not been seen in New





*Estimated New York State Foreclosure Timeline at the end of 2016

90 Day Notice Update

While the legislation that went into effect earlier this year amended the requirements that a servicer has when issuing the 90 day notice, an unexpected change came from the Department of Financial Services requiring three new fields upon registration of the Step 1 filing to include whether the loan is seller finances, the lender's NMLS and the mortgage loan officer's NMLS.

Expedited Judgement of Foreclosure

Plaintiff in any foreclosure proceeding may make an application by notice of motion or order to show cause for a judgment of foreclosure and sale on the grounds that the subject property is vacant and abandoned. The Motion papers or Order to Show Cause must contain language set out in the statute that advises the defendant that the lender is asking the court to expedite a judgment of foreclosure and sale of his or her property on the ground that it is vacant and abandoned and also be supported by an affidavit and other proof of the ownership of the note and mortgage, photographs evidencing the property is vacant and abandoned, and other supporting documentation of same.

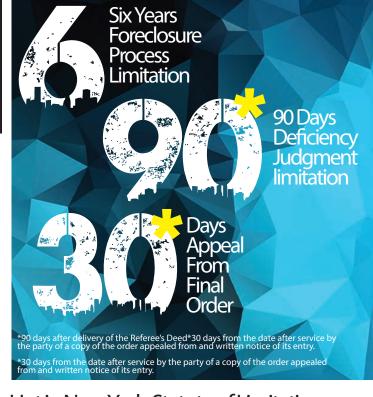
Keep your eye on the New York Case Law

Avail Holding LLC v. Ramos

Avail Holding LLC v. Ramos, 2017 U.S. Dist. LEXIS 34660: Defendant made a motion to dismiss a residential foreclosure action commenced in federal court, pursuant to the abstention doctrine. The Defendant argued that abstention was appropriate because the New York State courts continue to grapple with the parameters for good faith negotiation standard and appropriate remedies for failure to negotiate in good faith. The court declined to dismiss the action, noting that there was not any case law that suggested it was standard practice for federal courts to defer to state courts when it comes to residential mortgage foreclosure actions.

LEGISLATION

RPAPL 1308 – applies only to first lien mortgage holders on a vacant and abandoned residential 1-4 family property. 1308 establishes rules for inspecting, security and maintaining vacant, abandoned residential real property in that within 90 days of a borrower delinquency the servicer shall complete an exterior inspection of the subject property to determine occupancy. Thereafter, throughout the delinquency of the loan, the servicer shall conduct an exterior inspection of the property every 25-35 days, at different times of the day. Once it is determined that the property meets the vacant and abandoned criteria, a servicer shall post a notice on the property within seven days containing a toll free number and contact information. In the event there is no response from the posted notice, the service thereafter shall take reasonable and necessary actions to maintain the property



Hot in New York: Statute of Limitations

Statute of Limitations continues to be a hot topic item in New York given the backlog of cases in the court system and the courts attempt to clear that backlog by scheduling administrative dismissal calendars. Notably, this year we received a new and important ruling out of the Supreme County in Suffolk County in the Nationstar v. MacPherson (N.Y. Supr. Court, Suffolk County, April 3, 2017). MacPherson held that under the terms of a Fannie/Freddie Uniform Instrument, New York's 6 year Statute of Limitations does not completely bar suit on a previously accelerated loan. A second foreclosure action is not time-barred but is instead limited to the unpaid installments occurring six-years immediately preceding the commencement of the second action.



1. Review dismissal orders and the reason for the dismissal. If the dismissal was for lack of standing, then the debt was never accelerated and remains on a monthly installment default.

2. Review restart reasons for the same standing issues. If an action needed to be restarted because it was commenced in the wrong plaintiff name, the loan was not properly accelerated as the prior entity would not have had the ability to do so.

3. Review whether the action voluntarily discontinued during the 6 year time frame and if the discontinuance constitutes a deacceleration.

4. Review for any tolling of time due to court orders and/or Bankruptcy filings.

5. Review for prior loan modifications or loss mitigation options that may have renewed the Statute.

6. Review for any affirmative act of deacceleration.

7. Review if a dismissal was with prejudice – if so, a new action may be able to commenced on a new default.

8. Review whether the loan is federal owned/insured as in New York, courts have recognized that state statutes of limitations do not apply to Federal Agencies or their assignees.

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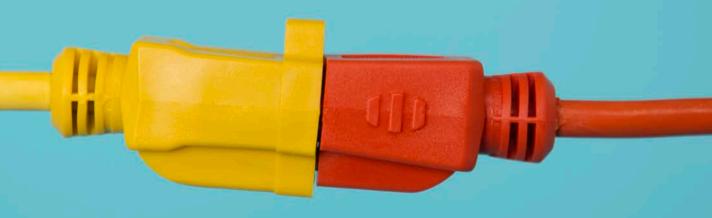
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