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8 Attorney for Plaintiffs

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **FOR THE COUNTY OF LOS ANGELES**

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PLAINTIFFS,

vs.

SPECIALIZED LOAN SERVICING, LLC;  
MTC FINANCIAL INC., DBA TRUSTEE  
CORPS; U.S. BANK NATIONAL  
ASSOCIATION AS INDENTURE  
TRUSTEE, ON BEHALF OF THE  
HOLDERS OF THE TERWIN MORTGAGE  
TRUST 2007-QHL1 ASSET-BACKED  
SECURITIES, SERIES 2007-QHL1,  
WITHOUT RECOURSE; MORTGAGE  
ELECTRONIC REGISTRATION SYSTEMS,  
INC.;; ALL PERSONS UNKNOWN,  
CLAIMING ANY LEGAL OR EQUITABLE  
RIGHT, TITLE, ESTATE, LIEN, OR  
INTEREST IN THE PROPERTY  
DESCRIBED IN THE COMPLAINT  
ADVERSE TO PLAINTIFFS' TITLE, OR  
ANY CLOUD ON PLAINTIFFS' TITLE  
THERETO; and DOES 1-20, INCLUSIVE,

DEFENDANTS.

**PLAINTIFF'S FIRST SET OF REQUESTS  
FOR ADMISSIONS TO U.S. BANK  
NATIONAL ASSOCIATION AS  
INDENTURE TRUSTEE, ON BEHALF OF  
THE HOLDERS OF THE TERWIN  
MORTGAGE TRUST 2007-QHL1 ASSET-  
BACKED SECURITIES, SERIES 2007-  
QHL1, WITHOUT RECOURSE**

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD HEREIN:

2 PROPOUNDING PARTY: PLAINTIFF

3 RESPONDING PARTY: DEFENDANT U.S. BANK NATIONAL ASSOCIATION  
4 AS INDENTURE TRUSTEE, ON BEHALF OF THE HOLDERS OF THE TERWIN  
5 MORTGAGE TRUST 2007-QHL1 ASSET-BACKED SECURITIES, SERIES 2007-QHL1,  
6 WITHOUT RECOURSE

7 Plaintiff ("Plaintiff") hereby requests that Defendant U.S. BANK NATIONAL  
8 ASSOCIATION AS INDENTURE TRUSTEE, ON BEHALF OF THE HOLDERS OF THE  
9 TERWIN MORTGAGE TRUST 2007-QHL1 ASSET-BACKED SECURITIES, SERIES 2007-  
10 QHL1, WITHOUT RECOURSE ("Defendant," "YOU" or "YOUR") admit not later than thirty  
11 (30) days after service of this Request for Admissions, the truth of the following facts pursuant  
12 to California Code of Civil Procedure Section 2033.210 et seq.:

13 **REQUEST FOR ADMISSIONS**

14 **REQUEST FOR ADMISSION NO. 1:**

15 Admit that YOU did not have standing to initiate the foreclosure proceedings against  
16 Plaintiffs.

17 **REQUEST FOR ADMISSION NO. 2:**

18 Admit that YOU are not the lender named in the original note which is the subject of this  
19 matter.

20 **REQUEST FOR ADMISSION NO. 3:**

21 Admit that the original lender did not transfer possession of the original note or any  
22 rights thereunder to YOU.

23 **REQUEST FOR ADMISSION NO. 4:**

24 Admit that YOU were never in possession of the original note.

25 **REQUEST FOR ADMISSION NO. 5:**

26 Admit that YOU were never a holder in due course of the original note.

27 **REQUEST FOR ADMISSION NO. 6:**

28 Admit that YOU did not have actual physical possession of the original note prior to the  
foreclosure of Plaintiffs' property.

**REQUEST FOR ADMISSION NO. 7:**

Admit that no paper showing assignment of the original promissory note to YOU ever  
existed.

1 **REQUEST FOR ADMISSION NO. 8:**

2 Admit that Plaintiffs' loan was in default when it was allegedly transferred and/or  
3 assigned to YOU.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that MERS did not have the authority to convey by assignment, the subject deed  
6 of trust from Mortgage Electronic Registration Systems, Inc. ("MERS") to YOU.

7 **REQUEST FOR ADMISSION NO. 10:**

8 Admit that Rick Wilken was not an employee or officer of YOURS on January 11, 2009.

9 **REQUEST FOR ADMISSION NO. 11:**

10 Admit that Rick Wilken was not an employee or officer of YOURS on March 10, 2009.

11 **REQUEST FOR ADMISSION NO. 12:**

12 Admit that MERS was never a beneficiary of Plaintiffs' promissory note.

13 **REQUEST FOR ADMISSION NO. 13:**

14 Admit that MERS did not have the authority to assign Plaintiffs' deed of trust to YOU.

15 **REQUEST FOR ADMISSION NO. 14:**

16 Admit that MERS never claimed any beneficial rights or any form of ownership rights in  
17 the original mortgage note.

18 **REQUEST FOR ADMISSION NO. 15:**

19 Admit that MERS had no legal or beneficial interest in the promissory note underlying  
20 Plaintiffs' deed of trust.

21 **REQUEST FOR ADMISSION NO. 16:**

22 Admit that, at the time of the foreclosure, YOU were not in possession of the account  
23 and general ledger statement, authenticated by a competent fact witness, showing a deficiency  
24 owed by Plaintiffs.

25 **REQUEST FOR ADMISSION NO. 17:**

26 Admit that the original note has not been lost or destroyed.

27 **REQUEST FOR ADMISSION NO. 18:**

28 Admit that YOU assigned the promissory note and deed of trust to a third party prior to  
the foreclosure of Plaintiffs' property.

**REQUEST FOR ADMISSION NO. 19:**

Admit that the note at issue in this matter was part of a securitized trust composed of  
more than one mortgage loan.

1 **REQUEST FOR ADMISSION NO. 20:**

2 Admit that THE TERWIN MORTGAGE TRUST 2007-QHL1 ASSET-BACKED  
3 SECURITIES, SERIES 2007-QHL1, WITHOUT RECOURSE trust is a securitized trust  
4 composed of more than one mortgage loan.

5 **REQUEST FOR ADMISSION NO. 21:**

6 Admit that THE TERWIN MORTGAGE TRUST 2007-QHL1 ASSET-BACKED  
7 SECURITIES, SERIES 2007-QHL1, WITHOUT RECOURSE trust was created by a Pooling  
8 and Servicing Agreement.

9 **REQUEST FOR ADMISSION NO. 22:**

10 Admit that the original note was not received by the Custodian for THE TERWIN  
11 MORTGAGE TRUST 2007-QHL1 ASSET-BACKED SECURITIES, SERIES 2007-QHL1,  
12 WITHOUT RECOURSE trust prior to the final date for delivery of the same as set forth in the  
13 Conveyance rules of the Pooling and Servicing Agreement.

14 **REQUEST FOR ADMISSION NO. 23:**

15 Admit that the Custodian for THE TERWIN MORTGAGE TRUST 2007-QHL1  
16 ASSET-BACKED SECURITIES, SERIES 2007-QHL1, WITHOUT RECOURSE trust filed a  
17 written report with YOU in which the Custodian attested to the actual possession and custody of  
18 the original note in this matter.

19 **REQUEST FOR ADMISSION NO. 24:**

20 Admit that the named Depositor for THE TERWIN MORTGAGE TRUST 2007-QHL1  
21 ASSET-BACKED SECURITIES, SERIES 2007-QHL1, WITHOUT RECOURSE trust did not  
22 transfer the original note to the Custodian for THE TERWIN MORTGAGE TRUST 2007-  
23 QHL1 ASSET-BACKED SECURITIES, SERIES 2007-QHL1, WITHOUT RECOURSE trust.

24 **REQUEST FOR ADMISSION NO. 25:**

25 Admit that, at the time of the foreclosure, YOU were not lawful owner or possessor of  
26 the original note at issue in this matter.

27 **REQUEST FOR ADMISSION NO. 26:**

28 Admit that the Master Document Custodian for THE TERWIN MORTGAGE TRUST  
2007-QHL1 ASSET-BACKED SECURITIES, SERIES 2007-QHL1, WITHOUT RECOURSE  
trust verified in writing to YOU that it had confirmed an unbroken chain of transfers and  
deliveries of the original note from the Originator to YOU to the Master Document Custodian.

1 DATED: May 6, 2010

LAW OFFICES OF CAMERON H. TOTTEN

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By: \_\_\_\_\_  
Cameron H. Totten  
Attorney for Plaintiffs