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12 Krista L. Freitag

13 **UNITED STATES DISTRICT COURT**  
14 **CENTRAL DISTRICT OF CALIFORNIA**  
15 **SOUTHERN DIVISION**

16 FEDERAL TRADE COMMISSION,

17 Plaintiff,

18 v.

19 AMERICAN HOME SERVICING  
CENTER, LLC,

20 CAPITAL HOME ADVOCACY  
21 CENTER,

22 NATIONAL ADVOCACY CENTER,  
23 LLC,

24 JAIME ABURTO, a/k/a James Aburto  
and Jamie Aburto, individually, as an  
25 officer of American Home Servicing  
Center, LLC and National Advocacy  
Center, LLC. and d/b/a A.H.S.C.,  
26 American Home Servicing Center, Local  
Page, NAC, National Servicing Center,  
27 NSC Processing, and Secured  
Processing,  
28

Case No. 8:18-cv-00597-JLS-KES

**RECEIVER'S FIRST REPORT AND  
RECOMMENDATIONS**

Ctrm: 10A

Judge: Hon. Josephine L. Staton

1 MARCUS FIERRO, JR., individually, as  
2 a member of American Home Servicing  
Center, LLC and National Advocacy  
Center, LLC, and d/b/a A.H.S.C. and  
3 American Home Servicing Center,

4 EVE CHRISTINE RODRIGUEZ, a/k/a  
Elizabeth Davis, Elizabeth Powers,  
Christina Rodriguez, Christine  
5 Rodriguez, and Elizabeth Rodriguez,  
individually, as a manager of American  
6 Home Servicing Center, LLC, a member  
of Capital Home Advocacy Center, and  
7 d/b/a National Advocacy Group, and

8 SERGIO LORENZO RODRIGUEZ,  
a/k/a Sergio Lawrence, individually, as a  
9 manager of American Home Servicing  
Center, LLC, a member of Capital Home  
10 Advocacy Center, and d/b/a National  
Advocacy Group,  
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12 Defendants.  
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1 On April 13, 2018, this Court entered the Ex Parte Temporary Restraining  
 2 Order with Asset Freeze, Appointment of Temporary Receiver, Limited Expedited  
 3 Discovery, and Order to Show Cause Why Preliminary Injunction Should Not Issue  
 4 (the "TRO"), appointing Krista L. Freitag ("Receiver") as temporary receiver for  
 5 American Home Servicing Center, LLC ("American Home"), Capital Home  
 6 Advocacy Center ("Capital Home"), National Advocacy Center, LLC ("National  
 7 Advocacy"), and their subsidiaries and affiliates (collectively the "Receivership  
 8 Entities" or individually, a "Receivership Entity") with full powers of an equity  
 9 receiver. The following report summarizes the Receiver's work performed thus far  
 10 pursuant to the TRO and her preliminary observations.

# 11 I. EXECUTIVE SUMMARY

12 The Receiver has successfully obtained possession of and secured the  
 13 following two physical locations associated with the operations of Capital Home and  
 14 National Advocacy<sup>1</sup>:

- 15 1. 1809 East Dyer Road, Suite 301, Santa Ana, CA 92705, and
- 16 2. 15991 Red Hill Avenue, Suite 204, Tustin, CA 92780 (including the  
 17 333 City Blvd. West, 17<sup>th</sup> Floor, Orange, CA 92868 virtual office  
 18 location where it appears mail was directed and received).

19 Numerous documents and records (including electronic forms thereof) have  
 20 been secured therein and/or have been otherwise secured. The bank accounts listed  
 21 in the TRO and additional accounts identified through an investigation of documents  
 22 and information found at the locations where the Receivership Entities conducted  
 23 business have been frozen; although it should be noted that at least \$15,500 of funds  
 24 were identified by Citibank as having been withdrawn by Defendant Sergio  
 25 Rodriguez after Citibank was served with the TRO and notified of the instant asset  
 26 freeze.

27 \_\_\_\_\_  
 28 <sup>1</sup> At this point, there are no known operational locations of American Home (other  
 than the lessee on the lease for the Red Hill location is American Home).

1 Based on the Receiver's investigation of documents and computer records, the  
2 Receiver has been able to identify and take control of approximately \$5,430 in  
3 National Advocacy cash and \$3,713 in Capital Home cash. To date, it is not  
4 apparent whether additional funds or assets will be recovered, other than office  
5 equipment and personal property of limited value, possible insurance claims, and  
6 security deposits for office leases. No real property has been identified and, aside  
7 from the account balances referenced above, all other accounts identified in the TRO  
8 were either closed, have a zero balance, or bank confirmations are forthcoming.

9 The Receiver has not yet been able to identify the entire scope of the  
10 receivership enterprise, meaning the total number of consumers affected, the specific  
11 amounts they paid to the Receivership Entities, and the amounts expended by the  
12 Receivership Entities are not yet known. Furthermore, while the Receiver has  
13 secured and closed down any known physical locations, there are indications and it is  
14 believed possible that the individual defendants may continue to operate under  
15 different names.

16 That said, it appears from records obtained through the Capital Home  
17 customer relations management ("CRM") software that the Capital Home Senior  
18 Processors' (employed as of April 16, 2018) files included approximately 125  
19 consumer accounts. Although its CRM software company and other vendors  
20 (discovered Friday, April 20, 2018) have been served with the TRO, the National  
21 Advocacy consumer account information is not yet known.

22 In addition to taking control of assets and the operational locations, the  
23 Receiver has ceased operations for a variety of reasons further discussed below. It is  
24 also important to note that while the Receiver personally handed the Order to  
25 defendant Eve Christine Rodriguez aka Elizabeth Powers on Monday April 16, 2016,  
26 she also sent the Order to the remaining three individual defendants via known email  
27 addresses. Only Defendant Marcus Fierro, Jr. responded to said notice, although in  
28

1 so doing, he denied having any current involvement in any of the Receivership  
2 Entities or possession of any records.

3 While the Receiver and her professionals have made significant progress in a  
4 short period of time, this report is preliminary given the short period of time between  
5 receipt of information and the date of this report. As discussed below in Section V,  
6 the Receiver has set out her recommendations for proceeding if her appointment as  
7 receiver is made permanent.

## 8 **II. FTC COMPLAINT**

9 On April 13, 2018, the Federal Trade Commission ("Commission") filed its  
10 Complaint against American Home, Capital Home, National Advocacy, Jaime  
11 Aburto ("Aburto"), Marcus Fierro, Jr. ("Fierro"), Eve Christine Rodriguez  
12 ("Christine Rodriguez"), and Sergio Lorenzo Rodriguez ("Sergio Rodriguez"). The  
13 Complaint alleges that Defendants made deceptive representations to consumers in  
14 connection with selling them mortgage relief assistance services, including (a) that  
15 consumers were likely to obtain loan modifications when they were not, (b) that  
16 consumers have been confirmed for a loan modification when they have not been,  
17 and (c) that Defendants are affiliated with the government and the Better Business  
18 Bureau when they are not.

19 The Complaint also alleges Defendants violated Regulation O of the mortgage  
20 relief assistance services rule, aka the MARS Rule, in numerous ways, including by  
21 (a) making the deceptive representations listed above (and others), (b) failing to  
22 make required disclosures to consumers, (c) telling consumers not to communicate  
23 directly with their lenders or servicers, and (d) requiring consumers to pay  
24 Defendants in advance of a loan modification being granted by their lenders or  
25 servicers.

### III. THE TRO

Pursuant to the TRO, the Receiver is, amongst other things, authorized to:

1. Assume full control of Receivership Entities by removing...any director, officer, independent contractor, employee, attorney, or agent of any Receivership Entity from control of, management of, or participation in, the affairs of the Receivership Entity;
2. Take exclusive custody, control, and possession of all Assets and Documents of, or in the possession, custody, or under the control of, any Receivership Entity;
3. Conserve, hold, manage, and prevent the loss of all Assets of the Receivership Entities, and perform all acts necessary or advisable to preserve the value of those Assets;
4. Obtain, conserve, hold, manage, and prevent the loss of all Documents of the Receivership Entities, and perform all acts necessary or advisable to preserve such Documents.
5. Choose, engage, and employ attorneys, accountants, appraisers, and other independent contractors and technical specialists, as the Receiver deems advisable or necessary in the performance of duties and responsibilities under the authority granted by this Order.

### IV. RECEIVER'S ACTIONS TO IMPLEMENT TRO

#### A. Securing and Taking Control of Operational Premises

Upon her appointment, the Receiver assumed control over the Capital Home leased premises located at 1809 East Dyer Road, Suite 301, Santa Ana, CA 92705 (the "Capital Home Office"). After significant efforts to identify an alternative physical location (numerous former, virtual and other addresses were discovered and contacts associated with same were served with the TRO), on Friday, April 20, 2018, the Receiver assumed control over the National Advocacy leased premises located at

1 15991 Red Hill Avenue, Suite 204, Tustin, CA 92780 (the “National Advocacy  
2 Office”).

3 With regard to each of the foregoing, the Receiver has taken physical control,  
4 changed the locks, served/notified landlords, served/notified vendors and otherwise  
5 worked to ensure no entry into the premises. At this time, the Receiver’s staff has  
6 also redirected mail for eight (8) known current or prior operations addresses,  
7 including the most recent National Advocacy addresses located. Until such time as  
8 the mail redirects take effect, the Receiver or her staff have been physically  
9 retrieving mail from the locations where active operations were located.

10 **B. Funds Recovered To Date and Defendant’s Withdrawal of Funds.**

11 In addition to the Commission’s transmittal of notice of the asset freeze to the  
12 banks, the Receiver has also promptly notified each bank identified in the TRO as  
13 having an account associated with the Receivership Entities. In such notices, the  
14 Receiver demands turnover of the account, immediate cancellation of any debit or  
15 credit cards, identification/freeze of any safe deposit box, account balance  
16 information, and account records. As previously mentioned, the Receivership  
17 Entities’ frozen cash balances total approximately \$5,430 of National Advocacy cash  
18 and \$3,713 of Capital Home cash. Attached hereto as **Exhibit A** is a chart reflecting  
19 all of the accounts identified by the Commission and the Receiver, the status of each  
20 account, and the balance found in each account. The Receiver has opened a new  
21 bank account for the receivership estate and is working to transfer the frozen funds  
22 into same.

23 It should be noted that defendant Sergio Rodriguez, identified as the owner of  
24 Capital Home, was not present at the Capital Home Offices on April 16, 2017. The  
25 Receiver was informed shortly after her arrival at the Capital Home Office that  
26 defendant Christine Rodriguez was communicating with him about the takeover.  
27 However, Sergio Rodriguez never came to the offices on that day and has not  
28 responded to the Receiver’s attempts to contact him via email. Citibank later advised



1 the Receiver's staff that Sergio Rodriguez withdrew at least \$15,500 from a Capital  
2 Home bank account shortly after the Receiver's arrival at the Capital Home offices  
3 on April 16, 2018, and after Citibank had received the FTC's asset freeze. The  
4 Receiver, with assistance from the Commission, is working to pursue recovery of  
5 these funds.

6 Based on the lack of any financial resources or legal source of operating  
7 income, the Receiver determined that it was appropriate to immediately and  
8 completely shut-down operations with no resources available for imminently due  
9 operational expenses like payroll, utilities (electric shut off on April 17, 2018) and  
10 rent. Furthermore, the Receiver was not able to reissue payroll checks to four  
11 employees whose physical checks from the prior Friday (April 13, 2018) had not yet  
12 cleared. The Receiver's staff is working with payroll processor ADP to determine  
13 the total amount due to Capital Home staff members.

14 **C. Control Over Computer Hardware, Software and Documents**

15 Upon entry to the Capital Home Office, the Receiver took control over  
16 computers and electronic devices located at the office premises, as well as any off-  
17 site electronic records. Pursuant to the TRO, the Receiver granted access to certain  
18 computer drives to the Commission and also retained the services of SETEC  
19 Investigations to image the computers located at the office premises which images  
20 were not otherwise taken by the Commission. This work involved imaging the hard  
21 drives from each of the computers in order to preserve all e-mails, documents, and  
22 accounting information maintained on the devices.

23 As part of her effort to preserve the electronic and hard copy documents  
24 associated with the Receivership Entities, the Receiver also served accountants,  
25 vendors, and other third parties (including the internet service provider, website host,  
26 CRM service provider, telephone service provider, and other key vendors known to  
27 service Capital Home) with copies of the TRO and made a demand that each of them  
28



1 preserve all electronic and other documents in their possession, custody or control as  
2 provided for in the TRO.

3       Regarding National Advocacy, after securing the office premises on the  
4 afternoon of Friday, April 20, 2018, the Receiver met SETEC to retrieve all hard  
5 drives and the server from the premises for imaging. The Receiver has also directed  
6 service of the TRO on the known vendors associated with the operations of National  
7 Advocacy, again demanding that each of them preserve all electronic and other  
8 documents in their possession, custody or control as provided for in the TRO. It  
9 should be noted that in pursuing outside service providers, the Receiver identified  
10 more than a half dozen additional domain names registered to the Defendants at  
11 website hosting company www.GoDaddy.com. All of the domains have been  
12 preserved and redirected to the Receiver's website.

13       **D. Interviews with Employees, Assessing Business Operations**

14       While taking control over the Capital Home Office, the Receiver, her staff and  
15 her counsel met with and interviewed the 13 employees, consultants, and others who  
16 were present, including defendant Christine Rodriguez aka Elizabeth Powers.

17       These interviews lasted several hours, during which the Receiver primarily  
18 focused on gaining access to, preserving, and understanding the accounting software,  
19 the Customer Relationship Management ("CRM") software, and other vendors, as  
20 well as gaining understanding of any past or present operations that were being  
21 conducted by the Receivership Entities. Among other things, the Receiver focused  
22 on the consumer files with imminent loan/foreclosure matters to be addressed.  
23 Nonetheless, with effectively no funds to operate or pay personnel to address such  
24 matters, the Receiver was forced to cease operations and focus her efforts on  
25 communicating with consumers and lenders (the following day), directing them via  
26 email to communicate directly with one another and/or referring consumers to free  
27 mortgage counseling resources available through HUD. A copy of the consumer and  
28 lender communications are attached hereto as **Exhibit B**. The Receiver has also

1 been retrieving mail and then has forwarded on such mail with any imminent due  
2 dates to the affected consumers. The Receiver is also working with the CRM  
3 provider to provide a complete copy of records to each consumer. However, without  
4 a source of available funds, this may not be possible.

5       Regarding National Advocacy, while it was apparent operations were ongoing  
6 as recently as April 19, 2018 and possibly even on April 20, 2018, there was no staff  
7 present when the Receiver arrived at the National Advocacy Office. However, more  
8 than a dozen workstations appeared active, with several computers still on and  
9 personal items still in the office.

10       From what the Receiver has reviewed thus far, it is clear the companies  
11 represented themselves as “Documentation Preparation Companies” and that  
12 Defendants Capital Home, Christine Rodriguez and Sergio Rodriguez required  
13 consumers to make payments to them before consumers' loan modification  
14 applications were submitted to their lenders and well before loan modifications were  
15 granted (if at all) by the lenders. Accordingly, and with no resources to fund any  
16 level of operations (including payment of past-due payroll/current payroll, utilities,  
17 rent, etc.), the Receiver determined the business could not be operated at all, let alone  
18 operated lawfully and profitably. Therefore, the Receiver has not retained any of the  
19 Capital Home employees and has ceased operations. As noted above, the employees  
20 of National Advocacy appear to have intentionally left the premises and abandoned  
21 the business shortly before the Receiver arrived at the office on April 20, 2018.

22       **E.   Affiliated Entities and/or URLs**

23       It appears that several companies are affiliated with the individual defendants  
24 and/or the Receivership Entities. Through her investigation and review of records  
25 and the Commission's filings thus far, the Receiver has identified the following  
26 entities, d/b/as and/or URLs, which appear to be affiliated with individual defendants  
27 and/or the Receivership Entities:  
28

- 1 • American Home Servicing Center, LLC,
- 2 • American Home Servicing Center,
- 3 • A.H.S.C.,
- 4 • Capital Home Advocacy Center,
- 5 • National Advocacy Group,
- 6 • National Advocacy Center, LLC,
- 7 • NAC,
- 8 • NAC, LLC
- 9 • NAC USA, LLC,
- 10 • Local Page,
- 11 • National Servicing Center,
- 12 • NSC Processing,
- 13 • Secured Processing,
- 14 • capitalhomeadvocacycenter.com
- 15 • nationaladvocacycenters.org
- 16 • nachelp.org
- 17 • foreclosure-help.org (only listed on GoDaddy account)
- 18 • loanreliefprograms.com (only listed on GoDaddy account)
- 19 • senior-citizen-mortgage.help (only listed on GoDaddy account)
- 20 • seniormortgageassistance.info (only listed on GoDaddy account)
- 21 • stop-eviction-now.com (only listed on GoDaddy account)
- 22 • stop-foreclosure-now.org (only listed on GoDaddy account)
- 23 • nationalmortgagereliefcenter.org

24 The Receiver continues to investigate the ties and relationships among these  
 25 entities and the Defendants and to marshal and secure any assets.

#### 26 **F. Personal Property**

27 The Receiver took a photographic and video inventory of both the Capital  
 28 Home Office and the National Advocacy Office. For the most part, the personal

1 property consists of CPU's, computer monitors, cubicles and other miscellaneous  
2 office furniture, fixtures and equipment. The Receiver notes that used office  
3 equipment such as this is likely to have little value.

4 **G. Territorial Jurisdiction Over Receivership Assets.**

5 By filing the Complaint and the TRO with other federal district courts in the  
6 United States, the territorial jurisdiction of this Court over receivership assets is  
7 extended to such districts. 28 U.S.C. § 754, *see also* Haile v. Henderson Nat'l Bank,  
8 657 Fed. 2d 816, 822 (6<sup>th</sup> Cir. 1981). Based on information obtained to date, the  
9 Receivership Entities do not appear to have any assets or security interests in  
10 property located in other judicial districts. However, as additional information  
11 becomes available, the Receiver will file and record the Complaint and the  
12 appointment order in applicable districts and counties in conformity with § 754 and  
13 the federal law.

14 **H. Borrower/Client Communications.**

15 The Receiver has established a dedicated web page on the Receiver's website  
16 which will be used to provide case information, regular updates, and answers to  
17 frequently asked questions to employees, consumers and lenders. The Internet  
18 address for the webpage is as follows: [http://www.ethreeadvisors.com/ftc-case-](http://www.ethreeadvisors.com/ftc-case-docs/ftc-capital-home/)  
19 [docs/ftc-capital-home/](http://www.ethreeadvisors.com/ftc-case-docs/ftc-capital-home/). While the Capital Home known consumers (identified in the  
20 company's QuickBooks file) and lenders (all known) have been notified, the  
21 Receiver is presently attempting to obtain the identity of National Advocacy  
22 consumers based on the records in its CRM software. No accounting software was  
23 identified and notably, a workstation (likely a laptop) was removed from the National  
24 Advocacy Office where it appeared the accountant's workstation was located.  
25 National Advocacy's CRM software company was notified of the TRO on Monday  
26 April 23, 2018.

1 In addition, the Receiver is maintaining a dedicated e-mail address and  
2 telephone line for all inquiries and is providing consumers with mail correspondence  
3 from lenders if imminent dates are referenced therein.

#### 4 **V. PRELIMINARY RECOMMENDATIONS**

5 Although the Receiver's efforts to marshal and recover assets and relevant  
6 Receivership Entity documents and records are ongoing, considering the very limited  
7 value of assets secured to date, the prospects for providing a recovery to consumers  
8 at this point are not very good. Accordingly, in the near term, the Receiver and her  
9 professionals make the following recommendations.

##### 10 **A. Document Recovery Efforts**

11 The Receiver will obtain records from all financial institutions where the  
12 Receivership Entities maintained accounts as well as from attorneys and accountants  
13 engaged by the Receivership Entities. The Receiver has served subpoenas on certain  
14 institutions, individuals, and entities and proposes to proceed with these efforts to  
15 obtain documents, assets, and information.

##### 16 **B. Receivership Asset Recovery Efforts and Investigation**

17 The Receiver will seek to locate any presently unaccounted for receivership  
18 assets that may exist. The Receiver, with the assistance of the Commission, is also  
19 working to recover the funds taken from the Capital Home Citibank account by  
20 Sergio Rodriguez on the date of the Receiver's takeover. As part of her  
21 investigation, the Receiver will evaluate whether any third parties should be liable  
22 for damages caused to the Receivership Entities. The Receiver will seek Court  
23 approval before pursuing any such claims.

##### 24 **C. Accounting**

25 If sufficient assets are located and secured such that a meaningful recovery can  
26 be provided to harmed consumers, the Receiver will proceed with an accounting to  
27 establish, among other things, the scope of consumer damages and the proper  
28 amounts of consumer claims.



1       **D. Engagement of Counsel**

2       Pursuant to the authority granted to her in Section XII of the TRO, the  
 3 Receiver has engaged Allen Matkins Leck Gamble Mallory & Natsis, LLP ("Allen  
 4 Matkins") as her general counsel for the receivership. Considering the vast reach of  
 5 the Receivership Entities and their assets, the amount of money allegedly raised by  
 6 the Receivership Entities, the lack of cooperation and what is at stake for consumers,  
 7 it is critical the Receiver have counsel experienced and qualified in federal equity  
 8 receiverships, real estate finance, litigation, and other applicable areas of law. As  
 9 part of the anticipated motion for administrative relief, the Receiver will seek official  
 10 approval of her engagement of Allen Matkins.

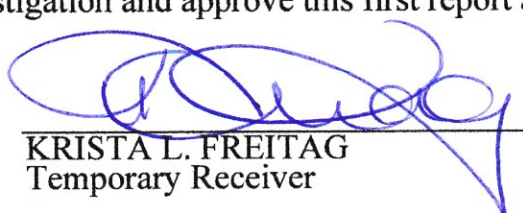
11       **E. Next Report and Fee Applications**

12       The TRO directs the Receiver and her professionals to file fee applications no  
 13 later than 60 days from April 13, 2018. The Receiver will file a further report on her  
 14 activities in conjunction with those fee applications, which will be filed in the first  
 15 half of June 2018.

16                                   **VI. CONCLUSION**

17       Based upon the Receiver's preliminary investigation and findings, the Receiver  
 18 recommends and requests that the Court order the Receiver to continue pursuant to  
 19 the TRO and supplemental orders issued by the Court. The Receiver also requests  
 20 the Court authorize her continuing investigation and approve this first report and  
 21 recommendations.

22       Dated: April 24, 2018

  
 KRISTA L. FREITAG  
 Temporary Receiver

24       Dated: April 24, 2018

ALLEN MATKINS LECK GAMBLE  
 MALLORY & NATSIS LLP

By: /s/ Edward Fates  
 EDWARD G. FATES  
 Attorneys for Temporary Receiver  
 KRISTA L. FREITAG

# EXHIBIT A



Account Holder Name	Name-2	Bank	Account	Balance at 4/16/18 or Current Status
<b>Accounts On TRO:</b>				
Jaime Aburto		Bank of America	3535	Not addressed in initial response
Jaime Aburto		Bank of America	3580	Not addressed in initial response
Jaime Aburto		Bank of America	4082	Not addressed in initial response
Jaime Aburto		Bank of America	5468	Not addressed in initial response
Jaime Aburto		Bank of America	6359	Not addressed in initial response
Jaime Aburto		Bank of America	6391	Not addressed in initial response
Jaime Aburto		Comerica	0386	No records identified
Jaime Aburto		Comerica	4656	No records identified
Jaime Aburto		JP Morgan Chase	4861	Closed - with no account specified
Jaime Aburto		JP Morgan Chase	8160	Closed - with no account specified
American Home		Bank of America	5909	Not addressed in initial response
American Home		Bank of America	6102	Not addressed in initial response
American Home		Bank of America	6115	Not addressed in initial response
American Home Servicing Center	Jaime Aburto	Citibank	1407	Awaiting Bank Response
American Home Servicing Center	Jaime Aburto	One West Bank	8532	Awaiting Bank Response
American Home Servicing Center	Jaime Aburto	Pacific Western Bank	9013	Closed
American Home Servicing Center	Marcus Fierro, Jr.	JP Morgan Chase	3880	Closed
American Home Servicing Center	Marcus Fierro, Jr.	JP Morgan Chase	7052	Closed
American Home Servicing Center		Comerica	1555	No records identified
Capital Freedom Mortgage Solutions		Bank of America	2304	Not addressed in initial response
Capital Freedom Mortgage Solutions		Bank of America	2317	Not addressed in initial response
Capital Home		Bank of America	1710	Closed
Capital Home		Bank of America	1723	Closed
Marcus Fierro, Jr.		Bank of America	0215	Not addressed in initial response
Marcus Fierro, Jr.		Bank of America	3952	Not addressed in initial response
Marcus Fierro, Jr.		Bank of America	4423	Not addressed in initial response
Marcus Fierro, Jr.		Bank of America	5177	Not addressed in initial response
Marcus Fierro, Jr.		Bank of America	7380	Not addressed in initial response
Marcus Fierro, Jr.		Bank of America	7393	Not addressed in initial response
Marcus Fierro, Jr.		Bank of America	7458	Not addressed in initial response
Local Page	Jaime Aburto	Comerica	4197	No records identified

Account Holder Name	Name-2	Bank	Account	Balance at 4/16/18 or Current Status
NAC	Jaime Aburto	Citibank	4088	Not addressed in initial response
National Advocacy	Marcus Fierro, Jr.	Wells Fargo	3666	Not addressed in initial response
National Advocacy	Marcus Fierro, Jr.	Wells Fargo	3674	Not addressed in initial response
National Advocacy		Bank of America	5912	Not addressed in initial response
National Advocacy		Bank of America	5925	Not addressed in initial response
National Advocacy		Bank of America	5938	Not addressed in initial response
National Advocacy		JP Morgan Chase	8676	Closed
National Servicing Center	Eduardo Bello	JP Morgan Chase	5593	Closed
National Servicing Center		Bank of the West	4311	Closed
EC Rodriguez		JP Morgan Chase	0689	Closed - with no account specified
EC Rodriguez		JP Morgan Chase	5730	Closed - with no account specified
EC Rodriguez		JP Morgan Chase	8412	Closed - with no account specified
Sergio L. Rodriguez		Bank of America	0062	Not addressed in initial response
Sergio L. Rodriguez		Bank of America	1927	Not addressed in initial response
Sergio L. Rodriguez		Bank of America	1930	Not addressed in initial response
Sergio L. Rodriguez		Bank of America	2520	Not addressed in initial response
Sergio L. Rodriguez		Bank of America	5241	Not addressed in initial response
Sergio L. Rodriguez		Bank of America	5254	Not addressed in initial response
Sergio L. Rodriguez		Bank of America	6936	Not addressed in initial response
Sergio L. Rodriguez		Citibank	7001	94.69
Sergio Lorenzo Rodriguez		JP Morgan Chase	4504	Bank did not locate account
<b>Additional Accounts Located:</b>				
Capital Home Advocacy Center		Citibank	6159	1,934.52
Capital Home Advocacy Center		Citibank	6167	1,778.10
NAME UNKNOWN		Citibank	1724	Awaiting Bank Response
National Servicing Center		Bank of the West	9476	Closed
National Servicing Center		Bank of the West	9484	Closed
Jaime Aburto		Bank of the West	4439	Closed
NAC		US Bank	0253	2,465.98
NAC USA, LLC		US Bank	0105	2,739.90
NAC		First Bank	0048	0.99
NAC USA, LLC		First Bank	6762	223.00
Lydia Duncan Marcus Fierro		Bank of America	4562	2,065.58
American Home Servicing Center	Jaime Aburto	Pacific Western Bank	9302	Closed 10/14/15
		<b>Total</b>		<b>\$ 11,302.76</b>

# **EXHIBIT B**

## Your Loan Modification with Capital Home Advocacy Center

Krista Freitag, Court Appointed Receiver <capitalhome=ethreadvisors.com@mail67.atl91.mcsv.net>  
on behalf of Krista Freitag, Court Appointed Receiver <capitalhome@ethreadvisors.com>

Wed 4/18/2018 3:20 PM

Inbox

To: Capital Home Advocacy (E3 Advisors) <capitalhome@ethreadvisors.com>;



Experienced. Efficient. Effective.



### **FTC v. Capital Home Advocacy Center, et. al.**

April 18, 2018

Dear Customer,

Please be advised that Capital Home Advocacy Center ("CHAC"), American Home Servicing Center ("AHSC"), and National Advocacy Center ("NAC"), (the "Receivership Entities"), as well as their affiliated companies, have been placed under the control of a Court-appointed temporary receiver by an order of the United States District Court for the Central District of California. The court order was requested by the Federal Trade Commission ("FTC") based on alleged violations of federal laws and regulations.

I am the court-appointed temporary receiver. The FTC's complaint and the court's order

can be found at the website I have established for the receivership:

<http://www.ethreadvisors.com/ftc-case-docs/ftc-capital-home/>.

CHAC's operations have been suspended at this time pending further order of the District Court. Therefore, if you have a pending or open case with CHAC, it is imperative that you contact your lender directly as CHAC is not currently able to provide any services relating to your mortgage or any possible modification of your mortgage. Please note, ***lenders often have strict and short deadlines that apply to applications for loan modifications, so it is very important that you contact your lender as soon as possible.*** Failure to do so could have serious adverse consequences regarding your mortgage.

We will also provide you access to the documents you have provided to CHAC, as well as any documents your lender may have provided to CHAC, to facilitate your future communications with your lender and, if applicable, continue the loan modification application process.

If you are in need of assistance in communicating with your lender about a loan modification, you should first speak to your lender as to what services they may provide. We also strongly recommend that you seek information about loan modification programs from the U.S. Department of Housing and Urban Development ("HUD") from its National Servicing Center at (877) 622-8525 or at HUD's website:

[https://www.hud.gov/program\\_offices/housing/sfh/nsc/lossmit](https://www.hud.gov/program_offices/housing/sfh/nsc/lossmit). **A list of HUD-approved housing counseling agencies in each state can be found here:**

<https://apps.hud.gov/offices/hsg/sfh/hcc/fc/index.cfm>

At this time, we do not have any information regarding possible refunds of amounts you may have paid to CHAC. However, we recommend that you visit the receivership website provided above on a regular basis for updates about the case.

If you have urgent questions, please send them to [capitalhome@ethreadvisors.com](mailto:capitalhome@ethreadvisors.com). We will respond to questions as soon as possible, but please understand that there are many time-sensitive issues in this case that we are working on. Therefore, we appreciate your patience.

Sincerely,

Krista Freitag,  
Court Appointed Receiver

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**Our mailing address is:**

Capital Home 401 W A St Ste 1830 San Diego, CA 92101-7931 USA

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#).





April 17 - 22, 2018

via email

Dear Lender,

Please be advised that Capital Home Advocacy Center ("CHAC"), American Home Servicing Center ("AHSC"), and National Advocacy Center ("NAC"), as well as their affiliated companies (the "Receivership Entities"), have been placed under the control of a Court-appointed temporary receiver by an order of the United States District Court for the Central District of California. The court order was requested by the Federal Trade Commission ("FTC") based on alleged violations of federal laws and regulations.

I am the court-appointed temporary receiver. The FTC's complaint and the court's order can be found at the website I have established for the receivership:

<http://www.ethreadvisors.com/ftc-case-docs/ftc-capital-home/>.

CHAC's operations have been suspended at this time pending further order of the District Court. CHAC's records indicate that one or more of your borrowers has applied to you for a loan modification with CHAC's assistance. Therefore, we ask that you promptly contact these borrowers directly as CHAC is not currently able to provide them with any services. These borrowers were relying on CHAC for assistance in applying for a loan modification and many of them made payments to CHAC that, in all likelihood, they will not be able to recover. We respectfully request that you make every attempt to contact your borrowers and take these facts into consideration in dealing with them directly moving forward.

If CHAC has submitted a third-party authorization to you on behalf of one or more borrowers, this letter serves as a full withdrawal/revocation of that authorization such that you should communicate directly with your borrower without concerns regarding authorization.

If you have urgent questions, please send them to [capitalhome@ethreadvisors.com](mailto:capitalhome@ethreadvisors.com). We will respond to questions as soon as possible, but please understand that there are many time-sensitive issues in this case that we are working on. Therefore, we appreciate your patience.

Sincerely,

Krista L. Freitag  
Receiver