

NOTICE OF FORECLOSURE SALE

February
Foreclosure

1. Property to Be Sold. The property to be sold is described as follows:

BEING LOT 7, BLOCK 28, IN THE COLONY NO. 3, A SUBDIVISION IN THE CITY OF THE COLONY, DENTON COUNTY TEXAS AS PER PLAT RECORDED IN VOLUME 11, PAGE 22, PLAT RECORDS OF DENTON COUNTY, TEXAS.

2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust recorded in Book 4443 Page 00005 Document 104235 real property records of Denton County, Texas.

3. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: 02/02/2010

Time: The sale will begin no earlier than 10:00 AM or no later than three hours thereafter.

Place: Denton County Courthouse, Texas, at the following location: THE COURTYARD AREA OF THE SOUTHWEST CORNER OF THE DENTON COUNTY COURTS BUILDING or as designated by the County Commissioners Court.

4. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

Pursuant to section 51.009 of the Texas Property Code, the property will be sold in AS IS, WHERE IS condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the deed of trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the deed of trust. The sale shall not cover any part of the property that has been released of public record from the lien of the deed of trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

5. Obligations Secured. The deed of trust executed by GREGORIO GUZMAN AND MARTA I. GUZMAN, provides that it secures the payment of the indebtednesses in the original principal amount of \$71,625.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. LEHMAN CAPITAL, A DIVISION OF LEHMAN BROTHERS HOLDINGS, INC. is the current mortgagee of the note and deed of trust.

6. Default and Request to Act. Default has occurred under the deed of trust and LEHMAN CAPITAL, A DIVISION OF LEHMAN BROTHERS HOLDINGS, INC. obtained a Home Equity Foreclosure Order from the 362nd District Court of Denton County on 10/12/2009 under Cause No. 2009-40201-362. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order and notice is given that before the sale the mortgagee may appoint another person substitute trustee to conduct the sale.



ALTERNATIVES TO FORECLOSURE

- 1. REPAYMENT PLAN** – A plan that enables you to bring the loan current at the end of the plan period by dividing the delinquent amount by the number of months in the plan and then adding this additional amount to your contractual payment.
- 2. MODIFICATION** – A change to one or more terms of the original mortgage agreement. This may include a change in interest rate, loan balance or term, which may lower your payment and bring the account current.
- 3. LISTING YOUR PROPERTY FOR SALE** - By listing your property, you may receive a sale offer acceptable to both you and to Ocwen. The sale of your property could help you to avoid a foreclosure sale of your home.
- 4. DEED IN LIEU OF FORECLOSURE** - If you do not intend on keeping the property, then depending on your current financial situation Ocwen may accept the deed to the property and extinguish the debt, even if the property is worth less than the loan balance. Title must be clear of any other liens.

FINANCIAL COUNSELING SERVICES

When you are experiencing a financial hardship, counseling may be a way to help you manage your finances. We urge you to contact HUD approved agencies to obtain assistance in keeping your home.

HUD Approved Housing Counseling: (800) 569-4287 www.HUD.gov

There are three ways for you to begin the process of working with us to identifying a solution to resolving your delinquent mortgage loan.

Option 1: Visit our website at www.ocwencustomers.com. Under the Financial Difficulties section, select the Pursue Alternative Payments Option. Here, you can enter your financial information at your convenience. Once you have entered the information, a Home Retention Consultant will review it and then contact you to discuss potential resolution options.

Option 2: Complete the attached form and fax to our Home Retention Processing Department at 407-737-6174. Once you have sent the information, a Home Retention Consultant will review it and then contact you to discuss potential resolution options.

Option 3: Call a Home Retention Consultant to discuss your options. **Call (800) 746-2936**

Sincerely,

Ocwen Loan Servicing, LLC

2-15-2010 2-1-2010
 Aditya Byyar.
 3 Days Friday
 201
 Guillermo
 9-12
 1-386-87

This communication is from a debt collector attempting to collect a debt; any information obtained will be used for that purpose. However, if the debt is in active bankruptcy or has been discharged through bankruptcy, this communication is not intended as and does not constitute an attempt to collect a debt.



Ocwen Loan Servicing, LLC
HELPING HOMEOWNERS IS WHAT WE DO!™
WWW.OCWEN.COM

January 21, 2010

Gregorio Guzman
Marta I Guzman
5053 South Colony Bouleva

The Colony TX 75056

Loan Number: 30412902
Property Address: 5053 South Colony Boulevard
The Colony, TX 75056

Dear Customer:

Thank you for your recent application for a modification under the Making Homes Affordable Program. Based on our review of the documentation you provided, you are not eligible for a Home Affordable Modification.

- **Based on government guidelines, your current debt-to-income ratio is already below 31%, therefore, you are not eligible for a payment reduction under the HAMP program. We may have other options for you.**

The Home Affordable Modification option is designed specifically to allow existing homeowners to keep their homes by making mortgage payments affordable, however the plan will not help everyone. For example, it will not help investor borrowers, borrowers who have no income and cannot make any mortgage payment or if a borrower's current monthly mortgage ratio is less than 31% of their gross monthly income. (Note: Monthly mortgage ratio is the current first mortgage monthly payment, including principal, interest, taxes, insurance and homeowner's association dues, if applicable, divided by the gross monthly income).

If I'm not eligible for a Home Affordable Modification, then what do I do?

Remember at Ocwen, HELPING HOMEOWNERS IS WHAT WE DO!™. We understand that unanticipated changes in your financial situation can impact every area of your life, including your ability to pay your mortgage obligation. Our Associates and Home Retention Consultants are trained to work with you to set up a plan of action specifically designed to address your current circumstances. By completing the financial information attached, we can begin the process of presenting you with some alternative solutions to resolve your delinquent mortgage loan. Below please find a brief description of possible solutions.

HDENY.6

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MACKIE WOLF & ZIENTZ, P. C.

ATTORNEYS AT LAW

PACIFIC CENTER I, SUITE 660
14180 NORTH DALLAS PARKWAY

DALLAS, TX 75254

PHONE (866) 357-8978 FAX (866) 960-8298

April
Foreclosure

09-300314-670
March 10, 2010
CERT MAIL
GREGORIO GUZMAN
5053 SOUTH COLONY BOULEVARD
THE COLONY, TX 75056

RE: LOAN No. 30412902
MWZ No. 09-300314-670

NOTICE OF POSTING AND SALE

Dear GREGORIO GUZMAN,

We have been retained by Ocwen Loan Servicing, Mortgage Servicer for LEHMAN CAPITAL, A DIVISION OF LEHMAN BROTHERS HOLDINGS, INC., the current Mortgagee of the Note and Deed of Trust related to the above referenced loan. A servicing agreement between the Mortgagee, whose address is:

LEHMAN CAPITAL, A DIVISION OF LEHMAN BROTHERS HOLDINGS, INC.
C/O Ocwen Loan Servicing
1661 WORTHINGTON ROAD
SUITE 100
WEST PALM BEACH, FL 33409

and the Mortgage Servicer authorizes the Mortgage Servicer to collect the debt. We have been employed by our client to represent it in collecting the indebtedness and enforcing the Deed of Trust.

A default occurred under the terms of the Note. Notification was sent that default had occurred in the payment of the Note and that Ocwen Loan Servicing would accelerate the maturity of the Note if you did not cure the default. Because of your failure to cure the default, the maturity date of the Note was previously accelerated.

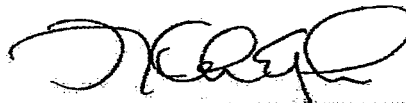
All unpaid principal and accrued interest on the Note are due and payable at this time. You may obtain the precise amount to pay off the loan and prevent foreclosure by contacting this firm at (866) 357-8978. Payment must be made by cashier's check, certified check or money orders.

On Tuesday, 04/06/2010, the Trustee or Substitute Trustee will sell to the highest cash bidder, the property legally described in the enclosed Notice of Foreclosure Sale. The sale will occur at the Denton County Courthouse in the area designated by the Denton County Commissioner's Court, or if no such area has been designated by the Commissioner's Court then in the usual and customary location in that County. We have enclosed a copy of the Notice of Foreclosure Sale, which is being posted at the Denton County Courthouse in accordance with Texas law and the provisions of the Deed of Trust.

All obligors and guarantors have the right to bring a court action to assert the non-existence of a default or any other defense to acceleration and foreclosure. If this debt has been discharged in bankruptcy or you are not obligated on this debt, the Mortgage Servicer is not attempting to collect this debt from you personally.

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT THE DEBT AND ANY INFORMATION OBTAINED BY IT WILL BE USED FOR THAT PURPOSE.

Sincerely yours,





O C W E N

WWW.OCWEN.COM

Ocwen Loan Servicing, LLC
P.O. Box 24737
West Palm Beach, Florida 33416-4737

(Do not send correspondence or payments to the above address)

03/16/10

Gregorio Guzman
Marta I. Guzman
5053 South Colony Boulevard
The Colony, TX 75056

Loan Number: 30412902
Property Address: 5053 South Colony Boulevard, The Colony, TX 75056

Dear Borrower(s):

As your mortgage servicer, Ocwen Loan Servicing, LLC ("Ocwen") is prepared to assist customers such as you who are experiencing a financial hardship that makes it difficult to meet your mortgage obligations. However, in order for Ocwen to recommend potential options, you must submit all required documentation listed below. If all requested documents are not submitted or are not complete, your application will not be reviewed.

The review process will take up to 30 days after the receipt of the completed package. During this time, Ocwen will not delay or stop any collection or legal activity on your loan. Therefore, it is important to complete the package and fax it back to Ocwen as quickly as possible. Please ensure all items on the checklist are submitted.

- Signed and completed Request for Financial Information – Exhibit A**
- Written Hardship Letter explaining why account is delinquent or likely to become delinquent**
- 2 most recent pay stubs for all employed Borrowers and documentation of other sources of income (child support, alimony, rental income, social security, etc.)**
- W-2 Statement and Income Tax Return for the last year OR Federal Income Tax Forms (SELF EMPLOYED ONLY)**
- 2 most recent Bank Statements for all checking and savings accounts**

Please fax the financial statement and documents to:

Ocwen Loan Servicing, LLC
(407) 737-5433

Before returning the application, please make sure to sign and date the form.

Sincerely,
Ocwen Loan Servicing, LLC

30412902

ELMPREFM.12

This communication is from a debt collector attempting to collect a debt; any information obtained will be used for that purpose. However, if the debt is in active bankruptcy or has been discharged through bankruptcy, this communication is not

From: Greg Guzman [mailto:experiencelawn@yahoo.com]
Sent: Monday, March 22, 2010 9:35 AM
To: McCrory Team
Subject: Ocwen

Thomas

I called Ocwen, & made them aware that you would be Authorized to call to get information on our account. The foreclosure date is set for April 6, 2010. Please keep me posted & let me know what else you need from us. Thank you for your help.

Greg Guzman
972-740-7747

<http://us.mg5.mail.yahoo.com/dc/launch?gx=1&.rand=9n89d1dhau0hm>

From: Greg Guzman (experiencelawn@yahoo.com)
To: mcroory@ebby.com;
Date: Wed, March 24, 2010 9:28:58 PM
Cc:
Subject: 5053 South Colony

Thomas

I wanted to let you know that I got a phone call from Ocwen. The guys name was Alex. He asked me to fax him recent pay stubs. I do not understand why he is trying to get this from us. He led me to believe that they were still considering us for a payment plan. I did not respond. I do not trust them. Maybe he wants me to resubmit our information just to stall the short sell. Please let me know what you think. Thank you.

Greg Guzman
972-740-7747

From: Greg Guzman (experielawn@yahoo.com)
To: mcrory@ebby.com;
Date: Mon, April 5, 2010 6:01:45 PM
Cc:
Subject: Re: Ocwen

Thomas

I wanted to give you an update. We moved out of the house in the Colony. We just got of the phone with them, & they said that they were going to extend the foreclosure date , so they can work on the loan modification. So do you go ahead & put it up for sale now or what is our next step.

Greg Guzman
972-740-7747

From: Thomas McCrory <mcrory@ebby.com>
To: Greg Guzman <experielawn@yahoo.com>
Sent: Mon, March 22, 2010 10:39:51 PM
Subject: Re: Ocwen

Thanks.

Sent from my iPhone

On Mar 22, 2010, at 7:07 PM, Greg Guzman <experielawn@yahoo.com> wrote:

Here is the signed form

From: McCrory Team <mcrory@ebby.com>
To: experielawn@yahoo.com
Sent: Mon, March 22, 2010 6:05:05 PM
Subject: RE: Ocwen

Greg,

I need you both to sign below your names on the Authorization. Need actual signatures. I contacted the Home Retention Dept. today to get the fax number to send.

Thomas

P. S. WE APPRECIATE REFERRALS!! If you know of anyone moving throughout the Metroplex, or from coast to coast, just call or email, and we will assist

From: experiencelawr@yahoo.com (experiencelawr@yahoo.com)
To: mcroxy@ebby.com;
Date: Fri, April 23, 2010 8:18:51 PM
Cc:
Subject: Re: Loan Number : 30412902

Ok

Sent via BlackBerry by AT&T

From: Thomas McCroxy <mcroxy@ebby.com>
Date: Fri, 23 Apr 2010 20:15:50 -0500
To: Greg Guzman <experiencelawr@yahoo.com>
Subject: Re: Loan Number : 30412902

Realtor is communicating w/Ocwen

Ocwen had me change it. I will forward the new ones when I get them.

Sent from my iPhone

On Apr 23, 2010, at 5:10 PM, Greg Guzman <experiencelawr@yahoo.com> wrote:

Thomas

I have attached a copy of the request for the IRS to remove the lien on the house. I also sent the HUD report you sent me.

Greg

From: McCroxy Team <mcroxy@ebby.com>
To: Greg Guzman <experiencelawr@yahoo.com>
Sent: Fri, April 23, 2010 10:11:48 AM
Subject: Fw: Loan Number : 30412902

For your records.

P. S. WE APPRECIATE REFERRALS!! If you know of anyone moving throughout the Metroplex, or from coast to coast, just call or email, and we will assist them with the highest level of service possible.

EBBY HALLIDAY, REALTORS

Regards,
Anwar Sayed.

THIS COMMUNICATION IS FROM A DEBT COLLECTOR
WE ARE ATTEMPTING TO COLLECT A DEBT.
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

****IMPORTANT PRIVILEGE & CONFIDENTIALITY NOTICE****

This communication is for its intended recipient only, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. This communication constitutes an electronic communication within the meaning of the Electronic Communications Privacy Act, 18 U.S.C. 2510, and its disclosure is strictly limited to the recipient intended by the sender of the message. If you are not the intended recipient, or a person responsible for delivering it thereto, you are hereby notified that any disclosure, copying, dissemination or distribution of this communication or any of its contents is strictly prohibited. If you have received this communication in error please notify the person whose name appears above and delete the original message and any copy of it from your computer system.

From: Greg Guzman [mailto:experienceclawm@yahoo.com]
Sent: Thursday, March 25, 2010 2:12 PM
To: Sayed, Anwar
Cc: Imarta.guzman@gmail.com
Subject: Account 3042902 - Gregorio & Marta Guzman

still sampling info
no
no
no

Anwar,
Per your request, attached is a letter of income confirmation, last two paycheck stubs from IEA, Inc. and I am also including the reason why we are in this situation. Let us know what other information you require. We want to know as soon as possible, if the foreclosure is still on for April 6, 2010, we will need time to find us another home to move to.

My phone number is 972-740-7747 and Marta's number is 214-663-9604.

Regards,
Greg Guzman

This E-mail message and its attachments, if any are intended solely for the use of the addressee hereof. In addition, this message and the attachments, if any may contain information that is confidential, privileged and exempt from disclosure under applicable law. If you are not the intended recipient of this message, you are prohibited from reading, disclosing, reproducing, distributing, disseminating or otherwise using this transmission.

SOLD@MCCRORYTEAM.COM

1416 LEGACY DRIVE, STE. 100
FRISCO, TX 75034

From: McCrory Team [mailto:mccrory@ebby.com]
Sent: Monday, May 03, 2010 6:38 PM
To: 'ann@inyourplace.net'
Cc: 'Gray, Dedra'
Subject: No Go With Ocwen

*Red Hox's
Red Woods
RESTRICTED*

Ann,

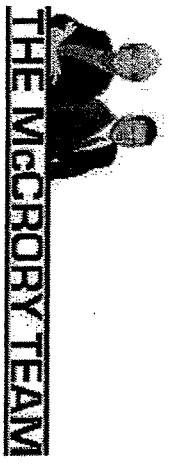
Basically, it appears that Ocwen was lying to us. Apparently, they were just leading us on and really not doing what they said. The negotiator called today and just basically said he didn't have time and wasn't doing what we were told he was doing. Basically, they don't care. I assume the house will be foreclosed on tomorrow. I will have to check with them tomorrow and see to be positive. We tried calling everyone we could above the gentleman's level and no one will call back. Sorry, about this. Ocwen lead us on and wasted a significant amount of my time, the title companies' time, the IRS's time, my client's time, yours and your clients.

If they foreclose on it, then it will go on the market at some point so you can watch for it.

Send me a release of earnest money and I will get it signed off so your client can get their earnest money.

Thanks,
Thomas

P. S. WE APPRECIATE REFERRALS!! If you know of anyone moving throughout the Metroplex, or from coast to coast, just call or email, and we will assist them with the highest level of service possible.



EBBY HALLIDAY, REALTORS
SUSAN MCCRORY, CRS, ABR
THOMAS MCCRORY, CRS, ABR

OFFICE: 972-336-6664
SUSAN VM: 972-733-9654
THOMAS VM: 972-248-6948

WWW.MCCRORYTEAM.COM



Ocwen Loan Servicing, LLC
 P.O. Box 24737
 West Palm Beach, Florida 33416 -4737
 (Do not send correspondence or payments to the above address)

WWW.OCWEN.COM

April 29, 2010

Gregorio Guzman Marta I. Guzman

5053 South Colony Boulevard
 The Colony, TX 75056-0000

Loan Number: 30412902
 Property Address: 5053 South Colony Boulevard, The Colony, TX 75056-0000

Dear Borrower (s)

In accordance with the provisions of your mortgage, we are required to have property inspections completed on all delinquent loans. We recently received a property inspection, which stated that your property is vacant and/or unsecured. Please note that servicing guidelines require that we notify your insurance holder and advise them that your property may be vacant. You should contact your agency and provide them with the current occupancy status of the property.

You must contact our office to advise us of the status of the property within fifteen (15) days from the date of this letter or action will be taken to secure and, if necessary, winterize the property in order to protect our interest. You may contact the Property Preservation Department at (561) 682-7880.

Please understand that this is not an attempt or an action to dispossess you of your property. It is merely an action to protect our security interest as provided in the Mortgage or Deed of Trust Agreement. If you are monitoring the property at least once a week and you take full responsibility of the vacancy, please sign below and return this slip to our office so we may not proceed with securing.

Note: Mortgagor must sign this document only. Third party signatures will not be accepted.

CORRESPONDENCE REMITTANCE INFORMATION

Ocwen Loan Servicing, LLC
 1661 Worthington Road Suite 100
 Attn: Property Preservation Department
 West Palm Beach, FL 33409

Sincerely,
 Ocwen Loan Servicing, LLC
 Property Preservation Department
 (561) 682-7880

I take full responsibility of the vacant property. It is monitored at least once a week and it is secured. Any vandalism or damage done will be repaired immediately at my expense.

Gregorio Guzman
5053 South Colony Boulevard
Loan Number: 30412902

 Signature of Mortgagor

 Date

VACLTRS.11

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