

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

Williams et al.

Civil: 09-CV- 1959 ADM JJG

Plaintiffs,

vs.

Geithner et al.

Defendants.

AFFIDAVIT OF CAREY J. KOPPENBERG

Carey J. Koppenberg, being first duly sworn, states as follows:

1. I have owned my home for 15 years. My husband and I purchased the property in June of 1994. We lived and raised two of our three girls on the property.
2. The property address is 501 North Linden Street, Belle Plaine, Minnesota 56011.
3. My husband and I had two affordable mortgages on the property; we were able to maintain our mortgage payments.
4. The first mortgage is owned by Fannie Mae and serviced by U.S. Bank. The second mortgage is serviced by Ditech.
5. On August 27, 2008, my husband passed away. Although his medical expenses were largely covered by insurance, there was little life insurance money to help me continue making the mortgage payments.
6. After my husband passed away, I became delinquent on my mortgage payments. Although I continued to work, and even picked up a part-time job, it was not enough to cover his loss of income.

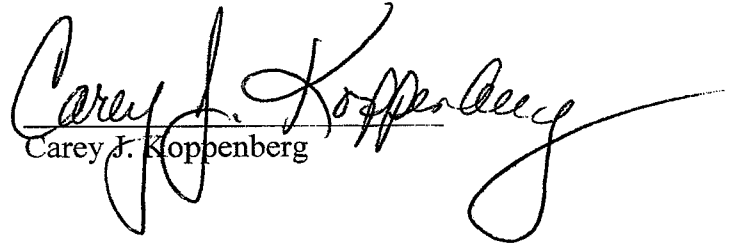
7. In the late fall of 2008, I was in contact with Jean Stanley, Housing Counselor with Carver County Community Development Agency, to help me stay out of foreclosure.
8. There was a sheriff's sale scheduled on my home for March 7, 2009. It was postponed.
9. Ms. Stanley notified me of the Home Affordable Modification Program. She encouraged me to apply for a loan modification under this program, because we believed that I was eligible.
10. I was eligible for the HAMP loan modification, based upon the five Making Home Affordable criteria:
 - A. The mortgage loans at issue relate to my primary residence;
 - B. The amount I owe on my first mortgage is less than \$729,750;
 - C. I am having trouble making my mortgage payments and I am delinquent;
 - D. I got my mortgage loan prior to January 1, 2009; and
 - E. My mortgage loan payment is more than 31% of my income.
11. At my full-time job, I am paid about \$2,760 gross income per month. At my part-time job, I am paid about \$400 gross income per month.
12. My first mortgage payment to U.S. Bank was about \$1,213.00 per month. My second mortgage payment to Ditech was about \$400.
13. 31% of my current monthly gross income is about \$980.
14. I completed and submitted a HAMP application in late April 2009.
15. I called U.S. Bank the first week of May 2009 to confirm that they had received my HAMP application. A representative from U.S. Bank confirmed that they had received my HAMP application on May 1, 2009.
16. My home sold at a sheriff's sale on May 7, 2009.

17. Before my home sold at a sheriff's sale, I was not given notice of denial from HAMP.

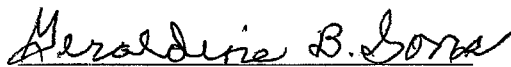
18. I do not have the funds needed to redeem my property. I am fearful and stressed about what will happen in November 2009, when my redemption period ends.

FURTHER YOUR AFFIANT SAITH NOT

Dated: 8/12/2009


Carey J. Koppenberg

Subscribed and sworn to before me
This 12th day of August 2009.


Notary Public

