

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

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*Williams et al.*

Civil: 09-CV- 1959 ADM JJG

Plaintiffs,

vs.

*Geithner et al.*

Defendants.

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**AFFIDAVIT OF CARRIE L. STROHMAYER**

Carrie L. Strohmayer, being first duly sworn, states as follows:

1. I live at 10926 Xylite Court Northeast, Blaine, Minnesota 55449. 10926 Xylite Court Northeast is my primary residence.
2. In the fall and winter of 2008, I anticipated a financial hardship approaching, as my marriage was ending. We agreed that he would move out, and take no responsibility for the house. My ex-husband moved out of the house and stopped making mortgage payments in January 2009.
3. Because my household income had fallen drastically, I significantly restructured my budget, making my house payments a top priority. This meant that, from time to time, I choose not to make other payments, such as my car payment, on time.
4. I have not worked for about five years, because I am needed in the home. I have permanent guardianship over my nephew; he is disabled and needs full-time care. I took custody of my two nephews in 2002 after my brother was killed in a car accident. Their mother is unable to care for them.

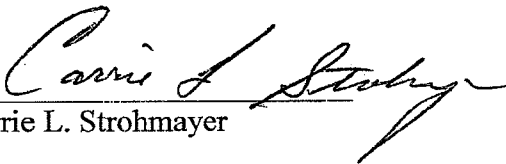
5. I do receive social security income for the care of my nephews. I have been looking for a job, but due to the economy, I have not found work yet.
6. My mortgage is owned by Fannie Mae; the servicer of my mortgage is GMAC Home Mortgage.
7. On or about March 12, 2009, I called my mortgage servicer, GMAC Mortgage, about applying for a HAMP loan modification. I recognized that this program would help me stay in the home and care for the four children living in the home.
8. I am eligible for the HAMP loan modification, based upon the five Making Home Affordable criteria:
  - A. The mortgage loan at issue relates 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.
9. I am currently receiving about \$2,300 in social security for caring for my nephews. I am also receiving about \$900 a month in child support payments.
10. My current monthly mortgage payment is about \$1,700, which represents about 53% of my gross monthly income. My current mortgage payment is unaffordable.
11. A GMAC representative told me to fill-out and fax in a HAMP application. I filled out the application and faxed it in.
12. On or about April 14, 2009, I had not received any communication – whether by phone or mail – from GMAC, so I phoned GMAC for an update. A representative from GMAC told me that they had not received my HAMP application.

13. Since I was still current on my mortgage, I phoned GMAC on April 15, 2009 to make a payment by phone. At this time, a representative from GMAC told me they did, in fact, have my HAMP application. The representative said they needed fourteen days, and GMAC would call me back.
14. I never received a phone call from GMAC Mortgage. In early May, I called GMAC to check on the status of my HAMP application. I spoke with a representative from GMAC, Beth, and she stated that I was approved for the HAMP modification.
15. In late May, I received a letter from GMAC stating they needed additional financial information regarding my child support. of my ex-husband's financials. I promptly faxed them the information needed.
16. June 2009 was the first month I was unable to make my regular monthly mortgage payment. I have not been able to catch up on my mortgage payments.
17. On Tuesday, July 28, 2009, I called GMAC Mortgage to check the status of my HAMP application, and I was told that I was denied a HAMP loan modification. The representative from GMAC stated that they had previously told me of the denial, but I had not received either a phone call or a letter of denial.
18. The representative from GMAC stated that I was denied a HAMP loan modification because my debt-ratio was too high. This was confusing to me, because if my debt-ratio was not too high, I would likely not need a modified loan.
19. I demanded a denial and reason for denial in writing, but I have not received a written denial.

20. I am fearful that I will be served with a foreclosure notice. I do not know where I will go if my house is foreclosed upon. I am currently caring for four children, one of which is disabled.

**FURTHER YOUR AFFIANT SAITH NOT**

Dated: 8-19-09

  
Carrie L. Strohmayer

Subscribed and sworn to before me  
This 19 day of August 2009.

  
Notary Public

