

Office of the Chairman

October 27, 2009

Coldwell Banker Residential Brokerage  
3050 W. Agua Fria Freeway, Suite 110  
Phoenix, AZ 85027  
Attention: G-II Varrato II

The eMail that follows this page is the communication that prompted this letter to be sent to us in an overnight Fed-X letter package. As you can see, the Customer Advocate indicated that she tried to reach us by phone but was unsuccessful, prompting the transmission and delivery of this letter in the overnight Fed-X letter package.

Bank of America account ending: [REDACTED]  
Borrowers: Michael & [REDACTED]  
Property Address: [REDACTED], El Mirage, AZ 85335

Dear Mr. Varrato:

Thank you for contacting our office with your e-mail today, October 27, 2009, addressed to our executive offices of Bank of America Corporation, regarding your home loan. Your concerns were forwarded to my attention for review and response. Regrettably, my recent attempt to contact you to further discuss your concerns was unsuccessful.

In order to review your request for short sale assistance, our Home Retention Division will require the following information:

- Third party authorization
- Purchase Agreement
- HUD1
- Evidence of income (2 most recent pay stubs)
- Bank statements (2 most recent)

Please fax the information to the attention of the undersigned to 1 [REDACTED] by November 9, 2009. It is important for you to know that assistance is not guaranteed and is dependent on several factors; however, Bank of America will look at every option in an effort to assist you.

Mr. Varrato, thank you for this opportunity to be of service. In the event you should require additional assistance, please contact me at 1 [REDACTED], extension [REDACTED], Monday through Friday, 8 a.m. to 5 p.m., Pacific.

Sincerely,



Pamela [REDACTED]  
Customer Advocate  
Office of the Chairman

Enclosure

**G-II Varrato II, Ret USAF 820th CES - Red Horse, ePRO 500, ABR, RECS, REW, Mentor, REALTOR**

**From:** G-II Varrato II, Ret USAF 820th CES - Red Horse, ePRO 500, ABR, RECS, REW, Mentor, REALTOR® [G-IIsLapTop@HomesInPhoenix.net]  
**Sent:** Tuesday, October 27, 2009 8:18 AM  
**To:** Mercy [REDACTED], Office of the CEO - Bank of America – Direct: [REDACTED] - Re Loan No. [REDACTED] - SECURE  
**Cc:** Kenneth D. Lewis, CEO - Bank of America - Charlotte, NC - SECURE; Joe L. Price, CFO - Bank of America - Charlotte, NC - SECURE; Lorin TabletPC - Lori Klindera - Realtor® Coldwell Banker Presidents Circle™ rCRMS, e-PRO™ Certified ABR™® RECS™® Mentor™ Metro Office - GoAirForceHomes.info; Regina McKinney - National VA Real Estate Services - Virtual Assistant to Lori & G-II's eTeam™ of Professional REALTORS® - (623) 703-6511 – AirForceHomeSeller - SECURE  
**Subject:** Mercy, RE: Short Sale assistance for SR BofA Loan No. [REDACTED] | JR BofA Loan No. [REDACTED]

**Importance:** High This eMail was sent to the President/CEO and CFO at BofA at 8:18am AZ Time, October 27th 2009. At approximately 10:00am AZ time, October 27th, the Office of The Chairman tried to reach us but our office secretary mistakenly misdirected the call and the Customer Advocate could not make contact with us. That failed effort prompted the Customer Advocate to immediately send an overnight Fed-X letter to us, alerting us to her efforts to contact us. This is a stellar example of the power of what a clear, articulate and professional letter/eMail to top level decision makers at each banking institution, can have on a short sale transaction. We are now racing to the finish line with a senior level negotiator at BofA.

Hello Mercy

**RE:**  
**SR BofA Loan No. [REDACTED] | JR BofA Loan No. [REDACTED]**  
**[REDACTED], EL MIRAGE, AZ 85335 - MLS: [REDACTED]**  
**MICHAEL & [REDACTED] to JILL [REDACTED] - Lender: Pacific Funding**

Good day Mercy. You helped us with another file a week ago and now we need your assistance again. This time our request is a bit different in that our military family, both husband and wife are in the Air Force, have orders to deploy out of country at the end of the year.

Our file has been stuck in the mud since November of 2008. We lost the first two buyers and now have a third in tow. We submitted the short sale file numerous times but have been unsuccessful to get the file moving forward until about a few months ago when the file was handed off to Ms. Eli [REDACTED]. On October 7<sup>th</sup>, Eli ordered two BPOs, one for the Sr. Loan and another for the Jr. HELOC. We spoke with both BPO agents and know that the two BPOs have been completed and delivered to BofA.

We received a short sale proposal for the Jr. Mortgage/HELOC that will not work for the sellers. The good news is that our clients are eligible for short sale funding assistance from the DoD (Department of Defense) through the HAP (Housing Assistance Program). We believe that the funding assistance can liquidate the HELOC balance in its entirety and possibly assist with liquidation of the Sr. note as well.

We need to be put in touch with a senior level Loss Mitigation Specialist whom we can communicate with immediately... as funds from the DoD are limited and could evaporate at any moment. Congress only allocated ½ a billion dollars to this assistance program. I am very proficient in managing HAP applications and have contacts at the DoD to help expedite this process, as I am retired USAF myself.

Another integral part to his puzzle is that the buyer is trying to take advantage of the Obama Tax Credit that will expire on November 30<sup>th</sup> this year. The buyer's lender assures us that he can get this transaction closed before November 30 but we need to move quickly.

This particular Short Sale will be a bit complex as we will be working in tandem with BofA and the DoD.

Please try to have this file assigned to David Tan as we have a good working relationship with David and know him to be ultra responsive.

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We look forward to your assistance, once again.

Have a GREAT day. BTW... I can be reached through my office at 623-344-4000 and ask to be patched through to G-II's (G2s) cell.