

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS

DAVID MCCRAE AND BARBARA MCCRAE,]	
PLAINTIFFS, qui tam]	
CONSUMER FINANCIAL PROTECTION BUREAU]	
vs.]	
LENDER PHH MORTGAGE, LLC., and]	CIVIL ACTION NO.
SUBSTITUTE TRUSTEE BARRETT BURKE DAFFIN]	1:14-cv-00733-LY
FRAPPIER TURNER AND ENGEL, LLP,]	
and VARIOUS ACTORS AND EMPLOYEES]	
OF DEFENDANTS JOHN DOE 1-100]	

Demand for Trial by Jury

Judge –

In accord with Rule 38, I am demanding a trial by jury.

Since the recent and ongoing financial crisis in this country (Wall Street and the Financial Crisis, Anatomy of a Financial Collapse, Majority and Minority Staff Report, Permanent Subcommittee on Investigations, Committee on Homeland Security and Governmental Affairs, Carl Levin, Chairman and Tom Coburn, Ranking Minority Member), the Financial Institutions Reform, Recovery, and Enforcement act of 1989 (FIRREA) has been passed by the legislature (still being widely litigated) to define and confirm the ethical bedrock foundations of proper financial institution operations to the benefit of our community. The Consumer Financial Protection

Board has been established specifically by the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 to address, and the Department of Justice appears to have expended great effort in examining and regulating, mortgage servicing industry practice, company by company. The most egregious violators in the arena (BofA, Chase, Citi, Greentree, Ocwen, Wells) have already begun to appear in courts to register consent judgments with the united group of all 50 State Attorneys General, and to disgorge record setting penalties in restitution of past practices, and to submit themselves and their changing practices to regulatory oversight by Joseph A. Smith, The Office of Mortgage Settlement Oversight (Joseph A. Smith does not participate in litigation). We are now considering just such industry practices in the case of the plaintiff and these two defendants. A jury has never been empaneled before to openly consider and judge these issues, or their most proper and effective remediation. Now is the time.

Attached Exhibit P-11, Better Markets v. DOJ - Complaint.

Respectfully,

Date: 1 September 2014

Signature: /s/ David McCrae, Pro se

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Case Number: 1:14-cv-00733

[PROPOSED] ORDER GRANTING

Trial by Jury

DATE:

TIME:

COURTROOM:

JUDGE: Lee Yeakel

The Court has considered the Motion for Trial by Jury.

Finding that good cause exists, the Motion is GRANTED / DENIED.

MAKE IT SO.

DATED:

United States District/Magistrate Judge

SERVICE

I have served this Demand for trial by jury

To

McGlenchey Stafford, PLLC

Mr. Nathan Anderson

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Sworn to on 1 September 2014 by /s/David McCrae, Pro se

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