

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

Nichole Williams, and
Johnson Sendolo,

Civil: 09 cv 1959
ADM/JJG

Plaintiffs,

vs.

Timothy F. Geithner, as United States Secretary of the Treasury,

U.S. Department of the Treasury,

The Federal Housing Finance Agency, as conservator
For the Federal National Mortgage Association, d/b/a Fannie Mae
and the Federal Home Loan Mortgage Corporation d/b/a Freddie Mac,

The Federal National Mortgage Association, d/b/a Fannie Mae, and

The Federal Home Loan Mortgage Corporation d/b/a Freddie Mac,

Defendants.

AFFIDAVIT OF JOHNSON SENDOLO

Johnson Sendolo, being first duly sworn, states as follows:

1. My name is Johnson Sendolo. I am originally from Liberia, but I moved to the United States in 1984. I moved to the United States as the violence in Liberia began to escalate.

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U.S. DISTRICT COURT MPLS

In Liberia, I worked for the Liberian government in the labor ministry. I eventually became a citizen of the United States in 2003. Here, I worked as a health coder.

2. After moving to Minnesota with my family, on September 9, 2005, I purchased my home for \$178,922.00. It is located at 3218 Leyland Trail, Woodbury, Minnesota 55125, and it is my primary residence. My family consists of my adult son, my adult daughter, my 13 year old daughter and my four year old son.

3. I purchased the home with two mortgages. The first mortgage was for \$143,137. It was an adjustable rate mortgage ("ARM") with an initial interest rate of approximately 9.6%.

4. The second mortgage was for \$35,785. It was a fixed loan with an interest rate of approximately 7%.

5. Ocwen Loan Servicing, LLC ("Ocwen") originated the loans and currently owns the servicing rights to two my mortgages.

6. For three years, I budgeted my money well and I paid all my bills and mortgage payments on time.

7. I lost my job in September 2008. I had enough money saved to continue making timely mortgage payments until about December 2008.

8. With the scarcity of available jobs, I became concerned that my mortgages would become delinquent. In late 2008 and continuing into 2009, and with the help of a Washington County Housing and Redevelopment Authority mortgage counselor, I contacted Ocwen to obtain loan modifications on both my mortgages.

9. Eventually, my savings ran out, and I was forced to stop making my mortgage payments in December 2008.

10. Specifically, on or about March 30, 2009, I submitted paperwork to Ocwen for a loan modification for my first and second mortgage.

11. When I submitted my paperwork for the loan modification, I did have some income. I had unemployment income, I was also working a part-time job, and my son was paying a small rental fee.

12. On April 13, 2009, I was able to secure a loan modification on my second mortgage. The interest rate was set at 3.95% for five years. I remain current on my second mortgage.

13. On or about May 12, 2009, my counselor received a letter via e-mail from Ocwen stating that I was denied from the Home Affordable Modification Program for my first mortgage.

14. The letter I received did not state a reason why I was denied from the program. Similarly, it did not explain to me how I could appeal this decision. Nor did it explain to me other options for avoiding a sheriff's sale.

15. I was confused as to why Ocwen would agree to modify my second mortgage, but not modify my first mortgage, essentially making the second mortgage modification irrelevant.

16. Since I was unable to get a loan modification for my first mortgage, my first mortgage remained unaffordable to me and my delinquency grew.

17. In the late spring of 2009, I received notice that my home would be sold at a sheriff's sale.

18. On June 25, 2009, at 10:00 a.m., my home sold at a sheriff's sale.

19. I am eligible for the Making Home Affordable program according to the government's website:

- a. The mortgages secure my primary residence;

- b. The amount I owe is less than \$729,750;
- c. I am having trouble making the payments and I am delinquent;
- d. I obtained these mortgages prior to January 1, 2009; and
- e. The mortgage payments are more than 31% of my monthly income.

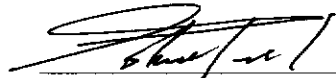
20. As a result of my denial of the HAMP modification, and my home being sold at the sheriff's sale, I have been extremely stressed and confused.

21. With five months remaining in my redemption period, I do not know what I am going to do when I am forced to move out.

22. I do not have the funds it will take to redeem the property. I will not be able to obtain the financing to redeem, because I believe the current value of my home is about \$14,000 less than what I owed on both of my mortgages.

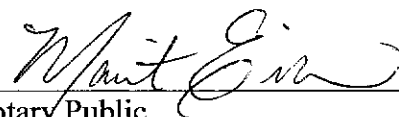
FURTHER YOUR AFFLIANT SAITH NOT

Dated: July 27, 2009



Johnson Sendolo

Subscribed and sworn to before me
This 27 day of July 2009.


Notary Public